

100-16-3-04
Pension (1898) Department.

ORDINARY PRINTED.

G.O., No. 793

DATED 17. Oct. /98

[Despatch Abstract.]

Declaring that scavengers (toties) in all departments of the public service are ineligible for pension; and stating that this declaration will not affect the claims of any individuals of the class at present in the service, whose claims for pension have been held admissible under the rules of the C.S.B.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government { 1898 } of Madras. PENSION.

Recd. } *Enclosures*
Regd. } 1898. *Spare copies*

G.O., No. 793, 17th October 1898.

OCTOBER.

Scavengers (Toties).

Declaring that — in all departments of the public service are ineligible for pension ; and stating that this declaration will not affect the claims of any individuals of the class at present in the service, whose claims for pension have been held admissible under the rules of the Civil Service Regulations.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

READ—again G.O., No. 489, Pension, dated 3rd July 1897.

READ—also the following letter from Surgeon-Major-General C. SIBTHORPE, C.B., F.R.C.P.I., Surgeon-General with the Government of Madras, to the Secretary to Government, Pension Department, dated Camp, Ootacamund, the 13th July 1898, No. T-291:—

I have the honour to solicit the orders of Government on the following doubtful point.

2. Under the list appended to paragraph 3 of G.O., No. 489, Pension, dated 3rd July 1897, toties as a class are declared ineligible for pension. The principle, however, on which the decision has been arrived at, under article 384 (c) of the Civil Service Regulations, is, that these menial servants "are not whole-time men." The question then arises whether those toties whose whole time is "retained for the public service" are to be considered as without the scope of the Government Order.

3. The Senior Medical Officer, General Hospital, Madras, has raised the above question in connection with the toties employed in that institution. He states that "these men are employed day and night in batches and their services are therefore continuous", and requests to be informed if they are not eligible for pension.

4. The Accountant-General, to whom I referred the point for opinion, states, in his letter, No. I.A.E.-190, dated the 30th June 1898, "that the matter should be referred to Government for orders".

No. I.A.E.-255.

Submitted with reference to G.O., No. 489, Pension, dated 3rd July 1897, and to the proviso in article 382 of the Civil Service Regulations.

FORT ST. GEORGE,
26th July 1898.

(Signed) T. HESKETH BIGGS,
Accountant-General.

To the Under Secretary to Government, Pension Department.

ORDER—No. 793, Pension, dated 17th October 1898.

In the Government Order read above, it was pointed out that, under article 384 (c) of the Civil Service Regulations, scavengers (*toties*) are in general ineligible for pension as their whole time is not reserved for the public service.

2. The Surgeon-General now raises the question whether certain scavengers (*toties*) of the Medical Department whose whole time, he reports, is retained for the public service, should be considered eligible for pension.

3. The order quoted does not deal with the class in question. The Government is now pleased to declare that scavengers (*toties*) in all departments of the public service are ineligible for pension.

4. This declaration will not, however, be taken to affect the claims of any individuals of the class at present in the service, whose claims for pension have been held admissible under the rules of the Civil Service Regulations.

(True Extract.)

O/e. M. H. 21-10-98
Secretary to Government.

To the Accountant-General.

„ the Surgeon-General with the Government of Madras.

„ the Departments of the Secretariat, for communication

to Heads of Departments under them.

Erd. W. D'Moss.

400 Copies.

28

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read again G.O. No 489 of 3.7.97
letter from the Surgeon General to the
Govt of Madras of 12.7.98
(H.E.)
No T. 201
(Full)

① East of the Act of 1876-98
No 242
256

Order Pen No 793 Pension of 17.04.1898

In the G.O. read above it was pointed out that under Art 384c of the C.S.R. ~~Scavengers (Lories)~~ ~~these~~ are in general ineligible for pension as their whole time is not reserved for the public service.

2. The Surgeon General now raises the question whether certain ~~Scavengers (Lories)~~ ~~these~~ of the Medical Department whose whole time, he reports, is retained for the public service should be considered eligible for pension.

3. The order quoted does not deal with the class of ~~these~~ ^{inferior} ~~these~~. The Government is now pleased to declare that ~~these~~ in all Departments of the public service are ineligible for pension.

4. This declaration will not however ~~be taken~~ ^{be taken} ~~into account~~ ^{into account} affect the claims of any ~~these~~ ^{inferior} ~~these~~ at present in the service, ~~and~~ whose
cla

claims for pension ^{have been held} ~~are~~ admissible
under the rules of the C. S. R.

(from orders)

11/10/78

1/10/78

Is

The Accountant General.

Surgeon General with the Govt
of Madras.

NOTE FOR THE UNDER SECRETARY.

Sir;

(1) Attention is respectfully solicited
to the alteration of the word "toties" into
"Sweepers" made by the Secretary in paras.
1, 2 & 3 of this order; and to the Surgeon
General's letter flagged E. (toties)
altered to Sweepers (toties)

(2) Orders solicited as to whether the G.O.
should ~~not~~ be printed and communicated
to all Heads of Departments ^{for information} as paras. 3
and 4 thereof apply to toties in all Depart-
ments.

12/10

17/10

10x18

C. No. 604

From the Surg^l. Gen^l. with the Govt. of MadrasDated 13th July 1898, No. T/291FOR ORDERS.

Please see note for ~~and~~ orders flagged H under G.O. 489 d/ 3 July /97 Pension.

Regarding toties the ~~xxx~~ consensus of opinion was for their ~~a~~ exclusion from the pension list. The Board of Revenue in particular considered it unnecessary to grant pension to this class of servants on the grounds,

- (1) that their work takes but little time;
- (2) that they are free to take up private work;
- (3) that they are often only tempo - rarily employed;
- (4) that they are not likely to adhere to the service for a considerable

C 14/9/98.
R 17/9/98.

considerable length of time,
(5) that they are not now allowed pension & there is no reason for making a departure in their favour now."

The Surgeon General also remarked that the appointment of toties was something like cooly work carrying no responsibility or trust & might therefore be classed as non-pensionable.

The toties being thus not whole-time men, they were declared ineligible for pension.

The Senior Medical Officer, General Hospital, Madras, now represents that the toties of the Hospital are employed day & night in batches & that their services are therefore continuous; & accordingly asks whether they are not eligible for pension.

The Surgeon General feels doubtful whether toties whose whole time is retained for the public service should be considered as without the scope of G.O. 489 d/ 3-7-97, and accordingly submits the question for the orders of Govt.

1st 13898
Luty Toties (and others)

whose whole time is not reserved for the public service are under the specific rule in Art 384(C) of the C.S.R. debarred from pension. Toties whose whole time is reserved for the public service are eligible for pension unless the Govt specifically declares

Art 384

"No claim for pension is admissible"

(C) When a person's whole time is not retained for the public service, but he is merely paid for work done for the State"

them to be ineligible under Art 382 C.S.R.

The case of full time toties was not considered in G.O. Pension 489 d/ 3-7-97

It will be seen however that many men similar appointments in the Medical Dept were declared non-pensionable on the ground they involved no responsibility.

There seems no objection therefore to ruling under Art 382 C.S.R. that future incumbents of the post of full time totie in the Medical Dept will not be eligible for pension. It will be hard however to apply the rule to the present men for under the rule, of the C.S.R. do they stand these men are entitled to pension.

17/8/98

As to A - have they in fact been receiving pensions?

8/8

18/8

P.M. Put up precedents (1) of whole time menials getting pensions (2) whole time toties getting pensions, if any.

Art 382

"Provided that it is open to a Local Govt to rule that the service of any class of officers serving under it does not qualify for pension"

Sir. Please see statement put up.

29/9/98
Luty P.T.O.

See

It will be seen that full time loties have in the past got pensions like other full time menials.

The question is, whether full time loties in the Medical Dept should be declared under Act 882 C.S.R. to be ineligible for pension.

There seems to be no objection to this as other full time menials in the Medl. Dept have already been declared ineligible on the ground that the appls. involved no responsibility. (Vide G.O. 489 & 3.2.97)

Wk
319188

H.M.

I agree that loties should be declared ineligible for pension.

Even when they are deemed to be full time servants it will be extremely difficult to prevent them taking private

(1) Mr. W. Arundel
(2) Mr. S. H. Allen

I agree
MA

FOR ORDERS.

practice or to check them if they did. Such work is usually done by the family and no one cares which particular member does it provided it is done; the work is more or less intermittent & except perhaps in ^{exceptional} cases like that of the General Hospital Madras does not provide continuous & laborious employment under one employer.

But present incumbents attached to large hospitals who are employed on full time terms or who have in the past been treated as pensionable servants may continue to be regarded as eligible for pension.

S. J. L. 11/9/98

Wk
MA
16.9.98

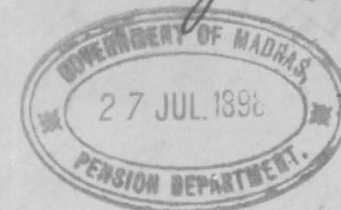
MA
17/9/98

Through the Accountant
Pension (1898) Department.

CURRENT No. 604

Order

From *Surgeon Major General*
C. S. Thorpe, C.B., F.R.C.S.
Surgeon General with the G.O.
Madras



No. 4291

Dated 13th July 1898.

Received 27.7.98

Registered 27.7.98

Enclosures —

Spare copies —

SUBJECT

Enquiring whether those
to whom whole-time is
devoted to public service
are eligible for pension.

BACK PAPERS.

G.O.	No.	Department.	Date.
"	489	Pen	3-7-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Through the Accountant General, Madras.

OFFICE OF SURGEON-GENERAL

WITH THE GOVERNMENT OF MADRAS,

Madras, 13 July 1898.

No. 4291

From

SURGEON-MAJOR-GENERAL G. SIBTHORPE, C.B., F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

Pension DEPARTMENT.

SIR,

I have the honor to solicit the orders of Government on the following doubtful point.

2. Under the list appended to para 3 of G.O. No. 489, Pension, dated 3rd July 1897, totes as a class are declared ineligible for pension. The principle, however, on which the decision has been arrived at, under Article 384(c) of the Civil Service Regulations is, that these menial servants "are not whole-time men". The question then arises whether those totes whose whole time is "retained for the public service" are to be considered as without the scope of the G.O.

3. The Senior Medical Officer, General Hospital, Madras, has raised the above question in connection with the totes employed in that institution. He states that these

new

men are employed day and night in batches
and their services are therefore continuous
and requests to be informed if they are not
eligible for pension.

The Accountant General, to whom
I referred the point for opinion, states in
his letter No. 190 dated the 30th June 1898
"that the matter should be referred to
Government for orders."

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

C. S. George

Surgeon-Major General
Surgeon-General

with the Govt. of Madras.

George

Int. St. George,
Accountant General's Office,
26 July 1898.

Submitted with reference to Government Order No. 1897
Pension dated 3rd July 1897 and to the proviso in Article 382 of the
Civil Service Regulations.

W. H. Tappin
Accountant General.

To
The Secretary to Government,
Pension Department.

Precedents of whole time menials getting pensions.

Class.	Office where last employed.	No. & Date of G.O. sanctioning pension.
Sweeper.	St. M's. Ct. Sholinghur.	G.O. 56 8/25-1-97.
- do -	- do - Aska.	" 1344 8/23-10-94.
- do -	Health Office, Madras.	" 1174 8/13-10-88.
Mashalehi.	N. Arcot Collector's Office.	" 356 8/23-4-91.
Waterman	Cumtur Police Hospital	" 551 8/15-6-91.
Ward cooly.	Triplicane Dispensary, Madras.	" 1417 8/10-11-88.
Lamp-lighter.	Sub. Collector's Office, Salem.	" 1658 8/19-12-88.
- do -	Shanmapuram Taluk Office, Coimbatore D.	" 172 8/22-2-93.

II

Precedents of whole time toties getting pensions.

Toty.	General Hospital, Madras.	G.O. 336 8/10-4-93.
Do.	Police Hospital, Koraikut.	" 570 8/13-6-89.
Two toties	Lakshmi Hospital, Madras	" 1283 8/15-10-88.

sd/
2.9.98

Pension (1898) Department.

CURRENT No. 779

From
Surgeon Major Genl. C. B. D. I.
Surgeon General with the
Government of Madras.

No. 73/37

Dated 11th September 1898

Received 16th do

Registered 17th do

Enclosures —

Spare copies —

SUBJECT

Requesting that you
 will be good enough to
 obtain the early orders
 of Govt. on ^{his} letter to
 Lt Col. dated 23rd July 1898 re-
 garding the eligibility to
 pension or otherwise of the
 Lt Col. of Govt. General
 Hospital, Madras.

Order

II

Requesting that you
 will be good enough to
 obtain the early orders
 of Govt. on ^{his} letter to
 Lt Col. dated 23rd July 1898 re-
 garding the eligibility to
 pension or otherwise of the
 Lt Col. of Govt. General
 Hospital, Madras.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

OFFICE OF SURGEON-GENERAL

WITH THE GOVERNMENT OF MADRAS,

No. 43/37.

Obtained 11th September 1898.
Madras,

From

SURGEON-MAJOR-GENERAL C. SIBTHORPE, C.B., F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

Pension DEPARTMENT.

SIR,

I have the honor to request that you will be good enough to obtain the early orders of Government on my letter No 4291 dated 13th July 1898 regarding the eligibility to pension or otherwise of the ~~Staff~~ ^{Officers} of Government General Hospital, Madras.

I have the honor to be,

Sir,

Your most obedient Servant,

C. Sibthorpe

Surgeon-Major-Genl.

Surgeon-General

with the Govt. of Madras.

[Signature]

Government { 1897 } of Madras.
PENSION.

Recd.

Enclosures

1897.

Regd.

Spare copies

G.O., No. 489, 3rd July 1897.

JULY.

Menial Offices.

Declaring, under Art. 382, Civil Service Regulations, that future incumbents of the classes
of — noted within are not eligible for pension.

First copy sent to Press.

Returned for signature.

Despatched in print.

NUMBER OF COPIES
REQUIRED.

Order complete.
Letter only.
Order complete with Letter.

READ AGAIN G.O. No.
180

DATED

CURRENT No.

ENCLOSURES TO C. No.

DEPT OF GOVERNMENT

TYPE OF GOVERNMENT.

STATEMENT WITH DITTO.

IF NOT FILED BY, BEING MEANT FOR DEFTATION
IN ORIGINAL

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.