

Pension (1896) Department.

ORDINARY MS.

G.O., No. 32/33

DATED 14-1-96

[Despatch Abstract.]

Forwarding for the favourable consideration of the Govt. of India, the case of T. Deshayya, requesting that the ruling contained in the Govt. of India letter ¹⁹⁹ Home Dept (Educ.) may be held to apply to T. Deshayya, in view to his being granted an increased gratuity.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
							7

FURTHER PAPERS.

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

OFFICE OF THE DIRECTOR OF

PUBLIC INSTRUCTION,

Madras, 6th September 1895.

No. 9798

From

THE HONORABLE MR. D. DUNCAN, M.A., D.Sc.,

DIRECTOR OF PUBLIC INSTRUCTION,

Madras,

To

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

FORT ST. GEORGE.

SIR,

In my letter, dated, 12th Decem-
ber last, No 12098, I requested Government to
move the Government of India to modify their
order, dated, 17th April 1885, No 299, so as to class
as 'Superior Servants' teachers who get Rs 10 per
mensem or below but whose total emoluments
including Resulto stipends amount to more
than Rs 10 per mensem. The Government of India
agreeing in this view ordered that Resulto
stipends paid in addition to pay to be
Government Salary-Resulto schools may
reckoned as 'pay' for the purpose of calculat-

penca

pension or gratuity (G.O. 375 Educational dated 7th May 1895). The above proposal having been made in connection with the application for gratuity of J. Seshaiya, late Headmaster, Government Girls' School, Berhampur, the Inspectress recommended that the increased gratuity allowable under the G.O. quoted above should be sanctioned for him instead of that sanctioned in G.O. dated, 22nd May 1894, No. 572 Pension. The Accountant-General to whom the matter was referred says that increased gratuity cannot be given to J. Seshaiya under G.O. dated, 7th May 1895, No. 375 Educational, as he must be bound by the rules in force at the time of his retirement and that the order cannot have retrospective effect. It seems to me that the decision of the Government of India should be taken in the light of an interpretation rather than a new ruling. At any rate, I am of opinion that it

it will be a very great hardship if Seshaiya cannot be allowed to derive the benefit of a rule passed at his instance. I beg strongly to recommend that such increased gratuity as is admissible to him under the order quoted above be sanctioned for him. A revised application for gratuity on behalf of J. Seshaiya will be submitted to Government on receipt of orders on this letter.

I have the honour to be,
Sir,

Your most obedient servant,

J. Duran
Director of Public Instruction

Pension 1895 Department
Educ. Dept.

Current No. 1071

From Current Number 1353

The Director of Public Instruction
Madras



Order No 2219

Transferred to the Pension Dept.

Donald Gordon
Ag Under Secretary

Cottamamund }
20 Sept 1895 }

Secy
The Honble the Chief Secretary
to Government
St George

DESPATCHED
SEP 1895
GOVERNMENT OF MADRAS

No. 9798
Dated 6th Aug 1895
Despatched 7th do
Enclosures
Recd. 9/9/95

Recommending that increase
of gratuity under G.O. 375 Ed.,
dated 7th May 1895, be
sanctioned for T. Seshayya,
late Headmaster, Government
Girls' School, Beshampur.

Stamping & the Educational Dept.
for decision whether a further reference
to the Govt of India should be made.
The Accountant General is apparently
right -

For St. George }
5/11 }
Recd 6/11/95
To the Educational Dept
Secretary to Govt.

375: 7-5-95 ord. H.
572: 22-5-94 Pension
104-5: 8-2-95
287: 1-5-85 - rd new

G.
25
1,000-5-11-95

Ed DEPARTMENT

C. No. 1303 of 95.

FOR ORDERS.

The account and General is
right. For & of I were asked
to modify (not interpret)
their ruling. They did so
and the modification was
made with reference to
cases & there are
sufficient grounds for
asking the Govt to let
their modification apply
to it.

JG
5.12.95

Please see note on the back of
the card.

It can perhaps hardly be
claimed that the Govt. of India's letter
was an interpretation rather than a
modification of the pension rules.

If this be admitted a reference to
India is necessary. This reference
have to make Seshayya's a special
case. There does not seem to
be enough ground to do this.

W. S. N. 95
3/12/95

7/12
15/11

Pension 1895 Department

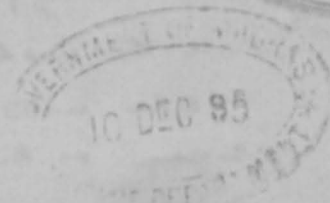
Increased gratuity to a
retired Schoolmaster.
Current Number 1678

FOR ORDERS.

~~H. E. THE GOVERNOR.~~

~~THE HON'BLE MR. H. W. BLISS, C.I.E.~~

THE HON'BLE MR. J. GROSE.



and No 2940.

Transferred to the Pension
Department with Hon'ble member's
note in original.

[Signature]

Ag under Secretary

7/12
5/12

Fol. O. B. George }
9th December 1895 }

c 5/12

Pension dept.

C. Nos 1353 & 1678.

ORDER 14th Jan^y 1896 No. 32.

Ordered that the Govt. of
India be addressed.

pro.
D
9.1.96

To
The D.P.I.

LETTER No 23.

To

The Secy. to the Govt. of India,
Home dept. (Education)

Sir,

I am directed to forward, for the
favourable consideration of the Govt.
of India, the accompanying pension case
of T. Seshayya, late Head Master, Govt.
Girls' school, Berhampore, Ganjam Dt.

2. T. Seshayya was granted an
invalid gratuity of Rs. 37/4 in considera-
tion of qualifying inferior service of
8 years, 9 months and 25 days. His pay
was at the rate of Rs. 10 per mensem and
his average emoluments including results
stipends came to Rs. 12-6-8 per mensem.
The inclusion of result stipends ^{in the calcⁿ of emoluments} was in
accordance with the ruling contained in
the Finance & Commerce Resolution No. 299,
d/ 17th April 1885. While thus permitting
to receive pension calculated on the total
of his substantive pay and average re-
sults stipends, he was however reckoned
as an inferior servant in spite of the
fact

fact that his emoluments exceeded Rs.10 per mensem, because the expression "pay" as defined in C.S.R., Art.47 (a), ^{does} did not include ~~the~~ results stipends. As a superior servant he would have been entitled to a gratuity of Rs.99-F-4 or Rs.62-1-4 more than the amount actually sanctioned. The D.P.I. drew special attention to the case and a reference on the general question was made to the Govt. of India, in Mr.Price's letter No.105 Educational, d/ 8th Feb: 1895 which resulted in the issue of the ruling contained in Mr. Thornton's letter No.199 Home dept. (Education) ^{8.19.4.95} to the effect that results stipends paid in addition to pay to teachers of Govt. Salary-Results schools might in future be reckoned as "pay" for the purpose of calculating pension or gratuity. ^{Had} T.Seshayya been invalided subsequent to the issue of this ruling, he would have been entitled to a gratuity on the higher scale, i.e., of Rs.99-F-4. It was his case which first drew attention to the hardship unintentionally caused by the rule ~~previously~~ in force and I am therefore to request that ~~retrospective effect may be given~~ ^{may be held to apply to S. Seshayya} to its modification in view to the ^{to him} grant of an increased gratuity ~~in his~~ ^{to him} favour.

J
P.A. 96

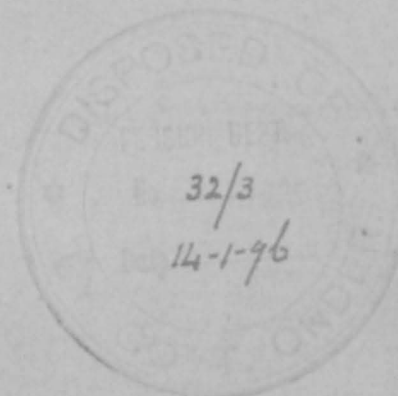
Lt. Col.

Increased gratuity to a retired schoolmaster

Draft letter to India for approval

Secretary

F.N. 147/96



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

READ AGAIN O. No. _____ DATED _____
189

CURRENT No.

ENCLOSURES TO O. 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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