

Pension (1897) Department.

ORDINARY MS.

G.O., No. 878.

DATED 20-11-97

[Despatch Abstract.]

Granting a superannuation pension of Rs. 226-10-8 per mensem to Mr. Joseph
Stearns late Registrar, High Court, original
side Madras.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
"	1111	Per	15-11-96				
"	2017	Judl	21-12-96				
"	1773-A	do.	12-11-96				
"	1483	do.	3-9-96				
"	871	do.	16-8-96				
"	748/9	do.	22-6-96				
"	568-	do.	19-8-96				
"	497	do.	10-3-96				
"	350	do.	21-2-96				
"	272	do.	10-2-96				

FURTHER PAPERS.

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

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following papers :—

From the *Reg^r*, High Court, Madras dated 23^d July 1897, No. 1462.

Certificate and report from the Accountant-General, dated 15 Sept. 1897, No. $\frac{A.D.J.}{280}$.

ORDER THEREON, 20th Novr. 1897 No. 878.

Under articles 502, 578(67 & 521(61)
of the Civil Service Regulations (2nd Edition),
His Excellency the Governor in Council is
pleased to grant to *Mr. Joseph Steavinson*,
~~E.A.~~, late Registrar, High Court, Original
Side, Madras, a superannuation pension

Two hundred & twenty six, ^{of Rupees (226-10-8)}
payable ~~at~~ in England
from 21st July 1897

in consideration of his qualifying *Superior*
service of 17 years, 1
months and 22 days.

months and 22 days.

2. The Secretary of State having directed that Mr Stevenson should be pensioned on attaining the age of 53 years a pension calculated on superannuation pension and a compensation pension has been granted.

19. 11. 1907. 19. 11. 1907.
London.

To the Accountant-General, with Register.

" Regⁿ High Court, Madras. ^{where}
 both sides I have 2 of A's ^{present}

* Or emolument in case of applications for gratuity.

NOTE.—This form to be used by Gazetted Officers of the classes mentioned in Articles 330 (c), 724 and 728 of the Civil Service Regulations.

APPLICATION FOR PENSION OR GRATUITY.

1. Name of Applicant (in full). *Joseph Stevenson Esquire, B. A.*
2. Last substantive appointment. *Registrar, High Court, Original Side, Madras.*
3. Date of commencement of service. *25th February 1878.*
4. Date of termination of service. *20th July 1897.*

5. Length of service including interruptions..
Years. Months Days.
19 - 4 - 26
Deduct—
Interruption including leave
3 - 3 - 4

Balance. *16 - 1 - 22*
Add—

Leave counting as service *asper G.O.*
dated 12th November 1896, No. 1793A.
1 - - -
Total qualifying service
17 - 1 - 22

6. Class of pension or gratuity *Superannuation pension under art. 502.*
7. Average emoluments*
8. Proposed pension *340 - - -*
9. Proposed gratuity
10. Date from which pension is to commence. . *21st July 1897.*
11. Place of payment *England*
12. Date of applicant's birth *20th July 1842.*

Date *31st August 1897*
SIGNATURE OF APPLICANT
J. Stevenson
Madras

* Or emoluments in case of applications for gratuity.

Particulars of leave and other interruptions in the service of

(a) Leave of absence, other than privilege and subsidiary, taken during service as detailed below:

Kind of leave	From (date)	To (date)	Period Y. M. D.
Leave on medical Certificate	18-4-96	10-5-96.	11-1-23

Kind of leave	From (date)	To (date)	Period Y. M. D.
Furlough	11-5-96	20-7-97	1-2-10

(b) Other interruptions of active service (overstay of leave, period out of employ, &c).

Nature of interruptions	From	To	Y. M. D.

Total Leave and Interruptions.

Particulars of appointments held and pay drawn during last five years of service—

Appointment	From (date)	To (date)	Pay	Acting allowance	Period Y. M. D.

There was no change in the appointment during the last five years.

Total.

REMARKS BY HEAD OF DEPARTMENT.

- As to character and past conduct of applicant.
- Explanation of any suspension or degradation.
- Regarding any gratuity or pension already received by applicant (See Chapter XX I).
- Explanation under Article 469, so far as the Head of the Department can give it.
- Any other remarks.
- Specific opinion of Head of Department, whether the service claimed is established and should be admitted or not [See Article 991 (b).]

Remarks by the Accountant General
Service from 25-2-78 to 25-2-80 does not count having been rendered in an acting appointment.
Verified partly from the History of services of Garrett and other officers and partly from the Audit registers on record in this office.

SIGNATURE.

CERTIFICATE AND REPORT OF THE AUDIT OFFICER (1).

Certified that qualifying service in Superior grades has been duly proved for 17 years 1 month and 22 days and that a Superannuation Pension not exceeding Rs 226-10-4 per annum equal to 70% of average emoluments but limited to the maximum under Article 518 (a) and further reduced by 8/100 under Article 521 (a) is admissible under Articles 502, 518 (b) and 521 (b) of the Civil Service Regulations 2 edition. The calculations have been duly verified.

2. In making the calculation of the applicant's pension, the Registrar of the High Court has taken into account 17% of average emoluments or Rs 425, and reduced the latter amount by 8/100 under Article 521 (a), and fixed Rs 340 as the amount of proposed pension. Whereas this office has first limited the amount of pension to the maximum of Rs 283-5-4 and then applied the reduction of 8/100 agreeably to the ruling contained in the last sentence of Article 521 (a) of the Regulations. This accounts for the difference between the amount entered by the Registrar on the 1 page of the application, and that certified to be admissible to the applicant in the preceding paragraph.

3. Owing to the reorganisation of the High Court Establishment. Mr. Stevenson's appointment as Registrar High Court Original side has been abolished. But under the orders of the Secretary of State he has been considered to have been on Furlough from 11 May 1896 to (20 July 1897) at which date he attained the age of 55 years and as retired after that date. Hence the application is for a Superannuation pension.

4. The Pension application has not been signed by the Head of office, as the Chief Justice does not consider himself to be the Head of Mr. Stevenson's department. The Chief Justice also declines to make any remarks as to whether the service is approved or not. In the absence of any information on the point, this office is not in a position to make any remarks with reference to Article 514 Civil Service Regulations.

5. In accordance with Rule 3 under Article 991 (b), the attention of Government is respectfully solicited to Article 514 of the Regulations.



For Sub-charge
Acctt. Sub: office
15th September 1897

ADJ
280

K. Manion

The Under Secretary to Government,
Pension Department.

Offg. Accountant General.

[F. O.]
29.
107 8-10.

The Honble Mr. G. C. E.

PENSION DEPARTMENT.

H. E. The Governor

C. No. 761.

From the Registrar, High Court, Madras 23rd July 1897 No 1462

- Acct. finl. Dated 15 Sept 1897, No. AJ.
280

FOR ORDERS.

For the facts of Mr. Stevenson's case
Flag B. please see letter to the Govt. of India No 749 of 22nd
April 1896. Mr. Stevenson was granted by the
Honble the Chief Justice furlough for 15 months
with effect from the 1st April 1896, and the furlough here
was gazetted on the 28th Jan^y 1896, though it was
granted to him "subject to any orders that may be
passed relating to the abolition of his appointment."
Subsequently, he was given 3 months' notice by the
Honble the Chief Justice, and was intimated that his
services would not be required after the 11th May 1896
and that his furlough was cancelled. Mr. Steven-
son ^{then} appealed to Govt. against this order of the Hon^{ble} the Chief
Justice, representing that the cancellation of the furlough
deprived him of the 15 months' furlough which he had

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.

SIGNATURE.

1,000—5 6-94.

A54

2
earned after 18 years' service without leave of absence and also of an additional year's service which he would have been able to count towards pension if he had spent it on furlough.

In consideration of the hardship of the case, the Govt. made the two following recommendations to the Govt. of India on his behalf.

(1) That he should receive, as compensation, a sum of Rs. 6907/- being the difference between the furlough allowance (Rs. 750 a month) for the period from 11-5-96 to 20-7-97 & the pension admissible to him on the 11 May 1896 (viz Rs. 266-10-8) p.m.

(2) That he should be granted a pension of Rs. 283-5-4 p.m. or Rs. 3400 per annum in consideration of the one year of furlough which he could have counted as service for pension after the 11 May 1896.

Mr. Stevenson having had no claim under the Regulations, the Govt. of India preferred to recommend to the Secy of State that he should be considered as having been on furlough from the 11 May 1896 to the date (20 July 1897) when he attained the age of 55 years and that he should retire from the 21st July 1897, his leave allowances & pension being regulated accordingly, and this was sanctioned by the Secy of State.

The Acctt. Genl. now reports that Mr. Stevenson is eligible only for a Superannuation pension of Rs. 226-10-8 p.m. The intention of the Govt. was, it is submitted, that Mr. Stevenson should be granted a compensation pension of Rs. 283-5-4 p.m. when he attained the age of 55 years on the 20 July 1897.

For Order. For the perfecting it

From the papers the Govt. appears to have thought that Mr. Stevenson under the rules would be entitled to a pension had he remained in service.

Flag A.

3
Under the Chief Justice's order Mr. Stevenson would have had to have retired on the 11th May 1896. He would then have been entitled to a compensation pension of Rs. 266-10-8. Mr. Stevenson thought himself aggrieved on the ground that he was thereby prevented from taking the furlough he had earned and a year of which he would have added to his pensionable service. In other words Mr. Stevenson thought that if he took furlough till he was 55 (i.e. till the 20th July 1897) he would then be entitled to a larger pension than he was eligible for in May 1896.

The Govt. apparently were under the same misapprehension & therefore thought Mr. Stevenson's case a hard one. The Govt. of India were therefore asked to recommend to the Secy of State the grant to Mr. S. of (1) a lump sum representing the difference between the pension admissible to him and his furlough allowance of

4
Rs 750 & (2) a pension of Rs
283-5-4. The Govt of
India preferred to merely
^{to allow} place Mr Stevenson to be
the same on furlough till
he was 55 and then to retire
him. The Secy of State
sanctioned this course.

In other words the
Secy of State order placed
Mr Stevenson in exactly
the same position he would
have occupied had there
been no question of abolishing
his appointment. For, it is
submitted, that the Chief
Justice would not have
wished to retain him after
he was 55 and I submit
that Govt would not have
insisted on his retention
~~at~~ in the circumstances.

It is submitted that Mr Stevenson
had no care whatever if he
wanted something more
than he would have got
in the ordinary course
and if there had been no
question of abolishing his
appointment.

The Secy of State's despatch says clearly
that he "shall be pensioned from
the 21st July on attaining 55"
"from"

W. P. M. S.

5
Instead of a compensation
pension of Rs 266-10-8
payable from the 21st May 96
Mr Stevenson has drawn
furlough allowances at
750 Rs per mensem from
11th May 96 to 20th July 97
and is now entitled to
a superannuation pension
of Rs 226-10-8 per mensem.
It remains to be seen whether
he has lost, by calculation.

Mr Stevenson in May 1876
was almost 54 years of age.
His expectation of life may
be taken at about 16 years
(vide page xcv ^{of Appendix} of Dewan Bahadur
Srinivasa Raghavalingam memo-
randum. put up)

The value on 11th May 96 of a month's
pension of 266-10-8 lasting
for 16 years interest at 3½%
(the rate taken in the tables
appended to the C.S.R.) was
approximately 35,410 Rs
On the other hand, the
value on 11 May 96 of a
month's payment of Rs 750
to 20th July 97 was 9266 Rs
approximately. And the value
on 11 May 96 of a month's

The working is shown
in the accompanying
sheet.

payment of Rs 226-10-8
 beginning on 20th July 97
 & continuing for 15 years
 i.e. ~~27,363~~ Rs approximately
 Thus, ~~reduced to a sum of~~
 money, if Mr Stevenson
 had retired on a compensation
 pension ^{of 266/0/8} on 11th May 1896
 that course would have been
 equivalent to ^{his receiving} a sum
 of Rs 35,410 down. While
 the course he has taken
 was then equivalent
 to ^{receiving} a sum of Rs 9266
 + ~~27,363~~ or Rs ~~35,149~~.

The figures are only
 approximate, ^{but} it will
 be seen that Mr Stevenson
 is ^{slightly} better off
 for the pension
 allowed him by the Secy of State.

But, it is submitted
 that he can ask no more
 than the concession allowed
 for the pensioner merely
 placed him in the position
 he would have occupied
 had there been no question
 of abolishing his appointment
 and that the above ^{figures} ~~show~~
 show that he would have

* It may be noted here that Mr
 Stevenson took leave on
 medical certificate. He was
 suffering from dysentery & so
 presumably had to take leave.

Let r = the interest on Rs P for
 any given period, then

$M = (1+r)P$ at the end of
 such period

$M_n = (1+r)^n P$ at the end
 of n such periods

Here $M = M_1 = M_2 = \dots = M_n$
 $\therefore P_1 + P_2 + P_3 + \dots + P_n = M \left(\frac{1}{1+r} + \frac{1}{(1+r)^2} + \dots + \frac{1}{(1+r)^n} \right)$

$\frac{1}{1+r} \sum P_n = M \left(\frac{1}{(1+r)^2} + \frac{1}{(1+r)^3} + \dots + \frac{1}{(1+r)^{n+1}} \right)$

$\left(\sum P_n \right) \left(1 - \frac{1}{1+r} \right) = M \left(\frac{1}{1+r} - \frac{1}{(1+r)^{n+1}} \right)$

$\sum P_n = \frac{M}{r} \left(1 - \frac{1}{(1+r)^n} \right)$

Therefore present value of amount of
 Rs 266-10-8 per annum for 16 years
 at $3\frac{1}{2}$ per cent per annum

$= \frac{266-10-8}{.0029} (1 - (1.0029)^{-192})$

If $(1.0029)^{-192} = x$

$-192 \log(1.0029) = \log x$

$-192 \times .0011 = \log x$

$-.7788 = \log x$

$x = .6149$

$\therefore$ Present value required, say $P = \frac{266-10-8}{.0029} \times .6149$

$\log P = \log 266.6 + \log .3857$
 $- \log .0029$

$= 2.4255 + 7.5856$

$= 9.0111$

$\therefore P = 35,410 \text{ Rs.}$

Present value of 750 Rs p.m. for 14 months
 11 May 96 to 11 July 96

$= \frac{750}{.0029} (1 - (1.0029)^{-14})$
 If $(1.0029)^{-14} = x$

$-14 \log 1.0029 = \log x$
 $-.7946 = \log x$

$x = .6157$

$\therefore$ Present value required = $\frac{750}{.0029} \times .6157$

say $P = \log 750 + \log .0362 - \log .0029$

suffered ^{very little} hardship has
 he taken his compensation
 pension on May 1896.

It is now submitted for order
 whether Mr Stevenson is to be passed
 the pension admissible viz Rs 226-10-8
 per annum, & whether the Secy of
 State is to be advised for the grant
 of a pension in lieu of this sum.

W.H.
 10/10/97

12/10/97

There seems to be no ground
 on which we could ask the Secy
 of State to grant an ex-
 ceptional pension; but
 the order should be made
 fuller than usual stating
 that the Rs 3400 was a
 mistake & showing how
 the proper amount has
 been calculated.

Jg
 15/10/97

To agree with the Hon. Secy. of State. It is for Mr
 Stevenson to raise any further question as to
 his Pension.

A.S.H.
 17.10.97

17.10.97

MEMORANDUM.

---:---:---

His pension for 17 years' service is 17/60 x 1500/1----425

His age at the commencement of his Year-M--D
1879-1--26

qualifying service is-----
1841-6--20
37-7-6.

Under Article 521 (a), C.S.R., his superannuation Pension, viz., 425-0-0

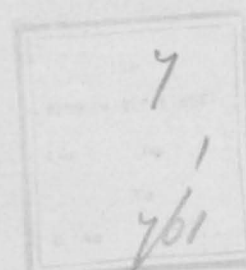
Rs. 425 is reduced by 3/40 x 425-----35-0-0-----
35-0-0
340-0-0.

Proposed Pension-----Rs. 340-0-0.

High Court of Judicature,
MADRAS,
1st September 1897.

W. S. Conie

Registrar.



Recd. 2/4/97

he attains the age of 55 years and that he should retire from the 21st July 1897, his leave allowances and pension being regulated accordingly.

(True Extract.)

(Sd.) W. Francis,
for Chief Secretary.

To

The Pension Department.

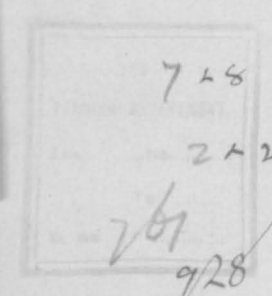
" Honourable the Chief Justice of the High Court (with C.L.)
J. Steavenson, Esq.

(True Copy.)

High Court of Judicature,
MADRAS,
1st September 1897.

W. S. Conie

Registrar.



*3400
12
283-5-4*

2/4/97

Recd. 2/4/97

From the Government of India, Finance and Commerce Department (Pensions and Gratuities), to the Secretary of State for India, No. 215 of 1896, dated 4th August 1896.

We have the honor to forward for Your Lordship's favorable consideration a copy of a letter from the Government of Madras, recommending the grant of certain concessions to Mr. J. Steavenson, late Registrar on the Original Side of the Madras High Court.

2. One of the changes involved in the scheme for the reorganization of the High Court's establishment sanctioned in your Lordship's Judicial Despatch No. 43, dated the 21st November 1895, was the substitution of a Deputy Registrar (pay Rs. 1000 a month) for the Registrar on the Original Side (pay Rs. 1500 a month). It is now reported by the Madras Government that Mr. Steavenson has been granted by the Chief Justice furlough for 15 months with effect from the 1st April 1896, and that the furlough was gazetted on the 23rd January last, though it was granted to Mr. Steavenson expressly "subject to any orders that may be passed relating to the abolition of his appointment". Subsequently, the Chief Justice gave three months' notice to Mr. Steavenson, intimating that his services would not be required after the 11th May 1896, and at the same time cancelling the furlough already granted to him.

3. After considering a representation from Mr. Steavenson, the Local Government have expressed their inability to interpose on his behalf, the matter being entirely within the province of the Chief Justice. In view, however, of the fact that the cancellation of the furlough deprived Mr. Steavenson of 15 months' furlough which he had earned after 18 years' service without leave of absence, and also of an additional year's service which ~~he~~ ^{he} would have been able to count towards pension if he had spent it on furlough, the Governor of Madras in Council thinks the case one of considerable hardship, and has made the following recommendation on behalf of Mr. Steavenson (taking into consideration the fact that Mr. Steavenson will attain the age of 55 on the 20th July 1897, and that any furlough granted to him must therefore have ceased from the 21st July).

(1) that he should receive, as compensation, for 14 months and 9 days with effect from 11th May 1896, a sum of Rs. 6,907, being the

difference between furlough allowance (Rs. 750 a month) for that period and the pension (Rs. 266-10-3 a month) at present admissible to him; and

(2) that the pension admissible to him should be increased by Rs. 200 a year, in consideration of the furlough which he could have counted as service for pension after 11th May 1896.

4. Mr. Steavenson has no claim under the regulations, but as the case appears to be one of some hardship, we consider that some concession in his favour should be made. The form of concession proposed by the Madras Government is, however, open to objection, especially in respect to the proposal for the payment of a lump sum to compensate for the difference between pension and furlough allowance. We prefer to recommend for Your Lordship's sanction that, as a special case, Mr. Steavenson should be considered as being on furlough from the 11th May 1896 to the date (20th July 1897) when he attains the age of 55 years, and that he should retire from the 21st July 1897, his leave allowances and pension being regulated accordingly.

We have the honour to be, &c.,

&c., &c.,

No. 3275-P
copy forwarded to the Home Department for information.

(Sd.) R. A. Gamble,

Under-Secretary to the Govt. of India.

(True Copy.)

High Court of Judicature,
M A D R A S,
1st September 1897.

R. A. Gamble
Registrar.

Financial
No. 163.

India Office,
London, 24th September 1896.

To

His Excellency the Right Honourable
the Governor-General of India in Council.

My Lord,

Having considered in Council Your Excellency's letter dated the 4th of August No. 215, respecting the case of Mr. J. Steavenson, the late Registrar on the Original Side of the Madras High Court, I sanction your recommendation that, in the special circumstances, he should be considered as being on furlough from the 11th of May 1896 to the 20th of July 1897, and shall be pensioned from the 21st of July on attaining the age of 55 years.

I have &c.,

(Sd.) George Hamilton.

No. 4545 P.

Government of India

Finance and Commerce Department

Simla, the 24th October 1896.

Read:-

Despatch from Her Majesty's Secretary of State for India, No. 163 (Financial) dated the 24th September 1896 received on the 14th October 1896.

Ordered that a copy be forwarded to the Home Department in continuation of endorsement No. 3275 P, dated the 4th August 1896.

Ordered also that a copy, with copy of the Despatch to which the above is a reply, be forwarded to the Accountant-General, Madras, for information.

(Sd.) R. A. Gamble,

Under Secretary to the Govt. of India.

(True Copy.)

Registrar, Home Department.

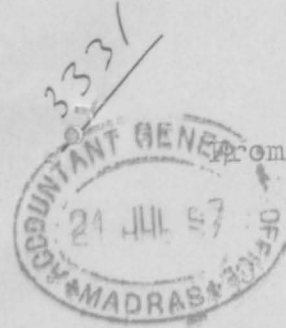
(True Copy.)

High Court of Judicature,
M A D R A S,
1st September 1897.

R. A. Gamble
Registrar.

High Court of Judicature,
Madras, 23rd July 1897.

Ref on Cur No 1162/97.



D. W. G. Cowie, Esquire,
Registrar of the High Court of Judicature, Madras.

To

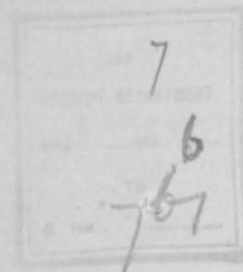
The Honorable Mr. J. F. Price, C.S.I.,
Chief Secretary to the Government of Madras,
through the Accountant-General, Madras.

Honorable Sir,

I am directed by the Honorable the Chief Justice
to forward an application for superannuation pension under
Article 502 on behalf of Mr. J. Steavenson, late Registrar
of the High Court, Original Side, as requested by the Account-
ant-General in his letter dated the 1st ultimo, No. I.A.E./51.

I have the honor to be,
Honorable Sir,
Your most obedient servant,

D. W. G. Cowie
Registrar.



Recd. 23.7.

Current No.

(TO BE RETURNED WITH REPLY.)

P. 500--18-9-96.

PENSION DEPARTMENT.

No. A.D.K.
180

Fort St. George,
Accountant-General's Office,
29th July 1897.

From

THE ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To

THE Registrar of the
High Court of
Judicature,
Madras.

Attention is drawn to No. _____ of the
printed Memo. of Instructions from this office.

I The applicant's service as Officiating Registrar, High Court, Original Side from 26th Feby 1878 to 25th Feby 1880 should be rejected as non qualifying as it was rendered by him during the absence on Furlough of Mr J. Shaw the then permanent Registrar. Vide Government order No 959 dated 24th April 1880. Judl.

II. Necessary revision that may be required in consequence, should be made in the memo of average emoluments now furnished.

III. A true copy of the Government Order No 1793 A dated 12th November 1896 quoted on the 1st and 3rd pages of the application should be forwarded for this office reference.

SIR,

I have the honour to inform you that the application for pension of Mr J. Stevenson late Registrar of the High Court, Original Side is being delayed for want of the information noted in the margin. Where possible your answer should be written underneath the several points to which your attention is drawn

2. The enclosures and your reply should be returned with the least possible delay.

I have the honour to be,

Sir,

Your most obedient Servant,

J. O. S. Rowse
Chief Superintendent
Assistant Accountant General.

Under article 445 A of the Civil Service Regulations the applicant is not qualified to count as service for pension more than 1 year's furlough out of India, while on the 1st page of the application the whole period of his furlough appears to have been included in his pensionable service. Necessary correction should be made both in the amount of pension admissible and in the total period of his service.

I. The certificate required in article 992 of the Civil Service Regulations should be furnished on the 3rd page of the application.

II. The application has not been signed by the Chief Justice as required by this office in reply to your Telephonic communication dated the 5th instant. It is requested that a revised application may be forwarded under the signature of the Chief Justice.

I & II.---The period from 26th February 1873 to 25th February 1880 is taken out from the qualifying service and the memo. of average emoluments is altered accordingly.

III.-----A true copy is now forwarded.

IV.-----Necessary correction is made.

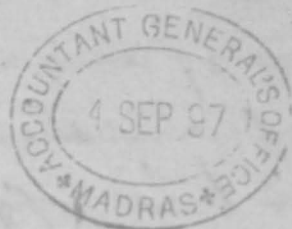
V & VI.---The Chief Justice has no remarks to make.

High Court of Judicature

MADRAS,

1st September 1897.

Do. C. Registrar.



4037

When given for copying
When copied
When examined
When signed

189

AD AGAIN (), No.

DATED

189

CURRENT No.

ENCLOSURES TO O. No

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DIET.

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

N.B.---

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

A A A A A A A