

17TH MARCH 1884, No. 228, PENSION.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

READ—again G.O., dated 10th October 1883, No. 918, Pension.

READ—also the following papers:—

Petition from C. BHOGAPPA, late Huzoor Cash-keeper, Bellary Collector's Office, dated 2nd November 1883.

ABSTRACT.—Prays for half-pay pension, and, if that be considered inadmissible, to forward his petition to Government of India with recommendation.

No. 64.

Referred to the Accountant-General for report.

FORT ST. GEORGE,
8th November 1883.

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

From H. F. CLOGSTOUN, Esq., Accountant-General, to the Under Secretary to Government, Pension department, dated Fort St. George, 3rd December 1883, No. J.A.E.-286.

With reference to your endorsement, No. 64, dated the 8th November 1883, referring to me for report the memorial of C. Bhogappa, late Huzoor Cash-keeper, Bellary Collector's office, praying for a pension in lieu of the gratuity already sanctioned to him, I have the honor to draw attention to the remarks made by this office as recorded in the second page of the register of application submitted on his behalf. It will be seen from those remarks that Bhogappa's service of 7 years 2 months and 11 days claimed from 23rd February 1848 to 4th May 1855 was vitiated by his resignation of the public service. Although the resignation was followed by re-appointment within one year, yet the appointment to which he was posted was not one in which he could count service for pension. It was a temporary appointment, and Bhogappa did not secure a permanent one until after the lapse of nearly 13 years from the date of his resignation in May 1855. I consider, therefore, he is not entitled to the concession granted by rule 3, section 97 of the Civil Pension Code. I further beg to observe that the above period of service is composed also of service rendered before the attainment of the age of 22 years.

2. With regard to his next service of 4 years 10 months and 1 day, from 1st August 1855 to 1st June 1860, I beg to state that the appointment held by him in the Military department is declared by the Controller of Military Accounts to be a temporary or non-pensionable one.

3. Deducting, therefore, the two periods (which amount to 12 years and 12 days) from the total period of service, the net period of qualifying service amounts only to 13 years, entitling him to a gratuity equal to 12 months' pay as sanctioned by Government in their Order, No. 918, dated 10th October 1883.

4. The enclosures to the endorsement under reply and the papers received with the Proceedings of Government, No. 1064, dated 22nd November 1883, are herewith returned.

From H. St. A. GOODRICH, Esq., Acting Collector of Bellary, to the Under Secretary to Government, Pension department, dated Bellary, 16th November 1883, No. 4157.

I beg to submit the enclosed memorial of C. Bhogappa for the favorable consideration of Government. It would seem that the two periods of service rendered by him as taluk gumasta and interpreter of the Military Court of Requests are now pensionable under the provisions of the Civil Pension Code, provided, under section 114 (b), the Government, in the exercise of the discretion vested in them, be pleased to allow the previous services to count for pension in conformity with the rules of the 4th January 1831. Bhogappa has not availed himself of any of the advantages of the leave rules of 8th June 1863, and ought not to be denied the concession of counting previous service. He came to be unemployed after the 2nd June 1860 in consequence of the abolition of the office held by him in the Military Court (which, by section 96 of the Code, is held to be no interruption when service is continued by subsequent re-employment).

2. As regards his service in the Military Court, the Court is one constituted by a legal enactment by authorized fees levied from claims preferred, before which the office of interpreter was kept up, the fees evidently forming part of the General Revenues. Service paid out of this revenue is held a qualifying service (section 78).

3. The resignation of the post of the taluk gumasta is followed by re-appointment within 12 months to that of interpreter in the Military Court. The service rendered before resignation counts therefore towards pension (section 97, clause 3).

4. Thus Bhogappa appears to be eligible for a rateable pension on the total service of 25 years and 17 days countable under the sanction of the prescribed rules.

No. 71.

Referred to the Accountant-General for report whether the applicant is entitled to any pension under the old rules of 1831, and, if so, what amount of retiring allowance he will be entitled to.

FORT ST. GEORGE,
17th December 1883.

To the Accountant-General, with papers.

From H. F. CLOGSTOUN, Esq., Accountant-General, to the Acting Under Secretary to Government, Pension department, dated Fort St. George, 15th February 1884, No. J.A.E.-337.

With reference to your endorsement, No. 71, dated the 17th December 1883, I have the honor to invite attention to the letter, No. 3683, of the 1st February 1884, received from the Controller of Military Accounts, and to state, with reference thereto,

that this office has nothing to add to the views expressed in its letter, No. J.A.E.-286, dated the 3rd December last.

2. Should Government, however, be pleased to take a more favorable view of the case and to regard as pensionable the period of service rendered in the appointment of Interpreter in the Military Court of Requests, the applicant may be held to have completed more than twenty years' service entitling him to a pension equal to one-third of his average emoluments under the provisions of either the old or new rules.

3. I have to add that the leaves particularized in the application were all granted under the new leave rules, but they could have been claimed under the rules in force before June 1863.

4. The endorsement and its enclosures are herewith returned.

ENCLOSURE.

From Lieutenant-Colonel C. CARTER, Officiating Controller of Military Accounts, to the Accountant-General, dated Fort St. George, 1st February 1884, No. 3683.

In reply to your letter of the 9th January 1884, No. J.A.E.-313, with enclosures (herewith returned), I have the honor to inform you that I am still of the opinion expressed in my letter, No. 2147, dated 13th September 1883.

2. A careful search among this office records has been made, but it does not appear that Bhogappa was ever in receipt of a monthly salary of Rs. 40 as stated in paragraph 4 of his petition.

ORDER—dated 17th March 1884, No. 228, Pension.

The Government see no reason to reconsider the orders already passed in the petitioner's case.

(True Extract.)

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

To the Accountant-General.
„ the Collector of Bellary.
„ C. Bhogappa.

Exd. J. W. Fischer.

Govt. of 1884 Madras.

PENSION.

Issued

Recd

Encl.

G.O., 17th March 1884, No. 228.

MARCH.

Claim for half-pay pension.

Stating that they see no reason to reconsider their orders already passed in the case of C. Bhogappa, late Cashier, Collector's Office, Bellary.

To

The Right Honorable the

Governor in Council

Fort Saint George

MADRAS.

*The humble Memorial of C. Bhogappa late
Huzoor Cashkeeper Bellary Collectorate Treas-
ury.*

MOST RESPECTFULLY SHEWETH.

That the Memorialist most respectfully begs to solicit, that Government order Pension No. 918 dated 10th October 1883, sanctioning an invalid gratuity of Rupees 840, for a service of 13 years and two days may be reconsidered under reasons herein stated.

2. The Accountant General has not in any manner explained on what grounds the Memorialist's services from 23rd February 1848 to 4th May 1855, and from 1st August 1855 to June 1860, cannot count towards pension.

* On a salary of
Rupees 12.

3. The Memorialist rendered superior service as Taluq Gumastah * for years 7-2-11, from 23rd February 1848 to 4th May 1855; and under Rule 5 of the pension rules of 4th January 1831 contained in Appendix B. 1 of the Civil Pension Code, this service counts towards Pension, although he was 18 years old at the time he first entered the Government service, he having been born on the 6th January 1830. Because the rule provides that the services in Government Employ will commence from the 16th year of age. The Memorialist resigned the appointment on the 5th May 1855, and obtained within one year after resignation on the 1st August 1855, an Interpreter's appointment in the Military Court of Requests, on the recommendation of Mr. C. Pelly the then Collector of the District. Rule 3 Section 97 of the Code provides that service with such a break should be admitted in calculation for Pension.

4. The appointment of an Interpreter in the Military Court of Requests at Bellary was one created by the Legislature under Act XI of 1841 of the Government of India, and its duties are prescribed under para 7 of the Regulations regarding "Native Courts of Request"—vide page 473-474 Part VII (Limitation of credit) of General Regulations of the Madras Army published by Authority in 1849. The service thereof paid by Government qualifies for Pension either under section 78, or similar to the one specified in rule 2 of section 86 of the Code:—The Interpreter of this Court was not an ordinary clerk but a recognized responsible Officer in the position of Quarter Master, required to take solemn affirmation as prescribed in the Rules like the Members, and Superintending Officer thereof, before every sitting of the Court. This was a Court in those days of the character exactly similar to that of the Cantonment Small Cause Court. The Memorialist had held this appointment on a salary of Rupees 40 per mensem for years 4-10-1 (from 1st August 1855 to 1st June 1860):—

Owing to the records of the Memorialist's services not forth coming from the Military department, an affidavit was taken from him, under Rule 5 of Section 127 of the Code, and certificate granted to him at the time was also produced, in support of his service as an Interpreter. The Memorialist was thrown out of employ after the Office was abolished on the 2nd June 1860. Abolition of Office will not at all entail forfeiture of past service, as provided under clause (d) of Section 96 of the Code.

5. Thus it will be seen, taking into calculation the services rendered by him in the capacities of Taluq Gumastah, and Interpreter, that the Memorialist has served the Government on superior scale for years 25-9-17, not years 13-9-2 as certified by the Accountant General.

6. The provisions of clause (b) Section 114 of the Code, are, also in favour of the Memorialist, the old Pension Rules of 4th January 1831 should be made applicable to counting his service towards Pension, and the amount of pension to be granted to him should be calculated in accordance with the provisions of Section 109 of the Code. The calculation under the rules will therefore grant him one half of his salary (Rupees 35) as an invalid pension, but not an invalid gratuity of Rupees 840, as recommended by the Accountant General.

Under these circumstances your Memorialist very humbly prays:—

That this Memorial may be received.

That the Governor in Council will kindly review the case with all its records, and grant him a moiety of his salary, as pension, as recommended by the Collector of Bellary, in order to enable him to support himself to the latest period of his existence:—

Otherwise the Government will graciously be please to submit this Memorial to the Government of India in the Financial department under Section 132 of the Code with their recommendation.

And your Memorialist will
EVER PRAY.

BELLARY 2d
November 1883]

C. Bhagappa
Late Cashkeeper

To, The Private Secretary to His Excellency
the Governor.

Honoured Sir,

I respectfully submit that you will
do me the favour to place this Memorial
before His Excellency the Governor, for favorable
consideration

I beg to remain
Honoured Sir
Your Most obedient
C. Bhagappa

PETITION from *Le Bhogappa*

Dated *20 Novr* 1883.

TRANSFERRED to the Chief Secretary to Govern-
ment for disposal.

(By Order.)

Alway Captain, R.E.,
Private Secretary.

GOVERNMENT HOUSE,
Cotacamund, *20 Novr* 1883.)

(1883) DEPARTMENT.

From

THE PRIVATE SECRETARY

TO THE RIGHT HON. THE GOVERNOR,

To

THE CHIEF SECRETARY TO GOVERNMENT,
DEPARTMENT.

Dated 8th November 1883.
Recd.

ENCLOSURE.

No. _____

Subject.

Transfers a petition from C. Bhogappa
praying that he may
be pensioned on a moiety
of his salary.

CHIEF SECRETARY
2 NOV 83
GOVERNMENT OF MADRAS

To

The Right Honorable the
Governor in Council

Fort Saint George

MADRAS.

*The humble Memorial of C. Bhogappa late
Huzoor Cashkeeper Bellary Collectorate Treas-
ury.*

MOST RESPECTFULLY SHEWETH.

That the Memorialist most respectfully begs to solicit, that Government order Pension No. 918 dated 10th October 1883, sanctioning an invalid gratuity of Rupees 840, for a service of 13 years and two days may be reconsidered under reasons herein stated.

2. The Accountant General has not in any manner explained on what grounds the Memorialist's services from 23rd February 1848 to 4th May 1855, and from 1st August 1855 to June 1860, cannot count towards pension.

* On a salary of
Rupees 12.

3. The Memorialist rendered superior service as Taluq Gumastah* for years 7-2-11, from 23rd February 1848 to 4th May 1855; and under Rule 5 of the pension rules of 4th January 1831 contained in Appendix B. I of the Civil Pension Code, this service counts towards Pension, although he was 18 years old at the time he first entered the Government service, he having been born on the 6th January 1830. Because the rule provides that the services in Government Employ will commence from the 16th year of age. The Memorialist resigned the appointment on the 5th May 1855, and obtained within one year after resignation on the 1st August 1855, an Interpreter's appointment in the Military Court of Requests, on the recommendation of Mr. C. Pelly the then Collector of the District. Rule 3 Section 97 of the Code provides that service with such a break should be admitted in calculation for Pension.

4. The appointment of an Interpreter in the Military Court of Requests at Bellary was one created by the Legislature under Act XI of 1841 of the Government of India, and its duties are prescribed under para 7 of the Regulations regarding "Native Courts of Request"—vide page 473-474 Part VII (Limitation of credit) of General Regulations of the Madras Army published by Authority in 1849. The service thereof paid by Government qualifies for Pension either under section 78, or similar to the one specified in rule 2 of section 86 of the Code:—The Interpreter of this Court was not an ordinary clerk but a recognized responsible Officer in the position of Quarter Master, required to take solemn affirmation as prescribed in the Rules like the Members, and Superintending Officer thereof, before every sitting of the Court. This was a Court in those days of the character exactly similar to that of the Cantonment Small Cause Court. The Memorialist had held this appointment on a salary of Rupees 40 per mensem for years 4-10-1 (from 1st August 1855 to 1st June 1860):—

Owing to the records of the Memorialist's services not forth coming from the Military department, an affidavit was taken from him, under Rule 5 of Section 127 of the Code, and certificate granted to him at the time was also produced, in support of his service as an Interpreter. The Memorialist was thrown out of employ after the Office was abolished on the 2nd June 1860. Abolition of Office will not at all entail forfeiture of past service, as provided under clause (d) of Section 96 of the Code.

5. Thus it will be seen, taking into calculation the services rendered by him in the capacities of Taluq Gumastah, and Interpreter, that the Memorialist has served the Government on superior scale for years 25-0-17, not years 13-0-2 as certified by the Accountant General.

6. The provisions of clause (b) Section 114 of the Code, are also in favour of the Memorialist, the old Pension Rules of 4th January 1831 should be made applicable to counting his service towards Pension, and the amount of pension to be granted to him should be calculated in accordance with the provisions of Section 109 of the Code. The calculation under the rules will therefore grant him one half of his salary (Rupees 35) as an invalid pension, but not an invalid gratuity of Rupees 840, as recommended by the Accountant General.

Under these circumstances your Memorialist very humbly prays:—

That this Memorial may be received.

That the Governor in Council will kindly review the case with all its records, and grant him a moiety of his salary, as pension, as recommended by the Collector of Bellary, in order to enable him to support himself to the latest period of his existence:—

Otherwise the Government will graciously be please to submit this Memorial to the Government of India in the Financial department under Section 132 of the Code with their recommendation.

And your Memorialist will
EVER PRAY.

BELLARY *2^d*
November 1883]

Chazappa
late Cashier

W. No 918 of 10-10-83.

Pensⁿ (1883) Depart^t
3430 (P.L.)
No 1286

From

C. Bhogappa
Cash-keeper Bellary
Collector's Office

No.

Dated 2 November 1883

Received

Enclosures

SUBJECT.

abstract.
Prays for 1/2 pay
pensⁿ & if that be considered
inadmissible to forward his
petition to G. of India with recommendation
No 64

Referred to the Accountant
General for report. 11/3

Under Secy

For



Pension DEPARTMENT.

Fort St. George
Accountant-General's Office,
3rd December 1883.

No. 286

From

H. F. Hoggstein Esq.

ACCOUNTANT-GENERAL

TO THE GOVERNMENT OF MADRAS,

To

The

Under Secretary
to Government,
Pension Department,
Fort Saint George.

SIR,

With reference to your Endorsement of 11.64
dated the 8th November 1883, referring to me for
report the Memorial of C. Bhogappa, late Mysore
Cash-keeper, Bellary Collector's Office, praying for a
pension in lieu of the gratuity already sanctioned
to him, I have the honor to draw attention to the
remarks made by this Office as recorded in the
2nd page of the Register of Application submitted
on his behalf. It will be seen from those remarks
that Bhogappa's service of 7 years 2 months and
11 days claimed from 23rd February 1848 to 4th May
1855 was initiated by his resignation of the Public
Service. Although the resignation was followed
by re-appointment within one year, yet the
appointment to which he was posted was not one
in which he could count service for pension. It was
a temporary appointment, and Bhogappa did not
secure a permanent one until after the lapse
of nearly 13 years from the date of his resignation
in May 1855. I consider therefore he is not entitled
to the concession granted by rule 3 section 97 of the
Civil

Civil Russian Code. I further beg to observe that the above period of service is composed also of service rendered before the attainment of the age of 22 years.

2. With regard to his next service of 4 years 10 months and 1 day from 1st August 1855 to 1st June 1860, I beg to state that the appointment held by him in the Military Department is declared by the Controller of Military Accounts to be a temporary, or non-pensionable one.

3. Deducting therefore the two periods (which amount to 12 years and 12 days) from the total period of service, the net period of qualifying service amounts only to 13 years, entitling him to a gratuity equal to 12 months' pay as sanctioned by Government in their order N^o 918 dated 10th October 1883.

4. The enclosures to the Endorsement under reply and the papers received with the Proceedings of Government N^o 1064 dated 22nd November 1883 are herewith returned.

I have the honor to be,

Sir

Your most obed^t servant

A. C. G. G. G.

Accountant General

Pension

(188) DEPARTMENT.

N^o 1377

From

THE ACCOUNTANT-GENERAL,
Madras,

To

THE Under Secretary
to Government
Pension Dept.

No. 1. A. B.
286

Dated 3rd

Received 4th

} December 1883.

No.

Subject.

States that for the reasons given C. Bhagappa Late Angam Cashkeeper Cullis Miss Bellary is not entitled to Pension in view of the Gratuity Sanctioned to him.

40. 6-223 of 84

Collector's
BELLARY MAGISTRATE'S OFFICE

No

4157

Dated 16th

November 1883.

From

H. H. A. Goodrich Esquire
THE MAGISTRATE-OF
BELLARY

To

The Under Secretary to Government,
Pension Department,
Fort Saint George.

Sir,

I beg to submit the enclosed Memorial of C. Bhagappa for the favourable consideration of Government. It would seem that the two periods of service rendered by him as Taluk Gymasta and Interpreter of the Military Court of Requests are now pensionable under the provisions of the Civil Pension Code, provided under Section 112 (b) the Government in the exercise of the discretion vested in them, be pleased to allow the previous services to count for pension in conformity with the rules of 5. January 1831. Bhagappa has not availed himself of any of the advantages of the Leave Rules of 8. June 1863, and ought not to be denied the concession of counting previous service. He came to be remunerated after the 2^d June 1860 in consequence of the abolition of the office held by him in the Military Court (which by Section 96 of the Code is held to be no interruption, when service is continued

by Subsequent re-employment.

2. As regards his service in the Military Court, the Court is one constituted by a legal enactment, by authorized fees levied from claimants presented, before which the office of Interpreter was kept up, the fees evidently forming part of the General Revenues. Service paid out of this Revenue is held a qualifying service (Sec. 78)

3. The resignation of the post of the Taluk Gumasta is followed by re-appointment within 12 months to that of Interpreter in the Military Court. The service rendered before resignation cannot therefore towards pension (Section 97 Clause 3).

4. Thus Bhogappa appears to be eligible for a rateable pension on the total service of 25 years 17 days countable under the sanction of the prescribed rules.

I have the honor to be,

Sir,

Your Most Obedient Servant

A. Goodrich

Collector

To

The Right Honorable the
Governor in Council

Fort Saint George

MADRAS.

The humble Memorial of C. Bhogappa late
Huzoor Cashkeeper Bellary Collectorate Treasury.

MOST RESPECTFULLY SHEWETH.

That the Memorialist most respectfully begs to solicit, that Government order Pension No. 918 dated 10th October 1885, sanctioning an invalid gratuity of Rupees 840, for a service of 13 years and two days may be reconsidered under reasons herein stated.

2. The Accountant General has not in any manner explained on what grounds the Memorialist's services from 23rd February 1848 to 4th May 1855, and from 1st August 1855 to June 1860, cannot count towards pension.

* On a salary of
Rupees 12.

3. The Memorialist rendered superior service as Taluk Gumastah* for years 7-2-11, from 23rd February 1848 to 4th May 1855; and under Rule 5 of the pension rules of 4th January 1831 contained in Appendix B. I of the Civil Pension Code, this service counts towards Pension, although he was 18 years old at the time he first entered the Government service, he having been born on the 6th January 1830. Because the rule provides that the services in Government Employ will commence from the 16th year of age. The Memorialist resigned the appointment on the 5th May 1855, and obtained within one year after resignation on the 1st August 1855, an Interpreter's appointment in the Military Court of Requests, on the recommendation of Mr. C. Pelly the then Collector of the District. Rule 3 Section 97 of the Code provides that service with such a break should be admitted in calculation for Pension.

4. The appointment of an Interpreter in the Military Court of Requests at Bellary was one created by the Legislature under Act XI of 1841 of the Government of India, and its duties are prescribed under para 7 of the Regulations regarding "Native Courts of Request"—vide page 473-474 Part VII (Limitation of credit) of General Regulations of the Madras Army published by Authority in 1849. The service thereof paid by Government qualifies for Pension either under section 78, or similar to the one specified in rule 2 of section 86 of the Code.—The Interpreter of this Court was not an ordinary clerk but a recognized responsible Officer in the position of Quarter Master, required to take solemn affirmation as prescribed in the Rules like the Members, and Superintending Officer thereof, before every sitting of the Court. This was a Court in those days of the character exactly similar to that of the Cantonment Small Cause Court. The Memorialist had held this appointment on a salary of Rupees 40 per mensem for years 4-10-1 (from 1st August 1855 to 1st June 1860):—

Owing to the records of the Memorialist's services not forth coming from the Military department, an affidavit was taken from him, under Rule 5 of Section 127 of the Code, and certificate granted to him at the time was also produced, in support of his service as an Interpreter. The Memorialist was thrown out of employ after the Office was abolished on the 2nd June 1860. Abolition of Office will not at all entail forfeiture of past service, as provided under clause (d) of Section 96 of the Code.

5. Thus it will be seen, taking into calculation the services rendered by him in the capacities of Taluk Gumastah, and Interpreter, that the Memorialist has served the Government on superior scale for years 25-0-17, not years 13-0-2 as certified by the Accountant General.

6. The provisions of clause (b) Section 114 of the Code, are also in favour of the Memorialist, the old Pension Rules of 4th January 1831 should be made applicable to counting his service towards Pension, and the amount of pension to be granted to him should be calculated in accordance with the provisions of Section 109 of the Code. The calculation under the rules will therefore grant him one half of his salary (Rupees 35) as an invalid pension, but not an invalid gratuity of Rupees 840, as recommended by the Accountant General.

Under these circumstances your Memorialist very humbly prays:—

That this Memorial may be received.

That the Governor in Council will kindly review the case with all its records, and grant him a moiety of his salary, as pension, as recommended by the Collector of Bellary, in order to enable him to support himself to the latest period of his existence:—

Otherwise the Government will graciously be pleased to submit this Memorial to the Government of India in the Financial department under Section 132 of the Code with their recommendation.

And your Memorialist will
EVER PRAY.

BELLARY 2d
November 1883]

C. Bhagappa
late Cashier

In N° 1335

no 3772

58

Encl. 4th 71.

Referred to the Account General for report whether the applicant is entitled to any pension under the old rules of 1831 and if so what amount of retiring allowance will he be entitled to.

For Fort St. George Sidney Luffham
17th December 1883 } By Under Secy.

To The Accountant General with papers



REVENUE DEPARTMENT.

From, N^o 1335
The Collector of
BELLARY.

To, The Under Secretary
to Government
Pension Department
Madras

NO. 415. Y
Dated 16th November 1883.
Despatched 16th

ENCLOSURE. /
Recd 19/11/83 Subject.

Submitting for the favourable consideration of Government Memorial of C Bhosappa late Huzur Cashkeeper Bellary praying that a certain pension be granted in consideration of his services. With Endorsement

Pension DEPARTMENT.

Fort St. George,
Accountant-General's Office,
15 February 1884.

No. 337

From H. F. Cloosterman Esq.,
ACCOUNTANT-GENERAL
TO THE GOVERNMENT OF MADRAS,

To THE Acting Under Secretary to
Government Pension
Department.

SIR,
With reference to your endorsement of 17th December 1883, I have the honor to invite attention to the letter of 1st February 1884 received from the Comptroller of Military Accounts, and to state with reference thereto, that this office has no thing to add to the views expressed in its letter of 28th December last. Should Government however be pleased to take a more favourable view of the case and to regard as pensionable the period of service rendered in the appointment of Interpreter in the Military Court of Requests, the applicant may be held to have completed more than 20 years' service entitling him to a pension equal to $\frac{1}{3}$ of his average emoluments under the provisions of either the old or new rules. I have to add that the learned particulars in the application were all

all granted under the new leave rules,
but they could have been claimed
under the rules in force before June 1863.

The endorsement and its
enclosures are herewith returned.

I have the honor to be

Sir

Your obedient servant

W. H. M.

Assistant Accountant
General

At

No 272

No. 3683

358

Encl. 2

From

THE CONTROLLER OF MILITARY ACCOUNTS,

Madras,

To

The Accountant General,
Madras.

FORT ST. GEORGE, 1st February 1884.

Sir,

In reply to your letter of the
9 January 1884, N^o. 313, with encl.
-sures (herewith returned), I have the
honor to inform you that I am still
of the opinion expressed in my letter N^o.
2167, dated 13 September 1883.

2. A careful search among this
Office records has been made, but it
does not appear that Dogapah was
ever in receipt of a Monthly Salary
of Rs. 40, as stated in para. 4 of his
petition.

I have the honor to be,

Sir,

Your obedient servant,
W. H. M. Lieut. Col.

Offg. Controller of Mil. Accts.

Pension (188) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

Madras,

To

THE

Ag. Under Secretary,
to Government
Pension Dept.

No.

Dated

Received

18th } 10 FEB 84
February 1884.

No.

Subject.

States that this Office
has nothing to add
to the views expressed
in its letter No. 228
of 3rd Decr. last regarding
the claim of C. Bhagappa
to pension in lieu
of the gratuity sanc-
tioned to him.

So. No. 228 of 84

REVENUE DEPARTMENT.

No.

1335 & 1377 1-83 & 147 1-84.

Petition from C. Bhagappa. 2-11-83.
Letter from C. Bhagappa. 16-11-83.
Report From Accl. Genl. 3-12-83.
5th 15.2.84.

Dated

188

FOR ORDERS.

The petitioner was a
taluk gumbastah on Rs. 12
per mensem from the
22nd Febr. 1844 to 4th
May 1855 when he resigned
his appointment. On the
18th August 1855 he obtained
the appointment of inter-
preter to the Civilizing Court
of Requests at Bellary, a
temporary appointment, which
he held until the 15th June
1860 when the office was
abolished. His contention is
that this interspersedship
should be regarded as a
permanent ~~appointment~~ ^{qualification for pension}
pointment; in which case
his previous service as a
gumbastah would also count
towards pension under Sec.
47, rule 3 of the C. P. Code.
There is a further objection
in the fact that he was
only the service under the
age of 18, but as he
has never availed himself
of any of the advantages
under the new leave rules,
it would be within the dis-
cretion of the Local Govt. to
allow the same under Sec 114 (b).

G.O. of 17th March 84 No. 228.

The Govt. see no reason
to reconsider the orders
already passed in
the petitioner's case.

(7. 0).

E. N.

15/3.

To The Accountant General.
Collector of Bellary.
C. Bhagappa.

of the look to allow
the whole of his service
to count, always supposing
that his service as
interpreter was bona
fide. That this was
not the case, however,
seems perfectly clear.
Ltr para 1694. b. 267
of the Indian Bureau
Regulations of 1876.
and letters from the
Comptroller of Public
Accounts (L) of 13th Sept.
83. read in G.O. 10-10-83
no 918. & (L) of 1st Febr.
84. submitted with the
A's last report. It
will be seen that the
petitioner's name cannot
be traced in the records
of the Pub. & Acct. Dept.
& that there is nothing
to show that he drew a
regular salary as alleged
by him.

Under these circum-
stances, there are no
reasons for reconsidering
G.O. 10-10-83 no 918
by which he was granted
a gratuity of \$1,840.

SM
JAL

FOR ORDERS.

order within

In 4/3
14 15/3 }

PRESS.

Pension DEPARTMENT.

G.O. DATED *17 March/84*

No. *228.*

First copy sent to Press.

Returned for signature.

Despatched in print.

[Despatch Abstract.]

Claim for 1/2 pay pension.
Stating that they see no reason
to reconsider their orders already
passed in the case of C. Bhogappa
late Cashier Collyer's office Bellary.