

Sec 7

Pension Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper

Petition From the T. Mahomed Loosim subah - dated 12th Novr. 1896, No.



Order No 1203 5/22nd Decr. 1896.

The petitioner is informed that

under the rules which were in force at the time he entered the service he would have been entitled only to a gratuity of Rs 480/-, while under the new rules he has been granted a pension of Rs 9-2-9 per mensem. He has thus benefited by the alteration of the rules. His claim for an enhanced pension under the rules of the C.P.C., 6th Edition, which were introduced after he joined the service and modified before his retirement is inadmissible.

Ld.
12/12/96. 1896-97

17.12.96

To the Rtr.

Note

The petitioner's case is quite analogous to the one disposed of in G.O. 470 Pension. He joined the service in May 1896 and according to the rules then in force (C.P.C. 2nd Edn) he would have got a gratuity of Rs 480/- Under the new rules he was granted a pension of Rs 9-2-9. He has thus benefited by the alteration of the rules. The order which was passed in the case above referred to is reproduced for approval with the necessary modifications. There is no provision in the Civil Pension Code 2nd Edn regarding condonation of deficiencies in service.

Note.

I don't believe Art. 465 A(2) a does apply to the case; the 1 year + 6 months spent on leave is held by non qualifying service rendered

It is not coming in line down that such leave can not count towards pension. It is not I think it is non qualifying if found an exception stated in art. 465 A(2) a.

12/12/96.

Pension
Public Works (1896) Department.

CURRENT No. ¹³³⁴~~1087~~

N^o 4686C of 8th Decr 1896.

Order Encl.

Transferred to
the Pension Department.

From

The Examiner

P. & W. Accounts.

Mr. Campbell Colonel R.
Surgeon Genl.

No. 4105 Gg



Dated

27 Nov 96

Received

30



Enclosures

2

Spare copies

SUBJECT.

I. Mahomed Zossim
Sahib late clerk Examiner
office — Reporting
on the petition of —
for grant of higher rate
of Pension.

G.O.	No.	Department.	Date.
80	874	Pen.	21-9-92

107 Private Secretary

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Madras 25 NOV 1898
His Excellency Sir Arthur Clibbank Havelock,
G. O. M. G., Governor of Madras.

The humble petition of T. Mahomed Laccim
Sahib late clerk, in the office of the
Examiner of Public Works Accounts,
Madras.

Very respectfully sheweth,

That your Excellency's petitioner entered the service
of Government on the 31st May 1876, as a clerk in the
office of the Examiner of Public Works Accounts, Madras,
wherein he served till the 19th November 1890 when
in consequence of his sudden illness he was obliged
to take furlough for a year. On the expiry of the furlough
granted to him, petitioner not being able to join his
work, he was granted leave without pay for 6 months
and 14 days, and was thereafter declared by the Medical
Board at Madras to be completely and permanently
incapacitated for further service in consequence of
impaired memory &c. Petitioner's qualifying superior
service amounted to 14 years 6 months and 13 days for
which he was granted an Invalid pension of Rs: 9-2-5
per mensem on his salary of Rs: 40-0-0 per mensem.

Your Excellency's petitioner now begs to request
firstly, that the deficiency of 5 months and 17 days in his
service required to complete 15 years service may be
condoned out of his nonqualifying service of 1 year,
6 months and 18 days and Secondly, that he may be
recommended to the Government of India for the grant
of a pension of $\frac{1}{3}$ of his average emolument under
Rule 2 to Article 7 of the Civil Service Regulation
Had the old rules which were in force at the time

your

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PW 42
10869/96

KEEP-WITH

CURRENT No.

GOVT.
OF MADRAS.

1896.

{ P. W.
DEPT.

EXAMINER, P. W. ACCOUNTS,

dated

189 .

Madras, 27 November 1896.

OFFICE NOTE No. 4105/92

To

W.

Your Office Note No 4362 C

dated 24th November 1896.

The applicant had rendered 14 years 6 months and 13 days qualifying service, in addition to which a period of 1 year 6 months and 3 days was not reckoned as service being on furlough and leave without pay in India. Half this period may be condoned by the Local Government under article 465 A (2) (a) in which case he will have rendered a qualifying service of over 15 years and be entitled to an Invalid Pension not exceeding Rs 9-13-3 equal to $\frac{15}{60}$ of his average emoluments of Rs 39-4-11 from 19th May 1892.

2. The petitioner was granted a pension under article 513 (b) of the C.S.R., but he asks for a pension of $\frac{1}{3}$ of his average emoluments under the rules in force previous to the introduction of the present rule vide Civil Pension

+ C.P. No 583 Pension
of 9-7-92

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your Excellency's petition was admitted to the remained in force at the time of his retirement petitioner would have been granted the pension now asks for, viz, Rs 13-1-7, and in consequence the alteration of those rules he has suffered a substantial reduction of about 30 per cent in the amount of his pension. Petitioner is therefore entitled to such compensation as your Excellency may deem fit to recommend to the Government of India in his case with reference to the observations made by the Secretary of State in his despatch printed under Note 2 to Article 7, Civil Service Regulations.

Petitioner fervently hopes that your Excellency will take a favourable view of his case and confer on him the boon he solicits. For which act of kindness, petitioner as in duty bound, shall ever pray.

S. M. M. Masoori

Door No 33, Parish Venkatachella Dyro Street
Black Town, Madras.

Code (6th edition) article II3(b).

This requires the sanction of the
Government Of India, vide similar
case of T.P. Parthasarathy Iyengar
sanctioned in G.O. Pension Department
No 986 dated 10th August 1894.

JCS

C.

27/11