

Pension (1896) Department.

ORDINARY MS.

G.O., No. 122-23.

DATED 12th Feby 1896.

[Despatch Abstract.]

Ordering that the Memorial from Mr. W. Green, late Inspector Salt & Alkali Dept. Madras be forwarded to the Govt. of India -

Letter -

Forwarding to the Govt. of India a memorial from Mr. W. Green praying that he may be either restored to his post or that the break in his service may be condoned & he granted a higher pension than that sanctioned by this Govt. -

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Trichinopoly 10th January 1896

The Honorable Revenue Secretary
to the Honorable Government of Madras

Madras

The petition of Mr. William Green Pensioner B. J. Prade
Sahant ul-Hair Inspector now residing in Trichinopoly.

Respectfully sheweth

That your petitioner has received endorsement No 9 in
the Pension Department dated 7th Inst. from the govern-
ment of Madras stating that under Section III rule 3
(10/4/13) of the Government of India Memorial Rules his
Memorial to the Government of India on the subject
of pension has been withheld, because the petition
in question was more than six months old, and no
satisfactory explanation was submitted for the delay,
and also because the matter referred therein is in
the competence of the Madras Government, and no
previous application for redress was made to the
said Government.

2. Your petitioner did not move the Government of
Madras for redress before now, because against the
recommendation of the Board of Revenue (in the person
of Mr. Laggard andal) the said Government curtailed
your petitioner's pension to the extent complained of, and
declined to recommend to the Government of India

the endorsement of his short service of 6 months & 22 days to entitle him to the larger pension of Rs 150/- per month. Such being the case, your petitioner was under the impression that the Government of Madras had disposed of the matter finally to the extent of its jurisdiction, and no review of the order passed would be granted. Therefore, in appeal your petitioner submitted his memorial to His Excellency The Viceroy in Council.

3. Apart from the foregoing, your petitioner was thoroughly heart broken from the treatment accorded to him, especially after Mr L. S. Cole became Commissioner of the Dept., and it is only after the poignancy of the hardships inflicted on him, had softened down by time, that your petitioner was able composedly to bring his grievances to notice. Under the rules quoted in para 1. it is in the discretion of the Madras Government to withhold or forward on the papers submitted to the Government of India, notwithstanding the default made against the said ruling. Under the most peculiar and unfortunate circumstances of your petitioner's case he humbly and earnestly begs that the explanation he now offers for the shortcomings noticed may be generously accepted, and that his memorial may be forwarded on to the Government of India.

4. In the event of the Madras Government electing to reserve the subject for its own disposal, your petitioner prays that his petition to His Excellency The Viceroy in Council,

may be substituted for and regarded as the petition addressed to His Excellency the Governor of Madras in Council, and that he may be favored with orders on the facts stated in the said petition, and that the prayer therein made, may be vouchsafed to him in one or other of the forms put forward.

5. Your petitioner has no wish to reiterate the facts and arguments so exhaustively set forth in his memorial any more than to add that Mr Cole was prejudiced against your petitioner because he had, as Police Inspector under orders from his Superintendent, to give evidence which militated against that gentleman so far back as 1866 in the Tanjavar Sessions Court when he was Head Assistant Collector & Magistrate of Mayavaram District. In the years just preceding his retirement, your petitioner did uncommonly good work as evidenced by the exhibits submitted, and in the Munnool riots of 1891 your petitioner voluntarily took a prominent part with Mr Wells the District Judge to allay the disturbance though on the sick list at the time, and was specially commended for his good services. The Honorable Mr Bliss is aware that your petitioner discharged his duties with zeal and honesty, and that he was no coward. It is an indisputable fact that year after year your petitioner was regularly recommended for promotion and yet no notice was taken of his case, whilst others, and his juniors

too, were advanced in commendations with one which
better than his own -

6. In conclusion your petitioners pray most fervently
that His Excellency the Governor in Council will be gra-
-ciously moved to take a favorable view of his infor-
-mate case, and to mete out justice to an old and
"truly faithful servant of government who" with age and
"want the ill matched pair" is now suffering ineffably.

For this act of justice and benevolence your pe-
-titioners will as in duty bound ever pray -

Wherein

Retired Soldiers

S

[9.]

PENSION DEPARTMENT.

From

Dated

189 .

FOR ORDERS.

Petition

From

Mr W. Green,
Retired Salt Inspector,

Order

The Govt. declines to comply with the petro's
request for the condonation of the deficiency of
7 months + 22 days to complete 25 years' service.

22/1/96

To
The P.A.

No.

Dated 10th }
Received 16th } January 1896.

Enclosures nil.

SUBJECT.

Requesting that in the circumstances
now stated, his memorial may
be forwarded to the Govt. of India
or that if the Madras Govt. elects to
reserve the subject for its own dis-
posal, his memorial addressed
to the Govt. of India may be regarded
as the memorial addressed to the
Government of Madras.

Note

Please see note for orders under G.O. 1253
12-10-94. Members' remarks therein. Mr Green's
contract was not satisfactory & yet he was given
a pension of Rs 120/- per m. - the full amount admissible
for his service of 24 yrs + odd. He does not seem entitled
to the concession now asked for, with ref. to the
Secy's remarks in G.O. 828
5-8-93 & 835
7-8-93 Pension.

No. W. 7.1.86
C. no. 30.

In this petition Mr. Green makes
two alternative requests, viz:

(i) that his memorial withheld
in G.O. of 7 Jan'y 1896 No. 1. be
forwarded to the Govt. of India as
an act of grace

or (ii) that Govt. will treat that
memorial as a petition ad-
dressed to itself.

2. The memorial itself contains
an alternative prayer viz:

(a) for restoration to the public
service, or (b) for the enhancement
of his pension.

The local Govt. is competent to
reinstatement Mr. Green in his ap-
pointment & this is the first
time that he has asked Govt.
to do so. - This, therefore, is the

first point for decision. At the time when
Mr. Green was retired under
the Superannuation rules, the

question whether it was desirable to permit his retention in service beyond his 55th year was considered & decided in the negative (vide G.O. of 24 May 1894 No. 2038). There appears no reason to reconsider that decision. If this view is accepted, it is submitted that Mr. Green's memorial might just as well be submitted to the Govt. of India at once. If it is treated as addressed to this Govt., repeated, he will only come up again with an appeal against the order of rejection. Govt. has decided (G.O. 1253 12-10-94) that Mr. Green's pension of Rs. 120 p.m. is sufficient, & that there is no case for a deviation from special indulgence in his favour in the shape of the condonation of the break in his service.

D.O.
28-7-96

Submitted that the Memorial may go on to India with a letter stating the case - It should be pointed out that in granting Mr. G. Rs 120. The full pension actually earned - the fact that, but for his unfortunate record, he would in a few months have qualified for Rs. 150 was considered - see notes under G.O. 1253 P. 24.10.94 Lt 29/1

W. Green's pension

FOR ORDERS.

Hon. Mr. G. G. G. G. G.
Hon. Mr. Bliss C. C.

by order of the
Govt. of India
after 55 years

D
4 2,000-25-7-94.

C. No. 30

From Mr. Green

Dated 10th January 1896.

FOR ORDERS. No 122 of 12 Feb 1896.

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

(per order)

To the Secy
to the Govt.
of India

5-2-96

No 123.

The Secretary to the Govt. of India
Finance & Com. & Dept.

Sir,

I am directed to forward the accompanying memorial from Mr. W. Green late an Inspector in the salt and abkari Department, Madras.

2 Mr. Green entered the public service on the 21st Feb 1861 as a 3rd class Police Inspector on Rs 100 in the Salem District and was on the 1st August 1861 promoted to a 2nd class Inspectorship on which Rs 150 in which post he continued till the

28

31/1/96

31/1/96

24.10.94

C. 50/1
R. 3/2

the 15th January 1867 when he ^{on account of some mis-}
was suspended from employment ^{conduct in the office of which are not to be}
~~on account of misconduct in~~
~~ascertained. In consequence of this suspension, however,~~
~~Consequence of which, he resigned~~
his appointment on the 23rd
April 1867, but after an inter-
val of 9 days rejoined as a
third class Inspector in the
Kurnool D^t. and served on
in the Police till June 1868,
when he again resigned his
appointment because "he was
not given the promotion which
he felt was due to him." In
November 1868 he, however, obtained
an acting appointment as
Inspector on Rs 75 in the Madras
Town Police which he held for
five months. He was then out
of employ for 17 days but in
May 1869 was re-entertained
in the same force and confirmed
as an Inspector on Rs 100. He
remained in the force until 1881
by which time his pay had
risen to Rs 200. He was then
transferred to the Salt and Abkari
Dept. as an Inspector on Rs 250
and continued to serve in that
Dept. until he was superannuated

FOR ORDERS.

in 1894 on attaining the age of
55 years. The Board of Revenue
in recommending Mr Green's
superannuation reported that
his work as a whole was
indifferent and that ^{he} it was
in need of constant and
persistent supervision and that
his character was not such
as to counterbalance those
defects. The Government accep-
ted the Board's recommendation
and when Mr Green's pension
application came up for
orders he was granted
the maximum pension for
which he was eligible under
the rules. His total quali-
fying service amounted
to 24 years, 4 months and
eight days and he was thus
eligible to receive a pension
of ^{Rs 120, being} $\frac{24}{60}$ of his average
emoluments, of Rs 300 per
mensem. The accountant
General, however, pointed
out that if the break in
Mr Green's service from
July 1868 to May 1869 was
condoned the maximum

accordingly declined to interfere
with the Commissioners discretion
in recommending Mr. Green for
promotion. In view of these
circumstances His Excellency
the Governor in Council considers
that Mr. Green was entitled
to no special indulgence and
that he was treated with
sufficient liberality in being
granted the full pension for
which he was eligible under
the rules. His Excellency ^{the Governor} in Council
has therefore no recommendation
to make on the memorialist's behalf.

S
5-2-86

L.G. 6/2.

Pen. CN. 30

Secy

Draft letter to India for approval

122/3
12-2-96

When given for copying _____
When copied _____ } 189
When examined _____
When signed _____

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
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