

Pension (1896) Department.

ORDINARY MS.

G.O., No. 344.

DATED 7th Aug 1896.

[Despatch Abstract.]

*Forwarding for the orders of the Govt of
India memorial from Mr. P. A. D'Almeida praying
for the grant of a pension.*

BACK PAPERS.

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

FURTHER PAPERS.

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

Calicut 21st November 1895

To,

The Chief Secretary
Madras Government
Fort St George
Madras

Sir,

I beg to submit a Memorial
to the Viceroy and Governor General of
India through the Madras Government
and request that you will be kind
enough to forward it.

I beg to remain,
Sir

Your most Obedient Servant

P. M. de Souza
late Supervisor L. F. Depth
Malabar Calicut

Lam

U. S. Bureau
of
Land
Reclamation
Washington, D. C.

21
22 } November 1902

Respectfully,
Sincerely,
Very truly,
Your obedient servant,
J. H. ...

80. 619 P.

9-V-94

80. 770 P.

10-7-95

From

P. A. D'Saunsa,
 Late Supervisor,
 L. F. Department,
 Malabar D.C.

No.

Dated 21st }
 Received 25th } November 1895

Enclosures

SUBJECT.

Requesting that the enclosed
 memorial may be forwarded
 to H. E. the Viceroy and Governor-
 General of India.

Note

The memorial does not seem
 liable to be withheld under India
 Petition Rules. Hence draft letter
 for approval.

del
 29/11

grade 3
 35 - pension
 In Mar. 1895 Rs 15 in
 to the 2nd class, D.C.
 on Rs. No. 1612. Simbator
 Segn - Linard
 Wagn. 7 January 1896 No. 3. when he
 gra Pallacki
 Ordered that the
 rial be forwarded to the G. of
 of India.

del
 12/11

del
 27/11

del
 24/12

No. 4.

To

The Secretary to the Govt. of India,
 P. W. D.,

Sir,

I am directed to
 forward, for the orders of the
 Govt. of India, the accompanying
 memorial from Mr. P. A. D'
 Saunsa, appealing against
 the orders of this Govt., de-
 clining to grant him a pensⁿ
 instead of the gratuity which
 has already been sanctioned.

2. The applicant entered
 the ^{public} Service on the 4th Nov^r 1862

as a ^{clerk} ~~gumastah~~ ✓
the minor establishment DEPARTMENT.
Engineer's Office, Co.
in which post he con-
till the 30th June 1863,
was transferred to the
Range, D.P.W., as an over-
writer on the same post. He
remained in this post till the
10th January 1866, and afterwards
obtained sick leave. There
are no records to show when
this leave expired. On the
6th July 1868 he obtained em-
ployment as a ^{temporary} clerk on Rs 40/-
p.m. in the Office establishment
of the Special Executive En-
gineer, Wynaad, without re-
taining a lien on his perma-
nent Appointment. He sub-
sequently rose to the position
of Temporary Sub-Overseer,
1st grade, on Rs 90/- p.m., and ^{as post} ~~and~~ ^{which he held}
was in it until the Petty
Establishment was merged
into the permanent, and then
he was kept on in the same
rank till he was reduced on
the ^{at} 7th March 1877 to the 3rd
grade

5
grade sub-Overseer on Rs 60/-
35 - permanent establishment.
In March 1878 he was promoted
to the ^{both 2nd} 2nd grade sub-Overseer
on Rs 50/- p.m. He was sub-
sequently transferred to the
Wynaad sub-Dⁿ in the same
grade. He remained in this
post ^{until} till the re-organization
of the P.W.D. in March 1880
when he was appointed Over-
seer on Rs 90/- under the
Local Fund Board of the
Malabar Dⁿ. On the 13th
May 1882 he obtained the
post of Supervisor on Rs 100/-
a nonpensionable appoint-
ment which he held up to
the ^{25th} 28th June 1885 when he
reverted to the original post
of Overseer on Rs 90/- and
Subsequently on the 1st April
1886 he got ^{obtained} again the Super-
visor's post on Rs 100/- in which
he continued till the 24th
October 1891, when his services
were discontinued ^{as he} ~~by~~ re-
duction of establishment.
On the 25th ^{in October} 1891 he was
specially

him for a pension might be condoned under Art. 465 A 2 (a); but this Govt. declined to comply with his requests for the following reasons: State by the Accountant - General in his letter of 26th April 1895. No 182/35.

Copy herewith submitted, and also for the reason that the period of deficiency to be condoned exceeded that which the Local Govt. was competent to sanction under the Article quoted above.

(3) Further, it will be seen from the papers now forward that there is no analogy between the petitioner's case and that of P. Kalen gu.

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Establishment of October 1891 he was specially

Finance & Com 313, we

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pensionary

(1) The petitioner's contention that the reestablishment of the Vyteri range in which he served from 1-9-72 to 28-2-77 should be treated as permanent and pensionable is untenable, because he was not substantively transferred to the New Wynaad Range Establishment, but was appointed to act as an overseer in it without retaining a lien on any substantive appointment.

(2) His contention that it was not the intention of Govt. to deprive supervisors of Local Fund Boards of any claim to pension is also untenable, because this Govt. after inviting the opinion of the several Local Boards and the Board of Revenue, did not include the appointment of supervisors in the list of appointments declared to be pensionable under the Local Fund Rules.

Govt. devoted careful consideration to the question as to what classes of Local Fund servants should be declared eligible for pension; the opinion of the B. & F. Revenue & the marked with red tape in P.O. 770/10795. Several local Boards were invited to the matter & the appointment of supervisors was deliberately excluded from the list of appointments declared to be pensionable under the L.F. Rules.

+ m/o. 770/10795 Pension

(4) Although the petitioner has put in a pensionable service amounting in all to 8 years 11 months and 2 days, this would not qualify him for pension because during the last 10 years of his service he was holding non pensionable Local Fund appointments and was then thrown out of employment owing to revision of a non pensionable establishment. A compensation pension was not admissible, because his substantive appointment was not abolished; nor an invalid pension, as he was not declared to be physically unfit for further service; nor even a superannuation pension, as he was not 55 years old. He was only entitled to a compensation gratuity for service rendered up to the 29th February 1880 which amounted to 5 yrs. and 11 1/2 mts, and this was sanctioned to him.

(5) The period of deficiency to be condoned exceeded that which the Local Government was competent to sanction under art. 465, A. C. & R.

bution on promotion to the post of Supervisor. But the petitioner's case is so dislocated that it cannot be put together. In these circumstances, I am to say that H. E. the Governor is unable to make any Council recommendation to make in the memorialist's behalf.

12/12/12

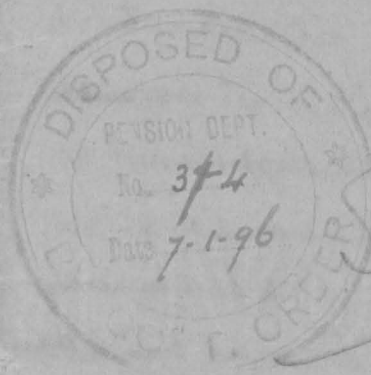
14/24/12

F. No. 302/96 of 18/97
F. No. 378/98

CN^o 16/2
Pension Dept

Petition from Mr. P. A. D'Souza
to the Govt. of India

with draft letter for approval



When given for copying
When copied
When examined
When signed

189

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.—

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