M.R.O. 1—77,006—8-6-37.

(1) Number of pages 32

(2) Date of repair 13.7.42

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Pension **DEPARTMENT.**

G.O. No. 1395 Press ~~Mis.~~

Dated 27-11 1884.

Not to be folded or roughly handled

PENSION DEPARTMENT.

LETTER—from

THE SECRETARY TO THE GOVERNMENT OF
FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

SIR,

I am directed to forward the enclosed memorial addressed by one T. Muttuswami Pillai, late clerk in the Madras Forest department, to His Excellency the Governor-General in Council, appealing against the order of this Government, dated 16th August 1880, No. 874, granting him a retiring gratuity of Rs. 200. I am to state that this Government has nothing to add to the statement of the appellant's case contained in the order appealed against, copy of which accompanies the memorial. The appellant, it will be seen, was treated with an indulgence to which he was not entitled under the strict letter of the Civil Pension Code, and this Government has accordingly no recommendation to make on his behalf.

I have the honor to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
27*th November* 1884.

H. E. STOKES,
Secretary to Government.

[Annexure.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

Read—the following paper:—

To His Excellency the MARQUIS OF RIPON, K.G.,
Viceroy and Governor-General of India,
Fort William, Calcutta.

The humble memorial of T. MUTTUSWAMI PILLAI, late Overseer and Head Clerk of the Forest department.

Most respectfully showeth,—That your Excellency's memorialist, with due deference and profound submission, begs leave to lay the following grave injustice before your Excellency, most humbly craving to meet with justice from thy philanthropic tribunal.

2. That, in the order passed by the Madras Government, Pension department, No. 874, dated 16th August 1880, for gratuity to memorialist, it would conspicuously show to your Excellency that he was dealt with severe injustice, and which no Government authorities would admit as one lawful.

3. Paragraph first states that memorialist had cut and removed certain timbers from Government forest for his own purpose; which fault was never committed by him; if so he would have been prosecuted by Government. It is true that he had purchased a few logs from the Colongode Numboody for his house-building purposes, which may be proved by the forest records of the time. The latter part of the paragraph states certain faults such as "for insubordination, excess of power, false reports against his subordinates and neglect of duty," on which memorialist begs leave to state that such actions were never done by him—as no documentary evidence can be brought forward to prove the same by the department—on which point he was suspended, but the order of suspension was not confirmed. The then local Forest officer, Mr. Ross, of Mettupálaiyam, having had an influential private man of his own named Murthanaigum Pillai, now a ranger in the North Coimbatore Forest division, exerted his utmost to ruin memorialist and confer his post to the said Murthanaigum Pillai, which caused him to pass such unlawful remarks, and appointed him in his stead. The memorialist's appeal petition of 1875-76 to the Revenue Board and Government, and his service book, would clearly prove the matters in question if called for and referred to. The Government also states that memorialist's service was not satisfactory, if so the Government would not have re-employed him, from which your Excellency may see the injustice done to him. Under these circumstances your Excellency's memorialist was kept under suspension, as is clear from paragraph fourth of the order, copy of which is herein enclosed. It is plain enough that he was neither dismissed nor permitted to retire; being so, the broken period of his service should be justly taken as one of suspension. Accordingly he is entitled to one-fourth of his salary then drawn which to his misfortune the Madras Government have totally failed to do so. The Government should be duly justified to take the period of 13 years' service previous to his suspension included with the service of 8 years 6 months and 13 days now taken into consideration for gratuity, and, instead of the very low gratuity of

Rs. 200, he should have been granted with his retiring pension. As to the paragraph fourth that his service was not satisfactory, it will be perfectly clear to your Excellency from perusal of the true copies of his testimonials given by various local Forest officers, that no subordinate in the department has given such satisfaction as your Excellency's memorialist, and notes in his service book, now with the Madras Government, will also prove to your Excellency's approbation of his general good character.

4. In concluding your Excellency's memorialist's memorial, he most respectfully begs leave to state that since his first appointment in the Forest department in 1850 to 1878 he sacrificed his whole body in the forests and worked with self-devotion, honesty and entire satisfaction to his superiors in the Anaimalai, a very bad hill for malarious fever, which will be apparent to your Excellency by perusing his whole records and proceedings, and particularly the testimonial of Captain H. M. Gosling, Deputy Conservator of Forests, dated 2nd June 1870. Your Excellency's memorialist's service in the Forest department was a hard working one, and, although he has with so much hard work long served the Government with satisfaction yet the remuneration paid for it is undue injustice, and therefore your Excellency's memorialist earnestly implores your Excellency, as a benevolent benefactor, to take all this injustice done to him into benign consideration, and render him justice by granting his retiring pension. For which act of justice and charity Heaven above will reward your Excellency with manifold blessings, long life and prosperity, and, as in duty bound, your Excellency's memorialist shall ever pray.

ANAIMALAI, 13*th October* 1884.

ORDER—dated 27th November 1884, No. 1394, Pension.

Ordered that the memorial be forwarded to the Government of India.

(True Extract.)

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

Exd. J. Wright.

Regr. No.

HOME 1884 DEPT.

[ ]

From the Government of
Fort St. George.

Issued

Recd. *Encl.*

Letter, 27th November 1884,
No. 1395.

NOVEMBER.

Memorial.

Forwarding — from T. Muttuswami Pillai, late head clerk, Madras Forest department, appealing against the order of this Government granting him only a gratuity of Rs. 200 under the circumstances stated.

abstract

Stalis that he entered the Forest Department in 1850 as a writer, that from the year 1860 he had been overseer in the Annamalay Range, that in August 1872 he was sent to the Civil Surgeon at Coimbatore for a Medical Certificate to enable him to apply for pension but that he was certified as being fit for further service that after the expiration of 3 months sick leave he was appointed Ag. Head Overseer of Annamalay that in June 1873 he was transferred to Mettapolium range; that Mr. Ross the petitioners Superior officer listening to the mis-representations of his clerk Moorthanayagam against the petitioners character & the Collector threatened to dismiss & suspend him on many occasions that he received a memo of severe reprimand from the Collector thro' Mr. Ross on the 4th Dec. 1873. that he sent a petition addressed to the Collector thro' Mr. Ross that a memo was then sent suspending him that he forwarded an explanation of the charges against him & the

collector cancelled the order of suspension & directed him to retire that he applied for pension but the Civil Surgeon granted him a certificate of fitness for duty that the Collector directed him to wait for a vacancy after perusing the certificate.

Prays that he may be restored to his former post.

[9]

Petition (Rev:) Department.

No. 2278

From

Moothoosawmy Pillay
Forest Guard
Amamalay.

No.

Dated 4. } August 74.
Received 13. }
Enclosures 7.

SUBJECT.

Prays for reinstatement

order of 25. Augt. 74.

Returned under para 2 of the petition rules.
Suthy L. A. C
Under Secy.

9

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

16th August 1880, No. 874.

Gratuity.

Read the following papers:—

From the Conservator of Forests, dated 18th December 1879, No. 1201.
" Assistant Accountant-General, dated 7th June 1880, No. 626-A.D.J.

ORDER THEREON, 16th August 1880, No. 874.

The applicant, T. Muttusami Pillai, was originally entertained as a Clerk on Rs. 10 in the Forest Department in the year 1850, but, after rising to the grade of Assistant Overseer, was dismissed in 1863 for cutting and removing timber for his own purposes from Government forests. He remained without employment for three years, but in March 1866 was re-entertained with the sanction of the Conservator of Forests and apparently gave satisfaction until December 1873, when he was suspended by the local Forest Officer "for insubordination, excess of power, false reports against his subordinates, and for neglect of duty."

2. In February 1874, while still under suspension, he submitted a written request to be allowed to retire on a pension, as the Civil Surgeon at Coimbatore had expressed the opinion that he was unfit for forest duty and he (the applicant) held the same opinion.

No medical certificate accompanied this petition and no specific orders appear to have been passed on it, but the applicant was allowed to remain out of employ until, after both the Board of Revenue and Government had directed his re-employment, he was on the 1st June 1877 made Head Clerk in the Office of the Deputy Conservator of Cuddapah.

This post he held until the 21st March in the following year, when he was pronounced by the Medical Officer at Cuddapah unfit for further service.

3. T. Muttusami Pillai's total qualifying service from the date of his re-entertainment in 1866 is stated to amount to eight years, six months, and thirteen days, but the Accountant-General reports that no retiring allowance is admissible to him unless the whole period of his non-employment from the 9th December 1873 to the 31st May 1877 is treated as one of suspension.

4. The Government consider that it should be so treated, as T. Muttusami Pillai was never formally dismissed nor permitted to retire and his re-employment was ordered, but, as his service was not satisfactory, he will be granted a reduced gratuity of Rs. 200 in lieu of that (Rs. 240) ordinarily admissible.

5. These Proceedings will be communicated to the Government of India.

(True Extract.)

LORNE A. CAMPBELL,
Under Secy. to Govt.

To the Accountant-General, with register.
" Conservator of Forests.
" Collector of Coimbatore.

Exd. J. W. Fischer.

Govt. of {1880} Madras.

PENSION.

To

THE ACCOUNTANT-GENERAL,

&c., &c., &c.

Dated August, 16*th*.

Issued

Recd. *Encl.*

G.O., 16*th August* 1880, *No.* 874.

AUGUST.

Gratuity.—Granting an invalid gratuity of Rs. 200 to T. Muttusami Pillai, late Head Clerk, Deputy Conservator's Office, Cuddapah Division.

18 17

To,

His Excellency the Marquis of
Ripon K. G.
Viceroy and Governor General of India
Fort William
Calcutta

The humble Memorial of T. Madasawmy
Pillay Late Overseer and Head Clerk of the
Forest Department.

Most Respectfully Sheweth—

That your Excellency's memorialist with due deference and profound submission beg leave to lay the following grave injustice before your Excellency most humbly craving to meet with just redress from thy philanthropic Tribunal.

That in the order passed by the Madras Government Pension Department No. 874 dated 16th August 1880 for gratuity to memorialist, it would conspicuously show to your Excellency that he was dealt with severe injustice and which no Government Authorities would admit as one lawful.

Para 3rd States that memorialist had cut and removed certain timbers from Government Forests for his own purpose; which fault was never committed by him; if so he would

have been prosecuted by Government. It is true that he had purchased a few logs from the Colonge de Thumbroody for his house building purposes; which may be proved by the Forest records of the time - The latter part of the Para states certain faults such as "Insubordination, Excess of Power, False reports against his Subordinates and Neglect of duty". on which Memorialist beg leave to state that such actions were never done by him; as no documentary evidence can be brought forward to prove the same by the department; on which point he was Suspended; but the Order of Suspension was not confirmed. The then local Forest Officer Mr. Ross. of Nattipollium having had an influential private man of his own named Murthanaigum Pillai now a Ranger in the North Coimbatore Forest Division exerted his utmost to ruin memorialist and confer his post to the said Murthanaigum Pillay which caused him to pass such unlawful remarks and appointed him in his stead - The memorialist's Appeal Petition of 1875/76. to the Revenue Board and Government. and his Service book would clear & prove the matters in question if called

for and referred to - The Government also States that memorialist's Service were not satisfactory. if so the Government would not have re-employed him from which your Excellency may see the injustice done to him; Under these circumstances your Excellency's memorialist was kept under Suspension as is clear from Para 4th of the Order, Copy of which is herein enclosed. It is plain enough that he was neither dismissed nor permitted to retire - being so the broken period of his Service should be justly taken as one of Suspension - accordingly he is entitled to ½ of his salary then drawn which to his misfortune the Madras Government have totally failed to do so - The Government should be duly justified to take the period of 13 years Service previous to his suspension included with the Service of 8 years 6 months & 13 days now taken into Consideration for gratuity instead of the very low gratuity of Rs. 200 he should have been granted with his retiring pension - As to the para 4th as that his Service was not satisfactory it will be perfectly clear to your Excellency from perusal of the True Copies of his testimonials given by various Local Forest Officers that no Subordinate in the Department has given such satisfaction as your Excellency's memorialist and notes in

his service book now with the Madras Government will also prove to your Excellency's approbation of his general good character

In concluding your Excellency's memorialist's memorial he most respectfully beg leave to state that since his 1st appointment in the Forest Department in 1850 to 1878 he sacrificed his whole body in the Forests worked with self devotion honesty and sincere satisfaction to his superiors in the Annamallais a very bad hill of malarious fever which will be apparent to your Excellency by perusing his whole records and proceedings & particularly the testimonial of Captain H M Gooding Deputy Conservator of Forests dated 2nd June 1870. your Excellency's memorialist's service in the Forest Department was a hard working one and although he has with so much hard work long served the Government with satisfaction yet the remuneration paid for it is undue injustice & therefore your Excellency's memorialist earnestly implore your Excellency as a benevolent benefactor to take all these injustice done to him into benign consideration and render him justice by granting his retiring pension for which act of justice and charity heaven above will reward your Excellency with manifold blessings long life and prosperity and as in duty bound your Excellency's memorialist shall ever pray.

Annamallay
13th October 1880

I. Mootoosawmy Pillay
Late Overseer & Head Clerk
Forest Department.

17

Government of Madras

Pension Department

16th August 1880 - No. 874.

Gratuity

Read the following papers

From the Conservator of Forests, dated 18th December 1879 - No. 1201.

" Assistant Accountant General, dated 17th June 1880 - No. 626 - A. D. Ly.

Order thereon, 16th August 1880 - No. 874.

The applicant, I. Mootoosawmy Pillay, was originally entertained as a Clerk on Rs. 10 in the Forest Department in the year 1850, but, after rising to the grade of Assistant Overseer, was dismissed in 1863 for cutting and removing timber for his own purposes from Government Forests. He remained without employment for three years, but in March 1866 was re-entertained with the sanction of the Conservator of Forests and apparently gave satisfaction until December 1873, when he was suspended by the local Forest Officer "for insubordination, excess of power, false reports against his subordinates and for neglect of duty."

2. In February 1874, while still under suspension, he submitted a written

request to be allowed to retire on pension, as the Civil Surgeon of Coimbatore had expressed the opinion that he was unfit for Forest duty and he (the applicant) held the same opinion - No medical certificate accompanied this petition and no specific orders appear to have been passed on it, but the applicant was allowed to remain out of employment until, after both the Board of Revenue and Government had directed his re-employment, he was on the 1st June 1877 made Head Clerk in the Office of the Deputy Conservator of Cuddapah -

This post he held until the 21st March in the following year, when he was pronounced by the Medical Officer at Cuddapah unfit for further Service -

3. T. Muthusawmy Pillay's total qualifying Service from the date of his re-entertainment 1866 is stated to amount to eight years, six months, and thirteen days, but the Accountant General reports that no retiring allowance is admissable to him unless the whole period of his non-employment from the 9th December 1873 to the 31st May 1877 is treated as one of suspension -

4. The Government consider that it should be so treated, as T. Muthusawmy Pillay was never formally dismissed

nor permitted to retire and his re-employment was ordered, but, as his service was not satisfactory, he will be granted a reduced gratuity of Rs. 200 on lieu of that (Rs. 240) ordinarily admissible -

5. These Proceedings will be Communicated to the Government of India -

True Extract

(Signed) Lorne A. Campbell
Under Secretary to Government

To The Accountant General
with register
" — " - Conservator of Forests
" — " Collector of Coimbatore
(by Rc.) J. W. Fischer

Communicated to the Deputy Conservator of Forests Cuddapah for information through the Collector

Office of Cons. of Forests
Madras
26th August 1880 -

(By order)
(Signed) A. Sundaraswamy
Asst. to the Cons. of Forests

To The Collector of Cuddapah -

(True Copy)
(Signed) A. H. Yarde
Deputy Conservator of Forests
Cuddapah Division

(A. True Copy)

T. Mootoosawmy Pillay
Late Forest Overseer & Head Clerk.

The bearer "Moottoosawmy" has been a writer in the Amramullay Forest Establishment for a period of nearly 3 years and has performed his duties hitherto in a satisfactory manner.

He has always been diligent & active as well as anxious to improve himself in any way -

Coimbatore
2nd March 1855 } - /Signed/ J. Michael
Superintendent Amramullai
Forests

Moottoosawmy Pillay served as Head writer during the period I was acting for Lieutenant Michael Superintendent of the Amramullai Forest - I always found him a steady well behaved hardworking man, and an excellent writer and can strongly recommend him to any person requiring his services -

Amramullay Forest
3rd November 1856 - } /Signed/ Douglas Hamilton
Captain
Late Acting Superintendent
Amramullay Forests

This is to certify that Moottoosawmy Pillay was employed under me for several years as writer in the Forest Establishment and was always very steady, willing, and well behaved. He writes an excellent hand and is a very fair accountant.

Bolarum
7th January 1860 } (Signed) J. Michael Captain
Asst. Chief Engineer Hyderabad
Department Public Works
Late Superintendent Amramullay Forests

Mootoosawmy Pillay has served in the Amaumalay Forest Establishment under me for nearly 3 years - he has conducted his duties very satisfactorily -

Amaumallay
September 1860 } (Signed) R. B. Baddeley
Lieutenant
Asst Conservator of Forests.

I have much pleasure in certifying as to the 3rd Overseers diligence and attention to his duty whilst under me in charge of the Amaumalay Forests and I had great pleasure in promoting him to the 2nd grade of Overseer - Whilst I experienced trouble and annoyance from others I always found the third Overseer Mootoosawmy Pillay at his post and never had occasion to check him or reprimand him for any thing - Willing and active, cheerful and honest and as such he has my sincere wishes for his welfare and advancement hereafter - This certificate is given him on my quitting this District in the hopes it may be the means of assisting him to a higher grade -

Amaumalais
December 26 - 1861 } (Signed) J. W. Ouchterlony
Lieutenant
Acting Assistant Conservator of Forests

Mootoosawmy Pillay Assistant Overseer Amaumalay has served 17 years in the Department and four under me - he is very intelligent and excellent accountant a good English writer, and a useful Out door Overseer when he is well - Long residence in the Amaumalaies has impaired his health and some less insalubrious climate should be selected for him to work in if possible - I am happy to afford this testimony to his general good conduct and assistance to me in operations and Office work is -

Salem
June 2nd - 1870 } (Signed) H. M. Gosling Captain
Deputy Conservator of Forests

I. Mootoosawmy Pillay was appointed Head Clerk of this Office on the 1st June 1870 by the Conservator of Forests - During the time he has been Employed in this Capacity I have always found him steady, regular and attentive to his duties, he is an excellent writer and accountant and gave me great satisfaction - Owing to constant illness he has been compelled to retire from the Service for which purpose he has applied for his pension -

Deputy Conservators Office
Camp Coodoor
22nd March 1878 - } (Signed) H. A. Yarde
Deputy Conservator of Forests
Coodapah Division

True Copies
I. Mootoosawmy Pillay
Late Forest Overseer & Head Clerk -

2495-
Home Dept
23/10

To,

His Excellency the Governor
in Council
For St. George
Madras.

The humble petition of T. Muttoosawmy Pillay late Overseer and Head Clerk of the Forest Department.

Most respectfully Sheweth,

With reference to the Order of the India Government Home Department Forests No. 822. Simla the 31st October 1884, That your Excellency's petitioner beg leave to inclose a memorial, together with a copy of G.O. dated 16th August 1880 No. 874 Pension department, and true Extract of your Excellency's petitioners Testemonials, to the address of His Excellency the Viceroy and Governor General of India, and your Excellency's humble petitioner beg leave that your Excellency would be graciously pleased to pass your Excellency's Orders to Submit the same to the Governor General of India; For which act of charity your Excellency's petitioner

Received on the 8th November 1884.
J.M.

No. 822 (Forests).
Home Department.
Simla, the 31st October 1884.

Returned to the Petitioner, with the intimation that any representation which he may wish to make to the Government of Madras should be submitted through the Government of Madras.

By order,

[illegible]
Offg. Under-Secretary to the Govt. of India.

petitioner shall as in duty bound
Ever pray..

Annandale
8th November 1884

J. Brodie Swiney Riley late
Late Overseer & Head Clerk Forests
Forest Department.

Ex. In. 874 dy 16-8-80.
R. Pol. Ex. No 1542 dy 3-10-1876.
" P 227 dy 24-8-1874

Order. 27 Nov 82 No 1394 Ordered that the memorial be forwarded to the Govt of India.

No. 1395.
To the Secy. G.G. Home Dept.

Sir I am directed to forward the enclosed memorial addressed by one T. Muthuswami Pillai, late clerk in the Headmaster's Office, to His Excellency the Governor in Council, appealing against the order of this Govt dy. 16th August 1880, No 874. Exercising him a returning gratuity of Rs 200. I am to state that this Govt has nothing to add to the statement of the appellant contained in the order appealed against, a copy of which accompanies the memorial. The appellant it will be seen, has been treated with an indulgence to which he was not entitled under the strict letter of the Civil Pension Code, and this Govt has accordingly no recommendation to make on his behalf.

I have &c

Fwd & Genl
27 Nov 82
Dpd 4-12-82

Copy of Memorial to accompany 25c

[9]

Public 1882 Sept
No 1586

From

T. Muthuswami Pillay

No.

Dated 6th Nov } 1882
Received 13 " "

Enclosures 3

SUBJECT.

Praying that the enclosed Memorial may be submitted to the Govt of India.

For Wilkinson order 1394 & 1395

PRESS.

Pens & Department.
G.O. dated 27 Nov 84
No. 1394-5
W P 4-12-84

First copy sent to Press.

Returned for signature.

Despatched in print.

[Despatch Abstract.]

Letter

Memorial

Forwarding — from T. Muthusami Pillai late H^d clerk ~~to the~~ Madras Forest Department appealing against the order of this Govt. granting him only ~~a~~ gratuity of Rs 100 under the circumstances ~~explained~~ stated.

25