[D./2]
-8-06.

Pension (1897) Department.

ORDINARY MS.

G.O., No. 188

DATED 8-3-97

SINCE PRINTED.

NOTES PRINTED.

[Despatch Abstract.]

Granting of a gratuity of Rs 410 to K. Nadamuni Naidu, late Sub Overseer. P.W.D. for his service rendered to Govt. prior to his transfer to the L. F. Bd. in Jany. 1880.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
GO.	295	Rn.	8-4-97				

Government {1897} of Madras.

PENSION.

MISCELLANEOUS.

G.O., No. 188, 8th March 1897.

N P

MARCH.

K. Nadamuni Nayudu.

Granting, under the sanction conveyed in the Government of India letter No. P-387, Finance and Commerce Department, dated the 28th January 1896, a gratuity of Rs. 410 to — , late sub-overseer, Public Works Department, for his service of 7 years and 1 month rendered to Government prior to his transfer to the Local Fund Board in January 1880.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

I.

G.O., No. 1220, Pension, dated 5th November 1884.

Read—the following papers:—

From the Public Works Department, No. 1227-C., dated 7th July 1884.

ABSTRACT.—Forwarding a statement of services of C. Shunmuga Mudaliar, late sub-overseer, North Arcot, as verified from audit registers.

Endt. No. 48.

Referred to the President, Local Fund Board, North Arcot, for remarks and submission of service register.

(By Order.)

OOTACAMUND,
31*st July* 1884.

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

From A. J. STUART, Esq., President, Local Fund Board, North Arcot, to the Secretary to Government, Pension Department, dated Chittoor, 9th September 1884, No. 81.

In returning the pension papers of the late sub-overseer Shunmuga Mudaliar, received with endorsement No. 48, dated 31st July last, I beg to report that the dismissal of Shunmuga Mudaliar was based upon the following report of the Local Fund Engineer:—

(1) "He persistently took no notice of sub-overseer Mahalingachary's representations to him in person and in writing regarding the disobedience to orders, non-attendance on the road, and the unfitness of pygust Gurumurthy until he was obliged by an order from the Local Fund Engineer to send up the correspondence between himself and Mahalingachary."

(2) "He made a remark on the station book regarding the neglect of Mahalingachary to visit the road which remark was likely to lead the Engineer to form a bad opinion of the man. From Mahalingachary's diaries it may be observed that he did visit the road on the 19th, 21st, 24th, 26th and 28th of March 1881 or five days out of 13 on which work was done on the road during the period embraced by the station book."

(3) "He signed the station book in token of its correctness and submitted it to Engineer for payment in which according to the examination on the work made by Mahalingachary excessive entries to the amount of Rs. 8-11-6 are observed."

(4) I beg to enclose his service register and note that the last remark made therein by Mr. Parseek is not mentioned in the petition to Government.

(5) In consideration of good service before joining the local fund and the somewhat severe sentence, dismissal, passed on him, I think the pension he asks might be given.

ORDER—No. 1220, Pension, dated 5th November 1884.

The applicant is only 44 years of age and has not qualified for any retiring allowance. No pension or gratuity can therefore be granted to him under present circumstances. If, however, he should be permitted to re-enter the public service, his former service under Government will count towards pension under G.O., No. 2170, Financial, dated 27th September 1883, in the absence of a special order to the contrary.

(True Extract.)

E. S. LAFFAN,
Ag. Under Secretary to Government.

To the Public Works Department.
,, President, Local Fund Board, North Arcot.
,, Accountant-General.
Copy of order to C. Shunmuga Mudaliar.

II.

G.O., No. 847, Pension, dated 9th August 1893.

Read—the following paper:—

Petition from C. SHUNMUGA MUDALIAR, late Local Fund Overseer, Chittoor taluk, to the Secretary to Government, Pension Department, dated 10th July 1893.

The humble petition of C. Shunmuga Mudaliar, late Local Fund overseer, Chittoor taluk.

MOST RESPECTFULLY SHOWETH,—

(1) That the petitioner served in the Public Works department for upwards of 17 years, at the end of which period his appointment of a sub-overseer on Rs. 60 was abolished owing to the general reduction of establishment in 1879 and that his services were transferred to Local Fund Board.

(2) That after serving the Local Fund Board for 1½ years, he was dismissed from service for a very trivial fault, the particulars of which are already before Government. Unfortunately the Local Fund Act provides for no appeal to higher authorities in consequence of which your petitioner was unable to exonerate himself from the slight slur cast upon him.

(3) That though your humble petitioner has lost his claim to pension in respect of his service under local fund owing to his dismissal in 1881, his claim to pension for service rendered in the Public Works department has not been barred under G.O., No. 2170, Financial, dated 27th September 1883.

(4) That in obedience to instructions conveyed in G.O., No. 1220, Pension, dated 5th November 1884, your humble petitioner applied on several occasions to the Public Works department for employment, but was invariably informed that no vacancy existed.

(5) That your humble petitioner is now 53 years of age and is quite unfit for further work.

(6) That under these circumstances your humble petitioner most humbly craves that the Government may be graciously pleased to sanction the grant to him of a compensation pension in respect of his hard and faithful service under Government in the Public Works department in accordance with articles 468 and 471 of the Civil Service Regulations.

(7) The Government in granting this will not only be doing justice to your humble petitioner, but will also be performing a most gracious act of charity, inasmuch as it will be saving a large and needy family from the cruel effects of dire poverty for ever.

For which act of kindness your humble petitioner shall, as in duty bound, ever pray.

Order—No. 847, Pension, dated 9th August 1893.

The petition will be referred to the Public Works department for submission through the Examiner, Public Works Accounts, of the usual application for the retiring allowance due to C. Shunmuga Mudaliar up to the date on which he was thrown out on reduction of Public Works Department establishment in 1879.

(True Extract.)

R. C. CARR,
Under Secretary to Government.

To the Public Works Department.

III.

G.O., No. 74, Pension, dated 24th January 1894.

Read—the following papers:—

From the Superintending Engineer, IV Circle, dated 8th November 1893, No. 775.

Certificate and report from the Examiner of Public Works Accounts.

No. 45.

Memorandum of calculation of average emoluments of C. Shunmuga Mudaliar, late Sub-Overseer, North Arcot division.

	RS.	A.	P.
1st January 1875 to 30th June 1875 at Rs. 20	120	0	0
1st July 1875 to 31st December 1879 at ,, 60	3,240	0	0
60)	3,360	0	0
Average emoluments ..	56	0	0
Pension admissible = ⅓ of Rs. 56 ..	18	10	8

Madras,
21*st December* 1893.

I. S. SHERLOCK-HUBBARD,
Examiner, P.W. Accounts, Madras.

Order—No. 74, Pension, dated 24th January 1894.

Under sections 59 and 68 (*b*) of the Civil Pension Code (4th edition), the Right Honourable the Governor in Council is pleased to grant to Caveripakkam Shunmuga Mudaliar, late first-grade Local Fund overseer, Chittoor taluk, a compensation pension of Rupees (18) eighteen only *per mensem*, payable at Chittoor from 1st April 1893, in consideration of his qualifying superior service of 15 years 11 months and 11 days.

2. The pension sanctioned will be debited to Local Funds and to General Revenues according to the rule of proportions.

3. With reference to the Examiner's remarks in paragraph 4 on the second page of the pension application, his attention is invited to paragraph 2 of G.O., No. 704, Pension, dated 14th July 1893. In the present case also it may be presumed that the applicant's transfer to Local Fund service resulted in a saving to Government.

(True Extract.)

C. A. GALTON,
Secretary to Government.

To the Accountant-General, with register.
,, Examiner of Public Works Accounts.
,, Public Works Department.
,, Superintending Engineer, IV Circle.

IV.

G.O., No. 346, Pension, dated 28th March 1894.

Read—the following paper:—

Petition from C. SHANMUGA MUDALIAR, late First-grade Local Fund Overseer, Chittoor taluk, to the Secretary to Government, Pension Department, dated 4th March 1894.

In his petition dated 10th July 1893, the petitioner prayed to Government for the grant to him of pension in respect of his hard and faithful service under Government. On this His Excellency the Governor in Council have been pleased to grant to him a pension of Rs. 18, with effect from 1st April 1893, in G.O., No. 74, dated 24th January 1894. In feeling highly thankful for the good bestowed on him for this act of kindness, he begs to find that this pension was sanctioned under the old Pension Code, 4th edition, under sections 59 and 68 (*b*), at the old rate of pension. But his claims to the grant to him of the said pension from 9th August 1881, the date subsequent to his dismissal from Local Fund Board, were not fully considered in accordance with the said code.

The petitioner begs to submit for the kind consideration of Government that he has been endeavouring his very best for the grant to him of this eligible pension since his most unfortunate dismissal.

He begs to enclose a copy of letter No. 81, dated 9th September 1884, from the President, District Board, North Arcot, from which the Government will clearly see that his dismissal was quite unmerited and begs to bring to the benign consideration of Government the 5th paragraph of the said letter which states that "in consideration of good service before joining the Local Fund and the somewhat severe sentence of dismissal passed on him, I think the pension he asks might be given."

Had the Local Fund Act provided the privilege of an appeal to Government he feels quite confident that his appointment would long have been restored to him and he would have been ere this qualified for pension of at least 30 rupees, not to speak of the pitiable condition the petitioner and his family have been now reduced to by the hardship.

He further begs to bring to the kind notice of Government that since the time of his dismissal he has been trying his very best to obtain any kind of employment either public or private. As ill-luck would have it he was not able to succeed in obtaining any employment for his subsistence. As the Providence had been so cruel to him, he was obliged to spend away, even the very small savings he had reserved for his old age while in service, and he was forced to the sheer necessity of putting a stop to the education of all his grown-up sons for want of means and he was obliged to contract large debts during the hard days of famine, which are impossible by the petitioner to meet from the small amount of his pension of Rs. 18 at the present moment, which the Government has been pleased to grant, after such a long time. Owing to the scanty education his sons had received they are now reduced to a miserable position of not being capable of maintaining themselves at least.

At the Executive Engineer's office, where his pension application was prepared, the petitioner was told that he was recommended for a pension of Rs. 19, with effect from 9th August 1881. Whereas to his misfortune and surprise your humble petitioner was granted only a pension of Rs. 18 from 1st April 1893. He begs to submit that he has not committed any fault for the reduction of the full amount of eligible pension.

He therefore humbly begs Government to kindly consider over his poor and pitiable condition and prays to Government to kindly fix some earlier date, at least from 1884, the year in which he was for the first time recommended for pension to Government by Mr. A. J. Stuart, the President, District Board, if the Government is not inclined to sanction his pension with effect from 9th August 1881, the original date and to kindly grant to him the full amount of pension admissible.

For which act of kindness, the petitioner shall as in duty bound ever pray.

Order—No. 346, Pension, dated 28th March 1894.

Upon a reconsideration of this case the Right Honourable the Governor in Council resolves to grant to C. Shunmuga Mudaliar, late Local Fund Overseer, Chittoor, a compensation pension of Rs. 18–10–8 per mensem in lieu of that of Rs. 18 granted in the order read above.

2. The pension now sanctioned is the full amount admissible to the petitioner under the rules.

3. The Government declines to comply with the petitioner's request that he may be given the pension from an earlier date than that already fixed.

(True Extract.)

E. GIBSON,
Secretary to Government.

To the Accountant-General.
„ Examiner, Public Works Accounts.
„ Public Works Department.
„ Superintending Engineer, IV Circle.
To C. Shunmuga Mudaliar.

V.

G.O., Nos. 1119, 1120, Pension, dated 12th September 1894.

Read—the following paper :—

From R. A. GAMBLE, Esq, Officiating Under Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, dated Simla, the 23rd July 1894, No. 3711-P.

With reference to your endorsement No. 507, dated 8th May 1894, forwarding statements of pensions sanctioned during the quarter ended 31st March 1894, I am directed to invite attention to entry No. 4 in statement I, regarding the case of Caveripakkam Shunmuga Mudaliar, First-grade Local Fund Overseer, who retired from the service on 31st December 1879. I am to enquire the reason of the delay in disposing of the case.

Order—No. 1119, Pension, dated 12th September 1894.

Ordered that the following letter be sent to the Government of India.

(True Extract.)

E. GIBSON,
Secretary to Government.

Letter—No. 1120, Pension, dated 12th September 1894, to the Secretary to the Government of India, Finance and Commerce Department.

In reply to your letter No. 3711-P., dated 23rd July 1894, enquiring the reason of the delay in disposing of C. Shunmuga Mudaliar's case therein referred to, I am directed to submit the following facts for the information of the Government of India.

2. Shunmuga Mudaliar entered the service on 25th August 1862 as a writer in the Public Works Department and remained in that department till December 1879, when, on the reorganisation of the department, he was transferred to the Local Fund Department of the North Arcot district on the same salary with the privilege of counting his subsequent service towards pension. At the time of this transfer, he had to his credit a qualifying service of 15 years, 11 months and 11 days in the Public Works Department, and service of 1½ years in the Local Fund Department which also counted for pension under the Local Fund Rules. In 1881, he was dismissed by the President of the Local Fund Board for misconduct, and on appeal was informed that the Government could not interfere on his behalf, as the power to dismiss Local Board servants was by law vested in the President of the Board.

3. In 1884, he applied to Government for the grant of some retiring allowance for his service in the Public Works Department rendered prior to his transfer to Local Fund service, but the request was negatived on the ground that at the time of transfer he had not completed 30 years' service, nor attained the age of 55, nor obtained a medical certificate of incapacity for further service. The Government, however, was of opinion that the sentence of dismissal passed upon him was unduly severe, and accordingly declared that should he be re-employed, his previous qualifying service under Government would be reckoned as qualifying for pension, if his final retirement was under conditions which entitled him to a pensionary allowance.

4. Shunmuga Mudaliar failed to obtain re-employment in Government service and in 1893, or after the lapse of nine years, he petitioned this Government praying either for re-employment or for the grant of a retiring allowance. His former request could not be complied with; but, as regards the latter, the Government, on a full consideration of the case, resolved to grant to the petitioner a compensation pension for his service of nearly 16 years rendered prior to his transfer in 1879 to Local Fund employ. A pension of Rs. 18 *per mensem* was accordingly sanctioned with effect from 1st April 1893. This decision was based upon the fact that petitioner, being then more than 55 years of age, was not likely to be able to obtain any further employment under Government, and it was further considered that his service in the Public Works Department was such as to entitle him to favourable orders. The Government did not consider that arrears of pension need be sanctioned beyond the 1st April 1893, and this date was accordingly fixed as the date from which payment should commence.

5. In these circumstances I am to point out that the delay in disposing of Shunmuga Mudaliar's claims was unavoidable.

E. GIBSON,
Secretary to Government.

VI.

G.O., Nos. 1266, 1266-A, Pension, dated 15th October 1894.

Read—the following paper :—

From H. J. McINTOSH, Esq., Officiating Under Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Pension Department, No. 4806 P., dated Simla, 22nd September 1894.

With reference to the correspondence ending with your letter No. 1120, dated 12th instant, I am directed to request that you will forward to this department the application for pension of C. Shunmuga Mudaliar, late Local Fund overseer, and the certificate and report of the Accountant-General thereon.

Order—No. 1266, Pension, dated 15th October 1894.

Ordered accordingly.

2. The following reply will be sent to the Government of India.

(True Extract.)

R. C. C. CARR,
Under Secretary to Government.

Letter—No. 1266-A, Pension, dated 15th October 1894, to the Under Secretary to the Government of India, Finance and Commerce Department.

In reply to your letter No. 4806/P., dated 22nd September 1894, I am directed to forward herewith the application for pension of C. Shunmuga Mudaliar therein referred to, with the certificate and report of the Examiner of Public Works Accounts thereon.

R. C. C. CARR,
Under Secretary to Government.

VII.

G.O., Nos. 346, 347, Pension, dated 29th March 1895.

Read—the following papers :—

From S. JACOB, Esq., Officiating Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Pension Department, dated Calcutta, 6th February 1895, No. 651 P.

With reference to the correspondence ending with your letter No. 1266-A, dated 15th October 1894, relative to the grant of a compensation pension to C. Shunmuga Mudaliar, late Local Fund overseer, I am directed to say that it appears to the Government of India that the overseer was not entitled to any pension under the rules. If, therefore, the Government of Madras desire to maintain the pension, it will be necessary to lay the case before the Secretary of State for orders, and to enable the Government of India to do this, it is desirable that the circumstances under which C. Shunmuga Mudaliar was dismissed from the public service in 1881 should be fully stated.

2. I am accordingly to request that, with the permission of His Excellency the Governor in Council, the Government of India may be furnished with full information in regard to the overseer's removal from the service.

Official Memorandum No. 23.

In G.Os., dated 21st January 1894, No. 74, and 28th March 1894, No. 346, C. Shunmuga Mudaliar was granted a compensation pension of Rs. 18–10–8 per mensem in consideration of his qualifying superior service of 15 years, 11 months and 11 days on the strength of the report and certificate of the Examiner of Public Works Accounts and on the presumption that Shunmuga Mudaliar's transfer to Local Fund service in 1880 resulted in a saving to Government as required by the Civil Pension Code, 4th edition. Subsequently the Government of India called for C. Shunmuga Mudaliar's pension papers, and is now of opinion that he was not entitled to any pension under the rules, and that the case must be laid before the Secretary of State for orders unless this Government withdraws its sanction.

2. The decision of the Government of India is evidently based on G.O., No. 122, dated 31st January 1889, in which this Government said—

(i) "that such transfer to Local Fund service should not be considered as equivalent to an abolition of appointment unless it involved loss of pay;

(ii) "that the dismissal from the Local Fund service should not necessarily deprive the person dismissed of any retiring allowance to which he might have been entitled at the time of transfer, or any qualifying service under Government which he had at his credit at that time"; and that in this view, even if the dismissal of the individual therein mentioned were considered unmerited, he could not be granted any class of pension or gratuity, as at the time of his transfer he had neither completed 30 years' service, nor attained the age of 55, nor obtained a medical certificate of incapacity for further service, and that all that this Government could do was to declare that if he were again re-employed his previous qualifying service under Government should not be lost to him, but would be reckoned for pension if he finally retired under circumstances which entitled him to a pensionary allowance.

3. In the light of the above observations, Shunmuga Mudaliar was not entitled to any pension. But the Government considers that the principle therein enunciated is purely technical and arbitrary. Further, it is observed from the cases marginally noted that the Accountant-General does not seem to hold by the above-quoted ruling; and notably with reference to the ruling in G.O., No. 739 L. and M., dated 5th April 1893, the Government as at present advised, does not concur in the views of the Government Order of 1889 quoted above. In the last-mentioned Government Order it is laid down: "Provided that the requirements of article 463 (*e*), Civil Service Regulations, are satisfied, a person's title to pension to past service is not vitiated by the transfer from a qualifying office under Government . . . . to a non-qualifying Local Fund appointment.

G.O., No. 1253, dated 23rd October 1885.
„ „ 1014 „ 6th August 1886.
„ „ 519 „ 9th May 1894.

4. The Government accordingly desires to have the views of the Accountant-General on the present reference from the Government of India as to whether the pension already granted to Shanmuga Mudaliar may be maintained.

5. The case of Nadamuni Naidu is exactly similar, and the Government desires to have the Accountant-General's view on it also.

E. GIBSON,
Secretary to Government.

8th March 1892.

To the Accountant-General, with papers.

From T. W. RAWLINS, Esq., Accountant-General to the Government of Madras, to the Under Secretary to Government, Pension Department, dated Fort St. George, 26th March 1895, No. I.A.E./518.

With reference to paragraph 4 of your official memorandum No. 23, dated the 8th instant, asking me to report whether, under the circumstances stated, the pension already granted to C. Shunmuga Mudaliar, late a Local Fund overseer, Chittoor taluk, may be maintained, I have the honour to state that the application for pension is not forthcoming in the file of papers received with your memo. and to request, therefore, that it may be forwarded to this office along with the report thereon by the Examiner of Public Works Accounts.

Order—No. 346, Pension, dated 29th March 1895.

Ordered that the following letter be sent to the Government of India, Finance and Commerce Department.

(True Extract.)

G. S. FORBES,
Ag. Secretary to Government.

Letter—No. 347, Pension, dated 29th March 1895, to the Secretary to the Government of India, Finance and Commerce Department.

With reference to your letter No. 651/P., dated the 6th February 1895, I am directed to request that C. Shunmuga Mudaliar's application for pension and the certificate and report of the Examiner, Public Works Accounts, Madras, thereon may be returned for reference and resubmission.

G. S. FORBES,
Ag. Secretary to Government.

VIII.

G.O., No. 438, Pension, dated 4th May 1895.

Read—the following paper :—

From R. NATHAN, Esq., Officiating Under Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Pension Department, dated Simla, the 16th April 1895, No. 1713-P.

As requested in your letter, No. 347, dated 29th March 1895, I am directed to return the application for pension of C. Shunmuga Mudaliar and the certificate and report of the Examiner, Public Works Accounts, thereon.

ORDER—No. 438, Pension, dated 4th May 1895.

The pension application of C. Shunmuga Mudaliar, with the Examiner's report thereon, will be sent to the Accountant-General for reference as desired in his letter No. I.A.E./518, dated 26th March 1895.

(True Extract.)

G. S. FORBES,
Ag. Secretary to Government.

To the Accountant-General, with papers.

IX.

G.O., Nos. 804, 805, Pension, dated 19th July 1895.

Read—the following paper :—

From F. C. HARRISON, Esq., Officiating Accountant-General, to the Secretary to Government, Pension Department, dated Fort St. George, 6th June 1895, No. I.A.E./85.

With reference to your office No. 23, dated the 8th March 1895, referring for my opinion a reference from the Government of India regarding the grant of a compensation pension to C. Shunmuga Mudaliar, I have the honour to explain that the delay in my reply is due to the necessity I was under of asking for copies of letters bearing upon the question and to make the following observation.

The difficulties of the case can be best cleared if I first treat the question as one of Government employ and then introduce the question of local service.

A, a Government servant, owing to his office being done away with, is offered another appointment. Two cases can arise: (1) if the abolition was attended with a saving, then under article 483 he, when subsequently *entitled* to a pension, can never get less than he was entitled to at the time of accepting the fresh appointment; (2) if the abolition was not accompanied with a saving, he is entitled to nothing under article 483, but can count his service towards any pension or gratuity subsequently admissible.

In the event of his being dismissed, he can get nothing in either of the above cases.

Now let us take the case of the subsequent appointment being a Local Fund pensionable appointment. The same reasoning applies. The difficulty comes in if he be dismissed. In 1889, the Madras Government held, and apparently the Government of India agreed, that the Government need not recognize the dismissal. The question then arises how does this decision operate. Under the rules he can only in the first case get a compensation pension under article 483 *when he subsequently becomes entitled* to a pension. In the second case he can count (and he can also do so in the first case) his past Government service when he again enters Government service. Beyond this he can get nothing for, *ex hypothesi*, he is not invalided or superannuated nor is his appointment abolished. The cases of C. Shunmuga Mudaliar and Nadamuni Naidu are apparently identical in the second case above given. Hardship may undoubtedly arise, but the circumstances being unprovided for by the rules, the only course is apparently to move the Secretary of State, as the Government of India points out. Personally I think that usually it would be well to treat the dismissal by the local body as equivalent to dismissal by Government. In some cases the local body might be asked to reconsider their action in view of the hardship imposed upon the officer and in a very few others it might be necessary to obtain the sanction of the Secretary of State to the grant of a pension or gratuity.

Petition from K. NADAMUNI NAIDOO, late Local Fund Overseer, North Arcot district, to the Right Honourable the Governor in Council, dated Madras, 12th May 1894.

RESPECTFULLY SHEWETH,—That the petitioner was first employed as a clerk in the Public Works Department in the year 1865, and subsequently as a Local Fund Overseer in June 1868. The old Local Fund Petty Engineering establishment, to which the petitioner originally belonged, was amalgamated with the Imperial regular establishment of the Public Works Department on 1st January 1875, and the members of this establishment were therefore then looked upon as part and parcel of the Imperial Public Works establishment. Subsequently by the Government of India July Resolution of 1879, there was a general reduction of establishment in the Public Works Department.

The Government is fully aware that by the above reduction several of the members of the Public Works Department were then allowed to retire on compensation pensions with certain special privileges and several were rewarded with bonuses in addition to pension.

From the lower subordinate sub-overseers' staff, as far as the petitioner could recollect, he may mention one S. Dorasami Nayudu, who was granted compensation pension in about February 1881, and T. Moothoosami Pillai, who was similarly granted a compensation pension in about June of the same year.

In December 1879, if the petitioner had elected to retire as a member of the Public Works Department, he would have been granted a compensation retiring allowance he was then entitled to for his qualifying superior service.

In the general reorganization, consequent on the above reduction, all Local Fund works were transferred to a separate agency, under the control of the Local Fund Board. Separate sanction was then applied for for the constitution of a separate Local Fund Engineering establishment for each district and several new appointments with new designations and different rates of pay were organized. The President of each District Board was allowed the option of taking in service any of the members of the former Public Works Department establishment, though not necessarily on the same pay and they were directed by Government to show every consideration for the old Public Works Department servants transferred to the Local Fund service.

The petitioner's appointment in the Public Works Department having been abolished in December 1879, consequent on the general reduction of establishment, his services were transferred to Local Fund Board, from 1st January 1880, in the terms of G.O., No. 2428, dated 25th September 1879, as the petitioner had elected to remain in service, to further his prospects.

But the petitioner was dismissed from service in the Local Fund department owing to his misfortune on the 1st January 1881, on certain alleged faults, the particulars of which are already known to Government, from which it will be quite clear that the dismissal was quite unmerited.

The Government in their Order No. 2170, Financial, dated 27th September 1883, have been pleased to rule that dismissal from Local Fund service shall not be held to deprive the person dismissed of any retiring allowance to which he would otherwise be eligible in respect of his previous service under Government.

On the strength of the above Order, the petitioner applied to Government several times for the grant to him of any retiring allowance.

The Government in their Order No. 356, dated 6th May 1884, were pleased to say that should the petitioner enter the public service again his former service under Government would count for pension.

The petitioner tried his utmost to obtain any employment and, to his misfortune, he was unsuccessful in his attempts.

In 1887, fearing that he will be unfit for further service, even if he were to get an employment, appeared before the surgeon of the first district, who in his letter No. 183, dated 2nd August 1887, declared that the petitioner was unfit for Government service. The above facts were brought to the notice of Government, and then too his claims to any retiring allowance were not considered.

The petitioner has now learnt that Government have in January last sanctioned a compensation pension to one C. Shunmuga Mudaliar, who was employed in the same district in the same capacity and who was likewise dismissed for similar circumstances.

That under these circumstances your humble petitioner most earnestly craves that the Government may now at least reconsider his case and be pleased to grant to him any retiring allowances in respect of his hard and faithful service under Government (which could clearly be inferred from the accompanying testimonials) in accordance with articles 468 and 471 of the Civil Service Regulations, 2nd edition.

For which act of kindness, your humble petitioner shall, as in duty bound, ever pray.

ORDER—No. 804, Pension, dated 19th July 1895.

Ordered that the following letter be addressed to the Government of India.

(True Extract.)

E. GIBSON,
Secretary to Government.

LETTER—No. 805, Pension, dated 19th July 1895, to the Secretary to the Government of India, Department of Finance and Commerce.

In reply to your letter, dated the 6th February 1895, No. 651 P., I am directed to forward herewith, in original, a letter, dated 9th September 1884, No. 81, from the President, District Board, North Arcot, which details the circumstances under which C. Shunmuga Mudaliar was dismissed in 1881 from the Local Fund service.

2. I am also desired to lay fully before the Government of India the facts of Shunmuga Mudaliar's case.

3. Shunmuga Mudaliar, as already stated, served from the 25th August 1862 to the 31st December 1879 in the Public Works Department, and on the 1st January 1880, was transferred to the Local Fund Board, North Arcot, on the reduction of the Public Works Department establishment. He remained under the Local Fund Board till the 7th August 1881, when he was dismissed by the President, Local Fund Board, for misconduct. He appealed to Government against this dismissal, but was informed that the Government could not interfere in his behalf, as the power to dismiss Local Fund servants was by law vested in the President of the Board. But in 1883, when similar appeals against dismissals from the Local Fund service came up to Government, this Government, considering that an official so dismissed had not the privilege of an appeal to the higher authorities which a person discharged from an office under Government had, made a general rule that, in the absence of special orders of Government to the contrary, such dismissals from the Local Fund service shall not be held to deprive the person dismissed of any retiring allowance to which he would otherwise be entitled in respect of his previous service under Government.

On the strength of this ruling, Shunmuga Mudaliar appealed to this Government in 1884, praying for the grant of the retiring allowance he might have been entitled to for his service in the Public Works Department prior to his transfer to the Local Fund service, but the request was negatived as was done in the case of K. Nadamuni Naidu, which formed the subject of the marginally-noted correspondence between this and the Supreme Government in 1888 and 1889.

Letter from this Government, dated 1st August 1888, No. 892.

Letter from the Government of India, dated 8th September 1888, No. 4955, Finance and Commerce Department, in G.O., No. 122, dated 31st January 1889.

Letter from this Government, dated 31st January 1889, No. 122.

Letter from the Government of India, dated 6th March 1889, No. 1182, Finance and Commerce Department, in G.O., No. 351, dated 3rd April 1889.

4. Shunmuga Mudaliar's case is exactly similar to that of Nadamuni Naidu. From the correspondence quoted above, it will be seen that in 1888, when Nadamuni Naidu appealed to the Government of India against the decision of this Government declining to grant him any retiring allowance for his service under Government, the Supreme Government returned his memorial with the following remarks :—

"The overseer was transferred to the Local Fund service in 1879, when the Public Works Department was reorganized; and the Madras Government, instead of treating him as an officer whose appointment had been abolished, and who might therefore claim a compensation gratuity, permitted his subsequent service to count towards pension. On the 31st December 1880, he was dismissed by order of the President of the Board, an order which, under section 45 of the Madras Act V of 1884, is legally final; and this dismissal involved the loss of all claims for pension. As regards the service under the Local Board, the order of the President may be accepted to set aside the claim. But as regards the previous service, it does not appear to the Governor-General in Council that the Government can legitimately say that because they cannot reconsider the order of dismissal as such, and order the officer's reinstatement they are at liberty also to accept it without examination as final in the sense of setting aside the claim which the officer had against Government at the time of his compulsory transfer. It is open to the Government of Madras to determine upon the facts that there was just cause for the dismissal, and that the service under Government is therefore by rule forfeited; but they cannot plead, as overruling the claim against them, an act the propriety of which they refuse to examine. This is the view taken in the order passed by the Government of Madras in 1883, when it was decided that each case should be disposed of on its merits."

The Supreme Government accordingly requested that Nadamuni Naidu's case might be disposed of on its merits, and that, if it was decided that his previous service under Government should qualify for pension, he might be allowed the gratuity admissible under the rules for that service. In reply, this Government explained that the two general rules observed with regard to the treatment of officers transferred to the Local Fund service on the reorganization of the Public Works Department in 1879, were—

(i) "that such transfer should not be considered as equivalent to an abolition of appointment unless it involved loss of pay; and

(ii) that the dismissal from the Local Fund service should not necessarily deprive the person dismissed of any retiring allowance to which he might have already been entitled at the time of transfer, or of any qualifying service under Government which he had at his credit at that time"; and said that, in this view, even if Nadamuni Naidu's dismissal were considered unmerited, he could not be granted any retiring allowance, as at the time of his transfer he had not completed 30 years' service, nor attained the age of 55 years, nor obtained a medical certificate of incapacity for further service. The Government was, however, of opinion that the punishment of dismissal inflicted upon him was unduly severe, and accordingly declared that, should he be re-employed, his previous qualifying service under Government would be reckoned as qualifying for pension, if his final retirement was under conditions which entitled him to a pensionary allowance. This order was confirmed by the Supreme Government. Against these orders he appealed to the Secretary of State, who declined * to modify the orders passed by this Government.

* Letter from this Government, dated 3rd August 1889, No. 807.
Letter from the Government of India, dated 26th November 1889, No. 5946, Finance and Commerce Department, in G.O., dated 17th December 1889, No. 1517.

5. In the light of the above observations, Shunmuga Mudaliar was not entitled to any pension. But His Excellency the Governor in Council is of opinion that the ruling contained in the letter of January 1889, from this Government, quoted above, is purely technical and arbitrary. Further, it is observed that the Accountant-General does not hold by the above-quoted ruling, for in the case of an overseer of the Public Works Department who was similarly transferred to the Local Fund service on the reduction of the Public Works Department in March 1880, and who after continuing in pensionable and non-pensionable appointments in the Local Fund service till 1892, was then thrown out of employ on the abolition of a non-pensionable appointment, the Accountant-General reported that although the individual had no claim to pension, still as the transfer to the Local Fund Department on the 1st March 1880, was caused by the general reduction of establishment in the Public Works Department, he was admissible at the time to a compensation gratuity for his service in the Public Works Department prior to his transfer to the Local Fund service, and this gratuity was accordingly sanctioned to the individual. With reference especially to the ruling contained in paragraph 2 of the marginally-noted Proceedings of this Government, His Excellency the Governor in Council, as at present advised, does not concur in the views contained in the letter of January 1889 quoted above.

G.O., No. 739, Local and Municipal, dated 5th April 1893.

6. In these circumstances, His Excellency the Governor in Council desires to maintain the pension already granted to Shunmuga Mudaliar, and I am accordingly to request that the case may be laid before the Secretary of State for orders.

7. I am to add that Nadamuni Naidu has also now submitted a petition to this Government praying for the grant of a retiring allowance for his service under Government prior to his transfer to the Local Fund service in 1880. His case has, as stated above, already been before this Government, the Government of India and the Secretary of State, and all the authorities have agreed in rejecting his claims to pension. But as he now repeats his claim on the strength of Shunmuga Mudaliar's case, I am to refer this case also for the orders of the Government of India.

E. GIBSON,
Secretary to Government.

X.

G.O., Nos. 985, 986, Pension, dated 23rd August 1895.

Read—the following paper:—

From R. NATHAN, Esq., Officiating Under Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Pension Department, dated Simla, the 9th August 1895, No. P./3830.

With reference to the correspondence ending with your letter No. 805, dated 19th July 1895, I am directed to request that you will forward to this department the application for pension of C. Shunmuga Mudaliar and the certificate and report of the Examiner of Public Works Accounts. The documents were returned with the letter from this department, No. 1713 P., dated 16th April 1895.

Order—No. 985, Pension, dated 23rd August 1895.

Ordered accordingly.

2. The following reply will be sent to the Government of India.

(True Extract.)

E. GIBSON,
Secretary to Government.

Letter—No. 986, Pension, dated 23rd August 1895, to the Under Secretary to the Government of India, Department of Finance and Commerce.

As requested in your letter No. P./3830, dated the 9th instant, I am directed to forward, herewith, C. Shunmuga Mudaliar's application for pension with the certificate and report of the Examiner, Public Works Accounts, thereon.

E. GIBSON,
Secretary to Government.

XI.

G.O., No. 132, Pension, dated 14th February 1896.

Read—again the following papers:—

G.O., Nos. 804, 805, Pension, dated 19th July 1895.

Read—also the following letter from R. NATHAN, Esq., Officiating Under Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Pension Department, dated Calcutta, the 28th January 1896, No. P./387:—

With reference to the correspondence ending with your letter No. 805, dated 19th July 1895, regarding the pensionary claims of C. Shunmuga Mudaliar and K. Nadamuni Naidu, I am directed to forward a copy of a despatch from Her Majesty's Secretary of State for India, No. 227, Financial, dated 19th December 1895. With reference to the remarks in paragraphs 3 and 4 of the despatch, I am to say that, unless the Government of Madras desire it, the Government of India do not propose to modify the amount of the grants recommended in each case, namely, a pension of Rs. 18 a month to C. Shunmuga Mudaliar and a gratuity for his six years' service under Government to K. Nadamuni Naidu calculated under the ordinary rules.

Enclosure.

Despatch from Her Majesty's Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated India Office, London, 19th December 1895, No. 227, Financial.

I have considered in Council your Excellency's letter of the 6th of November, No. 321, in which, with reference to the case of C. Shunmuga Mudaliar, the question is raised whether a servant of the Government, compulsorily transferred to an appointment paid by a Local Fund, and subsequently dismissed therefrom, should be granted any pension or gratuity in respect of the pensionable service which he rendered while in the employment of the Government.

2. There is no appeal from the action of the President of the Local Board in such a case, and therefore a servant of the Board, when dismissed, loses all claim to pension in respect of the service paid from the Local Fund. It seems hard, however, that the decision of such an authority, which may have been formed hastily or from imperfect information, should operate to prevent the dismissed servant from receiving any allowance of a pensionary character, in respect of approved service rendered by him to the Government.

3. It appears to me that such a case should be considered as if the servant of the Government had been removed without transfer to a permanent position. He should not have any claim to pension or gratuity except in so far as the Government may be disposed to award it; but if, with such information as is accessible regarding his service under the Government and subsequently under the Local Fund authority, there is reason to think that the man deserves some compassionate allowance, it should be open to the Local Government to award such an amount as it thinks fit, not exceeding that which could have been granted as a compensation pension on the termination of the service under the Government. Probably it is desirable that the allowance should be rather less than the maximum compensation pension admissible under rule, in order to mark the compassionate nature of the grant; but this is a matter which may be left to the discretion of the Local Government on each occasion.

4. I have no objection to the treatment which you propose to adopt in the case of Shunmuga Mudaliar, and also in that of Nadamuni Naidu, to which you refer in the course of your letter; and unless, after having considered the preceding observations, you desire to modify the amount of the grant in either case, the recommendations contained in the concluding paragraph of your letter are sanctioned.

Ordered that copy, with a copy of the despatch from the Secretary of State referred to and of the despatch to which it is a reply, be forwarded to the Public Works Department and to the Accountant-General, Madras, for information.

Order—No. 132, Pension, dated 14th February 1896.

Recorded.

2. The President, District Board, North Arcot, is requested to submit through the Accountant-General a pension application on behalf of K. Nadamuni Naidu for the retiring allowance due to him for his services ending with the 31st December 1879.

(True Extract.)

E. GIBSON,
Secretary to Government.

XII.

G.O., No. 188, Pension, dated 8th March 1897.

Read—the following papers :—

Certificate and Report of Examiner of Public Works Accounts.

Certified that, subject to the remarks, noted below qualifying service in superior grades amounts to 13 years, 3 months and 29 days, and that a compensation gratuity not exceeding (Rs. 720) Rupees seven hundred and twenty only, equal to twelve months' pay at Rs. 60 per mensem, is admissible under section 68 (*a*), chapter XII, Civil Pension Code, 4th edition. The calculations have been duly verified and the gratuity, if sanctioned, is debitable to Local Fund and General Revenues in the following proportion with reference to section 40, rule 1, Civil Pension Code, 4th edition :—

	RS.	A.	P.
To General Revenues	317	11	2
To Local Fund	402	4	10

2. With reference to Civil Service Regulations, article 994 (*b*) (3), attention is invited to article 514.

3. The following documents accompany the pension application :—

One service book.
,, statement of services.
Two letters from Executive Engineer, North Arcot, No. 225 M., dated 5th June 1896 and No. 382 S.E., dated 6th November 1896.
One letter from the President, District Board, North Arcot, dated 16th June 1896.
,, Proceedings of the Madras Government (Pension department), No. 625, dated 21st July 1896.
,, letter (from K. Venkatasamy Naidu, son of the deceased), dated 29th September 1896.

D. C. GORDON,
Exmr., P.W. Accts., Madras.

8th December 1896.

To the Under Secretary to Government, Pension Department.

General remarks.

The applicant was reduced from first to second grade sub-overseer on 1st March 1877 (*vide* explanation against item (2) on page 3 of the pension application) and was restored again to the higher grade on 1st September 1878.

2. The applicant's services were, on 31st December 1879, transferred to the Local Fund Board with effect from 1st January 1880 along with the transfer of Local Fund works to that body and according to his service book he appears to have been dismissed in December 1880 for furnishing false information. The application for gratuity has been submitted with reference to G.O., No. 625, Pension, dated 21st July 1896.

3. The applicant is entitled to compensation gratuity under section 68 (*a*), chapter XII, Civil Pension Code, 4th Edition, which was in force at the time (*vide* article 7 of the Civil Service Regulations). It is impossible at this distance of time to give the particulars of the saving, if any, effected as required by (Civil Service Regulations, article 471) section 59, rule 6, Civil Pension Code, 4th Edition.

4. The applicant is reported to have died on 30th April 1896 (*vide* letter from the Executive Engineer, North Arcot division, No. 382-S.E., dated 6th November 1896). The compensation gratuity reported to be admissible, if sanctioned, may, under the orders of Government, be paid to the heirs of the deceased (*vide* section 102, rule 2, Civil Pension Code, 4th Edition.

D. C. GORDON,
Examiner, Public Works Accounts.

Memo. No. 85.

In his letter No. I.A.E.-392, dated 29th March 1884, the Accountant-General certified that Nadamuni Naidu served for six complete years in the Public Works department and for eight years in the Local Fund department from which he was dismissed on the 3rd December 1880 for misconduct. A gratuity for his service under Government was subsequently sanctioned—*vide* Government of India letter No. 387, Pension, dated 28th January 1896. The Examiner, Public Works Accounts, now certifies that Nadamuni Naidu's superior service amounts to thirteen years and odd entitling him to a gratuity of Rs. 720. The pension application with the Examiner's report thereon will be referred to the Accountant-General for favour of remarks, and he will be requested to state how the six years' service was calculated and to what amount of gratuity Nadamuni Naidu will be entitled for his six years' service under Government.

LIONEL DAVIDSON,
Ag. Under Secretary to Government.

19th December 1896.

To the Accountant-General with papers.

From F. C. HARRISON, Esq., Officiating Accountant-General, Madras, to the Under Secretary to Government, Pension Department, dated Fort St. George, 12th February 1897, No. I.A.E. 541.

With reference to your memorandum No. 85, dated the 19th of December 1896, I have the honour to forward herewith a copy of this office letter No. I.A.E.-481 dated the 19th January 1897, to the Examiner of Public Works Accounts, Madras which contains particulars of calculation showing how K. Nadamuni Naidu's service in the Public Works department was found to be 6 years, 6 months and 7 days. He being an officer of the Public Works department, his services were not verified from the records of this office, but the information was obtained from his service book. The verified statement of his services furnished by the Examiner, however, shows that the applicant's pensionable services in the Public Works department amount to 7 years and 1 month and in the Local Fund department to 6 years, 2 months and 27 days, or in all 13 years, 3 months and 27 days, for which a gratuity not exceeding Rs. 720 may be granted to him under the rules that were in force in December 1879, the gratuity being debited to General Revenues and to Local Funds according to the rule of proportions as particularized in the margin. Should Government, however, be pleased to admit his claim for his services under Government alone, he may be granted a gratuity not exceeding Rs. 420 equal to seven months' emoluments.

	RS.	A.	P.
General Revenues	317	11	2
Local Funds	402	4	10

The enclosures to your memorandum under reply are herewith returned.

Enclosure.

From F. C. HARRISON, Esq., Officiating Accountant-General, Madras, to the Examiner of Public Works Accounts, Madras, dated Fort St. George, 19th January 1897, No. I.A.E.-481.

In forwarding herewith the application for gratuity on behalf of K. Nadamuni Naidu, late a Local Fund sub-overseer, North Arcot district, and the connected papers (to be returned), I have the Honour to state that in March 1884 this office reported to Government, with reference to the entries in the applicant's service book, that he had completed six years' service in the Public Works department and eight years' service in the Local Fund department. These periods were arrived at as per particulars of service given in the margin.* It now appears, however, that you have reported to Government that his service amounts to thirteen years and odd, and that a gratuity of Rs. 720 can be granted to the applicant for that service. Certain alterations in his service book also appear to have been made since 1884. I request that you will be good enough to state whether the service as now reported by you may be accepted as correct, and that, if so, a copy of the memorandum of calculation showing how the marginally-noted † proportionate debits of the applicant's gratuity have been arrived at may be forwarded.

Public Works department.	Y.	M.	D.
* From 1st September 1865 to 7th June 1868 ..	2	9	7
,, 26th April 1874 to 28th February 1877 ..	2	10	5
,, 6th February 1879 to 31st December 1879.	0	10	25
Total ..	6	6	7
Local Fund.			
From 8th June 1868 to 25th April 1874 ..	5	10	18
,, 1st March 1877 to 5th February 1879 ..	1	11	5
,, 1st January 1880 to 31st December 1880.	1	0	0
Total ..	8	9	23
Deduct leave ..	0	9	0
Net ..	8	0	23

	RS.	A.	P.
† General Revenues	317	11	2
Local Funds	402	4	10

An early reply is requested as a reference from Government is pending disposal in my office.

NOTES CONNECTED WITH G.O., No. 188, PENSION, DATED 8TH MARCH 1897.

II.

G.O., No. 847, Pension, dated 9th August 1893.

[Pages 3 and 4 of collection.]

From C. Shunmuga Mudaliyar, late Local Fund Overseer, Chittoor, dated 10th July 1893.

[Pages 3 and 4 of collection.]

The applicant served from August 1862 to 31st December 1879 or for 17 years and odd in the Public Works department, and on 1st January 1880 was transferred to the Local Fund Board, North Arcot, on the reduction of the Public Works department establishment. He remained under the Local Fund Board for a year and a half and was then dismissed for misconduct. In June 1884, he petitioned Government praying for the grant of any retiring allowance he might have been entitled to for his service in the Public Works department. The Government, however, on a full consideration of his case, said * that as the applicant was then only 44 years old and had not qualified for any retiring allowance, no pension or gratuity could be granted to him, but that should he be permitted to re-enter the public service, his former service under Government would count towards pension under G.O., No. 2170, Financial, dated 27th September 1883, in the absence of a special order to the contrary.

* G.O., No. 1220, dated 5th November 1884.

In 1886, he submitted a petition to the Chief Engineer, Public Works department, representing that his endeavours to secure re-employment had proved fruitless and praying that he might, in consequence, be given the pension admissible to him. The petition was transferred to this department for disposal and the petitioner was given paragraph 5 of the petition rules.

G.O., No. 1292, dated 15th October 1886.

In 1887, he reiterated the same prayer to His Excellency the Governor in Council, but the petition was "lodged". The present petition contains the same facts, with the addition that the petitioner is too old (53 years) and weak for re-entering the public service.

The man evidently tried his best to get a Government appointment, but in vain, and it seems hard that this fact should debar his getting any compensation for his previous service under Government.

K. Srikanta Aiyar.
21-7-93.

Secretary—

It is submitted that the petitioner is clearly entitled to a compensation pension, and the order of 1884 (G.O., No. 1220, dated 5th November 1884) was hardly a fair one. The man did not ask for a "*retiring allowance*" to which he was of course not entitled. But his appointment in the Public Works department was abolished, and, under article 468, Civil Service Regulations, a compensation pension should be granted to him. Under the old Pension Code there was apparently no article corresponding to article 468, Civil Service Regulations, and in the order of November 1884, it was contemplated that the man would get other employment; this he has

This is a mistake arising from the Reference Tables in the Civil Service Regulations being wrong, section 104, Civil Pension Code, corresponding to article 468.

R. C. C. Carr.

failed to do, and is not likely to be re-entertained now that he is 53 years of age. Even if he does find other employment for a year or so, it makes no difference to his compensation pension, which would merely be suspended for the said time.

As regards his dismissal from Local Fund service, attention is invited to Mr. A. J. Stuart's letter under G.O., No. 1220, dated 5th November 1884 (already referred to). The fault seems to have been amply punished by the sentence passed upon it, and under G.O., No. 2170, Financial, dated 27th September 1883, the dismissal does not necessarily affect the pension for Government service. This point can be further considered when the pension papers are submitted.

Meanwhile the Public Works department may be told to submit the usual pension application through the Examiner, Public Works Accounts.

R. C. C. Carr.
24–7–93.

H.M.—

I agree.

C. A. Galton.
25–7–93.

Approved.

J. H. G[arstin].
27–7–93.

III.

G.O., No. 74, Pension, dated 24th January 1894.

[Page 4 of the collection.]

From the Superintending Engineer, IV Circle, No. 775, *dated 8th November* 1893.

From the Examiner, Public Works Accounts, No. 45, *dated 21st December* 1893.

[Page 4 of the collection.]

For the Under Secretary—

Please see notes under G.O., No. 847, dated 9th August 1893. The Examiner now certifies that the applicant would be entitled to a compensation pension of Rs. 18–10–8 *per mensem* for his qualifying superior service of 15 years, 11 months and 11 days under sections 104 and 113 (*b*) of the Civil Pension Code, 6th edition; but adds that the question of the applicant's title to compensation pension for his service in the Public Works department is one left entirely to Government to decide, as it is impossible at this distance of time to give particulars of the saving effected as required by the Civil Service Regulations.

With reference to this, paragraph 2 of G.O., No. 704, Pension, dated 14th July 1893, herewith submitted in original, seems in point, and accordingly the applicant seems entitled to the pension recommended. If this view be accepted, orders are solicited as to the date from which the pension should commence—whether from 9th August 1881, the date of his dismissal by the Local Fund Board, or from any subsequent date to be fixed by Government with reference to article 1014 of the Civil Service Regulations.

K. Srikanta Aiyar.
9–1–94.

Secretary—

The applicant was transferred to the Local Fund establishment in December 1879 and he served therein until 8th August 1881. He was then dismissed; but, from Mr. A. J. Stuart's letter under G.O., No. 1220, dated 5th November 1884, it is clear that the faults were not serious and should not bar his pension for the previous Government service. The order of 1884, in fact, told him that this dismissal would not vitiate his claim to pension.

Since 1881 the applicant has been endeavouring to obtain a pension and has failed to get further employ. Attention is invited to the note under G.O., No. 847, dated 9th August 1893. It is submitted that a compensation pension of Rs. 18 *per mensem* may now be granted to the applicant. The date from which it is to take effect must be more or less arbitrary. If sanctioned from August 1881, the date of his dismissal from Local Fund service, he would now get a lump sum of about Rs. 2,650, and this would be contrary to the main object of "compensation", which is given "to mitigate hardship caused by loss of office". The man has probably had some kind of work since 1881—and so large a sum would be out of all proportion to his "hardship".

Submitted that the pension may begin from 1st April 1893.

It may be presumed that his transfer to Local Fund service resulted in a saving to Government.

R. C. C. Carr.
12–1–94.

H.M.—

I think this will be sufficiently liberal.

C. A. Galton.
15–1–94.

So do I.

J. G[rose].
18–1–94.

IV.

G.O., No. 346, Pension, dated 28th March 1894.

[Pages 5 and 6 of the collection.]

From C. Shunmuga Mudaliar, late Local Fund Overseer, North Arcot, dated 4th March 1894.

For the Under Secretary—

Please see the note connected with G.O., No. 74, Pension, dated 24th January 1894, which states the facts of the petitioner's case fully. In the circumstances therein stated, the petitioner does not appear to have any grounds for reconsideration. The full pension admissible was only Rs. 18–10–8, and Rs. 18 was sanctioned. The following draft order is submitted for approval.

K. Srikanta Aiyar.
12–3–94.

Secretary.

L. E. Buckley.
12–3–94.

H.M.—

I think the man might get a pension of Rs. 18–10–8 which was the amount certified as admissible by the Examiner. I don't know why the amount was given as Rs. 18 in the Under Secretary's note. I did not notice this reduction nor apparently did the Honourable Member, and I do not think it was made designedly. As to giving the pension for a longer time in arrears, I don't think the concession is called for.

C. A. Galton.
12–3–94.

I think the full amount, Rs. 18–10–8, may be granted. There has been no fault to justify reduction and the case is one that deserves consideration.

J. G[rose].
13–3–94.

IX.

G.O., Nos. 804, 805, Pension, dated 19th July 1895.

[Pages 10 to 14 of the collection.]

From K. Nadamuni Naidu, dated 21st May 1894.

[Pages 11 and 12 of the collection.]

*From the Accountant-General, No. I.A.E./*85, *dated* 6*th June* 1895.

[Pages 10 and 11 of the collection.]

For the Under Secretary—

The applicant served from 1st September 1865 to 31st December 1879—six years in the Public Works department and eight years under the Local Fund Board—and on 1st January 1880 was transferred to the Local Fund Board, North Arcot, on reduction of the Public Works department establishment. He remained under the Local Fund Board till 31st December 1880, when he was dismissed for misconduct, having been found guilty of submitting a false statement of property in his possession and preparing an estimate in which he entered improperly high rates and other incorrect figures giving rise to a strong suspicion of intended fraud. In 1884 he petitioned Government praying for the grant of any retiring allowance he might have been entitled to for his service under Government on the strength of G.O., No. 2170, Financial, dated 27th September 1883. The Government, however, on a full consideration of his case, said* that as he was then only 40 years old and had not qualified for any retiring allowance no pension or gratuity could be granted to him, but that should he be permitted to re-enter the public service his previous service under Government would count towards pension. Please see the then Secretary's note under G.O., No. 356, Pension, dated 6th May 1884.

* G.O., No. 356, Pension, dated 6th May 1884.

In January 1888, he again petitioned Government representing that his endeavours to secure re-employment had proved fruitless and praying that he might, in consequence, be given the pension admissible to him. He also submitted a medical certificate of incapacity for further service, but was in reply † informed that he was not entitled to any pension or gratuity. In May 1888, he reiterated his prayer, but was given paragraph 5 of the petition rules in reply. In August 1888, he appealed to India through this Government against these orders. His memorial was returned to this Government with the following remarks ‡:—"The overseer was transferred to Local Fund service in 1879, when the Public Works department was reorganised; and the Madras Government, instead of treating him as an officer whose appointment had been abolished, and who might therefore claim a compensation gratuity, permitted his subsequent service to count towards pension. On the 31st December 1880, he was dismissed by order of the President of the Board—an order which, under section 45 of the Madras Act V of 1884, is legally final; and this dismissal involved the loss of all claims for pension. As regards the service under the Local Board, the order of the President may be accepted as sufficient to set aside the claim. But as regards the previous service, it does not appear to the Governor-General in Council that the Government can legitimately say that because they cannot reconsider the order of dismissal as such, and order the officer's reinstatement, they are at liberty also to accept it without examination as final in the sense of setting aside the claims which the officer had against Government at the time of his compulsory transfer. It is open to the Government of Madras to determine upon the facts that there was just

† G.O, No. 120, Pension, dated 11th February 1888.

G.O., No. 535, dated 23rd May 1888.

G.O., Nos. 891, 892, dated 1st August 1888.

‡ Government of India letter, No. 4955, dated 8th September 1888, in G.O., No. 122, dated 31st January 1889.

cause for the dismissal, and that the service under Government is therefore by rule forfeited; but they cannot plead, as overruling the claims against them, an act the propriety of which they refuse to examine. This is the view taken in the order passed by the Government of Madras in 1883, when it was decided that each case should be disposed of on its merits." The Supreme Government accordingly requested that the applicant's case might be disposed of on its merits, and that if it were decided that his previous service under Government should qualify for pension, he might be allowed the gratuity admissible under the rules for that service.

In reply * this Government explained that the two general rules observed with regard to the treatment of officers transferred to Local Fund Boards on the reorganization of the Public Works department in 1879 were—

* G.O., No. 122, dated 31st January 1889.

"(i) That the transfer should not be considered as equivalent to an abolition of appointment unless it involved loss of pay;

"(ii) that the dismissal from Local Fund service should not necessarily deprive the person dismissed of any retiring allowance to which he might have already been entitled at the time of transfer, or of any qualifying service under Government which he had at his credit at that time"; and said that in this view, even if the overseer's dismissal were considered unmerited, he could not be granted any class of pension or gratuity, as at the time of his transfer he had neither completed thirty years' service, attained the age of fifty-five, nor obtained a medical certificate of incapacity for further service, and that all that this Government could do was to declare that if he were again re-employed his previous qualifying service under Government should not be lost to him, but should be reckoned as qualifying for pension if he finally retired under circumstances which entitled him to a pensionary allowance. This order was confirmed † by India.

† G.O., No. 351, dated 3rd April 1889.

Against these orders the applicant appealed to the Secretary of State, who has declined to modify the orders passed by this Government.

G.O., No. 1517, dated 17th December 1889.

The investigation ‡ made by the Collector eight years after the dismissal did not prove that the dismissal was unmerited, although he was of opinion that the dismissal was hardly warranted by the circumstances.

‡ In G.O., No. 1069, dated 26th September 1890.

Subsequently petitioner again came forward in 1891 and in G.O., No. 386, dated 1st May 1891, was told that further petitions from him would not be noticed! The office should have noticed this.

R. C. C. Carr.

The applicant has now submitted a petition praying for the grant of a retiring allowance and quotes C. Shunmuga Mudaliar's case § as in point. He is now 51 years old.

§ Disposed of by G.Os., No. 847, dated 9th August 1893, and No. 74, dated 24th January 1894.

K. Srikanta Aiyar.
1-6-94.

Manager—

Several points are still unsettled in this case which make it impossible to come to correct decision.

Please answer my queries on the margin.

(1) Yes. Those who were not otherwise provided for. The cases quoted by the petitioner are in point.	(1) Petitioner says that at the Public Works reduction "several of the members of the Public Works department were allowed to retire on compensation pensions. Is this so? Are the cases quoted by petitioner in point?

(2) Section 59, C.P.C., 4th edition, lays down that "a compensation pension is awarded to an officer discharged from the public service, because, on a reduction of establishment, his appointment is abolished", and clause (5) of the same section also says that "when an officer upon the abolition of his own appointment is transferred to another appointment a compensation pension (the word *pension* includes *gratuity*) may be simultaneously awarded to him, subject to the limitation prescribed by section 107." These rulings seem to show that the applicant would have got a compensation gratuity if he had elected to retire in 1879. Kindly also see the Accountant-General's certificates in G.Os., No. 1014, dated 6th August 1886, and No. 519, dated 9th May 1894, which seem to fall in with this view.	(2) If he had elected to retire in 1879 would he have got a compensation pension?
(3) Yes.	(3) Is Shunmuga Mudaliar's case exactly similar?
(4) A gratuity of twelve months' pay for his service of fourteen years (SIX years in the regular Public Works department and EIGHT years in the Local Fund which also was Public Works department service, as he was borne on the Public Works establishment prior to his transfer).	(4) What gratuity could he get (for his Public Works service of course)?
(5) Two cases are put up in which pensions have been refused on this supposition. Paragraph 3 of G.O., No. 183. dated 16th February 1881, says that "in all cases where Public Works department lower subordinates have been employed by Local Fund Boards on salaries equal in amount to those they were formerly paid, no compensation retiring allowance is admissible". This probably led to the supposition that "such a transfer did not amount to abolition". In the above two cases the salary was equal. R. C. C CARR.	(5) In the letter to India, No. 122, dated 31st January 1889, it is stated that all the decisions of this Government in similar cases have been based on the supposition that such a transfer did not amount to abolition. Are there any cases forthcoming? Has pension been refused in similar cases?
(6) Section 59, C.P.C., 4th edition. But it is not exactly similar, inasmuch as the following words are omitted in it, viz., "*and other suitable appointment cannot be found for him*". No; but this is added in the note, so there is in reality no change. R. C C. CARR. K. SRIKANTA AIYAR. 8-11-94.	(6) Does the old code (4th edition) contain an article similar to article 468, Civil Service Regulations? R. C. C. CARR. 2-11-94.

Secretary—

I have delayed the submission of these papers for orders, with a view to obtaining and reading up the numerous back papers on the subject, and with the knowledge that delay could not affect the petitioner prejudicially, in that his case is a very poor one as it stands, and could only be bettered by the discovery of some notes or orders on similar cases in the past. I may also add that I have been through the file several times in the last month or so and have deferred noting on it in the hope of finding something to urge in petitioner's favour.

Poor because it has already been decided against him.

R. C. C. CARR.

From the office-note it will be seen that petitioner's case has already been before this Government, the Government of India and the Secretary of State, and all authorities have agreed in rejecting his claims to pension. He now returns to the charge on the strength of Shunmuga Mudaliar's case disposed of in G.O., No. 74, dated 24th January 1894.

It will be seen that petitioner's case is on all fours with Shunmuga Mudaliar's. Both men were Public Works sub-overseers who lost their appointments at the general reduction of establishments in 1879–80 and took service under the Local Fund Board. Both men were dismissed from Local Fund service, from which order of dismissal no appeal lies to Government.

Both men were told at first that no pension could be granted to them for their earlier service in the Public Works department. Shunmuga Mudaliar has now been given a pension * and petitioner Nadamuni Naidu very naturally asks for similar treatment.

* G.O., No. 74, dated 24th January 1894.

The only difference between the two cases, so far as I can see, is that the dismissal of Shunmuga Mudaliar's case was proved afterwards to have been a somewhat harsh measure. In Nadamuni Naidu's case, however, this has not been proved to Honourable Member's satisfaction (*vide* notes under G.O., No. 1069, dated 26th September 1890), but it will be observed that in paragraph 11 of the report submitted by the President, District Board, under that order, the case against this man was considered to be weak. Nadamuni Naidu's faults were at any rate not very serious, and from the entries in his † service-book his earlier service would seem to have been good. So the difference between Shunmuga Mudaliar and Nadamuni Naidu is small.

† Under G.O., No. 356, dated 6th May 1884.

The question therefore resolves itself to this—is the Government prepared to go back upon all that has gone before in this case and to recommend Nadamuni Naidu for a gratuity (he cannot get a pension) on the analogy of Shunmuga Mudaliar's case? This Government cannot of itself grant this gratuity because India and the Secretary of State have already upheld the previous refusal.

It is to be regretted that the present case was not brought to notice when G O, No. 847, dated 9th August 1893, and the subsequent orders were passed in Shunmuga Mudaliar's favour. The papers were, I believe, put up, and remembering the order passed in September 1890 on Nadamuni Naidu's case, I should have called Honourable Member's attention to the close analogy. India has recently called ‡ for the records in Shunmuga Mudaliar's case, having previously § obtained a report thereon from this Government, and possibly they intend to reverse the grant of pension. In this event the present petition can perhaps be rejected, but in the meantime it seems desirable to consider it again on its merits.

This order merely referred to Shunmugam Mudaliar's dismissal and did not raise the question of abolition of appointment.

R. C. C. CARR.

‡ G.O., No. 1266, dated 15th October 1894.

§ G.O., No. 1119, dated 12th September 1894.

The case was first dealt with in G.O., No. 356, dated 6th May 1884, and it was said that no pension or gratuity could be granted under the then circumstances, but that petitioner's early service would count for pension if he was re-employed in Government service. The subsequent facts are clearly expressed in the letter No. 122, dated 31st January 1889. In the views therein contained both India and the Secretary of State have concurred.

This letter places us in a dilemma: for granted that Shunmuga Mudaliar's case is exactly similar to Nadamuni Naidu's, the order sanctioning a pension to the former is directly in opposition to the views expressed in the letter of January 1889, and granted that those views are correct, the order in Shunmuga Mudaliar's case must be wrong! and *vice versâ*, if Shunmuga Mudaliar was entitled to a pension, the letter of January 1889 was wrong and Nadamuni Naidu is entitled to a gratuity!

The latter view is supported by another recent case. This is the case of D'Souza dealt with in G.O., No. 519, dated 9th May 1894. In his certificate under that order, the Accountant-General said: "As the transfer to the Local Fund department on the 1st March 1880 was caused by the general reduction of establishment in the Public Works department, he was admissible at the time to a compensation gratuity."

In D'Souza's case there seems to have been doubt whether he was transferred to permanent service under the District Board.

E. Gibson.
30-11-94.

Now D'Souza was in 1879 a sub-overseer on Rs. 50 and in March 1880 was made a Local Fund overseer on Rs. 90. If his transfer amounted to an abolition of his first appointment (as the Accountant-General holds it did), then Nadamuni Naidu's transfer, in which he got an appointment of equal pay, must also amount to abolition of first appointment, and he is entitled to a compensation pension. But this is just what Government in January 1889 denied, and in paragraph 5 of that letter it is stated that "all decisions in similar cases have been based on the supposition that such a transfer did not amount to abolition."

Several such cases have been discovered in the records—G.Os., No. 1093, dated 14th November 1882, and No. 243, dated 19th March 1884; in both, the salaries of the men transferred remained the same. This view of the case is based on G.O., No. 193, dated 16th February 1881, which affirmed the rule that if the transfer to Local Fund employ involved loss of salary, the appointment in the Public Works department had been abolished and compensation pensions were admissible, but if the Local Fund salary was the same (or greater?) no such pension could be claimed. It was this last order that governed the decision in 1889 when the letter No. 122, dated 31st January 1889, already quoted was drawn up.

G.O., No. 1093 of 1882, Munusami Naidu was dismissed from Local Fund service for disobedience and other faults, and Government did *not* hold that this dismissal was severe.

G.O., No. 243 of 1884, Tholasingam Pillai, was still in Local Fund service when pension was refused. The refusal was based on G.O., No. 193, dated 16th February 1881, quoted in the note opposite.

Also G.O., No. 1018, dated 23rd October 1882, Shadagopa Naidu, removed from Local Fund service for inefficiency. Pension refused.

The Accountant-General does not, however, appear to have read this order of 1881 as meaning that transfer on *equal* pay did not involve abolition of appointment, for in a case dealt with in 1886 he certified * that a man who was so transferred to Local Fund service and had subsequently *resigned* could be granted a compensation gratuity if Government ruled that resignation was covered by G.O., No. 2170, Financial, dated 27th September 1883, which said that *dismissal* from Local Fund service did not necessarily vitiate previous Government service. But Government did not accept this view and rejected the claims to pension (G.O., No. 1014, dated 6th August 1896).

* After quoting this very order.

R. C. C. Carr.

A very similar case was dealt with in G.O., No. 1253, Pension, dated 23rd October 1885. The Accountant-General held that compensation gratuity *might* be granted if the resignation of Local Fund service were overlooked—but Government said no gratuity could be granted in the then circumstances.

In only one case, so far as can be ascertained from the records, was a contrary order passed about this time, viz., G.O., No. 1065, dated 11th November 1882, in which gratuity was granted under the Hon'ble Mr. Sullivan's orders, though the Under Secretary pointed out that it was opposed to the rule.

From the above it will be seen that Government has, in most cases, adhered to the rule subsequently formulated in letter No. 122, dated 31st January 1889, viz., that transfer to Local Fund employ shall not be considered as equivalent to an abolition of appointment unless it involved loss of pay. In the following cases only has this rule been departed from—

There are other cases most probably—the record will be searched further.

R. C. C. Carr.

(1) Shnnmuga Mudaliar's case.
(2) P. A. D'Souza's case.
(3) Balakristna Mudaliar (G.O., No. 1065, dated 11th November 1882).
(4) Narasinga Rao (G.O., No. 704, dated 14th July 1893).

In D'Souza's case the grant of gratuity was made on the Accountant-General's certificate to the effect that it was admissible. There was considerable correspondence about his other service, but the rule above referred to appears to have been overlooked.

Shanmuga Mudaliar's case has already been fully noticed above.

Two other cases have since been found—please see margin of last page. Balakristna Mudaliar was given Rs. 40 as *compensation* gratuity and Narasinga Rao was given Rs. 30 under the same head, *i.e.*, in both cases Government held that transfer to Local Fund service on equal pay *did* amount to abolition of appointment.

The result of the above resumé of cases is briefly as follows:—

This Government made a rule in 1881 (or rather passed an order which was intended to rule) that transfer from Public Works department to Local Fund did *not* involve abolition of appointment unless the man lost pay thereby.

It may be noted that this rule was purely arbitrary.

R. C. C. Carr.

This rule was followed in all cases of pension application for some years with one exception, but the Accountant-General does not seem to have acquiesced in the rule.

In 1888 Nadamuni Naidu, the present petitioner, went up to India, and they thought he should get pension, *i.e.*, they evidently thought he should be treated as an officer whose appointment had been abolished.

This Government then promulgated the rule noted above, and strongly advocated its observance. India concurred and subsequently the Secretary of State on a further appeal did likewise.

During the last two years the rule has, however, been overlooked both in this office and in the Accountant-General's, and the latter's office has raised no objection to pensions in three cases in which the rule has been transgressed.

Now Nadamuni Naidu comes up again and quotes one of these cases, which as shown above is almost exactly similar to his own.

The above diversity of procedure is to be regretted, and I am personally responsible for Shanmuga Mudaliar's case. The error was only discovered when I went into the present case.

There is one easy way out of the difficulty, and that is to tell petitioner that he has not proved his dismissal from Local Fund service to have been wrong. This was Honourable Member's view in 1890—G.O., No. 1069, dated 26th September 1890.

Orders are requested.

R. C. C. Carr.
23-11-94.

H.M.—

Submitted that the decision of India on Shanmuga Mudaliar's case may be awaited before this matter is disposed of. That is the only case which is on all fours with this, and if the pension is withdrawn from Shanmuga Mudaliar it follows that this application must be rejected.

E. Gibson.
30-11-94.

Yes, we must await orders on Shanmuga Mudaliar's case; but if his gratuity is allowed, one should be given to this man.

J. G[rose].
3-12-94.

From the Government of India, Finance and Commerce Department, No. 651/*P.*, *dated* 6*th February* 1895.

[Page 8 of the collection.]

For the Under Secretary—

Regarding the grant of pension to C. Shanmuga Mudaliar, please see note for orders in G.Os., No. 847, dated 9th August 1893, and No. 74, dated 24th January 1894, and letter to India, No. 1120, dated 12th September 1884. Subsequently when a similar case (Nadamuni Naidu's) came up for disposal, it was found out that the grant of the above pension was incorrect with reference to the opinion held by this Government in letter No. 122, dated 31st January 1889, and India's orders were awaited in the case now under reference for the disposal of Nadamuni Naidu's case. India says that Shanmuga Mudaliar was not entitled to any pension under the rules, and that, if the Government of Madras desire to maintain the pension granted to him, it will be necessary to lay the case before the Secretary of State for orders, and to enable it to do so, desires that the circumstances under which Shanmuga Mudaliar was dismissed from the public service in 1881 should be fully stated. These circumstances are detailed in the President's letter under G.O., No. 1220, Pension, dated 12th November 1884. Orders are solicited as to whether, in the circumstances, the pension already granted to C. Shanmuga Mudaliar should be maintained.

Orders are also solicited on Nadamuni Naidu's case, with reference to the Honourable Member's remark on page 9 of these notes.

K. Srikanta Aiyar.
16–2–95.

Secretary—

Attention is invited to the note on Nadamuni Naidu's case quoted above.

It has now to be decided whether Government will agree to withdraw its order giving Shanmuga Mudaliar a pension and as a consequence will dismiss Nadamuni Naidu's petition.

India merely says that it appears that Shanmuga Mudaliar was not entitled to any pension under the rules, and that the case must be laid before the Secretary of State for orders unless this Government withdraws its sanction.

It is submitted that it would be very hard on Shanmuga Mudaliar to go back on the orders of January 1894 and of March of the same year. Those orders (G.Os., No. 74, dated 24th January 1894, and No. 316, dated 28th March 1894) gave him a pension of Rs. 18–10–8 per mensem with retrospective effect from 1st April 1893. He cannot be called upon to refund now, for no such order could be enforced, and after all the rule debarring him from pension is a purely technical and arbitrary one. It is submitted, therefore, that the pension should be maintained and the details of the case explained to India.

This involves addressing India about Nadamuni Naidu also, and it is submitted that the full facts may be stated. Government will have to declare that, as at present adviced, it does not concur in the views expressed in G.O., No. 122, Pension, dated 31st January 1889. This letter has unfortunately been overlooked in recent years, and, as pointed out in the note on Shanmuga Mudaliar's case the position has been departed from in several cases. In G.O., No. 739 L. and M., dated 5th April 1893, this was notably the case. Paragraph 2 said, "a person's title to pension for past service is not vitiated by the transfer from a qualifying office under Government to a non-qualifying Local Fund office." The letter of January 1889 on the other hand said, paragraph 3, "the transfer shall not be considered as equivalent to an abolition of appointment unless it involved loss of pay." From this ruling it followed that a man taking non-pensionable Local Fund employment on the same or on higher pay could only get pension under an invalid certificate, and the rule practically did vitiate all previous service under Government.

It is submitted that the said rule was an unfair one, and that it has caused a good deal of hardship. The Accountant-General does not hold by it, and in view of the later ruling in G.O., No. 739 L. and M., dated 5th April 1893, the Government does not do so either.

These facts should all be laid before the Government of India, if the Honourable Member accepts the arguments used above. It would perhaps be well to consult the Accountant-General before addressing India. Some of the cases in point did not come *through* the Accountant-General, though copies of all orders go to him, and the reference to India would moreover be strengthened if the Accountant-General agrees in supporting the two claims

As regards other cases of a similar nature in which pensions have been refused, it seems unnecessary to reopen them now. The parties concerned can of course do so if they get wind of the change of orders.

R. C. C. Carr.
20–2–95.

H.M.—

I think the Government of India should be addressed as suggested by Under Secretary.

E. Gibson.
21–2–95.

Approved.

J. G[rose].
23–2–95.

[*Official-memorandum to the Accountant-General, No.* 23, *dated 8th March* 1895.]

[Page 8 of the collection.]

Letter from the Accountant-General, No. I.A.E./85, *dated 6th June* 1895.

[Page 10 of the collection.]

For the Under Secretary—

Please see previous note for orders, official memorandum to the Accountant-General and his reply which, it is submitted, does not seem favourable.

K. Srikanta Aiyar.
14–6–95.

Secretary—

We referred to the Accountant-General in the hope that he would strengthen our hands in referring the case through India to the Secretary of State. He does nothing of the kind but appears to hold that even if rule I laid down in G.O., No. 122, Pension, dated 31st January 1889, be abandoned, the applicant is still entitled to no pension.

It has now to be decided whether it is worth while to lay the case before the Secretary of State for orders, and, if so, what line is to be taken? Is a man whose appointment is abolished to be entitled to compensation pension even although he gets a post under Local Funds carrying equal or higher pay? This was the view taken in G.O., No. 739 L. and M., dated 5th April 1893.

Whichever way the question is decided, a previous decision will have to be revoked. Either the pension granted to Shanmuga Mudaliar must be discontinued, or Nadamuni Naidu must be given the pension he has so often asked for in vain.

In case the former course is decided on, should the three other similar cases mentioned be interfered with?

W. Ayling.
18–6–95.

H.M.—

On Mr. Carr's note, dated 20th February 1895, on India's letter Honourable Member has approved the proposal to lay the facts fully before the Government of India. The facts are not altered by the Accountant-General's opinion and I submit that the report to India should now be sent.

E. Gibson.
26–6–95.

Yes, the case should be laid before the Government of India.

J. G[ROSE].
28-6-95.

No. 6.

NOTES CONNECTED WITH G.O., No. 188, PENSION, DATED 8TH MARCH 1897.

[Pages 16 to 18 of the collection.]

From the Examiner, Public Works Accounts, dated 8th December 1896.

Memorandum to the Accountant-General, No. 85, *dated* 19*th December* 1896.

*From the Accountant-General, No. I.A.E./*541, *dated* 12*th February* 1897.

For the Under Secretary—

In his letter No. I.A.E./392, dated 29th March 1884, in G.O., No. 356, dated 6th May 1884, the Accountant-General certified that Nadamuni Naidu served for six complete years under Government and for eight years in the Local Fund department from which he was dismissed on the 3rd December 1880 for misconduct. A gratuity for his service under Government was subsequently sanctioned by the Government of India—*vide* Government of India letter No. 387 P., dated 28th January 1896, in G.O., No. 132, dated 14th February 1896. On a reference, the Accountant-General now says that the applicant's superior service under Government amounts to seven years and odd, entitling him to a gratuity of Rs. 420. Nadamuni Naidu is reported to have died on the 30th April 1896. So the six months' gratuity of Rs. 360 already sanctioned by the Government of India may, it is submitted, be passed. Hence draft order for approval.

K. SRIKANTA AIYAR.
23-2-97.

Secretary—

Submitted that he should clearly receive Rs. 420, not Rs. 360. The letter * to India was written under the impression that he had only six years' service. It now appears that he had completed seven years. If this view is accepted, it seems unnecessary to ask the Government of India for prior sanction unless the Accountant-General requires this formality.

* No. 892, Pension, dated 1st August 1888.

L. DAVIDSON.
24-2-97.

H.M.—

The grant should be slightly reduced to mark its compassionate nature. He might be given Rs. 410.

G. STOKES.
28-2-97.

Yes.

J. G[ROSE].
28-2-97.

ORDER—No. 188, Pension, dated 8th March 1897.

Under the sanction conveyed in the letter from the Government of India read above, His Excellency the Governor in Council is pleased to grant to K. Nadamuni Naidu, late sub-overseer, Public Works department, a gratuity of Rupees four hundred and ten only, payable at Madras, for his service of 7 years and 1 month rendered to Government prior to his transfer to the Local Fund Board in January 1880.

2. As the applicant is reported to have died, the gratuity sanctioned will be paid to his legal heirs.

(True Extract.)

G. STOKES,
Secretary to Government.

To the Accountant-General, with register.
,, Examiner, Public Works Accounts.
,, Public Works Department.

[R. E. / 43]
1,000-10-8-96.

1

Pension (1896) Department.

CURRENT No. 1338

EXAMINER,
P. W. ACCOUNTS.
21 JAN 1897
No ……………

From

D. C. Gordon Esqre
Examiner P. W. accounts
Madras

No. 843 B.

Order

Dated 8 December 1896

Received 10th do

Registered

Enclosures

Spare copies.

SUBJECT.

K. Nadamuni Nayudu late, Local Fund sub-assessor North Arcot ——— Forwarding for orders the gratuity papers of ———

BACK PAPERS.

G.O.	No.	Department.	Date.
G.O.	625	Pen.	21-7-96

FURTHER PAPERS.

G.O.	No.	Department.	Date.

EXAMINED. P. W. ACCOUNTS. 27 JAN 1897 No.

EXAMINED 2640 6 NOV 1896 W. ACC

2

M. W. 105.

APPLICATION FOR ~~PENSION OR~~ GRATUITY.

1. Name of applicant, Kathe Nadamuni Nayudu
2. Father's name. Kathe Iyulu Nayudu
3. Race, sect, and caste. Hindu Balji (Vishnuvite)
4. Residence showing village and pergunnah. Madras (deceased)
5. Present or last employment, including name of establishment. Local Fund Sub overseer North Arcot district
6. Date of beginning of service. 1st September 1865
7. Date of ending of service. 31st December 1879

	Y.	M.	D.
8. Length of service, including interruptions	14	4	-
of which superior ...	14	4	-
inferior ...	"	"	-
non-qualifying and interruptions	1	"	3

9. Class of pension or gratuity applied for and cause of application* Compensation gratuity
10. (Average) emoluments or pay Rs 55-8-
11. Proposed pension
12. Proposed gratuity . . . Rs 666-4-
13. Date from which pension to commence
14. Place of payment . . . Madras
15. Date of applicant's birth by Christian era† 17th December 1843
16. Height . . . . . 5' 6"
17. Marks Color light, face round, thick set
18. Date 6 Nov/96,

6/1/1338

Ex. Engineer

Signature of Head of Office.

5/11/96.

* If the application is for a compensation pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

† If not known exactly, must be stated on the best information or estimate.

2/3

History of the Service (showing interruptions) of K. Nadamuni Nayudu late L. F. Sub overseer North Arcot

Establishment.	Appointment.	Pay.	Acting allowance.	Date of beginning.	Date of ending.	Period reckoned as service.	Period not reckoned as service.	Remarks.	How verified.	Remarks by Examiner.
Chendragiri Range	Asst. Accountant & writer	15		1-9-65	30-6-67	1-10-0			Verified from Pay bills & acquittance Rolls in the North Arcot Dt. office & from the Salary audit Register of the Examiner's office vide his letter No. 3146 d/- 23-10-96	
			Privilege leave	1-7-67	20-7-67	0-0-20				
"	"	15		21-7-67	22-11-67	-4-2				
	Leave without pay		...	23-11-67	12-12-67		0-0-20			
"	"	15		13-12-67	19-6-68	0-6-7				
"	Local Fund Sub overseer 1st Grade	60		20-6-68	31-7-72	4-1-11				
Wallajah Range	"	60		1-8-72	31-5-74	1-10-0				
Chittur Range	"	60		1-6-74	1-7-74	0-1-1				
			Sick leave	2-7-74	15-10-74		0-3-14			
"	L. F. Sub Overseer	60		16-10-74	31-12-74	-2-15				
Walaja Range	"	60		1-1-75	14-7-76	1-6-14				
			Privilege leave	15-7-76	29-7-76	0-0-15				
"	"	60		30-7-76	3-1-77	-5-4				
"	~~1st Grade~~ 2nd		Sick leave	4-1-77	28-2-77		0-1-27			
"	" 2nd Grade		"	1-3-77	2-9-77		0-6-2			
"	"	45		3-9-77	31-8-78	0-11-28				
"	" 1st Grade	60		1-9-78	31-10-78	0-2-				
Vellore Range	"	60		1-11-78	5-2-79	0-3-5				
Chittur Range	"	60		6-2-79	30-9-79	0-7-25				
North Arcot Dt.	"	60		1-10-79	31-12-79	0-3-				
						13-3-27	1-0-3			

(E. 176.)
2,000—2-4-95.

4

PUBLIC WORKS DEPARTMENT.

No. 187, dated 8th December 1896.

Statement of the verified Services of K. Nadamuni Nayudu, late Local Fund Sub overseer, North Arcot

Born on the 17th December 1843.

Establishment and Appointment.	Pay.	Acting Allowance.	Date of beginning.	Date of ending.	Period reckoned as Service.			Period Not reckoned as Service.			Reason of termination.	Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.		
No. 2 or Chendragiri Range												
Assistant Accountant and Writer	15	.	1.9.65	22.11.67	2	2	22	.	.	.	Leave	
Leave without allowances	.	.	23.11.67	12.12.67	.	.	.	.	.	20		
Assistant Accountant and Writer	15	.	13.12.67	19.6.68	.	6	7	.	.	.	Promotion	
Local Fund Subovereer 1st Grade	60	.	20.6.68	28.2.73	4	8	~~9~~ 11	.	.	.	Transfer	
Wallajah Range — Do —	60	.	1.3.73	31.5.74	1	3	.	.	.	.	do	
Chittoor Range. Do	60	.	1.6.74	1.7.74	.	1	1	.	.	.	Leave	
Sick leave	30	.	2.7.74	15.10.74	.	.	.	.	3	14	Returned from leave.	Verified from the Salary Audit
Do. Local Fund Subovereer 1st Grade	60	.	16.10.74	31.12.74	.	2	16	.	.	.	Transfer	Registers of Examiner's
Wallajah Range. Do	60	.	1.1.75	5.1.77 31.1.77	2	.	3	.	.	.	Leave	Office.
Sick leave	30	.	4.1.77	28.2.77	.	.	.	.	1	25 27	Reduced to Subovereer 2nd Grade	Classed as qualifying.
Do	22-8..	.	1.3.77	2.9.77	.	.	.	.	6	2	Returned from leave	
Do. Local Fund Subovereer 2nd Grade	45	.	3.9.77	31.8.78	.	11	29	.	.	.	Promotion	
Do Do 1st Grade	60	.	1.9.78	31.10.78	.	2	.	.	.	.	Transfer	
Vellore Range — Do —	60	.	1.11.78	5.2.79	.	3	5	.	.	.	do	
Chittoor Range — Do —	60	.	6.2.79	30.9.79	.	7	25	.	.	.	do	
Vellore Range — Do —	60	.	1.10.79	31.12.79	.	3	x	.	.	.	Transferred to Local Fund Board	
Total					13	3	29	1	.	1		

C

General remark.

The applicant was reduced from 1st to 2nd Grade Sub overseer on 1st March 1877; Vide Explanation against item (2) on page 3 of the Pension Application and was restored again to the higher grade on 1st September 1878

5

Statement of the verified Services of

(Continued.)

Establishment and Appointment.	Pay.	Acting Allowance.	Date of beginning.	Date of ending.	Period reckoned as Service.			Period Not reckoned as Service.			Reason of termination.	Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y	M.	D.		

2. The applicants services were on 31st December 1879 transferred to the Local Fund Board with effect from 1st January 1880 along with the transfer of Local Fund Works to that Body and according to his service book he appears to have been dismissed in December 1880 for furnishing false information. The application for gratuity has been submitted with reference to G.O. (Pension Department) No 625 dated 21st July 1896.

3. The applicant is entitled to Compensation gratuity under Section 68(a) Chapter XII Civil Pension Code IVth Edition, which was in force at the time; Vide article 7 of the Civil Service Regulation. It is impossible at this distance of time to give the particulars of the saving, if any, effected as required by (Civil Service Regulations article 471) Section 59 Rule 6 Civil Pension Code IVth Edition.

4. The applicant is reported to have died on 30th April 1896; Vide letter from the Executive Engineer North Arcot Division No 382 S.E dated 6th November 1896. The Compensation gratuity reported to be admissible, if sanctioned, may under the orders of Government be paid to the heirs of the deceased. Vide Section 102 Rule 2 Civil Pension Code IVth Edition.

Examiner P. W. Accounts, Madras.

8.12.

13-3-7
4-1-11
9-1-26

13-3-7
7-1-?
6-2-1

3

6

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of applicant. Judging from the entries in the service book Conduct appears to have been good

2. Explanation of any suspension or degradation. Degraded from 1st to 2nd Grade Sub overseer for the reason recorded in the service book viz that he did not prove himself to be fully qualified for 1st Grade. The degradation lasted only for about a year & a half.

3. Regarding any gratuity or pension already received by applicant.—see Chapter XXI. Nil

4. Explanation under Article 469, C.S.R., so far as the head of the Office can give it. Please see G.O. Pension Department No 625 of 21st July 1896

5. Any other remarks. Nil

6. Specific opinion by Head of Office, whether the service claimed is established, and should be admitted or not (see article 991 (b)). Service claimed is Established & should be admitted.

Signature.

5/11

6/5/11

Print

P.W.

398

CERTIFICATE AND REPORT OF EXAMINER OF ACCOUNTS.

Certified, that, subject to the above remarks, qualifying service in superior grades amounts to 13 years 3 months and 29 days and that a compensation gratuity not exceeding (Rs 720---) Rupees seven hundred and twenty only equal to 12 months' pay at Rs 60 per mensem is admissible under section 68(a) chapter XII Civil Pension Code IVth Edition. The calculations have been duly verified and the gratuity if sanctioned, is debitable to Local Fund and General Revenues in the following proportion with reference to Section 40 Rule 1 Civil Pension Code IVth Edition.

To General Revenues Rs 317-11-2
To Local Fund . . . Rs 402-4-10.

2. With reference to Civil Service Regulations article 994(b)3, attention is invited to article 514

3. The following documents accompany the pension application.

1. Service book
1. Statement of Services
2 Letters from Executive Engineer North Arcot No 225 M dated 5th June 1896 and No 382 S.E dated 6th November 1896.
1 Letter from the President District Board North Arcot dated 16th June 1896.
1 Proceedings of the Madras Government (Pension Department) No 625

6

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of applicant.	Judging from the entries in the service book Conduct appears to have been good
2. Explanation of any suspension or degradation.	Degraded from 1st to 2nd Grade Sub overseer for the reason recorded in the service book viz that he did not prove himself to be fully qualified for 1st Grade. The degradation lasted only for about a year & a half.
3. Regarding any gratuity or pension already received by applicant.—see Chapter XXI.	Nil
4. Explanation under Article 469, C.S.R., so far as the head of the Office can give it.	Please see G.O. Pension Department No. 625 of 21st July 1896
5. Any other remarks.	Nil
6. Specific opinion by Head of Office, whether the service claimed is established, and should be admitted or not (see article 991 (*b*)).	Service claimed is Established & should be admitted.

Signature.

5/..

6/5/11

Print

P.W.

398

CERTIFICATE AND REPORT OF EXAMINER OF ACCOUNTS.

Certified that sub[illegible] to the above remarks qualifying service in superior grades amounts [illegible]

Certified that (subject to the remarks below recorded) qualifying service in grades has been duly proved for years months days; and that a not exceeding Rs. , is admissible under article of the Civil Service Regulations. The calculations have been duly verified. The is chargeable to

Examiner of Accounts, Military Works.

Date 189 .

6896/a

11 NOV. 96

4 7/

APPLICATION FOR PENSION OR GRATUITY.

Date of application.

Name of applicant.

Last appointment.

Class of Pension or Gratuity.

Amount of pension sanctioned.

Amount of gratuity sanctioned.

Date of commencement.

Date of sanction.

No. 843 B dated 8 December 1896.

Forwarded to the Under Secretary to Government Pension Department with the certificate and Report of the undersigned.

Examiner P. W. Accounts,
Madras.

3/12

1881/96

Cw 1338/96

Cw 131/97

G. G. P.—No. 107 M W—24-3-95—1500.

8

D.P.W.

No. 225 m

EXAMINER
P. W. ACCOUNTS.
21 JAN 1897
No.

16 NOV 1896

North Arcot Division Office
5th June 96.

From
G. B. Lambert Esquire
Executive Engineer

To
The District Board Engineer,
North Arcot
Vellore.

Sir, Adverting to your no 2769/gl dated 19th April 1896, I have the honor to forward a statement showing the history of services of K. Nathamuni Naidu from 1st September 1865 to 31st December 1879 when he was transferred to the Local Fund Department.

Enclosures 4:
1. History of service
1. Service Register
2 Forms of pension application

2. Certain periods of his service cannot be verified as records relating to them are not available in this office.

3. The enclosures received with your letter under reference are herewith returned.

I have &c
(Sd) G. B. Lambert
Executive Engineer.

(True copy)

(Sd) Walter Vivian.

(True copy)

Vice President
for President

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B
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09g0ta
11 NOV 96

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SUPG. ENGINEER'S OFFICE P.W.D.
No. 152 En
-4 AUG 96
FOURTH CIRCLE.

12 AUG 1896

The District Board Engineer

EXECUTIVE ENGINEER,
Regd. No. 4/414
1 - SEP 96
NORTH ARCOT DIVISION.

Sir,

According to your [illegible] April 1896, I have the honor to forward a statement showing the history of services of K. Nadamuni Naidu from [illegible] 1855 to 31st December 1879 when he was transferred to the Local Fund Department.

2. Certain periods of his service cannot be verified as records relating to them are not available in this office.

3. The enclosures received with your letter under reference are herewith returned.

I have [illegible]
(Sd) G. B. [illegible]
Executive Engineer

Enclosures 4.
1 History of service
2 Service Register
3 Form of pension application

1896
2
70

PW 3
6854/5

1747 L

EXAMINER, P. W. ACCOUNTS.

12 AUG 1896

10

NORTH ARCOT, DISTRICT BOARD'S OFFICE,

No. ______

Chittoor, 4th June 1896.

Dis No. 604 of 1896

Enclosures 3

Local & Municipal Dept.
CURRENT No. 1747 L

From

G. Campbell Esquire

President, District Board,
North Arcot.

18 NOV

To

THE CHIEF SECRETARY TO GOVERNMENT,
LOCAL AND MUNICIPAL DEPARTMENT,
Fort St. George.

Sir,

not recd

Pension depth

With reference to G. O. No. 132 dated the 14th February 1896, requiring me to forward a pension application on behalf of K. Nadamuni Naidu, late Sub Overseer, Chittoor Division, for the retiring allowance due to him for his services ending with the 31st December 1879, I have the honor to state that, during the period in question, the individual named above was working in the D. P. W. when it had charge of Local Fund works and there are no records available either in the District Board's office or in the Local Fund Engineer's office for verifying his services. The Executive Engineer, North Arcot Division, who was addressed on the subject has forwarded a statement showing the history of the service of Nadamuni Naidu and states that certain periods of his service could not be verified for want of records.

1896
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1338

2. A copy of the Executive Engineer's letter No. 225 m dated the 5th Instant together with the history of the service and the Service Register of

11

Nadamuni Naidu received with G. O No. 242 Pension Dep. dated 24th March 1896 are herewith forwarded.

SUPG. ENGINEER'S OFFICE, P.W.D.
No. 1529
24 AUG. 96
Encls: 2
FOURTH CIRCLE.

I have the honor to be,
Sir,
Your most obedient Servant

689 Na
11 NOV. 96
7

for President

Copied by ag
Compared by R

EXECUTIVE ENGINEER,
Regd. No. 2/441
1- SEP. 96
P.W.D.
NORTH ARCOT DIVISION.

RSE.1
6854/56

Con 709/96

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[21]

EXAMINER
P. W. ACCOUNTS.
21 JAN 1897
No ....

NOV 1896

12

C. No. 709.

Pension Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper

From the Presdt. Dt. Board North Arcot dated 16 June 1896, No. 604

Order thereon, 21st July 1896 No. 625.

The Public Works Department will be requested to transmit through the Examiner of Public Works Accounts, the usual application for the retiring allowance due to K. Nadamuni Naidu up to the date on which he was thrown out on reduction of the Public Works Department in 1879.

(True Extract)

Lionel Davidson
24.7
Asst. Under Secretary

6
6
1338

To

The Public Works Department (with 6 enclosures to be returned)

Dmt.
21/7

13

Govt. of {1896} Madras.

PENSION.

SUPG. ENGINEER'S OFFICE, P.W.D.,
No. 1528 Mc
4 AUG. 96
Encls: 1
FOURTH CIRCLE.

To

689 Na
11 NOV. 96
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EXECUTIVE ENGINEER,
Regd No. 1/419
1- SEP. 96
P. W. D.
NORTH ARCOT DIVISION.

Dated 21/7
Despd. 27/7
Recd.

Enclosures.

Mis., G.O., dated 189 , No.

Subject.

Requesting the P.W. Dept. to transmit thro' the Examr. of P.W. accts. the usual application for the interim allowance due to K. Nadamuni Naidu, up to the date on which he was thrown out on reduction of the D.P.W. in 1879.

P. W. CURRENT No. 6854

EXAMINER
12 AUG 1896

Encls 4

Recd. 25-7-96

No. 3046 Cdl 11th August 1896

Forwarded through the Examiner Public Works Accounts, to the Suptg. Engineer IV Circle, for the necessary action.

[illegible] Col. Rlo
Joint Secy. to Govt.

To

The Suptg. Engr. IV Circle
thro' the Examr. P.W. Accts

T.L.S. 297 R.W.

EXECUTIVE ENGINEER,
Regd No. 861 A
5- OCT. 96
P. W. D.
NORTH ARCOT DIVISION.

EXAMINER,
P. W. ACCOUNTS.
21 JAN 1897
No.

16 NOV 1896
P. W. ACCOUNTS

Madras
29th September 1896

To,

The Executive Engineer,
North Arcot Division,
Vellore.

Honored Sir,

In acknowledging the receipt of your letter No. 593 dated 8th September 1896. I beg most respectfully to state that ~~such~~ of the records as were available in connection with the Services of my late father, K. Nadamuni Naidu late Sub Overseer of the Chendragheri Talug were handed over to the Head Clerk of your honor's Office on the 22nd Instt.

The case of my father having been brought several times for the last 16 years before Government and finally on the 12th May 1894 my father before breathing his last on the 30th April 1896 informed me that the Government of India have been pleased to issue orders to the Madras Government to grant him pension or gratuity to which he was entitled for the services rendered by him. But, alas, he was not so fortunate as to have the pleasure of receiving it in person, altho' he left us in high hopes of receiving the same.

As he served in the Public Work Department for about 15 years and as that Dept. like a Parent has to secure the interests f its servants and their destitute families like ours, I most earnestly pray that your honor will be graciously pleased to recommend and obtain the sanction of Government to the pension or gratuity to which may be entitled to, so that the members of his mily may be a little allev raitened circumstances to by the loss of my father.

15

Rlo

Govt

T. Accts

D. P. W.

EXAMINER,
P. W. ACCOUNTS

Division Office,

16

and all the members of the family shall for ever feel thankful and grateful, nay, pray the almighty for your long life and prosperity.

I beg to remain,
Honored Sir,
Your Most obedt. + humble Servt.

K. Venkataswami Nayudu.
Son of the late
K. Nadamuni Naidu
late Sub Overseer 1st grade
Chendragheri Taluq.

Vide No 718 M
13-10-96

Nadamuni Naidu
Late Sub Overseer

T-2 S. 297 R.W

D. P. W.

EXAMINER,
P. W. ACCOUNTS.
21 JAN 1897
No. 18

No. 382 SE

NORTH ARCOT DIVISION OFFICE, 6th November 1896.

16 NOV 1896
2628 B

FROM
G. B. Lambert Esq.
EXECUTIVE ENGINEER, N. Arcot Dn

To

THE Superintending Engineer
IV Circle.

SIR,

With reference to Chief Engineer's memo No 3046 C of 11th August 1896, communicated with your Endt No $\frac{370}{n.a.}$ of 26th August, herewith returned together with its enclosures, I have the honor to inform you that it is reported to me by the son of the applicant, in his letter enclosed in original, that K. Nadamuni Nayudu died on the 30th April 1896.

2. As from article 1043 of the C.S. Regulation, payment of pension appears to be admissible I have in communication with the Examiner of P.W. Accounts, to whom also the case of death has been reported, verified the portion of the service for which records are not available in my office, and prepared a Gratuity

ENCLOSURE.

1 Gratuity application
1 Service Register
1 G.O. Pension Dept. No 625 of 21-7-96 with Chief Engr Endt No 3046 C of 11-8-96. & Exr Endt No 2493 $\frac{D}{C}$ of 24-8-96 & Supg. Engr Endt No 370 of 26-8-96.
1 History of the service of Nadamuny Nayudu
1 Copy of letter from E.E. North Arcot to the Dt Bd Engineer No 225 na of 3-6-96
1 Letter from the President Dt Board to the Chief Engr D Govt No 604 of 16-6-96.
1 Letter from the son of applicant of 29-9-96.

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-tuity application 9 for the amount that he was entitled to under the rules in force in 1879. The said application is submitted herewith.

3. Under G.O. No 1810 dated 18 June 1896 it is left to the discretion of Government to award, what compassionate allowance it thinks fit should be granted, to the applicant's heir.

I have the honor to be,
Sir,
Your most obed. Servt.

C. Beaumon
Executive Engineer
M. A. D.

5/11

Dec 6/11

k/5/11

D. P. W.
6894A
11 NOV. 96
1 file

21

From Mr Executive Engr, N. Arcot Dn

To Mr Superintending Engineer, 4th Circle

Dated 6th
Despatched November 1896
Received

ENCLOSURE. 1 file

No. 382 E

SUBJECT.

K. Nadamuny Naidu, Late Sub Overseer — Submits Gratuity application on behalf of —

on the back

No 256 d/13-11-96
E.P.

Forwarded to the Examiner P. W. Accounts for verification and transmission to Government for sanction.

W. Cunnon
Supg Engr 4 Circle

Enclos: 7.

16/11

9/6 E/3

CP 16/11

B/16/11

Enclosure No 2 of Letter No 8

THE ENTRIES IN THESE COLUMNS ARE TO BE REATTESTED EVERY FIVE YEARS; EACH ATTESTATION SHOULD BE CAREFULLY RULED OFF THE DATE MAY BE CLEARLY SHOWN.

Name of Officer.	Caste or Race.	Residence.	Father's		Date of birth.	Age.			Exact Height.		Personal marks for identification.	Date of Entry.	Signature of Officer.	Signature and designation of the head of the Office.
			Name.	Residence.		Years	Ms.	Days.	Feet.	In.				
Kathie Nadamunay Naidu	Hindoo (Balija)	Serovellore	Kathi Syalvae Naidoo	Serovellore	17 December 1843	30	"	"	5	6	Color light, face round, thick set, Vaccinated on both arms.	28/6/73	K. Nadamunay Naidu	H. J. Anicler Sub Engineer, Range Officer

1338
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9

N. Arcot Dn Office
Vellore
Nov 7/96

Examined
Executive Engineer N.A. Dn
5/11

EXAMINER
27 OCT 1896
ENCLOSURES
ACCOUNTS

22

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.
Asstt Accountt & Writer Chundragherri Range	Permanent		15	"	1/9/65	[illegible] Padmanabha Naidu
Local fund Overseer Do	Do		60	" 20 Rs	~~20~~ 22/6/68	Do
Local fund sub overseer 1st grade Wallajah Range	Do		60		1-8-72	
Sub overseer 1st grade Chittoor Range	Permanent Substantive		60	"	1-6-74 ~~26/4/74~~	Do
Do. Walaja Range	Do		60	"	1-1-75 ~~10/1/75~~	Do
Local Fund Overseer 2nd Grade Do	Do	"	45	"	1/3/77	
Do. 1st grade Wallaja Range N.A.	Do	"	60.0.0	"	1/9/78	
Do Vellore Range	Do		60		1/11/78	

2 Mos. Sick leave on half Contingent 4 [illegible] 8 March 77
[illegible]

8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.
A willing and industrious man possessing a fair knowledge of his duties	H. D. Smither Ag. Dist. Engr	~~24/6/68~~ 19/6/68	Promoted Do	H. D. Smither
		31/7/72	Transfer	
This man has done excellent work and I am very sorry I am losing him	H. D. Smither Ag. Dist. Engr	31-5-74 Do ~~25/4/74~~	Transferred to Chittoor Range	H. D. Smither Ag. Dist. Engr
Has not proved in this range deserving the qualification noted as well 14/7/75 [illegible] Sub Engineer Chittoor Range	[illegible] Lieut R.E. Asst Engr Walaja Range	31-12-74 Do 9/1/75	Retransferred to Wallajah Range	[illegible] Lieut R.E. Walaja Range
Privilege leave for 15 days from 15th to 29th July 1876.				
~~sick leave from 4-1-77 to 28-2-77~~ Privilege leave from 1-7-67 to 20-7-67 Leave without pay from 23-11-67 to 12-12-67 sick leave from 2-7-74 to 15-10-74	W. Minchin Asst Engr Chittoor	28/2/77	Reduced for not having proved himself to be fully qualified for Sub overseer 1st grade	W. Minchin Asst Engr Walaja
		31/8/78	Restored ~~Promoted~~	
		31-10-78 ~~5/2/79~~ Do 15/1/79	Transfer to Vellore ~~Chittoor~~ Division	A. Oldham Lt R.E. Ex. Engineer Vellore Do.
		5-2-79	Transfer	

25

26

1	2	3	4	5	6	7	8	9	10	11	12
Name of appointment.	Nature, *i.e.*, whether substantive or acting, permanent or temporary.	Substantive appointment, if the new appointment be acting only.	Pay.	Acting allowance.	Date of appointment.	Signature of Officer.	Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	Signature & designation of immediate head of the Office.	Date of termination of appointment.	Reason of termination *e.g., transfer, promotion, return of permanent incumbent.*	Signature and designation of immediate head of the Office.
Sub Overseer 1st Grade Chittoor Division	Permanent	"	60	"	6/2/79			A. F. Exec. Eng. 14.10.79.	30-9-79	Transfer	Capt. R.E. Ex. Engr. 14.10.79.
Do. N. A. Dn	Do	"	60	"	1-10-79 18/10/79				~~17/10/79~~ 31/12/79	~~Amalgamation~~ Transfer to L. F. Boards	
Sub Overseer 1st Grade Chendragiri Taluq Local Fund Boards	Do	"	60	"	1/1/80		K. Kadamuney Naidu is dismissed for furnishing false information. 3rd December /80 W. I. Whiteside President.		31/12/80	Removed	

27

28

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.

SUPG. ENGINEER'S OFFICE, P.W.D.
No.................
24 AUG. 96
FOURTH CIRCLE.

EXECUTIVE ENGINEER
Regd. No.
1- SEP. 96
P.W.D.
NORTH ARCOT DIVISION

SERVICE BOOK

OF

Name. K. Nadamoonee Naidoo

Caste or Race. Hindoo

Residence. Trivellore

FATHER'S. Name. Iyaloo Naidoo

FATHER'S. Residence. Trivellore.

Date of birth. 1843.

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In No. 224

In Final 328/84
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11 NOV. 96
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Dis 2
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EXAMINED
P. W. ACCOUNTS.
24 JAN 1897
No. 824

SUPG. ENGINEER'S OFFICE, P.W.D.
No. 1527
24 AUG 96
FOURTH CIRCLE.

EXECUTIVE ENGINEER, NORTH ARCOT DIVISION
Regd. No. 3/417
1- SEP. 93
P.W.D.

EXECUTIVE ENGINEER, NORTH ARCOT DIVISION
REG'D No. 1/100
22 APR. 93
P.W.D.

EXAMINER
12 AUG 1896

History of the service (showing interruption) of K. Nadamani Naidu.

DISTRICT BOARD ENGINEER, NORTH ARCOT.
REGD. No.
8 JUN. 96

EXAMINER
16 NOV

12 AUG 1896

Establishment	Appointment	Pay	Acting allowance	Date of Beginning	Date of Ending	Period reckoned as service	Period not reckoned as service	Remarks	How verified
		Rs	Rs						
Chundragiri Range	Assistant Accountant and writer	15	"	1-9-65	31-10-66				From the pay bills and aequitance rolls available
	Do	15	2½	1-11-66	21-3-67				
	Do	15	"	22-3-67	30-6-67				
			.	1-7-67	20-7-67			Privelege leave From the monthly return of leave &c it appears he only availed of 16 days.	
	Do	15	"	21-7-67	22-11-67				
				23-11-67	12-12-67			Leave. No pay or allowance appears to have been drawn for the period	

80

1338

SUPG. ENGINEER'S OFFICE, P.W.D.
No. ......
4 AUG 96
FOURTH CIRCLE.

Chundragiri Range	Asst. Acctt: and writer	15	"	13-12-67	19-6-68			
Do-	Local Fund Sub Overseer 1st Grade	60	"	20-6-68	31-7-72			
Wallajah Range	Do	60	"	1-8-72	28-2-73			
				1-3-73	31-3-73			Cannot be verified as no records are available
	Do	60	"	1-4-73	30-4-73			
				1-5-73	31-7-73			Do - Do -
	Do	60	"	1-8-73	31-5-74			
Chittur Range	Do	60	"	1-6-74	1-7-74			
				2-7-74	15-10-74			On sick leave from 2nd July 1874.
	Do	60	"	16-10-74	31-1-75			
				1-2-75	28-2-75			Cannot be verified as no records are available
Wallajah Range	Do	60	"	1-3-75	30-6-75			
				1-7-75	31-7-75			Do Do
	Do	60	"	1-8-75	31-8-75			
				1-9-75	30-9-75			Do - Do
	Do	60	"	1-10-75	31-10-75			
				1-11-75	31-12-75			Do - Do.
	Do	60	"	1-1-76	31-1-76			
				1-2-76	28-2-76			Do - Do
	Do	60	"	1-3-76	14-7-76			
	Do	60	"	15-7-76	29-7-76			Privelege leave
	Do	60	"	30-7-76	31-8-76			
				1-9-76	30-9-76			Cannot be verified as no records are available
	Do	60	"	1-10-76	3-1-77			
	Do	$\frac{60}{2}$	"	4-1-77	28-2-77			Sick leave
	Do 2nd Grade	$\frac{45}{2}$	"	1-3-77	2-9-77			
		45	"	3-9-77	31-1-78			
				1-2-78	28-2-78			Cannot be verified as no records are available

From the pay bills and acquittance rolls available

6890/a
5

No. 11 NOV 96

EXAMINER, P. W. ACCOUNTS. 21 JAN 1897 No.

33

SUPG. ENGINEER'S OFFICE, P.W.D. No. 15294 4 AUG 96 Circle 5 FOURTH CIRCLE.

EXECUTIVE ENGINEER, Regd. No. 5/419 1- SEP. 95 P.W.D. NORTH ARCOT DIVISION

Wallajah Range	Sub-Overseer 2nd Grade	45	"	1-3-78	30-4-78	
				1-5-78	31-5-78	Cannot be verified as no records are available
				-		
		45	"	1-6-78	30-6-78	
				1-7-78	5-2-79	Do Do
Chittur Range North Arcot Dn.	Do 1st Grade	60	"	6-2-79	30-9-79	
		60	"	1-10-79	31-12-79	On the 31st December 1879, transferred to the Local Fund Department.

OWGU 6854/96

Exam
Executive Engineer,
5/6 North Arcot Division

5/6

6
3
209

17W/2/96

[A]

No. 85 d/19-12-96.

Lit 34

C. No. 1338.

PENSION DEPARTMENT.

OFFICIAL MEMORANDUM.

Flag D

In his letter No. $\frac{\text{JAE}}{392}$ d/29-3-84 the Acctt-Genl. certified that Nadamuni Naidu served for 6 complete years in the P.W.D. and for 8 years in the L. F. Dept. from which he was dismissed on the 3d Decr. 1880 for misconduct. ~~On the strength of this report he was recommended for~~ A gratuity for his service under Govt. ~~and this~~ was ~~accordingly~~ subsequently sanctioned. - vide Govt. of India letter No. P. 387 d/28-1-96 - The Examr. P.W. Accts. now certifies that Nadamuni Naidu's superior service amounts to 13 yrs + odd entitling him to a gratuity of Rs. 720. The pension application with the Examiner's report thereon will be referred to the Acctt-Genl for favour of remarks, and he will be requested to state how the 6 years' service was calculated and to what amount of gratuity Nadamuni Naidu will be entitled for his 6 years' service under Govt.

in G.O. 132 d/ 14.2.96.
Flag C

Flag B

KS.
18.12.96

19.12.96

To
The A.G.
with papers.

Pension DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
19 January 1897.

No. $\frac{9a.E}{481}$

Print

From

F. C. Harrison Esqr.
offg ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To

THE Examiner of
Public Works Accounts,
Madras.

SIR,

In forwarding herewith the Application for Gratuity on behalf of K. Nathamuni Nayudu late a Local Fund sub-overseer, North Arcot District and the connected papers (to be returned) I have the honour to state that in March 1884, this Office reported to Government with reference to the entries in the applicant's service book, that he had completed six years service in the Public Works Department and 8 years service in the Local Fund Department. These periods were arrived at as per particulars of Service given in the margin. It now appears however that you have reported to Government that his service amounts to 13 years and odd, and that a

Public Works Department

	y. m. D
From 1 Sept: 1865 to 7 June 1868	2 - 9 - 7
" 26 April 1874 to 28 Feby: 1877	2 - 10 - 5
" 6 Feby: 1879 to 31 Decr: 1879	" - 10 - 25
Total	6 - 6 - 7

Local Fund

	y. m. D
From 8 June '68 to 25 April '74	5 - 10 - 18
" 1 March '77 to 5 Feby: '79	1 - 11 - 5
" 1 Jany: '80 to 31 Decr: '80	1 - " - "
Total	8 - 9 - 23
Deduct leave	" - 9 - "
net	8 - " - 23

a gratuity of Rs 720 can be granted to the applicant for that service. Certain alterations in his Service book also appear to have been made since 1884. I request that you will be good enough to state whether the service as now reported by you may be accepted as correct, and that, if so, a copy of the memo of calculation showing how the marginally noted proportionate debits of the applicant's gratuity have been arrived at, may be forwarded.

An early reply is requested as a reference from Government is pending disposal in my Office.

I have &c

Sd/. J. L. Pinto
Chief Superintendent

(True copy)

Chief Superintendent

General Revenue Rs 317-11-2
Local Funds .. " 402-4-10

(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE

No.

Dated }
Received }

No.

Subject.

Cor.—5,000—4-6-96.

Pension (189) Department.

CURRENT No. 131

4.11

432P

Read again letter from the G. I. No. P-387 d/28-1-96. F & C Dept. (a)

Read also:- C No. 1338/96 ~~+ 12~~. (a)

[illegible] to A.G. No. 85- d 9.12.96 (a)

Letter from A.G. $\frac{\text{DAE}}{541}$ d 13-2-97 (a)

Order, 8th March 1897 No. 188.

Under the sanction conveyed in the letter from the Govt. of India read above, H.E. the Governor in Council is pleased to grant to K. Nadamuni Naidu, late sub Overseer, P.W.D. a gratuity of Rs ~~(360/-) Three hundred & sixty~~ Four hundred & ten only payable at Madras for his service of 7 yrs. 1 6 mo ~~17 days~~, rendered to Govt. prior to his transfer to the Local Fund Board in Jany. 1880.

2. As the applicant is reported to have died, the gratuity sanctioned will be paid to his legal heirs.

JW
23.2.97

[illegible]
2.3.97

5/3/97.

To

The Acct Genl. with Regr.
" Examr. P.W. Accts
" P.W. Dept. }

N this connected with GOMs 188 Pen d 8.3.97

~~Note~~ For the Under Secy

In his letter No. $\frac{\text{DAE}}{392}$ d/29-3-84. in G.O. 356 d/6-5-84, flagged D. the A.G. certified that Nadamuni Naidu served for 6 complete years under Govt. & for 8 years in the L. F. Dept. from which he was dismissed on the 3d Decr. 1880.

From

The Accountant General
to the Govt. of Madras

No. $\frac{\text{DAE}}{541}$

Dated 13th Feby 1897.

Received 15 - do

Registered - do

Enclosures

Spare copies.

SUBJECT.

24P

Explaining how the service of K. Nathamuni Nayudu in the P.W.D. as Sub Overseer was found to be 6 years 6 months & 7 days and what gratuity could be given him -

C. 25/2/97.
R. 1/3/97

X1

for misconduct. A gratuity for his service under Govt. was subsequently sanctioned by the Govt. of India vide G. I. letter No. F-387 d/28-1-96 in G.O. 132 d/14-2-96. flag C. On a reference, the A.G. now says that the applicant's superior service under Govt. amounts to 7 yrs. & odd. entitling him to a gratuity of Rs. 420/- Nadamuni Naidu is reported to have died on the 30 April 1896. So the 6 months' gratuity of Rs. 360/- already sanctioned by the Govt. of India may, it is submitted, be passed. Hence draft order for approval. ~~Sub~~

23-2-97

Submitted that he should clearly receive Rs 420 - not Rs 360. The letter* to India was written under the impression that he had only 6 years service. It now appears that he had completed seven years. If this view is accepted, it seems unnecessary to ask the Govt. of India for fresh sanction unless the Acct.-General requires this formality.

DD
24/2/97

The grant sh^d be strictly reduced to 6 months' compassionate unless he might be given 410 Rs.

25/2/97.

28/2/97

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.
*	592 Pension 1-8-88		Flagged B

478

Pension DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
12th February 1897.
Desp 13-2-97

Print

No. I.A.E./541

GOVERNMENT OF MADRAS
15 FEB 1897
PENSION DEPARTMENT.

From
Y. C. Harrison Esqre,
Offg. ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To
THE Under Secretary to Government,
Pension Department.

SIR,

With reference to your Memorandum No. 85, dated the 19th of December 1896, I have the honour to forward herewith a copy of this Office letter No. I.A.E./481 dated the 19th January 1897 to the Examiner of Public Works Accounts, Madras which contains particulars of calculation showing how K. Nathamuni Nayudu's service in the Public Works Department was found to be 6 years 6 months and 7 days. He being an Officer of the Public Works Department, his services were not verified from the records of this Office, but the information was obtained from his service book. The verified Statement of his services furnished by the Examiner however, shows that the applicant's pensionable services in the Public Works Department

-ment amount to 7 years and 1 month and in the Local Fund Department to 6 years 2 months and 27 days, or in all 13 years 3 months and 27 days; for which a gratuity not exceeding Rs 720 may be granted to him under the rules that were in force in December 1879, the gratuity being debited to General Revenues and to Local Funds according to the Rule of Proportions as particularized in the margin. Should Government, however, be pleased to admit his claim for his services under Government alone, he may be granted a gratuity not exceeding Rs 420 equal to 7 months' emoluments.

	Rs as
General Revenues	317-11-2
Local Funds	402-4-10

The enclosures to your Memorandum under reply are herewith returned.

I have the honour to be,
Sir,
Your most obedient Servant,

W Nicholl

For Offg. Accountant General.

(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE

No.

Dated
Received

No.

Subject.

Cor.—5,000—4-6-96.

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hen given for copying ______
hen copied ______
en examined ______
hen signed ______
189 .

EAD AGAIN G.O., No. DATED
189 ,

URRENT No.

NCLOSURES TO C. No.

RDER OF GOVERNMENT .. .. .. A A A A A A A

ETTER OF GOVERNMENT.

W. DITTO.

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

N.B.—
A = Copy in full.
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