

1. Number of pages 1-36
2. Date of repair 12.2.36
3. Initials of Referee
F. J. 36

M.R.O. 1-82409-28-11-80

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	1025	Press Mis.
Dated	26-10-	1882.

Not to be folded or roughly handled

Ottawamut
28 April 1882.

No 224

From

1296

R. W. Barlow Esq.
Late Judicial Commissioner
Nilegis

To The Chief Secretary
to Government Port St George
Ottawamut.

Sir,

Re T. Verasawmy & Naidu's Petition.

With reference to G.O. dated
28 February 1882 No 540, I have the
honor to report for the information
of Government, that the Petitioner
T. Verasawmy, ^{Naidu} did not avail himself
fully of any of the adjournments of
the year in question.

2. It has been the practice of the
late Court, that the Subordinates
should not be allowed the benefit
of the recess, until they had
brought up the arrears of work
each year, and I think I may
safely state that the Petitioner
remained in office on an average
20 days in each adjournment.

3. The Private affairs leave taken
by the Petitioner, in the year 1870,
was for the celebration of the
marriage of his daughter at
Madras; as to the urgency of
which

which I must leave the Govern-
ment to decide. The leave enjoyed
in 1841 appears to have been sick
leave.

4. I am unable to state, from
the records, the nature of the leave
granted in the year 1844.

I have the honor to be
Sir,

Your most obedient servant

W Moore

Late Incl. Commissioner

End 28-2-82-540

1882 Pew
Judicial Department
From (Pensions)
The late Judicial
Commissioners
of Algiers

DISPOSED OF
25 MAY 82
BY Sub-1062-

No. 224

1296
Nated 28
Red. 23 April 1882
Pet. 5/15 May

No.

22/5

Subject

25-5-82
1062

Furnishes certain infor-
mation regarding
Verasauray & Andros
Pension applications.
No 1062 of 25-2-82

Lodged per 20/5/82
This does not
help Pet's case, but is rather against it.

DEPARTMENT.

Ander Disposal Docket.

PAPERS to be read in Proceedings:—

No. *2196* of *81*

No. *2734* of *81*

No. *393* of *82*

Petition / Henry Duff

4/12/96 of 82

N^o 590

DISPOSED OF

13 FEB 82

BY H. G. 590

828/2/82

28-2-82

590

20.

Throff's services ~~count~~ on No 20, Count
count as "capable" for

List

O. In. No 230 of 29-11-81

Referred to the Accl. General, who
will be good enough to report
whether any period exceeding 11
days of the applicant's leave
can be converted into privilege leave
so as to count as service, & thus
to reduce the deficiency to be
recommended to the Govt. of India
for condonation to within the
prescribed limit of 12 months.

for
26/1/82

W

26

The Accl. General }
with picture } 2029/1
and Encl. —

Pen 9.0.13 Oct 81 No 1052

Petition (1881) Department

From

Pen

J. Verasamy Naidu
late Head Goondas
- late, Commissioner
- of Court, Nilgiris
now at Madras.

Encl. One

Dated 31st Oct
Received 1st Nov } 1887.

CURRENT No.

2196

Subject

Prays that one year &
11 days out of his inferior
service may be counted
as superior & that he may
be granted a pension equal
to a month of his pay, or
that his case may be
submitted for the orders
of the Secretary of State.

29-11-81

With Order on
CP. 393 of 1882

Refused

No. 2196
To
The Secretary to the Government of India
Financial Department
Calcutta

Through
The Secretary to Government
Pension Department
Fort Saint George.

Sir,
I, J. Verasamy Naidu, late
Head Goondas Judicial Commissioner's Court
Nilghevies now residing at Triplicane, Mad.
- ras, beg most respectfully to bring the sorrow-
ful facts to your honor's benign consideration
trusting to be pardoned for the intrusion.

1. I served in the Judicial Commissioner's
Court, Nilghevies from about 1858 and retired
on the 24th January 1881 which makes up a total
service of about 23 years, of which superior is years
23- months 11- and days 19. service and the rest
inferior. During that long service I discharged
my duties to the entire satisfaction of the gentlemen
who were appointed as Commissioners as will be
seen from the copies of the testimonials herein
enclosed.

2. During my 31 years service I had never
enjoyed

enjoyed any kind of privilege leave or compensation leave except sick leave which I now beg to treat as privilege leave although I had attended the Court during the adjournment and Christmas vacation and served continuously without any break or interruptions and without suspension or dismissal or fine.

3. I retired on the 24th January 1881 fully believing that a moiety be sanctioned in appreciation of my long laborious and faithful service but at last to my great disappointment I was recommended and sanctioned $\frac{1}{3}$ pension in the Government Order No 1052 dated 13th October 1881. I beg to say here to support a very large family consisting of 9 members who solely depend upon me with my poor income of Rs 8-15-0 is really very difficult.

4. The chief cause of my retiring from service is on account of the reduction that is to take place in the Nilgherry Commissioner's Court when my pay will be reduced to Rs 20 per mensem which, when I retire, would entitle me only Rs 10 being the moiety of the then pay. The certificates will show whether I was a valuable servant and served zealously.

5. Under these circumstances I am obliged to lay my pitiable case before the

the Government of India earnestly requesting to be so pleased as to sanction me an invalid superannuation pension equal to a moiety on taking 1 year and days 11 as superior service from the inferior service of about $5\frac{1}{2}$ years in accordance with Rule 2 A Section 120 Civil Pension Code 5th Edition or to submit this application to the favourable consideration of the Secretary of State or to authorize me, the poor applicant to serve a few months in the same office until I am entitled to a moiety.

Triplicane

31st October 1881

I beg to Remain

Respected Sir

Your most obedient & humble servant

J. Veerasawmy Nair

Late Head Gormastah, Jno

Commissioner's office
Nilgherry

now residing at Tholasingaper

Civil Street Door No 44

Triplicane
Madras

From

S. Veerasawmy Naik
Late Head Gomastah
Commissioner's Court
Nilghee
Dowry at the

The Secretary to the Government
of India
Financial Department
Calcutta
through the Madras Government

Dated 31st } Octo
Received }
No.

Subject

Carefully requesting the so
pleased as to sanction him an
invalid superannuation pension
equal to a moiety on taking year
and days 11 as superior service
from the inferior service of about
5 1/2 years in accordance with
Rule 2 A Section 120 C. P. Code 5th
Edition or to submit this to the
favourable consideration of the
Secretary of State.

Treas. & Audit Dept.

N. J. 468
1222

Fort St. George
Account General's Office
15 December 1881.

From

H. H. Clogston Esq.
Off. Accountant General to the
Government of Madras.

To

The Secretary to Government
Petition Department
Fort Saint George.

Sir,

With reference to the Proceedings of
Government in the Petition Department, No. 230
dated the 29th November 1881, I have the honor
to report that S. Veerasawmy Nagadoo late
Head Gomastah in the Judicial Commissioner's
Court Nilgiris was absent, while in Superior
Service, on

- (a) Leave and half pay for 1 and 21 days
from 2nd July 1870.
- (b) Sick leave for 1 and 26 days from 1st
June 1871.
- (c) Leave and forfeiture of full pay for 24
days from 24th August 1872.
- (d) Leave and forfeiture of full pay for 11 days
from 13th June 1874.

Under the rules in force up to 14th March
1872, the date of the 1st Edition of the Civil Leave Code
Judicial

Judicial officers who took advantage of the adjournments of the Courts were not entitled to Privilege leave in addition. Provided the Judicial Commissioner of Nilgiris can certify from the records of his Court that Veerasaamy Vaidoo was prevented from enjoying the adjournments of the years from 1868 to 1871, three months out of the whole period of leave comprised in items (a) and (b) can be commuted into Privilege leave. As under the then existing rules the Petitioner could not have earned fresh Privilege leave between his return from (a) and availing himself of (b) the two periods must be viewed as instalments of the accumulated leave for three months and the excess 17 days viz: 10th to 26th July 1871 treated as the period by which he overstayed the leave, the allowance drawn by him for that period being recovered from him. Under Government of India Notification No. 1067 dated 9th June 1871 republished at page 1063 of the Fort Saint George Gazette dated 27th June 1871, an Uncovenanted Officer over-staying Privilege leave by more than one week forfeits his appointment and his past service but as is provided for in the said Notification the Petitioner can be declared to have been reappointed and not to have forfeited any part of his previous service.

The leave and forfeiture of full pay

from 24th August to 20th November 1872 item (c) amounting to 2 months and 27 days cannot be converted into Privilege leave as such leave for more than one month could not have been earned between July 1871 and August 1872.

The 11 days leave and forfeiture of full pay from 13th June 1874, item (d) can be commuted into Privilege leave either upon a Certificate from the Judicial Commissioner, that the Petitioner did not enjoy the adjournment of 1874, or without such a Certificate, under rule 1, Section 21 of the Civil Leave Code, 2nd Edition according to which Privilege leave could be granted to Uncovenanted Judicial Officers in case of urgent necessity even though they may have enjoyed the authorised Court vacations.

If therefore the 3 months and 11 days of (a), (b) and (d) be commuted as above the total period of the Petitioner's pensionable service will amount to 24 years and 3 months.

While reporting that this commutation of leave is admissible under the strict letter of Section 139 Civil Leave Code I beg to point out that in my opinion, it was not intended that leave should be commuted after such a long interval from the date the original leave was granted, nor does it seem desirable that such commutations should be

permitted.

permitted. -

There may have been and probably were reasons at the time the original leave was granted for not granting privilege leave and it is not possible after such a lapse of time to find out what the reasons were. Moreover the leave rules are constantly being altered and it is very difficult to deal satisfactorily with cases of this sort if commutation of leave is permitted after any number of years. -

The original enclosures of the Government Order under acknowledgment and herewith returned as directed. -

I have the honor to be,
Sir,
Yours most obed^t. Servant

J. H. Hastings
Offg. Account^t. General

No. 10.

Pen 40 13/10/81-1020
2190/81

Petition (1881) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,
Madras,

To

Pen.
THE Secretary to
Government
Petition Dept

No. 2462
1222

Dated

15th

Decr. 1881.

Received

15th
16

No.

2734

Subject.

States the circumstances
under which the period
of sick leave enjoyed
by S. Veeraswami Rairao
late the H.O. Gymnastah
in the Jrd. Commr's Office
Nilgiris may be converted
into privilege leave so as
to Count service for
a higher rate of pension.

O No. 182-4728-12-81

Referred to the Judicial Commission
with reference to para 4 of the
Accountant General's letter in view of the fact
that there is referred to being furnished
in the report meeting dated
18 Dec 1881
with Jrd. Commr's
of Nilgiris.

By order of
Jrd. Commr.



48

From

P. W. Barlow Esquire
Judicial Commissioner,
Nilgiris.

The Under Secretary to
Government, Fort Saint George
Madras.

Sir,

With reference to your endorsement
O. N. No. 282 dated 28th December 1881, I have
the honor to inform you that I gather from the
records of my office that S. Veeraswami Rairao
late Head Gymnastah of this Court did avail
himself of the adjournment of 1874.

As regards the 11 days leave on forfeiture
of full pay from the 13th July 1874 granted
to the said officer, I am sorry I cannot
state precisely at this length of time from
the records, the circumstances under which
the leave was granted.

Polacannud 23
B. Commissioner's Court
31 January 1882
CURRENT No. 393.

I have the honor to be

Sir,

your most obedient servant

W. W. W. W.

Judicial Commissioner

N 2734/81

Endorsement No 570 of 28-2-82

In the absence of a certificate from the Commissioners of Nilgiris that the Petn. did not avail himself of the Court adjournments of the years 1868 to 1871, or of the adjournment of 1874 (or that in the latter case there was urgent necessity as to justify the grant of Privilege leave on the occasions in 1870, 71 & 74 when he was allowed leave on less favourable terms the Govt are unable to recommend his case for the Special Consideration of the Govt of India. If any such Certificate is produced, the Govt may reconsider the case

10/2/82
JCC

To The Petitioner
with Encl.

The Col. of Nilgiris

The Accountant General
for Govt

C. 21/2
R. 23/2

1882

Per
Petitioner's Department

From

The S.D. Commissioner
Nilgiris.

No. 48

Dated 31st }
Received 6th } January 1882
Feb.

At

CURRENT No. 393
RECEIVED

Hon. D. G.
subject

Replying to the endorsement of Government dated 28th December 1881, No. 282 regarding S. Veerasawmy Saider's Pension.

With Order

No. 224.

Colacamund
dated 28th April 1882.

From

The late Sub. Commissioner
Nilgiris

To.

The Chief Secretary to Government
Fort Saint George, Madras.

Sir

Re S. Veerasawmy Saider's Pension.

With reference to G. O. dated 28th February 1882, No. 570, I have the honor to report for the information of Government that the Petitioner S. Veerasawmy Saider did not avail himself fully of any of the adjournments of the years in question.

2. It has been the practice of the ^{late} Court that the Subordinates should not be allowed the benefit of the recesses until they had brought up the arrears of work each year & I think I may safely state that the petitioner remained in office on an average 20 days in each adjournment.

3. The Private affairs leave taken by the Petitioner in the year 1870 was for the Celebration of the Marriage of his daughter at Madras, as to the urgency of which I must leave the Govt to decide. The leave enjoyed in 1871 appears to have been Sick leave.

4. I am unable to state from the records, the nature of the leave granted in the year 1874.

I have the honor to be Sir

your most obt. servant
R. W. Barlow?
Late Sub. Commissioner

/True Copy/

/Signed/

/ True Copy /

M. M. M.
Late Sd. Commissioner

In N^o 1269

31
To,
The Chief Secretary to Government
Petition Department,
Fort Saint George.

Sir,

I, the late Head Gumnastah, Judicial Commissioner's office, Neilgherries beg most respectfully to bring these few lines to your honor's benign consideration craving that my humble request may be kindly complied with.

On application for a certificate as required by Government in their Endorsement on my petition N^o 570 dated 28th February 1882, the late Judicial Commissioner Neilgherries has informed me that the certificate has already been submitted to Gov^t and has kindly favored me with a copy of it which I herein enclose for your honor's ready reference.

It will be seen from this certificate that I very rarely enjoyed the Court appointments and that the leaves I had enjoyed in the years 1870, 71 and 1874 on half pay were on account of urgent necessity, such as daughter's marriage and hill fever which could be converted into Privilege Leave. If this concession be granted my total period of qualifying service will be raised to years 24 months 2 and days 19.

As this period falls short of 25 years by only 9 months and 11 days I respectfully request that in consideration of my long service of nearly 32 years including non-qualifying in a hilly place the climate of which at one time was thought as most prejudicial to the health of the Malabar the paternal

33

paternal Government will be pleased to take a
 favorable view of my case and recommend to the
 Government of India for the condonation of the
 deficiency of the short period of service of 9 months
 and 11 days so that my present $\frac{1}{3}$ pension of Rs 8-15
 which is barely sufficient in my aged days to main-
 tain a family consisting of more than 8 souls may be
 increased to one half pension which will be a source
 of great relief to the benign Government's ~~kindness~~ ^{kindness}

For this act of charity and benevolence
 I shall as in duty bound ever pray & in-
 tercede & interest in

" *Ady. to Government* in y^r
 service as a *Minister*
 Your most Obedt. Servant
Ady. to Government " "

Pensioner residing at Tholasinga
 Perumal Coil Street Door
 No 53. Triplicane, Madras

Triplicane
 6th Sept. 1882

Request that the
 Government will be
 pleased to take a
 favorable view of my
 case and recommend to
 the Government of India
 for the condonation of
 the deficiency of the
 short period of service
 of 9 months and 11 days
 so that my present $\frac{1}{3}$
 pension of Rs 8-15
 which is barely sufficient
 in my aged days to
 maintain a family
 consisting of more than
 8 souls may be
 increased to one half
 pension which will be
 a source of great relief
 to the benign Govern-
 ment's kindness

Ady. to Govt
 6th Sept. 1882

I see a red pencil note on the paper "seen by the Secy". I have, however, no recollection of this paper, and as it was marked for the Hon: Member a thin draft G.O. was not initialed either by him or by the Secy: There must have been the greatest carelessness in the office in allowing the order to be made.

C.O. 26th October 1882
no 1025