

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No. 618	Press Mis.
Dated 13-7-	1883

Not to be folded or roughly handled

13TH JULY 1883, Nos. 618, 619, PENSION.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

READ—again G.O., dated 17th May 1883, Nos. 422 and 422A, Pension.

READ—also the following paper :—

From R. LOGAN, Esq., Officiating Under Secretary to the Government of India, Department of Finance and Commerce, to the Secretary to Government, Pension Department, dated Simla, 13th June 1883, No. 1377.

I am directed to acknowledge the receipt, with your endorsement, No. 422A, dated 17th May 1883, of the Proceedings of the Government of Madras, regarding the grants sanctioned by that Government for Thandavamurthi Mudaliar, Roy Pillai, and B. Runganaikulu, late Maistries of the Public Works Department, Madras.

2. With reference to these Proceedings, I am to observe that it appears from the papers furnished that the grants sanctioned for the three Maistries in question were made under the rules for the grant of gratuities and pensions to superior servants, notwithstanding that the pay of the Maistries was only Rs. 17-8-0, Rs. 15, and Rs. 20 a-month, respectively. I am, however, to point out that under the Order of the Government of India in this Department, No. 241, dated 16th January 1882, service as Maistry in the Public Works Department on a salary of less than Rs. 25 a-month is not deemed to be superior service, and I am therefore to request that the Government of India may be favored with an explanation as to the grounds on which the grants under reference were sanctioned otherwise than in accordance with the rules of the Civil Pension Code.

3. The papers received with your letter are herewith returned for facility of reference, and their re-transmission with your reply is requested.

ORDER—dated 13th July 1883, No. 618, Pension.

Ordered that the following letter be despatched to the Government of India.

(True Extract.)

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

LETTER—to the Secretary to the Government of India, Department of Finance and Commerce, dated Ootacamund, 13th July 1883, No. 619, Pension.

In reply to your letter, No. 1377, dated the 13th June, I am directed to point

* G.O., dated 16th March 1882, No. 256. out that the orders* granting a pension on the superior scale to B. Runganaikulu, late Maistry of the Madras Public Works Department, were cancelled with reference to your letter, No. 241, dated 16th January 1882, and that revised orders† were

† G.O., dated 7th August 1882, No. 686. issued granting him a pension under the rules applicable to inferior servants in respect of his service as Maistry on pay less than Rs. 25.

2. With reference to the other orders* to which exception is taken, I am to

* G.O., 13th July 1881, No. 621.

" 17th April 1882, No. 332.

observe that the earlier in date was passed long before the receipt of the letter of the 16th January 1882, to the ruling contained in which it seemed to this Government inequitable to give retrospective effect.

3. The orders passed in the case of Roya Pillai, though bearing a date subsequent to that of the letter just quoted, are doubtless opposed to the ruling contained therein; but it must not be forgotten that this Government had, until the receipt of definite orders on the subject, been in the habit of deciding whether service as a Maistry was superior or inferior on the merits of each particular case, the duties of the officers called Maistries varying in different districts, and the term by which officers performing those duties were designated having been altered at various times during the service of particular persons whose applications for retiring allowances had from time to time to be dealt with.

4. It was not until the issue of the orders noted in the margin that the letter

G.O., dated 7th August 1882, No. 683.

" " 7th August 1882, No. 686.

" " 2nd September 1882, No. 809.

of the Government of India quoted above was considered with reference to previous orders, and, although certain orders opposed to the principle it laid down were then reconsidered, it was on the ground that the duties of the officers who had been granted retiring allowances on the superior scale were clearly of an inferior nature and not with reference to the pay they had drawn. Thus the case of Roya Pillai was allowed to stand, the letter of the Government of India containing no definite ruling to the effect that in no case should service as a Maistry on pay less than Rs. 25 be treated as superior, if the duties performed were of a superior nature. It was by an oversight, however, that the case was not referred to the Government of India, as required by Section 91 (a) of the Civil Pension Code.

5. His Excellency in Council, while fully accepting the ruling of the Government of India which has invariably been followed since the issue of the orders quoted in the last paragraph, would recommend the cases of Roya Pillai and Thandavamurthi Mudaliar to their favorable consideration.

H. E. STOKES,
Acting Secretary to Government.

Govt. of 1883 Madras.

PENSION.

Issued

Recd.

Encl.

G.O., &c., 13th July 1883,
Nos. 618, 619.

JULY.

Maistries of the Public Works
Department, Madras.

Ordering to be forwarded to Government of
India certain explanation as to the grants made
by the Government of Madras to certain —.

No. 1377.
Government of India.

Department of Finance and Commerce.

To
The Secretary to the Govt. of Fort St. George,
Pension Department.

Simla, the 13th June 1883.

Sir,

I am directed to acknowledge
the receipt with your endorsement No. 422 A.
dated 17th May 1883 of the Proceedings of
the Government of Madras, regarding
the grants sanctioned by that Government
for Thandavamoorthy Mudaliar Royar
Pillai and B. Runganaikulu, late
Maistries of the Public Works Depart-
ment, Madras.

2. With reference to these Proceedings
I am to observe that it appears from
the papers furnished that the grants
sanctioned for the three Maistries in
question were made under the rules for
the grant of gratuities and pensions to

Superior

Superior servants notwithstanding that the pay of the Maistries was only Rs. 17-8-0, Rs. 15/- and Rs. 20/- a month respectively. I am, however, to point out that under the order of the Government of India in this Department No. 241 dated 16th January 1882 service as Maistry in the Public Works Department on a salary of less than Rs. 25/- a month is not deemed to be superior service and I am, therefore, to request that the Government of India may be favoured with an explanation as to the grounds on which the grants under reference were sanctioned otherwise than in accordance with the rules of the Civil Pension Code.

3. The papers received with your letter are herewith returned for facility of reference and their retransmission with your reply is requested.

I have the honour to be,
^{Sir}
Your most obedient servant,

R. L. R. an.

Off. Under Secy to the Govt of India.

12/6

Penn

Nov. 6. 83.

[Faint, illegible handwriting on the right page]

66422 A. d/17-5-83.

[9] *Pene* (1883) DEPARTMENT.

No. 72

From Govt. of India
Fin^{ce} & Com^{rs}

No. 1377.

Dated 13th }
Received 22nd } June 1883.

Enclosures

SUBJECT.

Requesting to be
favoured with an explanation
as to the grounds on
which grants were sanctioned
for Chandanammal Mud^{ra}
Raya Pillai & B. Ranganachulu
late Ministers of the N. P. N.
Madras, otherwise than
in accordance with the
rules of the Civil Serv^{ts} Code.

For

With an order

REVENUE DEPARTMENT.

No. 727.

From Govt. of India, Finance Dept^t.
Dated 13th June 1883.

FOR ORDER d/13th July 1883 No. 618.

Ordered that the following
letter be despatched to the
Govt. of India. *ls. 25/6/83.*

Letter No. 619.

To The Secretary to the Govt^t
of India, Dep^t of Fin^{ce} & Com^{rs}.

Sir,

In reply to your letter no: 1377
dated the 13th June I am directed to
point out that the orders granting
a pension on the superior scale to
B. Ranganachulu
late Minister of
the Madras Public Works Dept^t, were
cancelled with reference to the
your letter no: 241 of 16th Jan 1882
and that revised orders were issued
granting him a
pension under
G.O. 16th Mar 82
no: 256
G.O. 7th Aug: 83
no: 686

*in G.O. 27th July 1882
no: 75*

London 3

the rules applicable to inferior servants
in respect of his service as Maistri
on pay ^{less than} ~~not exceeding~~ Rs: 25.

With reference to the other
orders to which exception is taken

x
G.O. 13th July 1881 no: 621
" 17th April 1882 no: 332

I am to observe
that the order
in date was

passed long before the receipt of
the letter of the 16th January 1882 from
the Govt of India to the effect con-
tained in which, it seemed to this
Govt. inequitable to give retrospective
effect.

The orders passed in
the case of Rosa Pillai though
bearing a date subsequent to that
of the letter just quoted, are
doubtless opposed to ruling con-
tained therein but it must not
be forgotten that this Govt. had
until the receipt of definite
orders on the subject been in the
habit of deciding whether service
as a Maistri was superior
or inferior on the merits of each

particular case, the duties of these
officers called Maistries varying in
different districts and the terms
by which officers performing those
duties were designated having been
altered at various times during
the service of particular persons
whose applications for ~~per~~ retiring
allowances had from time to time
to be dealt with.

It was not until the
issue of the orders noted in the
margin that the letter of the
Govt. of India quoted above was
considered with reference to

x
G.O. 7th Aug: 1882 no: 683
" 7th Aug: 82 no: 686
" 2nd Sept: 82 no: 809

previous
orders and
although
certain orders

opposed to the principle it laid
down, were then reconsidered, it
was on the ground that the duties
of the officers who had been granted
retiring allowances on the superior
scale, were clearly of an inferior
and not with reference to the pay they had drawn
nature. Thus the case of Rosa

Penslon: no: 727.

FOR ORDERS.

Pillar was allowed to stand as
the letter of the Govt. of India
contained no definite ruling
to the effect that in no case should
Bsmice as a Master ^{on pay less than Rs. 25} be treated
as superior, if the duties performed
were of a superior nature. It
was by an oversight however that
the case was not referred to the
Govt. of India as required by sec:
91(a) of the ^{C.P.} Code.

His Excellency in Council
while fully accepting the ruling
of the Govt. of India which has invariably
been followed since the issue of the
orders quoted in the last paragraph
would recommend the cases of
Raja Pillai & Thandavathur
Moodalliar to their honorable
consideration, of the Govt. of
India.

Colacannu
13th July 83

Wm. R. 7.

29/6/83.

10/21/83

X: Print & disp
10/7

Letter of 15c.
Letter to - with Pros & Cons

PRESS.

<i>Pension</i> DEPARTMENT. G.O. DATED <i>13 July 1883.</i> No. <i>618/19</i> <i>Wpd 21</i>
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First copy sent to Press.

Returned for signature.

Despatched in print.

[Despatch Abstract.]

order: -

Ministries of the P. W. Madras.

- Ordering to be forwarded ^{certain} to Govt. of India letter of explanation as to the grants made by the Govt. of Madras to certain Ministries of the P. W. Madras.

Letter: - Furnishing

Forwarding certain explanation as to the grounds on which grants were sanctioned to certain Ministries of the P. W. Madras.