

14
21-4-31

M.R.O. 1-82 400-21-11-80.

MADRAS RECORD OFFICE.

Government of Madras.

Session DEPARTMENT.

G.O. No.	736	Press Mis.
Dated	15-8-1883	

Not to be folded or roughly handled

21-4-31

Pension No. 895.

From Kandaswami Moodliar

Dated 30th July 1883.

FOR ORDERS.

The petitioner was granted the pension due under the rules with effect from 27th July 1882. Had he served 2 mos: 2 days longer he could have got a $\frac{1}{2}$ pension instead of a $\frac{1}{3}$ th. provided Govt. counted yrs in military service. He was declared permanently incapacitated for further service 21st July 1882 & the Collector ~~it was~~ irregularly ordered him to serve for 3 months in Dec^r 1882. But on the facts coming to the knowledge of Govt. they ordered the submission of his papers as he had been declared unfit for service.

G.O. 28th Feb 1883 no: 189.

Before this order was received petitioner had served on the Collector's office from 28th Dec^r 82 to 12th Mar: 83.

Revenue Petition no: 895

FOR ORDERS.

i.e. more than the 2 years &
2 days required with the
exercise of the ~~the~~ discretion

The Hon. Mr. ...

allowed Govt. under sec: 120
of the Code, to make up 25
years for a $\frac{1}{2}$ invalid pension.

He asks (i) for payment
for this period which might be
or rather so much of it as is
passed ~~excess of his pension~~
that period. (ii) to cancel

it for pension: i.e. to amend
the order passed & ex post facto
to approve the Collector's proceedings

ordering an officer who had given
up work 6 months before &
had been declared unfit for
duty, to take up his work again.

It is submitted

this would be to override rule 8
all around & to cancel his orders
passed - from orders - on good &
sufficient grounds for no good
cause shown. ~~MS~~ 10/6/1882

Ms. A-129

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Memorandum

Kundasami Mudali, the English

Ad clerk of this Office is informed
that as the Collector has in his letter
no 1781 dated the 20th Instant ordered
him to serve for 3 months longer to
entitle him to a pension of half
his pay, ~~he~~ ^{he} should come and join his
place at once.

Vellore — }
25th December 1882

At the ...
By Sub-Collector

bel
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His Excellency The
 Right Honorable
 Mountbatten Elphinstone
 Grant Duff Esq. &c.
 Governor & President in
 Council of
 Fort Saint George

The humble petition of Chinta-
 drupet Annadasami Mudaliyar
 Pensioner, residing in Kosapeta
 Bellary.

Most Humbly Sheweth

The petitioner was the English
 Clerk of the Sub Collector's Office N. Arcot
 on a monthly salary of Rs. 35, and dispen-
 sioned under the orders of the Government
 of Madras, contained in their Order No. 426
 dated the 17th May last, Pension Depart-
 ment.

The Government were in the above
 order, please to sanction the payment to
 the petitioner of a monthly pension equal
 to a third of his average emoluments (i.e.)

No. 11-10-8) in consideration of his qualifying superior service of twenty three years, nine months and twenty eight days.

3. The petitioner here begs most respectfully to submit his poor and deplorable case for the merciful consideration of your Excellency in Council.

Section 109(C) of the Civil Pension Code provides for the payment of a pension equal to one half of the average emoluments after a service of not less than twenty five years. As the petitioner's superior service was found to be short of this term by a very small period of one year, two months and two days, his pension was unfortunately reduced by the Government from one half to one third. This decision of the Government, the poor petitioner humbly submits, is very hard upon him; and he therefore humbly submits that in addition to the above mentioned superior service of three years nine months and twenty one days.

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If the Government are pleased under the powers vested in them by Section 120 of the Civil Pension Code, to condone a deficiency in the superior service to an extent not exceeding two months out of the inferior service ^{the total qualifying service} would be twenty four years, nine months, and twenty eight days. Then, the remaining deficiency would be two months and two days. For this period, the petitioner humbly submits, he did service the Government as shown below sometime after he retired.

4. On receipt of the petitioner's application for pension, the Collector of the District considered that the petitioner would be a great loser by his being recommended for a third pension after such a long gross service of nearly twenty eight years and therefore directed that he be re-instated in his post for three months in that order that the Government may be moved to condone the remaining deficiency in the service. The side sub collector's order petitioner was accordingly restored to duty enclosed

on the 28th December 1882 and continued to do it till 12th March 1883 when his services were again dispensed with in accordance with G. O. dated the 28th February 1883. No 189 Pension Department.

5. It will be thus clear that the period of superior service which accrued before the petitioner retired on 27th July 1882 plus the period he served after restoration to duty under the orders of the Collector is equal to twenty four years and fourteen days. The only deficiency that then remains to make up twenty five years is less than one year. This period, the Government are empowered, as submitted already to condone out of the inferior service of the petitioner.

6. Under these circumstances the petitioner begs most humbly to lay the case before the Government and to solicit that Your Excellency in Council will be graciously pleased to take the unfortunate case of the petitioner into

favourable and merciful consideration and grant him a pension equal to half the average emoluments.

7. The petitioner further begs most respectfully to submit that for the two months and sixteen days he served the Government under the Collector's Orders restoring him to duty, he drew no pay for want of the sanction of Government and he therefore humbly begs that your Excellency in Council will be pleased to direct its payment now.

For which act of benevolence the petitioner as in duty bound.

Will ever pray.

G. Goudaswamy Mudr.

Vellare.
27th July 1883

From *Chinthadripet Kundasanni*
Mudaliar residing in Chinthadripet
Vellore - North Street.

Subject.

Brings to notice that the petitioner is pensioned under G.O. dated the 14th May 1883 No. 426 Pension Department; that he has been granted only $\frac{1}{3}$ pension instead of one half; that the period of his superior service as reported by the Sect^y General is 23-9-28; that subsequent to his retirement he was restored to duty by the Collector of the District for 2 months & 16 days; that the total of his service in the superior grade is therefore 24-0-14; and that if the Government were pleased to condone the remaining deficiency of less than one year under Section 120 of the Civil Pension Code out of the Petitioner's inferior service the petitioner would be entitled to a half pension.

Prays therefore that under the above circumstances, the Government would be pleased to grant him half pension

also that the pay due to him for the period of 2 months

and 16 days he served, when restored by the Collector after once retiring, may be ordered to be paid to him.

Petition from *Kundasanni*
Mudaliar.

Dated 27th July 1883.

TRANSFERRED to the Chief Secretary to
Government, Department.

(By Order.)

A. H. D. S. Captain, R.E.
Private Secretary.

GOVERNMENT HOUSE,
GUMMAMPARK
28th July 1883.

4.600 426 of 17-5-83.
— 189 of 18-2-83.

(1883) DEPARTMENT.

Sp. 15th Aug 83 No 736

The Govt. are unable to
consider the orders passed
in the petitioner's case &
whereby the full amount of
retiring allowance due under
the rules, was passed to him.

From

No 895

THE PRIVATE SECRETARY

TO THE RIGHT HON. THE GOVERNOR,

THE CHIEF SECRETARY TO GOVERNMENT,

DEPARTMENT.

Dated

30th

July 1883.

1883.

Recd.

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1883

ENCLOSURE.

No.

Subject.

Transfers a petition from

Andasami Mudali
praying for half
pension arrears

Prayer

With an order

1883
C. Gundersamy Mudali
1883