98
102-46

M.R.O. 1—82,400—27-11-80

MADRAS RECORD OFFICE.

Government of Madras.

[illegible] DEPARTMENT.

G.O. No. 963 - 964 Press
~~Mis.~~

Dated [illegible] 18[illegible]

Not to be folded or roughly handled

13th October 1882, Nos. 963, 964, Pension.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

Read—the following papers :—

From Mr. R. EVANS, late Deputy Appraiser, Madras Sea Customs Collector's Office, to the Right Honorable the Governor in Council, dated — September 1882.

Abstract.—Praying for a bonus of one year's pay.

From Mr. R. EVANS, late Deputy Appraiser, Madras Sea Customs Collector's Office, to the Right Honorable the Governor in Council, dated 16th September 1882.

Abstract.—Praying that a bonus may be granted as in the case of Public Works Officers thrown out of employ in 1879.

From R. J. MELVILLE, Esq., Collector of Sea Customs, Madras, to the Chief Secretary to Government, dated Madras, 15th September 1882, No. 2325.

With reference to the official memorandum, dated 12th September 1882, No. 78, Pension Department, I have the honor to submit the certificate therein called for, and to return the file of papers received with the memorandum.

Enclosure.

From Surgeon-Major W. H. ROBERTS, M.D., Surgeon, Second District, to the Collector of Sea Customs, Madras, dated 5th July 1882, No. 93.

In reply to your No. 1554 of 30th June 1882, I have the honor to report that Mr. Rowland Evans, whom I have just seen for the first time, does not *appear* to me to be a strong man or in robust health. He was suffering, he said, from an attack of ague and feared dysentery was coming on. He certainly looked ill and appeared to have *worn badly* for a man under forty years of age.

I do *not think* his *prospects* of life normal.

No. 81.

Transferred to the Accountant-General for the submission of a revised report, together with a second petition, dated the 16th September 1882, from Mr. Evans.

(By Order.)

Ootacamund,
23rd September 1882.

(Signed) J. D. REES,
Acting Under Secy. to Govt.

No. A.D.J.-263.

Revised report on the application for gratuity on behalf of Mr. Rowland Evans, late Assistant Appraiser, Sea Customs Collector's Office, Madras, submitted to Government, with reference to the endorsement by the Acting Under Secretary to Government, Pension Department, No. 81, dated the 23rd September 1882.

Certified that qualifying service in superior grades has been duly proved for five years, seven months, and three days; and that (subject to the remarks below recorded), a compensation gratuity not exceeding Rs. 1,500, equal to five months' pay, is admissible under Sections 100 and 109 (*a*) of the Civil Pension Code, 5th Edition.

With their endorsement, No. 70, dated the 9th instant, Government forwarded to this office for report a letter from the Collector of Sea Customs recommending that, as a special case, the rule requiring that every applicant for gratuity, the commutation of which would yield a pension of more than Rs. 2 a-month, should appear before a Medical Officer in view to his being examined as to whether or not he has the normal prospects of life, should be relaxed in this case. Such a concession however does not seem to be admissible under the rules of the Pension Code. The applicant should at any rate be required to appear before a Medical Officer, and if that officer's opinion be unfavorable to him, it would rest with Government to decide, with reference to Rule 3, Section 99 of the Code, and paragraph 2 of the foot-note to the word hardship occurring in that rule, whether the gratuity should be commuted into a pension or not.

With reference to Mr. Evans' further claim to a bonus equivalent to a month's pay for each completed year of service, the attention of Government is invited to the telegram from the Government of India, dated the 8th July 1882, reprinted in G.O., No. 720 of the same date, Revenue Department, from which it would appear that only officers in the higher grades of the Customs Department, who are not on an office establishment, and who are not drawing monthly pay less than Rs. 250, can be admitted to the concessions granted in Government of India No. 1950, dated the 23rd June last. As Mr. Evans, though in receipt of pay exceeding Rs. 250 per mensem, is not enrolled in the list of gazetted officers of the Customs Department, he does not seem to be entitled to the bonus granted under the resolution quoted above. In his memorial, dated the 16th September 1882, Mr. Evans states that he understands that the Government of India have ruled that all Assistant Appraisers and Preventive officers of the third grade are to receive the advantages allowed by the Government of India Resolution; but no such ruling has been communicated to this office. The question has however been referred to the Accountant-General, Bengal, and his reply, when received, will be submitted to Government in due course.

The particulars required by Rules 1 and 6, under Section 100 of the Code, are given by the Collector in his remarks opposite to Nos. 4 and 5 on the third page of the application.

In accordance with Rule 4, under Section 130, the attention of Government is respectfully solicited to Section 65 of the Code.

Fort St. George,
3rd October 1882.

H. F. CLOGSTOUN,
Accountant-General.

To the Under Secretary to Government, Pension Department.

Order—dated 13th October 1882, No. 963, Pension.

Under Sections 100 and 109 (*a*) of the Civil Pension Code (5th Edition), the Right Honorable the Governor in Council is pleased to grant to Mr. Rowland Evans, late Assistant Appraiser, Sea Custom Collector's Office, Madras, a compensation gratuity of Rs. (1,500) one thousand and five hundred, equal to five months' pay, payable at Madras, in consideration of his qualifying superior service of five years, seven months, and three days.

2. In the opinion of Government, the medical certificate granted in this particular case read in conjunction with the note to Rule 3, Section 99, Civil Pension Code, does not absolutely preclude the grant of a gratuity, and in view of this interpretation and of the hardship that would result from the grant of a pension in lieu thereof, a gratuity has been sanctioned. These Proceedings will however be forwarded for the confirmation of the Government of India.

3. The applicant's further claim to a special bonus of a month's pay for each completed year of service is, for the reason given by the Accountant-General, clearly inadmissible. The Government await the subsequent report promised on this point after communication with the Accountant-General, Bengal.

(True Extract.)

J. D. REES,
Acting Under Secy. to Govt.

To the Accountant-General, with Register.
„ Collector of Sea Customs, Madras.

Endorsement—dated 13th October 1882, No. 964, Pension.

Copy forwarded to the Government of India for confirmation.

E. F. WEBSTER,
Secretary to Government.

Exd. J. Wright.

Govt. of (1882) Madras.

PENSION.

G.O., &c., 13th October 1882,
Nos. 963, 964.

OCTOBER.

Gratuity.

Granting a compensation — of Rs. 1,500 to Mr. R. Evans, late Assistant Appraiser, Sea Customs Collector's Office, Madras, and forwarding copy of Proceedings for the confirmation of the Government of India.

D. O. July 5th/82

My dear Webster

I address this to you in this form. I cannot address you officially without violating confidence, but I should feel much obliged if you could lay before Govt. the following

2

9

he should be turned adrift into about the pay of a despatch of pence. Mr. Evans is a European is married & has a family & intends so he told me, going to Australia in the hopes he will find employment there. He of course

parts of life." According to the rule he is then ^only entitled to a pension of between 10 & 11 Rupees a month. Mr. Evans' services were dispensed with to suit the convenience of Govt. & it seems an unheard of thing that

2. 9. 82 13

dear Rob
Please put this
note with
session papers
when they come
E. D.
1/8/82

My dear Goschen

Re Mr. Evans
which I wrote to you
about.

I am sending this
day to Master
in Chambers
I am in present
[illegible] 2c [illegible]

hands in the Accountant Genl's

Yours

Ever sincerely

W. E. Gladstone

Sept. 16.

19/9/85

My dear Welby

My authority for the statement in my note that at Calcutta *there* suggested views of the appraisers &c. Government has 'almost' the benefit of the D.P. & Tables recently extended to

&c.

Yours sincerely

W E Gladstone

My dear Walter

Re Mr. Evans late Asst. Appraiser in the Cus. Dept. about whom I have before written to you.

I am informed that in Calcutta when all the appraisers were ~~Establish~~ on the Establish

---

who is not a fugitive it seems a great hardship that he should suffer such a heavy pecuniary loss for what is not his own fault. I sent the certificate yesterday but this matter is not affected by the terms of the certificate.

Yours sincerely

25

Government of Madras,

Revenue Department,
Stonehouse, Ootacamund.

............................1882.

Dear Kerr,

How does the matter stand? I remember what was done in re the pension — but

But if that is the view taken of the matter in Calcutta it would apply here equally

Yours sincerely
H. E. Sullivan

Sep. 12/82

What of [illegible] argument

Etc

14/9 [illegible]

14/9

search website

[illegible] special bonus ~~[illegible]~~ His argument is good if his information is correct. This I should doubt unless India deliberately allowed to their own men what they expressly withheld from ours. Shall I ask him that his information [illegible]

27

Calcutta Custom House
Appraiser's Department
6th February 1879.

I hereby certify that Mr Rowland Evans joined the Custom House Calcutta on the 27th Novr /76 as an Assistant Appraiser 3rd grade and up to this date has taken no privilege leave.

J. H. Shipley
Head Appraiser
Calcutta Custom House

Countersigned

J. Thewlay
Collector

CFK

Privilege leave for one month from 1st Sept 1879. Returned to duty on the 8th September 1879, and the unexpired portion of the leave has been cancelled at his own request.

C. S. C.

Sea Custom House
Madras
30th Sept 1879

No II

Enclosure to letter
No. 1[illegible] of 24 July
1882 from the Coll.
of Sea Customs Madras

Enc No. 1087

Enc No. 935 Fl. 2184/82

Rowd Evans's

SERVICE BOOK.

No 28

Name of Officer… … … … … …	Rowland Evans.
Caste or Race … … … … … …	European (Welshman)
Residence … … … … … …	Gt. Eastern Hotel Room 85. Perumbore, Madras.
Father's Name and Residence… … …	The late Edward Evans 26 Mount Street Liverpool.
Age … … … … … … … …	33 on 27th Nov/76.
Exact height by measurement… … …	5 feet 3 inches.
Personal marks for identification … …	Colour of Eyes - fish blue. and a faint cicatrix on left shine.
Date of entry … … … … …	27th Nov/76.
Signature of Officer… … … … …	Rowland Evans.
Signature and designation of the head of the Office … … … … …	J. O'Meara Collector of Customs

L No 935

1	2	3	4			5			6	7
Name of Appointment.	Whether substantive or acting, and whether permanent or temporary.	If acting, here state the substantive Appointment.	Pay.			Acting Allowance.			Date of commencement of Appointment.	Signature of Officer.
			Rs.	A.	P.	Rs.	A.	P.		
Assistt. Appraiser 3rd. grade	permanent		250	.	.				22 Nov/76	
Do.	Do.		270	.	.				22 Nov/77	
Do.	Do.		290	.	.				22 Nov/78	
[illegible]	[illegible]		[illegible]	.					[illegible]	

8	9	10	11	12
Character of Officer.	Signature and designation of immediate Head of the Office.	Date of termination of Appointment.	Reason of termination, such as promotion, transfer, dismissal, &c.	Signature of immediate Head of the Office.
Satisfaction	I Dunsdy			
X. Obtained permission to join Madras Appointment up to 18th Feb/79 but actually joined on the 11th Feb/79.		X. 18th Feb/79.	Exchanging appointment with Mr. Girard same grade Madras.	
		Collector Sea Customs.		

1	2	3	4			5			6	7	8	9	10	11	12
Name of Appointment.	Whether substantive or acting, and whether permanent or temporary.	If acting, here state the substantive Appointment.	Pay.			Acting Allowance.			Date of commencement of Appointment.	Signature of Officer.	Character of Officer.	Signature and designation of immediate Head of the Office.	Date of termination of Appointment.	Reason of termination, such as promotion, transfer, dismissal, &c.	Signature of immediate Head of the Office.
			Rs.	A.	P.	Rs.	A.	P.							
~~Deputy~~ Apptt Will Appraiser	permanent		R300						11th Feb/79	Ol Rowland Evans	Joined on the afternoon of 11th Feb/79. Pay drawn from 12th idem.				
D°	D°		300						11th Feb/80						
D°	D°		300						11th Feb/81						
D°	D°		300						11th Feb/82				Will ~~13~~ 30th June/82	owing to reduction of establishment.	Ol Collector Sea Customs.

1	2	3	4			5			6	7	8	9	10	11	12
Name of Appointment.	Whether substantive or acting, and whether permanent or temporary.	If acting, here state the substantive Appointment.	Pay.			Acting Allowance.			Date of commencement of Appointment.	Signature of Officer.	Character of Officer.	Signature and designation of immediate Head of the Office.	Date of termination of Appointment.	Reason of termination, such as promotion, transfer, dismissal, &c.	Signature of immediate Head of the Office.
			Rs.	A.	P.	Rs.	A.	P.							

1	2	3	4			5			6	7	8	9	10	11	12
Name of Appointment.	Whether substantive or acting, and whether permanent or temporary.	If acting, here state the substantive Appointment.	Pay.			Acting Allowance.			Date of commencement of Appointment.	Signature of Officer.	racter of Officer.	Signature and designation of immediate Head of the Office.	Date of termination of Appointment.	Reason of termination, such as promotion, transfer, dismissal, &c.	Signature of immediate Head of the Office.
			Rs.	A.	P.	Rs.	A.	P.							

Sr II

Enclosure to No 1413
of 29 July 1882 from
the Collector of Sea
Customs Madras

In No 1050

Enc No 935

F. 2184/82

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1 abstract

To

The Right Honorable Mountstuart
Elphinstone Grant Duff.
Governor in Council
Fort Saint George

May it please your Excellency,

I I was transferred to the Madras Custom House in February 1879, from the Calcutta Custom House where I had served as an Assistant Appraiser for a period of 2 years and a half. I have served + in Madras as Deputy Appraiser for 3 years and 4 months, and am now compelled to retire in consequence of the recent abolition of the Customs Duties.

+ on a salary of Rs 300. a month

II Under the Civil Pension Code, all I am entitled to is, one months' pay for each completed year of Service. But under a recent order (dated 23d June 1882 No 1950, received from Government) a bonus of one years pay is offered to such Officers forced to retire, similarly that was granted to the Officers retiring from the D. P. Works (by Order of Government dated 14th August 1879) By

5 years

a mere accident, I have been put on the Office Establishment and thus my appointment is not a gazetted one, though in the year 1867 Mr. J. Smith-Blair being of opinion, from the responsibility attaching to, and the nature of the work required of the Assistant Appraiser, that the post should be a gazetted one, made application to Government to have this done. As the appointment had already been made by the Collector, the Government did not think it necessary to re-appoint and thereby make it a gazetted appointment. But this, I most respectfully beg to urge, I consider, should not in equity, or in justice, be made to militate against my chances for my future career, which will entirely depend on the assistance now given me by Government.

There is a* precedent for this action which I crave, on the part of Government, as under the Order, for the retiring allowances of D. P. W. Officers of 14th August 1879, and by which it is intended (by the recent Order received of 29th June 1882, No 1950,) to assimilate the retiring allowances of Officers of the Custom House; I have reason to

to know that the graded Accountants drawing only from Rupees 80-0-0 to Rupees 120-0-0 a month in the D. P. W. and not gazetted Officers, were granted their full years' salary as a bonus, while* I by the strict wording of the Government Order, am to be shut out from receiving this boon, though, I, as Deputy Appraiser, had to perform the responsible duties of the Head Appraiser (a gazetted officer), whenever that Officer was sick or absent on leave.

Another point which I might urge in my favor is, that when I lost my appointment in a large Mercantile Firm in Madras, owing to their failing, and when, after a year's visit to my brother spent in Canada, I came back to India in 1870. My main reasons for accepting the low salaried appointment of an Assistant Appraiser in Calcutta were the chances of promotion, and, that an appointment under Government was permanent. So I took the appointment on Rupees 250-0-0 a month, or one third of what I had been drawing for the past 6 years for Messrs C. S. L. and Co. I sincerely and earnestly trust that your Excellency will give your usual kind attention to

* wrongly stated does not matter.

* [illegible] of the assertion as gazetted officers was not imposed in this case [illegible] in 1870

~~[illegible]~~

W.
8/9/82.

also wants [illegible]
Recent customs pension cases put [illegible] 31st July 82 [illegible] 720
giving bonus & pension

to this Appeal.

Should your Excellency deem it a desirable to forward my Appeal to the Government of India, I beg you will be so kind as to do so.

As my wish is to proceed to Sydney, with my family, at which place, (Sydney) an old friend of mine is the Manager of one of the leading Banks, and through whose influence I hope to get Employment in my profession of Mercantile Book-keeper, I beg very respectfully, that you will kindly take the matter into your early and favorable consideration. In short my wish is that your Excellency may grant me the bonus of one years pay as was done to the D.P.W. Officers, as mentioned.

Your petitioner will ever pray as in duty bound

Rowland Evans.
(late) Dy Appraiser
Madras

Ls No. 1115

Petition from Mr Rowland Evans, late Dy Appraiser
~~Dated~~ Madras

TRANSFERRED to the Chief Secretary to Government, Department.

(By Order.)

J. Ardagh. Captain, R.E.,
Private Secretary.

GOVERNMENT HOUSE,
Ootacamund
8th August 1882.

Rev: (1882) DEPARTMENT.

From

The Private Secretary

To the Right Hon. the Governor,

To

The Chief Secretary to Government,

Department.

Dated 8th } August 1882.
Recd. 9 }

Enclosure.

No.______

Subject.

Transfers a petition from Mr. Rowland Evans praying for a bonus of one years pay

Note for pension manager to return.

K.C. 8/9/82

47

Abstract

47

Pension (1882) DEPARTMENT.

No. 1115

From

Mr R. Evans

Asst Appraiser Sea Custom Collector's Office

No.

Dated } September 1882
Recd.

1 abstract

Ansd abstract

SUBJECT.

Praying for a bonus of one years pay.

No. 80

Referred to the Accountant General for an early report on para 3.

[Bodie] [illegible]

Under Secretary

22 SEP 82

Ootacamund

The 18th Sept 1882.

Desp 18/9

To the Accountant General

53

Chief Secretary

2 abstract

Madras

To

The Right Hon'ble

Mountstuart Elphinstone Grant Duff

Governor and President in Council,

Fort Saint George.

May it please your Excellency,

In continuation of my former appeal praying that a bonus similar to what was granted to the Department of Public Works of 1879, may be awarded to me. I beg to state in further support of my application that I have since learned privately from the Head Appraiser at Calcutta that the Supreme Government of India have ruled, that all Assistant Appraisers and Preventive Officers of the 3rd Grade are to receive the advantages allowed by the resolution of the Government of India, regarding reductions in the Public Works Department of 1879. If this is the case, I beg that I may be allowed the same privilege as my brother Assistant Appraisers at Calcutta, who are not Gazetted Officers, and that the same may be granted as early as may be consistent with the Rules of the Service, as I contemplate going to Australia to settle there, and I have now been 2½ months without any subsistence allowance.

For which your petitioner, as in duty bound, will ever pray.

16th September 1882

Rowland Evans

Petition from W R Evans

Dated 16th Septr 1882

Transferred to the Chief Secretary to Government, Department,

(By Order.)

A. Austey Captain, R.E.

Private Secretary.

Camp. Madura

~~Government House.~~

8th September 1882

Public (1882) DEPARTMENT.

Revl.

From

The Private Secretary

To the Right Hon. the Governor,

To

The Chief Secretary to Government,

Department.

Dated 18th }
Recd. 20 } September 1882

[illegible] No. 2448

Enclosure.

No.

Subject.

Transfers a petition from Mr. Rowland Evans praying for a bonus.

Pension (1882) Department.

From

Mr R. Evans

No. 116

Dated 16th } Septr 1882
Recd. 25th }

SUBJECT.

Prays that a bonus may be granted as in the case of W. Jeffries thrown out of Emp. by in 1879.

Referred to the accountant General for report with endorst. no 81 dated the 23rd Septr. 1882.

See ~~[illegible]~~ 201/263 : 3rd Oct. 1882.

60
4
9.10.82.

61

N 93

HOSPITAL FOR WOMEN AND CHILDREN,
5th July 1882.

Enclosure

From

SURGEON Major W. H. Roberts M.D.
Surgeon, 2nd District.

To

~~Mr~~ R. J. Melville Esqre
Collector of Sea Customs

SIR,

In reply to your No. 1554 of 30th June 1882. I have the honor to report that Mr. Rowland Evans whom I have just seen for the first time, does not appear to me to be a strong man or in robust health. He was suffering he said, from an attack of ague and feared dysentery was coming on. He certainly looked ill and appeared to have worn badly for a man under 40 years of age.

I do not think his prospects of life normal.

I have the honor to be,
Sir,
Your most obedient Servant,
W. H. Roberts M.D.
Surgeon Major
Surgeon, 2nd District.

" where the medical [illegible] considers the applicant clearly [illegible]

From

SURGEON

Surgeon, 2nd District,

To

THE

No.

Dated
Received } 5 Octr 188 .

Subject.

Enclosure to the letter
[illegible]
[illegible] the Collector
[illegible]

LAWRENCE ASYLUM PRESS.

No. 2325 3P

Sea Custom House
Madras 15th September
1882

From
R. J. McNalle Esquire
Collector Sea Customs
Madras

To
C. G. Master Esquire
Chief Secretary to
Government.

Sir,

With reference to the Official memorandum, dated 12th September 1882 No. 78, Pension Department, I have the honour to submit the Certificate therein called for and to return the file of papers received with the memorandum.

I have the honour to be
Sir
Your most obedt Servant

Collector Sea Customs

1882 Department

From
The Collector of Sea
Customs
Madras

Dated 15th September 1882
Recd.

No. 2325

Encl: 1 & File 1.

Submits the Certificate called for in Government memorandum dated 12th Instant, & returns the file of papers received therewith in connection with the Gratuity Application on behalf of Mr. R Evans, late Asst Appraiser of this Office

No 411

P

5 P

No 81.

Pension

Pen: 1882 — Department

No 1146

From

The Collector of Sea Customs [illegible]

Dated 15 } September 1882
Recd 18
" 20th

No. 2325

Encl: 1 & File 1.

Submits the Certificate called for in Government Memorandum dated 12th Instant and returns the file of papers received therewith in connection with the Gratuity Application on behalf of Mr R Evans late Asstt Appraiser of the [illegible] Office

Transferred to the Accountant General for the submission of a revised report together with a second petition dated the 16th September 1882 from Mr Evans.

Lozes

[By order]

Glueder [illegible]

Intimated
The 23rd September 1882.

ACCOUNTANT GENERAL'S OFFICE
26 SEP 82
MADRAS

Pen 97

67

Memo. of Service of Mr. R. Evans verified from the records of this Office.

From	To	Appointments.	Period.	Pay.	Remarks.
28 Nov/76	27th Nov/77	Asstt Appraiser Calcutta Custom House		250 " "	Correct. The Audit Registers sequent to 1875-76 not hav been kept in detail, the period of leave availed of during the period cannot be stated.
28 Nov/77	27th Nov/78	Do do		270 " "	
28 Nov/78	11 Feby/79	Do do		290 " "	

No. P. R./651

Forwarded to the Accountant General, Madras with reference to his letter No. ADK/68, dated the 26 Ultimo.

CALCUTTA,
Accountant General's Office, Bengal,
The 11th August 1882.

11 AUG 82

By his most obedient Servant,

for Assistant Accountant General, Beng

In No 1051

69

To be returned with [illegible]

Pension Department.

W/28/7/82

Fort Saint George,
Accountant-General's Office,
26th July 1882.

No. ADK/67

From
H. T. Clogstoun Esq.
Offg. ACCOUNTANT-GENERAL
TO THE GOVERNMENT OF MADRAS,

To
The Collector of Sea Customs,
Madras.

Sir,

With reference to the application for gratuity on behalf of Mr Rowland Evans, late Assistant Appraiser of your office, received with your letter No. 1817 dated the 6th July 1882, I have the honor to request that you will be so good as to furnish me with a certificate to the effect that the applicant appeared before a Medical officer in view to his being examined as to whether he has or has not the normal prospects of life. The Comptroller General on enquiry informed this Office that the production of such a certificate should be insisted upon in the case of gratuity of any kind, the commutation of which would give a pension of not less than Rs 12 a month.

Mr Evans Service Book is herewith returned, in order that the date on which he was relieved of his appointment at Calcutta may be inserted in the appropriate column of the Book which should be returned to this Office at an early date.

I have the honour to be
Sir,
Your obedient Servant

Cos Brown

Assistant Acct General
for Acct General

Lr No 1051

Fl 2 1844/82

Lr No 935

No 1868

Sea Custom House
Madras 29 July 1882

From
R. J. Melville Esquire
Collector Sea Customs.

To
C. G. Master Esquire,
Chief Secretary to
Government.

Sir,

I have the honour to forward the enclosed papers connected with the gratuity claimed by Mr R. Evans whose services were dispensed with in the recent reduction of Establishment in this Office and to request that Government will take a favorable view of what seems to me to be a very hard case.

2 Mr Evans had served between 5 and 6 years and would no doubt have continued to serve till he had earned a pension but for the unforeseen reduction which was only rendered possible by the fact that owing to financial prosperity the Government were enabled to dispense

dispense with the Revenue derived from Import duties on the majority of articles formerly included in the Tariff.

3. It will be seen from the enclosed letter from the Accountant General that without a medical Certificate that he possesses the normal chances of life Mr Evans is unable to obtain even the gratuity which he claims. This Certificate he cannot obtain and in consequence under the Pension Code he is only entitled to a pension of a little more than 10 Rupees per mensem, the pay of a Duffadar of peons. But for the reduction Mr Evans would have gone on drawing his Rs 300 per mensem and would eventually have qualified for a pension.

4 The concession recently granted in Government Order dated 8th July 1882 No 720 Revenue Department, do not benefit Mr Evans as although his pay has been Rs 300, he is not a Gazetted Officer and his pay is drawn in the General Pay Abstract of the Office.

5 In conclusion, I would add though
that

that does not affect the justice of the Case that Mr Evans is a European and is married with a family.

I have the honour to be
Sir
Your most obed^t Servant

Collector Sea Customs

1882 [illegible]

1882 Revenue Department.

No 935

From

The Collector of Sea
Customs
Madras

To

The Chief Secretary to
Government
Stonehouse hill.

Dated 29th } July 1882
Received 4th Augt /82 }

No 1868
Encls: 34
Subject

Submits for the favourable
consideration of Government
an original letter from the
Accountant General Fort St.
George of 26 July /82 &
other papers connected with
the gratuity claimed by
Mr R. Evans late Assistant
Appraiser of this Office

L. No 1051

Rec p 7th 7-7-82

No. 70.

Transferred to the Accountant General for the submission of the usual report & certificate.

E Bysdr? Webb
by under Secy.

Ootacamund
7-8-82

12 AUG 82
MADRAS

Sn o V 1051

Sept.

1882. ~~Fund~~ Department
(Pensions)

From

The Collector of Sea Customs
Madras

To

The Chief Secretary to Government
Stonehouse Hill
Ootacamund

Dated 29 July 1882
Recd 31
CURRENT No. 2184
1882

Encl. 3

Subject.

Submits for the favourable consideration of Government an original letter from the Accountant General Fort St George dated 26 July 1882 and other papers connected with the gratuity claimed by Mr R Evans late Assistant Appraiser of this Office

2/111 ~~8186~~

316

Sea Custom Collector's Office,
Madras, 5 July 1882.

No. 1619

From
R J McNalle Esquire
Collector of Sea Customs,
Madras,

To
H F Clogstoun Esquire
Offg Accountant General
Fort Saint George

Sir,

I have the honor to forward herewith an application for gratuity on behalf of Mr Rowland Evans, Assistant Appraiser of this Office whose services have been dispensed with from 1st July 1882 in consequence of the reduction of the Sea Customs Establishment under G. O. dated 19 June 1882 No 639 Rev. and to request that you will after audit submit it for the orders of Government.

Mr Evans service book and last pay certificate are enclosed.

As Mr Evans has been induced to put in this application for gratuity owing to his services having been dispensed with solely for the Convenience

Convenience of Government in the reduction of the Establishment, I consider Clause 3 section 99 of the Civil Pension Code doesn't apply in his case and I have therefore not attached the Medical Officer's report therein referred to. ?

I request that this application may be dispose of as early as possible as Mr Evans intends leaving this for Melbourne in search of employment.

I have the honour to be
Sir
Your most obedt Servant

Collector Sea Customs

7 JUL 82

Co

Pension (188 2) DEPARTMENT.

No. 1050

From

THE COLLECTOR OF SEA CUSTOMS,
Madras.

No. 1619

ENCLOSURE, 3

Dated 5th } July 1882.
Recd. 1st Sept. 82

No.

Subject.

Forwards an application for gratuity on behalf of Mr. Rowland Evans, Assistant Appraiser of this Office for submission to Government

With order

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6 P

No. $\frac{ADj}{263}$

ssed report on the Application for Gratuity on behalf of Mr. Rowland Evans late Assistant Appraiser, Sea Customs Collector's Office Madras submitted to Government with reference to the Endorsement by the Acting Under Secretary to Government Pension Department No. 81 dated the 23rd September 1882.

Certified that qualifying Service in Superior Grades has been duly proved for 5 years 7 months and 3 days; and that (subject to the remarks below recorded) a Compensation Gratuity not exceeding Rupees 1500 or " equal to 5 months pay is admissible under Sections 100 and 109 (a) of the Civil Pension Code, 5 Edition.

With their endorsement No. 70 dated the 9th Instant Government forwarded to this Office for report a letter from the Collector of Sea Customs, recommending that as a special case, the rule, requiring, that every applicant for Gratuity, the commutation of which would yield a pension of more than Rs. 2 a month should appear before a Medical Officer in view to his being examined as to whether or not he has the normal prospects of life, should be relaxed in this case. Such a concession however does not seem to be admissible under the rules of the Pension Code. The applicant should at any rate be required to appear before a Medical officer, and if that Officer's opinion be unfavourable to him it would rest with Government to decide with reference to rule 3 Section 99 of the Code and para 2 of the foot note to the word hardship occurring in that rule whether the Gratuity should be commuted into a pension or not.

With reference to Mr. Evans's further claim to a bonus equivalent to a month's pay for each completed year of service, the attention of Government is invited to the Telegram from the Government of India dated the 8th July/82, re-printed in G. O. No. 720 of the same date, Revenue

Departm

Department, from which it would appear that only Officers in the higher Grades of the Customs Deptt., who are not on an office Establishment and who are not drawing monthly pay less than R. 250 - - can be admitted to the concessions Granted in G. I. No. 1950 dated the 23rd June last. As Mr. Evans, though in receipt of pay exceeding Rupees 250 - - per mensem, is not enrolled in the List of Gazetted officers of the Customs Deptt. he does not seem to be entitled to the bonus granted under the Resolution quoted above. In his memorial dated the 16th September 1882, Mr. Evans states that he understands that the Government of India have ruled that all Assistant Appraisers and Preventive officers of the 3rd Grade are to receive the advantages allowed by the Government of India Resolution; but no such ruling has been communicated to this office. The question has however been referred to the Accountant General Bengal, and his reply when received will be submitted to Government in due course.

The particulars required by rules 1 and 6 under Section 100 of the Code, are given by the Collector in his remarks opposite to Nos. 4 and 5 on the 3rd page of the application.

In accordance with Rule 4 under Section 130, the attention of Government is respectfully solicited to Section 65 of the Code.

Fort Saint George,
Acct. Genl's Office,
3rd October 1882.

Asst. Accountant General
for Accountant General

To

The Under Secretary to Government
Pension Department.

Pension (1882) Department.

No. 1202.

F. No 1238 of 82

From

The Accountant Genl.
Madras

No. A.G./263.

Dated 3rd }
Recd. 5th } October 1882.

Subject.

Furnishes his report regarding the commuted pension of Mr. Evans, late appraiser, Madras Sea Custom Collr. office.

Revenue Department.

Pension No. 1051. From the Acct. Genl. A.G./213. 25th Aug.
and A.G./263. dt 3rd October – [illegible]

Petitions
From from Mr. Evans the applicant concerned.

Dated the 8th August 1882. }
and the 16th Sept. 1882. }

FOR ORDERS.

We can't possibly decide the case without the Medl. Cert.
Let it be obtained & then the whole case will be before the Govt. who will no doubt put a suitable construction on secn 99 of the Pension Code

E.F.W.
11/9/82

Mr. Evans, asst. appraiser on Rs 300 is thrown out by recent Customs' reductions.

He is entitled to Rs: 1500 compensation gratuity, his total service being five years odd but under sec: 99.(3) Civil Pension Code every applicant for a gratuity which on commutation would yield more than Rs (2) [This would give Rs: 10] must obtain a certificate that he has the normal prospects of life. This Mr. E. cannot get. Hence the commutation pension is all he should get.

The contention of the Collr. of Sea Customs that Mr. Evans applies for a gratuity only because Govt. for their own convenience have dispensed with his services & that sec 99(3) does not apply is more than are untenable.

The proper course it is submitted is that suggested by the Acct. Genl. viz: for Mr. E. ~~to~~ to appear before

Mr. Evans has appeared before a Doctor & submitted the certificate required by sec: 99: (3) ~~on which~~ the Doctor says he has not normal prospects of life

Submitted that The Govt. of India may be moved to "specially consider [this] case in which strict operation of the rule ~~would~~ would cause hardship" or ~~may~~ this

But Govt. may perhaps be able (~~if~~ the certificate ~~is not~~ not being very adverse) to take advantage of * 2 Footnote to sec 99 (q.v. margin).

× It is not intended by the Rule to make any very accurate valuation of a man's life – Local Govt. may interpret the rule as it deems reasonable provided ~~s.t.~~. &c &c."

Mr. Melville's well meant effort to avoid the production of the inevitable certificate only delays matters.

Turning to the Petitions:

Resolution of India Govt. in G.O. 8th July 1882 no 720 allows a special bonus to officers thrown out by Customs Reductions – "officers in higher grades" = "any officer not on an office establishment & not drawing less than Rs 250 a month."

G.O. 8th July 1882 no 720.

Mr. Evans assuming he will get his gratuity of Rs: 1500 (above) wants this bonus – special bonus ~~too~~ of Rs: 1500 also, i.e. a month's pay for each years service.

FOR ORDERS.

under the terms of the Resolution explained by the Telegram [all in G.O. 8th July 82. 720] he clearly cannot get it. ~~The~~ He is on the office establishment & included in the pay abstract.

Further Rs: 1500 if it can be given him does not seem such an inadequate after only 5 yrs service.

Submitted however that the Pension appl.n be returned to the ~~Acct. Gen~~ Coll.r of Sea Customs for the action recommended, & that the petition be considered — if the Hon: Member thinks there is matter for consideration in it, when the the Pension case comes up for final orders.

8/9/82.

O.M. 4478

The application for gratuity made on behalf of Mr. Swans, late assistant appraiser is returned to the Collector of Sea Customs for the early submission of the certificate required by sec: 99, (3) of the Civil Pension code, which should have been submitted in the first instance.

Offg. Under Secy.

12/9/82.

Manager

Desp: & send information asked for on the petition in the bundle. The special bonus is a month's pay a year not a years pay?

In his second petition Mr. Swans says Asst. & Deputy Appraisers in Calcutta though not gazetted officers have been granted the special bonus.

The Acct. Genl. says he has referred this question to the Acct. Genl. Bengal & will report further on receipt of his answer.

Submitted — then

on the gratuity

Govt. may perhaps be pleased to pass the draft B giving Rs: 1500 subject to confirmation of Govt. of India.

As to the Special Bonus

It is impossible to entertain the application & the Acct. Genl's. promised further report on receipt of a reply from Bengal must be awaited.

F.W.

9.10.82.

Pension case of Mr. Evans, [illegible]

Digest

The Hon. Mr. Sullivan

1

dt 9/10
d/10/10 }

1050, 1051, 1146
1165, 1202. 95

PENSION DEPARTMENT.

Proceedings of the Madras Government.

READ ~~the~~ following papers :—

From the Collector of Sea Customs Madras dated 6th July 1882 No. 1619

” Accountant-General, dated 29 August 1882 No. 489 / 213

ORDER THEREON, 13 Oct/82 No. 963

UNDER Sections 100 and 109 (a) of the Civil Pension Code (5th Edition), the Right Honorable the Governor in Council is pleased to grant to Mr. Rowland Evans late Assistant Appraiser Sea Custom Collector's Office Madras a Compensation gratuity of Rupees (1500) One thousand and five hundred equal to five months pay payable at Madras

in consideration of his qualifying Superior service of Five years, Seven months and Three days.

R. Hall

To the Accountant-General, with Register.
Collector of Sea Customs Madras
Fwd.

[illegible] with [illegible] [illegible]

[illegible] however be forwarded for the confirmation of the Govt. of India.

5. [illegible]

Entd. No 962 Pension.
Copy forwarded to the Govt of India for confirmation

F.W.

Govt. of {1882} Madras.

PENSION.

F. No 12389/82
P.L. 13720/82

To

THE ACCOUNTANT-GENERAL,

&c., &c., &c.

Dated 13 October 1882

Despd. 16

Recd.

G.O., 13 Oct/82 No 963/64

Granting a Compensation gratuity of Rs 150 to Mr R. Evans late 2nd appraiser Sea Customs Collector's Office

& Madras & forwarding copy of Pro. for the confirmation of the Govt of I.

Pension [illegible] to [illegible] the draft [illegible] 1882 Papers to [illegible] [illegible] [illegible] over - [illegible] papers.