

Pension (1897) Department.

ORDINARY MS.

G.O., No. 304

DATED 13-4-97

F. No. 972/97

[Despatch Abstract.]

Declining to sanction the re-employment of Shaikh Ali Sahib a pensioner, on demand that of the amount already recovered from him a sum of Rs 87/- be repaid to him on his consenting to pay it back by instalments of Rs 3 a month and requesting the Accts. Genl to direct the disbursing officer to explain to all retiring police constables the terms of art 576. C.R.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	946	Pm -	13-12-97				

Pension Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers.

From the B. of Revenue L.R. dated 24 Feb 1897, No. 7/5

Est. to the Accts Genl. 8/8.3-97 No. 16.

Letter from do 8/22.3-97 No. 3A D 75

Order 13 April 1897 No. 500

The Govt. does not consider that

"strong public grounds" exist which justify the re-employment of P. Shaikh Ali sahib. His re-employment from 5 Sept. 1894 to 14 Decr 1895 cannot therefore be sanctioned.

2. In the opinion of Govt. the recovery of so large a sum as Rs 117-12-4 in the lump was in the circumstances of the case harsh. If the amount had been recovered at Rs 3 a month, Shaikh Ali sahib would have paid Rs 30/- by the 31 April 1897. The balance Rs 87-4 odd will be repaid to him on his consenting to pay it

back by instalments of Rs 3 a month ^{to be repaid} ~~from his pay or pension~~ ^{from his pay or pension}

3. The A.G. will be requested to direct the disbursing officers to explain to all taking police constables, the terms of art. 57b C.R.

/ From order /

sd /
9.4.97

ultr
13.4.97

To
The A.G.
B. of Rev. (L.R.)
with 5 cubs.

Pension (1897) Department.

CURRENT No. 261

To
1-4-97



From

The Accountant General
to the Govt of Madras

For Orders.

No. 1 No
96-

Please see the Proc. of the Board of Rev.

No. 715 Mis. 124-2-97. The Acct. Genl's letter No. ⁹⁴⁸/₉₅
122.2.97. flagged A+B in the file.

P. Shaikh Ali Sahib, a Police Pensioner,
who was info ¹²³⁶/₁₉₋₁₂₋₉₂ granted a retiring pension of
Rs. 7-14-9 was re-employed from the 5th Sept 1894 to the
14 Dec 1895 as a village muni in the Chingleput
Tq. on a salary of Rs. 8 p.m. without the requisite
sanction of Govt. under art. 576 C.S.R. He has been
made to refund the amount paid as pension during
the period, as the sanction of Govt. had not been ob-
tained for his re-employment. He now requests
sanction for his re-employment & for the refund of
the amount recovered from him. The Board in forwarding
the petition to Govt. considers that "as the reappointing
officer was solely responsible for this defect, the
necessary sanction may be accorded & the amount refunded

Dated 20th March 97

Received 23rd do -

Registered 23rd do -

Enclosures

Spare copies

SUBJECT.

Reporting on the re-employment of
the Pensioner Paloo Shaikh Ali Sahib

P.T.O

574/97
R-714-97

Orders are solicited as to whether in the circum.

has noted 2 points:

(1) The recovery of so large a sum in the lump

was unnecessarily harsh. But the Acct Genl points out (para 4) that petitions certified every time he drew his pension that he was not employed.

explained to all returning policemen: May be done

N.S.
1-4-97

186
2/4/97

Art 576 requires that there be the
strong ^{public} grounds for unemployment.
Since then the strong public
grounds for sanctioning such
unemployment. There is nothing
in the paper to show such
grounds for this man's unemployment
& as he certifies to what was
written I submit his unemploy-
ment was not sanctioned.

3/4/57.

I wd offer him £ 27 on his
consenting to pay it back by
instalments of £ 3 a month.

28
5/4/97

Grabb
4/4/4

G.O.	No.	Department.	Date.
607	11	11	11

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The false certificates were an offence but the man probably did not understand them or through his conversation with the Police superintendent a misunderstanding arose. The annuities fund makes a difference R 117-12-4 ought not to have been taken from him at once, & his statement that he borrowed it & it is heavily in debt in consequence is probably true if the amount had been secured. R 3 a month he would have paid R 30 by the 23rd inst.

CURRENT No. 184



From

The Board of Revenue, Land
Revenue, Madras.

Endr.
Order 8th March 1897 No. 16.

Referred to the Acctt - Incl - for favorn of

Remarks

$$\frac{D}{6.3.97}$$

WJ
3.3.97.

To
The A.G.
with papers/6

Dated 24th February 1897.

Received 26th " "

Registered 1/3.

Enclosures 5

Spare copies —

SUBJECT.

There are two points in this case.

(a) The recovery of so large a sum in the
lump was, I should say, unnecessarily
harsh

(b) The terms of art 576 of the CSA
shall be explained to all returning
prisoners

6.3.87

Forwarding to Government, with re-
marks, petition from Shaik Ali Sahib,
a police pensioner residing at
Konganancheri, Chingleput Taluk, re:
the refund of pension.

BACK PAPERS.

G.O.	No.	Department.	Date.
80.	1236	P.S.	19-12-92

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT No. 556 of 1896

Refm
See document as petition of one Sheikh Ali
residing in Palur village, No 71 Taluk
Recognized
Date 24/7/96
Hd. Com. to 24/7/96
Chungluput - dd 13/7/96

Undersigned is unable to give any definite
opinion as Superannuation Fund was taken
over by Government - Petitioner should
appeal to the collector or Government

224
18712261
Camp Calapuram
DESPATCHED
15 JUL 96

John W. H. Boyd
Superintendent - Police
Chungluput - Des

W. 4-12-96
Deputy Secy. to Govt.
Dy. Secy. to Govt.

Dis no 104 S. 3
1896.

Read Petition of 2nd October 1896
of Sheik Alli Sahib holder of Civil
Pension Certificate, no, 20058
praying for a refund of Rs 117-124
recovered from him or for same
nil
tion to proceed against the
Hd Accountant, Chingleput
Taluk, for the loss.

Endorsement of 12-11-96

The petitioner's request
cannot be granted

Saidapet } for Collector
12th November 1896

26/11

Alli Sahib
possessing a
of the village of
Chingleput Taluk,
appeal petition
in the Police on
and discharged my
of Rs 16 per mensem
and got a pension

Chingleput Taluk, ap-
in accordance to
not I was getting

sildar in obedi-
to look after the
Chingleput Taluk

holds good. This office cannot do
anything in the matter. He may
appeal to Government through the
Collector of the District for refund
of the amount recovered from him.
to the Head Accountant, Chingleput
Taluk, which is the salary of the
manapakum, telling me that the salary
amounted to Rs 16, my original
manapakum cannot be over-
ed.

Tahsildar sent me a notice to
sum being the amount of my
to November 95 @ Rs 7-14-9
to the orders of the Treasury Deputy
which I represented that because
annuation Fund according to
the Pension Code, I need not pay
received. Again I received an
to the effect that the Fund
very long ago, that the Section
applicable to me and that I should

Asst. Insp. Genl. of Police

To
The petitioner.

W. 4-12-96



refund the amount at once.

VI

Again the Tahsildar sent me an order on 4-8-96 that my pension Certificate would be cancelled if I failed to pay the amount within 3 days. Accordingly I borrowed Rs 117-12-4. and paid it to the Taluq Treasury on 23-6-96. Besides 14 days' pay from my pension was stopped, so that on the whole I am a loser by Rs 121-8-u.

VII

Ekambara Aiyar, the Treasury Head Accountant of this Taluq knew well that I was a village munsiff for a period of 15 months from 5th Oct. 94 to November 95 and it was he who gave me my pension, the munsiff's pay, the Pound fees &c. He has also seen me several times in the Taluq Butchery and took Hyeit from me in several petty Darkast and other cases. Had he reported to the Treasury Deputy Collector in the very beginning or told me, that I should not be a munsiff, I would have resigned the munsiff's post then alone and would not have undergone this heavy loss.

VIII

After I gave over charge of the Munsiff's post to the permanent munsiff, it seems that he had reported to the Treasury Deputy Collector the fact of my having been a munsiff for 15 months. By this Your Excellency will see that he was the cause of my loss. I therefore earnestly pray that Your Excellency will favour me with Sanction to proceed against him for the loss.

IX

I have 8 children and some more in my family and I have spent all my income in supporting them. I was therefore obliged to incur a debt to repay the amount.

X

Afterwards I submitted a petition to the Superintendent of Police who replied to me in order no. 556 96 that the Superannuation Fund was included in the Government, that he was unable to pay me for my loss and that I should move the matter to the Government, through the Collector of the District.

XI

I submit to Your Excellency that during my service of 24 years the Superannuation Fund was in existence and that I was guided by its rules. Although it has now been included in the Government, I am still considered to be a servant guided by that Fund alone.

XII

Nobody told me that Pensioners should not look after any Government business without the sanction of Government.

XIII

If the Treasury Deputy Collector had taken notice why the Head Accountant was so long silent it would have been favourable to me.

XIV

I have herewith attached the endorsements Nos $\frac{104 \text{ S.F.}}{96}$, $\frac{4038}{19-10-96}$, and $\frac{556}{96}$ of the District Collector, the Inspector General of Police and the Superintendent of Police respectively. I am informed in them that I ought to have got the sanction of Government for acting as a village munsiff and that the sum would not be refunded.

XV

When I retired as a pensioner I was not informed by the Police officer ^{that} I should not get a Government post unless it be with the sanction of Government; nor is there any such mention in the "Pensioners Tickets" I have with me. Even the officer paying the pension did not tell me so. And therefore it is impossible for a servant getting a small pay to know such rules.

XVI

Had the superior officers knowing these rules, made me also aware of them as soon as I got the post, I would have tried to get the sanction of Government. Since they failed to do so, they must have got the sanction for me. But it is extremely distressful to me that the Taluq Head Accountant got from me the 15 months' pay which I had received. Village munsiffs are not given pension. They are paid for the period of time for which they are working. And so it is not proper, Your Excellency will see, to get from me the sum for which I laboured.

XVII

Since I was forced to repay, and have paid back such a heavy sum (Rs 121-8-4) I am now struggling with a great many hardships. I can never hope to repay my creditors so large a debt, unless Your Excellency issue orders to pay me the amount.

XVIII

Article 576 of the Pension Code does not apply to me. Notwithstanding my conforming to the former rules of Police, the pay due to me is in the Superannuation Fund. Since I have rendered my services for a period of 24 years, I am given pension without my having produced a medical certificate; and therefore article 577 of the Pension Code applies to me.

XIX

The present village munsiff of Singaperumalcoil Chingleput Taluq is a Police pensioner and the Revenue Department having got the sanction of Government for him, he receives the pay due to him as a village munsiff. As regards me no such thing was done. I was ordered to pay back, and I have accordingly paid, the 15 months' pay; and my having paid such a large sum is grievous to me.

Under these circumstances I humbly pray

that Your Excellency will, on due consideration of
the above mentioned facts, be graciously pleased to
issue orders to pay me the amount Rs 121-8-u, col-
lected from me or pay it from the Superannuation
Fund and thus protect me and my family from
my hardships

For this act of charity I shall as in duty bound
ever pray.

Pallar

9.1.97

I beg to remain

Agth Hoar Jay

Your Excellency's most obedient and
humble servant.

Sis No 322 of 1897

Submitted through the Board of
Revenue.

2. The taluk head accountant was grossly careless in this matter and probably did not make the contents of the unemployment certificate known to the pensioner. His conduct has been noticed. It is considered, however, that there is no sufficient reason for the grant of any concession to the petitioner. His plea of ignorance of the rule cannot be admitted, and he was paid more than the amount of his pension.

3. The petitioner claims an exception in his favour under article 577 of civil Service Regulations, but this appears to be inadmissible as he retired long after the abolition of the Superannuation Fund.

Chingleput District
Collector's Office
Saidapet 31st January 1897

J. B. M. do C.
Ag. Collector

8. 4/2



Proceedings of the Board of Revenue
(Land Revenue).

No.715 Misc., dated 24th February 1897

Read Endorsement of the Collector of Chingleput, Dis.No.322 of
1897, dated 31st January 1897.

Resolution

Forwarded.

2. The petitioner has been made to refund the amounts
paid as pension, apparently because the sanction of Government
had not been obtained for his re-employment under Article 576
of the Civil Service Regulations. As the reappointing officer
was solely responsible for this defect the Board considers
that the necessary sanction may now be accorded and the
amount already recovered from the petitioner, ordered to be
refunded to him.

(True Extract)

Ree
Secretary.

To

The Secretary to Govt.R.D., with the Collector's Endorse-
ment & 4 Enclos. in original.
The Collector of Chingleput.

Md.R.H.

1897

7
1897
26

1897
REVENUE DEPARTMENT.
CHINGLEPUT
2000

189 .
Board of Revenue
(Land Revenue),
MADRAS.

To

Subject.

Pension DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
22 March 1897

No. 945
95

From

W. A. Michael Esq.

To

My ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,
The Secretary to Government,
Pension Department.

SIR,

With reference to your endorsement
N^o 16 dated the 8th instant referring to me
for remarks certain papers regarding the
re-employment of Paloor Shaikh Ali Sahib,
I have the honour to report as follows:-

2. Paloor Shaikh Ali Sahib, who was
granted a retiring pension of Rs. 7. 14. 9
a month under Government Order No 1236
dated 19th December 1892, was re-employed as
a village munsif in the Chingleput Taluk
from

from 5th September 1894 to 14th December '95 on a salary of Rs 8/- per mensem without the fact of his reemployment being reported to this office either by himself or by the Treasury Officer. Being a retiring pensioner he is under Article 576 Civil Service Regulations barred from reemployment. While re-employed Shaik Ali Sahib drew pay and his pension month after month by signing a certificate to the effect that he has not been reemployed under Government. The Treasury Officer on discovering the irregularity recovered from the pensioner in June 1896 Rs 117. 12. 4 being the amount of pension irregularly drawn by the latter from 5th September '94 to 30 November 1895 at Rs 14. 9 per mensem.

In the circumstances it is for Government to determine whether the reemployment should be sanctioned or not.

3. With reference to paragraph 15 of the petition I would observe that Article 1035 (a) Civil

Service Regulations requires every pensioner to certify on every occasion he draws his pension that he is not reemployed in any Government office and that for this purpose a distinct column is opened in the acquittance roll wherein a pensioner has to affix his signature or mark in token thereof.

4. As regards paragraph 18 of the petition, I beg to state that as the pensioner retired long after the abolition of the Police Superannuation Fund he is not entitled to the concession granted in Article 577 (1) Civil Service Regulations (vide this office letter No. ^{SAD}/₂₄₁ dated 19 October 1895).

The enclosures to your memorandum under reply are herewith returned.

I have the honor to be
Sir,
Yours most obed^t servant,
Winchell
Off. Accountant General.

MR 22/3

(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE

No.

Dated

Received

No.

Subject.

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

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.

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