

6941

R. N. 126

27. 5. 84. Sur. 2

Res 29/5/84

No 9798

Chepalk

26th May/84

Yo

C/

Please pay what
pay the petitioner
was drawing in the
P.W Deptt, prior to his
transfer to Local
Fund employ

C/

DW

No 11285 appth June/84
26-5-84

L

W.

No 143 of 29th May/84

Sur. 2

R. 6 per mensend with
Wynad allowance at 50 per cent
thereon, or in all R. 9 per mensend

DC

C.

ST.
28/5

Enc
10/6

P. H. 55/5

enc 9/6 10/6

Resubmitted

Subm Dept Regs

The Board of Rev:
P. W. Department

PUBLIC WORKS DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

Petition from Mahomed
Cassim Late Lascar P.W.D. North
Wynaad H.E. No. of 1st April 84

From the Supg. Eng. IV Circle " No. 223 E. W. of 9th May 1884
Office note from the Secy. No. 14357 29.5.84

Petitioner is
informed that, as he
was transferred to the
Local Fund ^{Board} without
break of service, he is
not entitled to a
gratuity in lieu of notice.

The Petitioner ✓ 8/11/84 Ed.
S.E. IV Circle ✓ 7/11/84 19-5-84

30.5.84

Cu

No 6852. of 7th April 1884

Pro: Pension Dept No 193 of 16/2/84.

From

The Superintending Engineer
IV Circle (4)

Dated 9th May 1884
No 14

No. 223
E. W.

No. 14285 of 7th June 84
Enclosure - One.

Mahomed Cassim
Late Lascar

Forwards Coimbatore
Executive Engineer's letter with
reference to Chief Eng. No. 6852
of 7th April 84 regarding the
Service of

Q. 19-5-84 2.13-5.84 Resubmitted
29/5/84

4402
No. 1060. Executive Engineer's Office
Coimbatore 6th May 1884.

From
The Executive Engineer
Coimbatore Division

To
The Superintending Eng^r
4th Circle

Sir,
With reference to your Memo
No. $\frac{234}{C.I.}$ of 22nd April 1884, I have
the honor to inform you that as
late Lascar Mohomed Khassim 84
was transferred to the Local
Fund Board, without any break
of service, he was not entitled
to short notice pay.

2 The President Local
Fund Board, Malabar states
that the Lascar is employed in
the

the Local Fund Department
in North Wynaad on Rs 9
per mensem. Therefore under
para³ 2 of G. O. Pension Depart-
ment No⁺ 193 of 16th February
1881, he is ^{not} entitled to any retiring
allowance also. + not cons.

³ The Petition of the Lascar
is herewith returned.

I have the honor to be

Sir

Your most obedt. Servant

R. Davidson

Executive Engineer

LM No 223
E.M.

Submitted to the Chief Engineer,
J. W. D. with reference to his Endorse-
ment No. 685 D of 7th April 1884.

Camp Copy }
9th May 1884 }

L. Beatty Col. R.E.
Supg. Engineer 4th Circle.

From.

The Exec. Engineer
Coimbatore Division



Dated 6th }
Dec. } May 1884

No. 1060

Encls: 1

Mahomed Cassim late Lascar.
Informing that —
was transferred to the
L. & S. Board without any
break of service, & he was
not entitled to short notice
pay or to any retiring
allowance.

Chupak
7th April 84
No. 6850

Referred to the
Superintending Engineer
Fourth Circle for enquiry
and report.

C. Howson. Major R.E.

Under-Secretary to
Govt
S. M. Deptt.

Handwritten initials and signature.

Web: 82/65.2.72 No. 223 d/9/5/84



No. 1428 Wap. June 84

To The Suptg Engr IV Circle
in order to be paid

Referred

Manantoddy 1st April 1884.

To
The Secretary to Government.
Public Works Department.
Madras.

The humble petition of Mahomed Cassim
late a Lascar in the D. P. W. North Wynnaad.

Respectfully Sheweth.

That your petitioner had served
the D. P. W. in Wynnaad for a period of 7 years, as his
Service Register, which is now in the Malabar Local Fund
President's Office, will show. That during the reduction
of the establishment in 1881. Petitioner was in Common
with several others, thrown out of employ and subsequently
entertained in the Local Fund Department. That as
gratuity & pension were granted to all such servants
as were sent away. Petitioner also applied for the
bonus to the Executive Engineer in December 1881.
That in reply he was directed to forward an affidavit
declaring on oath his exact period of service, in
obedience to which order, he forwarded in 1882 the
required document duly sworn before the Deputy
Magistrate of Wynnaad.

That since then petitioner has not
heard anything on the subject.

He therefore now begs your honor
will be so good as to take his Case into your

Kind

4525
let me see the ruling in
Pension Dept. quoted by
E. E.

U.
21.5.84

S. A. W.

Please obtain
a copy. The records
of the Pension Dept.
are at Madras.

R. S.
21.5.84

Application sent to
Pension Dept for a
copy of L. O. wanted -
S. P.
23/5/84

C. A. W.

Copy of P. Pension Dept -
No. 193 of 16.2.82, obtained
4th inst -

It will be seen that the
petitioner was transferred to
the Local Fund Board on
the same instrument he drew
in P. W. D., i.e. P. 9 Wynnaad.

Submitted R. S.
29.5.84
30.5.84

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

16th February 1881, No. 193.

Pensions.

Read the following paper :—

From W. DONALD, Esq., Officiating Accountant-General, to the Under Secretary to Government, Pension Department, dated Fort St. George, 17th November 1880, No. J.A.E.-409.

Pension Department.

I have the honor to state that, when reporting upon several applications for pension and gratuity on behalf of officers of the Public Works Department, this office stated that the officers in question having lost their appointments in consequence of reduction of establishment in that department, and having been at once provided with employments under the Local Fund Boards, might not be granted any retiring allowances, because the Heads of Offices or the Examiner of Public Works Accounts, when forwarding the applications, certified that the applicants were transferred for employment under the Local Fund Boards.

2. On reconsideration of these cases, however, it seems to me that under the provisions of Rule 5, Section 59, of the Civil Pension Code, when an officer upon the abolition of his own appointment is transferred to another appointment, a compensation pension (the word "pension includes gratuity") may be simultaneously awarded to him, subject always to the limitation prescribed by Section 107. In the case of gratuity, the equivalent amount of pension may be ascertained by reference to the scale in Table A, Appendix E, of the Civil Pension Code. I am therefore of opinion that Public Works Officers transferred to Local Fund appointments may be allowed the compensation pension or gratuity they may have earned, provided that their new pay in the Local Funds *plus* the pension does not exceed their old pay. If the officers, however, after re-employment choose to retain such pension or gratuity without that limitation, their former services will not count for future pension.

3. Should Government be pleased to concur with me in the above views, I request that that portion of the reports which objected to the grant of any retiring allowance on the ground that the officers concerned had obtained employment under Local Fund Boards may be cancelled.

ORDER THEREON, 16th February 1881, No. 193.

The *lower* subordinates of the Public Works Department who have since its recent reduction been employed under Local Fund Boards are of two classes—

- (i.) Executive officials.
- (ii.) Office servants.

2. Both these classes of employés are ordinarily* entitled to pensions from Local Fund Boards, and members of the first have commonly been transferred to and from service under such Boards. In these last cases pension is paid proportionately by Government and Local Fund Boards.

* G.O., 13th March 1874, No. 431, Finl. Dept.

3. In some instances the compensation retiring allowances now applied for would, under the above rule, have to be paid in whole or part from Local Funds, though the applicant is still in the employment of a Local Fund Board. Such claims are manifestly inadmissible, and generally in all cases where Public Works Department lower subordinates have been employed by Local Fund Boards on salaries equal in amount to those they were formerly paid no compensation retiring allowance is admissible.

4. On the other hand, where such persons have been taken on by Local Fund Boards on reduced salaries, their appointments have apparently been abolished within the meaning of Section 59* of the Civil Pension Code, and their claims may be

* *Vide* Rule 8.

admitted subject to the rules regulating the grant and refund of compensation gratuities and pensions in ordinary cases.

5. The applications received from the Examiner will now be returned to him according to the accompanying list, in view to his revising his report thereon in accordance with these instructions.

6. This Order in no way affects the case of the officers and *upper* subordinates who retired under Government of India Resolution, dated 31st July 1879, No. 2079, Financial Department.

7. Copy of these Proceedings will be forwarded to the Government of India.

(True Extract.)

Under Secy. to Govt.

To the Accountant-General.

„ Examiner of Public Works Accounts.

Govt. of (1881) Madras.
PENSION.

To
THE ACCOUNTANT-GENERAL,
&c., &c., &c.

Dated February, 16th.

Issued

Recd.

Encl.

G.O., 16th February 1881, No. 193.

FEBRUARY.

Pensions.—Returning to the Examiner of Public Works Accounts certain applications for compensation allowances on behalf of subordinates of Public Works Department thrown out in the recent reduction and re-employed under Local Fund Boards for revision in accordance with instructions herein given.

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