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MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	1321	Press ~~Mis.~~
Dated	14. 11 -	1884

Not to be folded or roughly handled

14TH NOVEMBER 1884, No. 1321, PENSION.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

READ—the following papers:—

Endorsement of the Surgeon-General with the Government of Madras, dated 2nd April 1884, No. 1863.

ABSTRACT.—Submitting an application for pension on behalf of M. Appasawmy Pillai, late first-class hospital assistant of the Subordinate Medical department.

Certificate and report from the Accountant-General, to the Resident in Mysore, dated Fort St. George, 22nd May 1884, No. A.D.J.-73.

Certified that qualifying service in superior grades has been duly proved for 25 years 6 months and 13 days, and that an invalid pension, not exceeding Rs. 28-12-3 per mensem, equal to half average emoluments, is admissible under sections 106, 113 (c) and the first exception under section 57 of the Civil Pension Code (6th edition). The calculations have been duly verified. Although the Medical Invaliding Committee, which assembled at Bangalore on the 17th March 1884, declared the applicant to be unfit for further service, yet no medical certificate in the form prescribed in the code was received in support of the claim for pension. On application, however, the Surgeon-General has obtained a proper certificate which is dated 1 month and 12 days after the applicant actually ceased to do duty, and it is herewith submitted.

2. From the letter received from the Surgeon to the Mysore Government, No. 352, dated 13th instant, it appears that the services of the applicant were placed at the disposal of the Mysore Government on the 20th June 1865. The question whether the Mysore or the British Government should pay the pension of an officer in the applicant's position, who served partly under the British and partly under the Mysore Government has not yet been finally settled, and, pending the settlement of that question, the applicant's pension may be debited to the two Governments according to the Rule of proportions.

3. In accordance with rule 4, under section 134 of the Civil Pension Code, the attention of Government is respectfully solicited to section 69 of the code.

From Major H. WYLIE, c.s.i., Assistant to the Resident in Mysore, to the Accountant-General, dated Bangalore, 10th June 1884, No. 1753.

With reference to paragraph 2 of your certificate * and report * on the application for pension on behalf of first-class hospital assistant Appasawmy of the Madras Subordinate Medical department, I am directed to forward the accompanying copy of letter, No. 1543-I, dated 1st May 1884, from the Secretary to the Government of India, Foreign department, from which you will see that it has been decided that the Mysore Government should be relieved of all liability for leave and pension allowances, in respect of service up to 30th September 1882, of all officers who, having a status in British service proper, were transferred for employment in Mysore while the province was under British administration.

14TH NOVEMBER 1884, No. 1321, PENSION.

2. As the pensions of the Madras medical subordinates lent to Mysore have hitherto been sanctioned by the Madras Government, I am to inquire why the application of hospital assistant Appasawmi has now been submitted to the Resident for sanction of the pension.

3. The application for pension is herewith returned in case you may wish to amend your report on it.

Certificate and report from W. T. PIERCY, Esq., Assistant Accountant-General, to the Acting Under Secretary to Government, Pension department, dated Fort St. George, 21st July 1884, No. J.A.E.-172.

Certified that qualifying service in superior grades has been duly proved for 25 years 6 months and 13 days, and that, subject to the remarks below recorded, an invalid pension, not exceeding Rs. 28-12-3 per mensem, equal to half average emoluments, is admissible under sections 106, 113 (c), and the first exception under section 57 of the Civil Pension Code (6th edition).

2. Although the Medical Invaliding Committee, which assembled at Bangalore on the 17th March 1884, declared the applicant to be unfit for further service, yet no medical certificate in the form prescribed in the code was received in support of the claim for pension. On application, however, the Surgeon-General has obtained a proper certificate which is dated 1 month and 12 days after the applicant actually ceased to do duty, and it is herewith submitted.

3. From the letter received from the Surgeon to the Mysore Government, No. 352, dated 13th May last, it appears that the services of the applicant were placed at the disposal of the Mysore Government on the 20th June 1865, and that he has been in the service of that Government since that date. It is presumed that his pay was paid from the revenues of that State. In their letter to the Resident in Mysore, No. 1543, dated 1st May 1884, the Government of India observed that uncovenanted officers having a status in the British service proper, but transferred for employment under the British administration in Mysore, should be considered as officers lent to foreign service; that their services up to 30th September 1882 should be treated as qualifying for pension from the British Government, and that they could pay contribution on account of pension to that Government in view to retaining a status in the British service proper. From the fact of the applicant's name being retained in the list of Civil Medical establishments of this Presidency, this office has ventured to recognise him as one of the officers falling within the terms of the Government of India letter quoted above; the applicant has paid also the contribution on account of pension from 1st October 1882, the date from which Mysore became a "foreign state;" the entire cost of his pension should, it is considered, be borne by the British revenues, notwithstanding the fact that his entire service was paid partly from the general revenues and partly from the revenues of Mysore.

4. It is further pointed out that a report on the case was made on the 22nd May 1884 and submitted to the Resident in Mysore for sanction, but that officer has returned the application and the papers connected with it with the observation that the case is one which should be disposed of by the Madras Government.

ORDER—dated 14th November 1884, No. 1321, Pension.

Ordered that the Government of India be addressed.

[Here enter No. 1322, dated 14th November 1884.]

(True Extract.)

Exd. J. Wright.

E. S. LAFFAN.
Ag. Under Secy. to Govt.

Govt. of (1884) Madras.

PENSION.

Issued

Encl.

Recd.

G.O., 14th November 1884, No. 1321.

NOVEMBER.

Pension.

Ordering that the Government of India be addressed on the subject of the claims to pension of uncovenanted officers who were transferred for employment in Mysore during the British administration.

14TH NOVEMBER 1884, No. 1322, PENSION.

PENSION DEPARTMENT.

LETTER—from

THE SECRETARY TO THE GOVERNMENT OF
FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF FINANCE AND COMMERCE.

SIR,

I am directed to request the instructions of the Government of India on the subject of the claims to pension of uncovenanted officers, who, having a status in the British service proper, were transferred for employment in Mysore during the British administration.

2. The case which gives rise to this reference is that of a hospital assistant of the Madras Medical department, who was transferred to the Mysore service in 1865 and remained there until the 16th March last, when he submitted his application for pension. A certificate and report was submitted by the Accountant-General to the Resident of Mysore, but was returned on the ground that the Mysore Government had been relieved by the Government of India in their letter of the 1st May last, No. 1543-I, of all liability for leave and pension allowances, in respect of service up to 30th September 1882, of officers who, having a status in the British service proper, were transferred for employment in Mysore while the province was under British administration. The Accountant-General has now submitted his certificate and report to this Government for orders, and has since forwarded a copy of the letter from the Government of India referred to above. It is further reported that the applicant has paid pensionary contribution on the usual terms from 30th September 1882 to the date of his retirement.

3. From the Accountant-General's letter it appears that the Secretary of State has decided that the Mysore Government shall be relieved of all liability on account of the leave and pension allowances of the class of officers referred to in respect of service up to the 30th September 1882, and that effect has been given to this decision by the amendment of the definition of "General Revenues" on page 10 of the Financial codes. It is not altogether clear, however, from the papers before this Government, whether it is the intention of the Secretary of State and the Government of India that the charges on account of these pensions should be borne by the Provincial revenues of this Presidency, nor does the letter of the Government of India, quoted above, contain any instructions on the subject of service in Mysore subsequent to the date mentioned. The matter is of some importance in view of the fact that besides the present applicant and other similarly circumstanced who must be pensioned without delay, there are a number of officers who have reverted to the British service since the rendition and in whose cases, when they retire, the same questions will present themselves for consideration.

4. Under these circumstances I am to request that the Government of India will be pleased to decide whether service in Mysore subsequent to the 30th September 1882 is to be recognised, and also in what manner these pensionary charges in connection with the British administration of Mysore are to be brought to account.

I have the honor to be,

Sir,

Your most obedient servant,

FORT ST. GEORGE,
14th November 1884.

H. E. STOKES,
Secretary to Government.

11a

1884.
PENSION DEPARTMENT.

From the Government of
Fort St. George.

Issued

Recd.

Encl.

Letter, 14th November 1884,
No. 1322.

NOVEMBER.

Pension.

Requesting instructions on the subject of the
claims to — of uncovenanted officers who were
transferred for employment in Mysore during
the British administration.

Foreign Dept
Finance.

Copy 50
No 1543 I
From The Secretary to the Government of India
To The Resident in Mysore

Dated Simla, the 1st May 1884.

Sir
I am directed to acknowledge receipt
of your letters No. 2390 of 6th February 1884, and
No. 2232 of 21st January 1884, and the copies of
correspondence forwarded with the latter.
2. With reference thereto, and to previous

correspondence, I am to address you as follows
on the subject of the claims to pension of officers
who served in Mysore when the Province was
administered by the British Government.

3. These officers are of three classes,
(a) Military Officers and Covenanted Civilians
(b) Uncovenanted officers who, having a status
in British service proper, were transferred
for employment under the British Administration in
Mysore.
(c) Uncovenanted officers who had no status
in British service proper, but who were em-
ployed in Mysore when under British
Administration.

4. With regard to Classes (a) and (b),
it has been decided that the Mysore State
shall be relieved of all liability for claims
and pension allowances in respect of
service

service up to 30th September 1882. The grounds of this decision were stated in Despatch No. 1 (Finance) of 10th August 1882 to the Secretary of State which dealt with class (a); and the proposals made in that Despatch were sanctioned by the Secretary of State in his Despatch No. 104 (Political) of 9th November 1882. The extension of this concession to class (b) was recommended to the Secretary of State in Despatch No. 1 (Finance) dated 15th June 1883 and sanctioned by him in his Despatch No. 69 (Political) of 9th August 1883.

5. Effect has been given to these decisions by the amendment of the definition of general revenues on page X of the Code of the Financial Department.

b. Class (c) remains to be provided for. Officers of this class did not belong to the British Establishment, and were not transferred from British service for employment in Mysore, but were engaged by the Administration of Mysore for employment in that Province, and were not in any way connected with the British Government of Mysore. There is no ground, therefore, why the pensions or leave allowances

60
of these Officers, earned by service rendered to Mysore, should be charged against the revenues of British India.

7. But while Mysore was under British Administration, service on that Province was held to qualify for pension payable from the revenues of Mysore. It is, therefore, considered by the Government of India that the claim of Officers of class (c) to the pensions payable from Mysore revenues, which they would have earned had Mysore continued under British Administration should be recognized by the Government of Mysore; and that the service of those Officers in Mysore prior to 1st October 1882 should be considered as qualifying for pension, the pension or portion of pension on account of such service being payable by the Mysore State.

8. Some officers of class (c) are believed to have been transferred from service in Mysore to British service proper before the 1st October 1882 and to be now in British service. In respect to these the Government of India is of opinion that their qualifying service should be held

held to commence from the date of their employment in Mysore subject in all cases to the Rules in the Civil Pension Code; and that a portion of the pension proportionate to the service in Mysore should be payable by the Mysore Government in accordance with the Rules of Proportions as defined in page XIV of the Codes of the Financial Department. The pensions would be paid in the first instance by the British Government, and the amount due by Mysore subsequently recovered from that Government.

9. Such Officers of Class (C) as remained in employment in Mysore after the rendition of the province, would receive their whole pension from the Mysore Government. All that is required in regard to these Officers is an assurance that the Government of Mysore will recognize the claim of these Officers to have their service prior to 1st October 1882 considered as qualifying for pension to be granted calculated in accordance with the pension rules of the Government of India. In view of the liberal decisions sanctioned by the Secretary of State in the case of Officers of Classes (A) & (B), the

7a
the Government of India anticipates no objection on the part of the Mysore State to the acceptance of the obligation. The Government of India also considers that it would be an equitable and liberal act for the Government of Mysore to allow the service subsequent to 30th September 1882 of Officers of this class, who were in service in Mysore before the rendition and continued in the same service after rendition, also to qualify for pension in the same manner. 10. With regard to servants who entered the service of the Mysore State after the rendition, the question whether, and under what rules their services shall qualify for pension, is entirely for the consideration of the Government of Mysore.

11. His Excellency the Governor General in Council does not anticipate that the Government of Mysore will have any difficulty in recognizing the fair and reasonable claims of Officers engaged for service in Mysore when the province was under British Administration as above set forth. I am to request that you will communicate with the Government of Mysore and obtain

obtain their assent to the proposals above described.

Shewee & Co.
Signed, C. Grant
Secretary to the Government
of India

N^o. 864

Department of Finance and Commerce
Sunder 13th May 1884

Copy forwarded to the Accountant
General Madras for information.

By order & Co.
Signed, J. F. Findlay
Off. Indian Secretary
to the Government of India.

/ True Copy /

L. H. G. S. M.

Accounts General

N^o. 1036.

875
Pension
Revenue Department.

No. 50

OFFICIAL MEMORANDUM

8 a

With reference to his pension
certificate and report
of 21st July 1884. no
2 A. 2, the Accountant.
172
Govt. is requested to
forward copy of the
letter from the Govt.
of India dated
March 21st May
1884 no 1543.

Outstanding
3-8-84

8 a

Pension DEPARTMENT.

Fort St. George,

Accountant-General's Office,

No. *JAE* 14th August 1884.
230

From *H. F. Hoggston Esq.*
ACCOUNTANT-GENERAL

TO THE GOVERNMENT OF MADRAS,

To
THE *Under Secretary to Government,*
Pension Department.

SIR,

With reference to your official memorandum No. 50 dated 8th August 1884, I have the honor to forward herewith a copy of the letter from the Government of India to the Resident in Mysore No. 1543 dated 1st May 1884, quoted in this Office report No. *J.A.E.* 172 dated 21st July 1884.

I have the honor to be,

Sir
Your most obed^t servant

H. F. Hoggston
Accountant-General.

AB

*1885-1886
10/10/85
H. F. Hoggston
at*

Princin
REVENUE DEPARTMENT.

From
1. Surgeon. Genl. with Genl. of Madras. 2. April 84. No. 922
2. Asst. Genl. 21st July 1884. No. 172.
3. Asst. Genl. 14th August 84. No. 220

Dated

188-

FOR ORDERS.

The applicant, a Hospital Asst., was transferred to the Mysore service in 1865 and remained there till the end of his service (16th March 1884). With reference to the pensionary claims of such officers some correspondence took place between the Resident of Mysore, the Govt. of India, and the Secretary of State, and in their letter to the Res. of 15th 3. I. of 1st May 1884 the Govt. of India informed him that the Secretary of State had decided that Mysore should be relieved of all liability for leave and pension allowances in respect of the service of such officers up to 30th Sept. 1882. According to the definition of "general revenues" on page II of the Financial Code has been altered so as to include the service of such officers up to that date. The applicant is therefore charged with the pension from

Copy of this letter sent by the Res. to the Asst. with reference to this case, and obtained from him of this office. It has been communicated, however, been proceeding correspondence being communicated to this Govt.

Under the decentralization arrangements, preliminary changes are wholly provincial, but inter-adjustments are allowed so that the cost of a pension, wherever paid, may be borne by the Local Govt granting it. In this case the handous Govt are invited to grant the pension and consequently to bear the whole cost of it, wherever paid. But it is perhaps hardly clear that this was

Refer I think best
to Comd.

120

Conclusion. ¹ Wreck a reference should be
made. Madras was not a party to
the arrangement by which Madras
was released from the existing arrangement.
The foreign state I consider to be
the provisions of the existing arrangement.
Madras has no more to do with the
the law of the Union and spirit of
the Madras Convention should be
decided with the existing provisions.
by 20th March 1844.

A reference seems to be wellen.
If the Provincial decentralization
has not taken place, the application
to Pension would certainly have
been presented to & disapproved by
this Govt. to whose establishment
the applicants belong. I submit
that the Councils must be satisfied

He!

the intention of the despatch.
From the Secretary of State.
There seems to be no reason
why the headmen Govt should
grant a pension for service
in Mysore, any more than
any other local Govt, who
though the applicant was
originally a member of
the headmen medical dept.
All that the Secretary of
State seems to have decided
is that such pensions shall
be paid from "British
Revenues", and Bombay
or Bengal Provincial
revenues are just as
much "British" as headmen
revenues.
No one, if ever, would
suggest that either of
these provinces should
bear the charge, and that
appears to be no more
reason why headmen in
particular should do so.
The matter might perhaps
be referred to the Imperial
Govt, and if headmen is
to be called upon to bear
such charges, it would
seem right that she should
receive compensation in some
form from the Imperial
Govt. - The latter Govt would
hardly seem to have considered
the question of the wisdom
of the ^{such} charges as between
itself and local Govts;
otherwise the correspondence
would doubtless have been
communicated. S. H.

FOR ORDERS.

Go No 1322 of 87

Mr. 90/10
Pun. 5/11
H. M. 2/11
Return 7/11

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:

From the Surgeon Genl. with the Govt. of Madras.
dated 2nd April 1884. N^o 1263

Accountant Genl. Madras, dated
2nd July 1884. N^o 172

etc. etc. 21/11. Sept. 1884. N^o 230

Order. No. 14. N^o 1321

Ordered that the
Govt. of India be
addressed.

(H. 2. 14. Nov. 1884. N^o 1322)

N^o 1322

To The Secy. to the Govt. of India
Department of Fin. & Com.

Sir
I am directed to
request the instructions
of the Govt. of India
on the subject of claims
the

to pension of uncovenanted officers, who, having a status in the British Service proper, were transferred for employment in Mysore during the British administration.

2. The case which gives rise to this reference is that of a Hospital Assistant of the Madras Medical Department, who was transferred to the Mysore Service in 1865 and remained there until the 16 March last, when he submitted his application for pension. A Certificate and report was submitted by the Accountant General to the Resident of Mysore but was returned on the ground that the Mysore Govt. had been relieved by the Govt. of

111a

of India in their letter of the 10th May last No 1548 of all liability for leave and pension allowances, in respect of service up to 30 September 1882 of officers who, having a status in the British Service proper, were transferred for employment in Mysore while the province was under British administration. The Accountant General has now submitted his certificate and report to this Govt. for orders, and has since forwarded a copy of the letter from the Govt. of India referred to above. It is further reported that the applicant has paid pensionary contribution on the usual terms from 30 September 1882 to the date of his retirement.

3. From the Accountant General's letter, it appears, that the Secretary of State has decided that the Mysore Govt. shall be relieved of all liability on account of the leave and pension allowances of the class of officers referred to in respect of service up to the 30th September 1882, and that effect has been given to this decision by the amendment of the definition of "General Revenues" on page I of the Financial Codes.

But it is not altogether clear, however, from the papers before this Govt. whether it is the intention of the Secy. of State and the Govt. of India that the charges on account of these pensions should be

15th

be borne by the Provincial Revenues of this Presidency, nor does the letter of the Govt. of India, quoted above, contain any instructions on the subject of service in Mysore subsequent to the date mentioned. The matter is of some importance in view of the fact that besides the present applicant and others similarly circumstanced, who must be pensioned without delay, there are a number of officers who have reverted to the British Service since the rendition and in whose cases, when they retire, the same questions will present themselves for consideration.

4. Under these circumstances I am to request that

that the Govt of India
will be pleased to decide
whether service in Mysore
subsequent to the 30th
September 1882 is to be
recognized and also
in what manner these
pensionary charges in
connection with the
British administration
of Mysore are to be
brought to account.

9/11/82

For St George
14 November 1882
10/12/82

Mysore

REVENUE DEPARTMENT.
PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers.
From. The Surgeon-General, with the Govt of Madras.
2nd April 1884. No. 912.
The Accountant-General, 27th July 1884. No. 172.
The same. 14th August 1884. No. 230.

Order.
Ordered that the Govt of India be addressed: -
(H.L.)

To the Secy to the Govt of India. P.D. -

Sir/- I am directed to request the instructions of the Govt of India on the subject of the claims & pension of the uncommissioned officers who, having a status in the British service before, were transferred to employment in Mysore during the British administration.

2. The case which gives rise to this reference is that of a hospital assistant of the Madras Medical Dept., who was transferred to the Mysore service in 1865, and remained there until he retired on the 16th March last, when he submitted his application

Handwritten
1884

July 1324/2 of 11-11-82

Under these circumstances I am to request that the Govt of India be pleased to direct that the service of the Mysore Subordinate to the 30th Sept 1882 is to be treated, and also in that manner these pensionary charges in connection with the British Administration of Mysore are to be brought to account.

(From order)

W

Chait

202. 14/11
2011. 17/11

17/1/96

[1]
11/11/1884

PRESS.

770210 7/11

Pension DEPARTMENT.
G.O. DATED 11/11 Nov 1884
No. 1322.

First copy sent to Press. 18/11.

Returned for signature.

Despatched in print.

[Despatch Abstract.]

Letter

Requesting instructions
on the subject of the claims to
pension of unsuited offi-
cers, who were transferred
for employment in Mysore
during the British adminis-
tration.

Order 14 Nov 1884 No. 1321
that the
Ordering be forwarded
to the Secy of Enrol in address
on the subject of the same