

The Honble Mr. Grose C.E.

Pension CN° 203

Read:

Petition from Amavasi Lake #1 person No. 11 Party. Madras
Letter from the Supdt. Madras Survey N. 23 1/2 1897

19.3.97

Order 19 March 1897 No. 239

The Govt. declines to comply with

17/3/97

Note

Please see the Supdt's letter (Flagged A) forwarding the memorial. He says that the petitioner's request is practically that the medical certificate invaliding him in 1893 may be cancelled. The petr. was, at the request of the Supdt., again medically examined ^{by the St. Surg. Mangalore} on the 1st Feb. 1897 & was declared to be "completely & permanently incapacitated for further service of any kind in consequence of old age".

With regard to the petitioner's statement that the entry of his date of birth in the service book is incorrect, please see the notes for orders & para 2 of FO 1339 Pension 11-11-95

10.3.97

the petitioner's request.

10.3.97

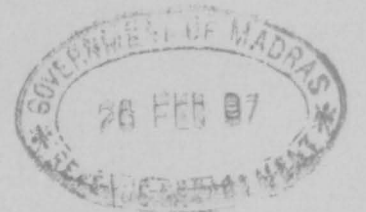
13.3.97

To the Petr. this the Supdt. m.s.

C. 15/3/97
R. 15/3/97

Pension
Revenue (1897) Department.

CURRENT No. ²⁰³~~1774~~



Order R. No. 4484 5th March 1897.
Do 9/3/97

From The Superintendent,
Madras Survey

Transferred to the Pension
Department

No. ²³~~G~~

Dated 25 February 1897

Received ²⁶~~25~~ Feb. 97

Registered 1-3. 97

Enclosures two.

Spare copies —

SUBJECT

Amavasai, late
Head Peon, No II Party,
Madras Survey: —

Forwards memorial
from — praying
for re-instatement —

Ans
2/3/97

Ans
2/3/97

BACK PAPERS.

G.O.	No.	Department.	Date.
80	1339	Pen	11-11-95

FURTHER PAPERS.

G.O.	No.	Department.	Date.

5 Oct 1996
 7 NOV 96
 MADRAS
 No. 4 MADRAS SURVEY

His Excellency, the Governor
 of Fort Saint George, in
 Council, Madras.

Through the Superintendent
 N. V. Party, Madras Survey.

The humble memorial of Vellore
 Amarasay, late Head Peon, N.
 V. Party, Madras Survey, dated
 October 1896.

Most respectfully sheweth:-

That Your Excellency's humble memorialist begs leave to state that he entered the Government Service as Peon in the Madras Survey Department on Rs 4 per mensem on the 1st May 1863 at the age of 20 and had done without break active Service in that capacity and as a Head Peon up to the 5th September 1893 and thus earned a Service of 30 years, 4 months and 5 days that as his age was 20 years when he commenced his Service the whole period of his Service is pensionable and that this being over 30 years he is entitled to a pension of Rs 4 a month.

2. That Your Excellency's memorialist deeply regrets to submit that having been compelled to retire from Service on 6th September 1893, he was
 1893
 2010 2011 2012 Granted

granted only a gratuity of Rs 42 as sanctioned in G. O. No 1239 dated 11th November 1895, Pension Department- C. No 1432, instead of a pension of 4 Rs a month.

3. That the following were the circumstances under which he was retired:-

The memorialist was hale and strong enough for office work but being too old for out-door work prayed the then Deputy Superintendent of N. II Party, Madras Survey, (Mr. H. R. Brantley Taylor) in September 1893 for permission to be allowed to work in the Party office only. This prayer was not granted, and the memorialist was informed that as he had already put in sufficient service to qualify for pension he must appear before the Medical Officer, Mangalore. The Memorialist having accordingly appeared before the Medical Officer with a letter from the Dy Superintendent, the Assistant Surgeon who was then Ag. District Medical Officer, certified that the memorialist was 55 years old, is suffering from rheumatism and defective vision, and should be invalided. The memorialist was accordingly invalided but was given only the aforesaid gratuity.

4. That the memorialist humbly presumes that he was granted only a gratuity of Rs 42 instead of a pension owing to a mistake of fact due to a clerical error in his service book as mentioned below

5. In his Service Register which was opened

for the first time in 1877 - viz 14 years after the memorialist had served in the Department, the memorialist's age at the commencement of his service is mentioned wrongly as 14 years instead of 20 and as under Art. 392 of the Civil Service Regulations, service before the age of 16 years does not count towards pension, the memorialist was considered as having on the 5th September 1893 earned a qualifying service of only 28 years, 3 months and 5 days and thus entitled only to a gratuity.

6. The entry - "14 years" in the Service book is purely a clerical error as will be evidenced by the following facts:-

This statement is unfounded.

Previous to 1877 all the Survey Peons were in the Temporary establishment only. The system of making Survey peons permanent was adopted only in 1877 and the service which the temporary peons that were already in the Department had earned, was considered as service qualifying for pension. In the Service book opened for all the old hands their age etc. were entered by some office clerk and not as is now being done by any Medical officer after due examination. Memorialist's service book too was opened at that time and hence the mistake as to his age. The only occasion

The question of Memorialist's age was pronounced by a Medical officer was in September 1893. The Memorialist's age was 50 years in 1893 but the Assistant Surgeon, Mangalore, pronounced

pronounced it to have been 55 by appearance. According to the Memorialist's Service Register his age at that time should be only 44 years that is 11 years less than the Medical Officer's estimate

7. That Your Excellency may be pleased to consider whether if the Memorialist's age was only 44 years, a Doctor will so grossly overestimate it as 55 years.

8. Under the above circumstances the memorialist humbly prays that the benefit of the doubt may be given him and that either the memorialist's statement or the Medical officer's opinion considered more reliable than the entry in the Service Register, in either of which cases the Memorialist would be over 16 years old when he began Service, and as he had served more than 30 years on 5th September 1893, he would be entitled to a pension.

9. If, however, Your Excellency be pleased to consider that what the Service Register shows is above reliable in spite of the opinion of the Medical officer, the Memorialist humbly prays that instead of ordering him to retire, he may, in consideration of the most difficult and trying work he had done for over 30 years in the most feverish and unwholesome localities, be permitted to work in office in this or any other Department for

disposed
of in

G.O. No.

1339, Pension

dept.

dated

11 Nov 95-

for a small period of 1 year and 9 months more and thus enabled him to put in a full Service for pension.

10. In urging this prayer the memorialist begs to invite the gracious attention of Your Excellency to Article 527 of the Civil Service Regulation which lays down that an inferior servant should not without urgent necessity be invalided when he has nearly completed 30 years' Service, and Art. 574 which expressly provides that if one is invalided as being incapacitated for employment in a particular branch of the Service there is no bar to one's employment in some other branch of the Service.

11. Your Excellency's memorialist begs to submit that, if even in the matter of giving memorialist further employment for 1 year and 9 months, Your Excellency may deem that the Medical officer's opinion so far as it is adverse to Memorialist - viz that the memorialist has rheumatism and defective vision stands in the way, the Memorialist has none of these disqualifications, that he has been doing satisfactory work as a temporary peon in the Survey Department only for the past 4 months and that he feels strong enough for the comparatively lighter work in any office and prays therefore that he may be allowed to

to appear before a Medical Board to have
his fitness for further service tested and
thus given a chance of earning his pension

For which act of kindness, Your Excel-
lency's memorialist will ever pray.

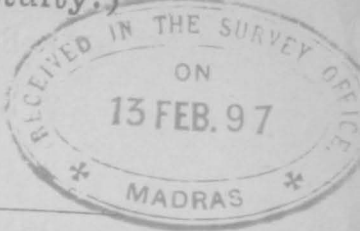
5th October
1896

Yours Excellency's Humble Memorialist
Albion W. F.

Yours Excellency's Humble Memorialist
Albion W. F.

(Certificate for retirement on invalid pension or gratuity.)

CERTIFIED that I have carefully examined

Amarasaison of *Ponnappa*

a Head Peon of Survey Office, No. IV Party, Madras
in the Survey Department. *Survey, South Canara.*

His age is by his own statement *54* years and by appearance about *56* years.

I consider

Amarasai

to be completely and permanently incapacitated for further service of any kind or in

the Department to which he belongs in consequence of *old age*

His incapacity does not appear to me to have been caused by irregular or intemperate habits.

STATION *Mangalore*
Date *1st February 1897*

Donovan
Surgeon Captain I.M.S.
Ag. Dist. Med. & San. Officer.
South Canara.
Name.
Rank.
Designation.

NOTE.—[If the incapacity is obviously the result of intemperance, substitute for the words in italics "In my opinion his incapacity is the result of irregular or intemperate habits."]

Countersigned.

Surgn.-Major-Genl.,
Surgeon-General with the Government of Madras.

STATEMENT OF CASE.

1. Rank. *Head Peon. Survey Office, No. IV Party, Madras Survey, South Canara.*
2. Name. *Amavasai*
3. Department or Office. *Survey Department.*
4. Marks of identification. *a mole at the pit of the stomach. a mole below the left collar bone a mole between the shoulder plate.*
5. Age. *About 54 years.*
6. Service.
7. Sick leave granted during the service.
8. Disease or cause of disability. *Old age.*

9. Abstract statement of case showing how the disease or disability was contracted, the results of the treatment adopted. In case the disease or disability is believed to have been caused by irregular or intemperate habits, the reasons for such belief should be stated.

He is enabled from old age - due to natural causes

*Mangalore, }
1-2-97*

*Donovan
Surgeon Captain I.M.S.
Ag. Dist. M.D. & Surg. Officer,
South Canara.*

*Forwarded to the Asst. Superintendent in charge.
No. IV Party, Madras Survey, with reference to his
letter of the 29th ultimo. No. 56.*

as may be forwarded to C.O. with a letter -

*Reply to S in Ref.
Pocket is sub-
mitted for review
- true.*

*2067
3.2.*

SURVEY OFFICE, MADRAS.

25 February 1897.

No. *23*

G.

From

*H. O'C. Cardozo, Esq., C.I.E.,
Superintendent, Madras Survey,*

To

*The Secretary to Government,
Revenue Department.*

REFERENCE.

*G.O. No 1339, dated
11 November 1895, sanctioning
an Invalid gratuity to
Vellore Amavasai, late
Head Peon, No IV Party,
Madras Survey -*

Sir,

*I have the honor to
forward a memorial from
Amavasai, late Head Peon
No IV Party, Madras Survey -*

in the memorial have already been disposed of in the G.O. under reference -

2- The Peon was discharged by Mr Bentley Taylor from 6 September 1893 on a medical Certificate of physical unfitness for further duty signed by Mr S. Patrao, Assistant Surgeon who was then in medical charge of the South Canara District -

3- Three years afterwards when Mr Bentley Taylor had left India, the memorialist obtained reemployment as Peon on a temporary Establishment for 4 months. The officers responsible for this

not aware that he was not eligible for reemployment - As soon as the irregularity was discovered he was again discharged - He has taken advantage of this oversight to set up a claim for re-instatement -

4- His request is practically that the medical Certificate obtained in 1893 of his physical unfitness for further duty may be cancelled - Before forwarding his memorial I directed him to appear before another medical officer, Surgeon-Captain Donovan, now Acting District Medical Officer Mangalore - That officer's certificate dated 1 February 1897

is effect

is "completely and permanently"
"incapacitated for further"
"service of any kind in con-"
"sequence of old age". The
Certificate is submitted
herewith.

I have the honor to be,

Sir,

Your most obedient servant,

W. J. J. J.
Superintendent,
Madras Semy.

Recd.
25/97
2/97