[R. E. 43 1,000-10-8-05]

Pension (189 7) Department.

CURRENT No. 840

Fd 4/10/97 Secl

From

The Govt. of India
Public works Dep.t

Order 22nd October 1897 No 810.

With reference to his memorial 3/12-4-97.
T. Vydialingum Pillai is informed that the Govt. of India has declined to permit his service for the period during which his pay was charged to "works" to count for pension.

No. 2685 G.

Dated 4/10/97

Received 15/10/97

Registered – do –

Enclosures 1

Spare copies. Nil

Ind 15-X-97.

21/10/97.

To
The Petr.
P.W.D. – (A)

SUBJECT.

Stating that the Govt of India are unable, for the reasons stated within, to consider the claim of T. Vydialingum Pillai, late Sub Engineer, P.W.D, to count as qualifying his service for the period during which his pay was charged to "works".

[R. E. 45]
1,000-10-8-05.

Pension (1897) Department.

CURRENT No. 840

Final 10/97 Secl

From The Govt. of India
Public works Dept.

Order 22nd October 1897 No 810

With reference to his memorial 3/12-4-97.
T. Vydianajum Pillai is informed that the Govt. of India
has declined to permit his service for the period during
which his pay was charged to "works" to count for
pension.

Ltr
21-X-97

11
21/10/97.

Ltr
18-X-97.

To
The Pstr.
P.W.D. - (A)

No. 2688 G.

Dated 4/10/97
Received 15/10/97
Registered - do -
Enclosures 1
Spare copies. Nil

SUBJECT.

Stating that the Govt. of India are unable, for the
reasons stated within, to consider the claim of
T. Vydianajum Pillai, late Sub-Engineer, P.W.D,
to count as qualifying his service for the period
during which his pay was charged to "works".

BACK PAPERS.

G.O.	No.	Department.	Date.
-	552/3	Pn-	17-7-97.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

All communications should be addressed to the Secretary.

GOVERNMENT OF MADRAS
15 OCT 97
SECRETARIAT DEPARTMENT

No. 2688 G.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

GOVERNMENT OF MADRAS
15 OCT 1897
PENSION DEPARTMENT.

To

The Secretary to the Government of Madras,

Pension Department.

Simla, the 4th October 1897.

Sir,

I am directed to acknowledge the receipt of your letter No.553 dated 19th July 1897, with which is submitted for orders the pension case of T.Vydealingam Pillai, late Sub Engineer 3rd grade, Madras Public Works Department, with a recommendation that he may be allowed to count his temporary service for pension, under Article 418 of the Civil Service Regulations (2nd Edition), so as to admit him to a pension equal to half his average emoluments.

It is stated in your letter that former appeals from the applicant to count his temporary service for pension were rejected by the Government of Madras, because it was supposed that it would be necessary to address the Secretary of State to make a special case under Article 403 of the Civil Service Regulations, and the Madras Government were not willing to do so. But as the Government of Madras now consider that the Government of India may deal with the case under Article 418 of the Civil Service Regulations inasmuch as the pay of the applicant during the period of

his

his temporary service from 1860 to 1868 was charged to "Works", the case has been referred for orders.

2. In reply I am to state that the intention of Article 418 of the Civil Service Regulations was that a man charged to "Works", when the Circular Order in the Public Works Department No.6 of 1862 issued, who, under that Circular came to be subsequently charged to establishment as a permanent servant, should count his previous service, because it was practically the same as his subsequent service.

3. In the present case it is gathered that T.Vydealingam Pillai was a clerk of some sort in 1862. The issue of the circular, which, as a matter of fact, did not apply to the Madras Presidency, did not affect, in any way, the status of this man, who still continued to serve in the same capacity as before and to be charged to "Works". He continued to do so up to January 1868, when he became a permanent Sub Overseer and his service from that date qualified. The mere fact of his having been charged to "Works" in 1862 cannot bring him under Article 418, Civil Service Regulations which is a repetition of an order that was issued in 1865 and specifically referred to a kind of employment that had "entirely ceased" before August 1865. The orders in question it is clear, as stated above, did not affect him. Up to 1868 it appears that he was a temporary employe of some kind, probably a clerk, and that thereafter he was appointed to the permanent Lower Subordinate Establishment as a Sub Overseer. Under these circumstances and, as for the reasons stated, the case does not fall under Article 418, Civil Service Regulations, the Government of India are unable to consider this man's claim to count his service as qualifying for the period during which his pay was charged to "works".

4. The enclosures to your letter are herewith returned.

I have the honour to be,

Sir,

Your most obedient servant.

G. H. Walker

Under Secy. to the Govt. of India.

Documents accompanying:

Enclosures referred to.

M.I.