

Pension (1899) Department.

ORDINARY MS.

G.O., No. 665 + 666.

DATED 27-9-99.

[Despatch Abstract.]

Order
Ordering that a reply be sent to the
Govt of India letter No 949 G. O. 4-7-99.

Letter
Furnishing the particulars of the
false claim to travelling allowance submitted
by Mr. Pereira, late a temporary Overseer, P.W.D.,
Madras, and recommending the grant to
him of a compassionate allowance of Rs.
15 p. m.

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

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

Pension (1899) Department.

The Under Secretary to the Gov^t
of India -
P. W. D.

Requesting the Madras
Govt. to make, if necessary, a
recommendation to the Govt. of India
for the grant of a Compassionate al-
lowance to Mr. P. Pereira late a
Temporary Overseer, P. W. D. Madras
and to furnish particulars of the false
claim to travelling allowance
submitted by him.

~~Saw~~ Please see page 6

0 L 5 3 55

BACK PAPERS.

G.O.	No.	Department.	Date.
	878-79	Pension	23-11-98 + file
		P.W. Papers	
	917 C	PW	4-3-95
	850 C	"	12-2-95
	4907 C	"	3-11-98
	7682	"	15-2-95

FURTHER PAPERS.

G.O.	No.	Department.	Date.
	1140 C	"	25-2-98
	4540 C	"	1-12-96
	3599 C	"	19-10-96 + file

All communications
should be addressed
to the Secretary.

To

The Secretary to the Government of Madras,
Pension Department.

Simla, the 4th July 1899.

Sir,

With reference to correspondence ending with your letter
No. 879, dated 23rd November 1898, relative to the memorial of
Mr. P. Pereira, late a temporary Overseer, Public Works Depart-
ment, Madras, praying for the grant of a pension, I am direct-

-----+ ed to forward
: herewith
: copies of the
: despatches
: noted in the
: margin and

with reference to the remarks contained in paragraph 4 of
the despatch from the Secretary of State, as to the advisabi-
lity of the grant of a compassionate allowance to the
memorialist, to request that the Government of Madras will
make a recommendation if they desire to do so.

I am also to request that the Government of India may
be furnished with particulars of the false claim to travel-
ling allowance submitted by Mr. Pereira

I have the honour to be,
Sir,
Your most obedient servant,

G. H. Walker

Under Secretary to the Govt. of India.
Documents accompanying :-

Despatches referred to.

S. S. S.

No. 56 of 1899.

GOVERNMENT OF INDIA.
FINANCE AND COMMERCE DEPARTMENT.
PENSIONS & GRATUITIES.

TO

THE RIGHT HONOURABLE LORD GEORGE FRANCIS HAMILTON,
Her Majesty's Secretary of State for India.

Calcutta, the 2nd March 1899.

My Lord,

We have the honour to forward, for orders, a memorial, dated 16th February 1898, addressed to the Secretary of State by Mr. P. Pereira, late a temporary Overseer in the Public Works Department, Madras, in which he appeals against the orders of this Government declining to grant him a retiring allowance for the qualifying service rendered by him, and prays that he may be granted a pension.

*Letter No. 1119-I
14.1.97
in 80 60-I
27.1.97*

2. We enclose a statement showing the several periods of Mr. Pereira's service. From this it will be seen that he entered Government service on 4th June 1866 and was shortly after confirmed in an appointment which was pensionable. He served in that appointment until 30th September 1868, when he took up a non-pensionable appointment on increased pay in the Jail Manufactory, and served in it up to 17th August 1870. This interval caused the first break in his qualifying service. On 24th August 1870 he was again appointed to a pensionable post in the District Engineer's Office, Nilgiri, on Rs. 35 per mensem and continued in subordinate pensionable posts in that office until 1st February 1879 when he was promoted to Sub-Overseer, 1st grade, on Rs. 60. He held this post until 29th February 1880, and on 1st March, owing to a general reduction in the Public Works Establishment, was transferred to Local Fund service as an Overseer on Rs. 80. He continued in Local Fund service, which qualified for pension, until 25th March 1885. On the 26th March 1885, on the

advice

advice of Major Morant, R.E., Executive Engineer, and probably with the expectation of gaining permanent service in the Public Works Department, he took up a temporary appointment of Overseer in the Public Works Department on Rs. 80, the pay which he was drawing in Local Fund service, and he thus relinquished pensionable service. Although Mr. Pereira's confirmation in his Public Works appointment was recommended by Major Morant, he failed to obtain such confirmation because there were others who had superior claims to his. He, however, continued, with short breaks, to hold temporary appointments as an Upper Subordinate in the Public Works Department until 30th September 1895. His services were then dispensed with owing to unfavourable reports having been recorded regarding him during the two preceding half-years ending 31st December 1894 and 30th June 1895. His Executive Engineer in the former reported that he had worked badly and had been detected in submitting a false claim for travelling allowance, and in the latter that he had broken down bodily and mentally and had done inferior work.

3. Mr. Pereira's total service under Government and in Local Fund amounts to 27 years 8 months, of which 16 years 5 months

as shown in the	+-----	
margin, were in pen-	+ 30th November 1866 (date of	Y.M.D.
sionable service	+ commencement of pensionable	
	+ service) to 30th September 1868....	1-10-1
and 11 years 3	+ 24th August 1870 to 25th March	
months non-qualify-	+ 1885.....	14-7 -2
	+-----	
		16- 5-3

ing. For the qualifying service he would, if the first break of 1 year 10 months 24 days from 1st October 1868 to 24th August 1870 were condoned, be eligible for a pension of Rs. 21-5-4 a month. If, on the other hand, that break were not condoned, his qualifying service would be only 14 years 7 months, and for this he would be eligible for a pension of Rs. 18-10-8 a month. Mr. Pereira's claim, however, to a pension for any qualifying service rendered up to 25th March 1885 is vitiated in consequence of his having given up his pensionable

appointment

appointment in the Local Fund service when accepting the temporary Overseership in the Public Works Department.

4. In October 1896, the Government of Madras, in forwarding a memorial addressed by Mr. Pereira to the Government of India, stated that they had no recommendation to make in his behalf, and we rejected the petition. In forwarding the present memorial the Government of Madras had made no recommendation, and considering the circumstances under which his services were terminated, we are unable to support his claim. We accordingly recommend that the memorialist's prayer be rejected.

We have the honour to be,

My Lord,

Your Lordship's most obedient, humble Servants,

(Signed.) CURZON OF KEDLESTON.

"	W. S. A. LOCKHART.
"	J. WESTLAND.
"	M. D. CHALMERS.
"	E. H. H. COLLEN.
"	A. C. TREVOR.
"	C. M. RIVAZ.

S.S.S.

S.S.S.

Nature of service.	Appointment.	Pay	Qualify-	Non-quali-
			ing for pension	ying for pension.
		Rs.	Y. M. D.	Y. M. D.
Under age.....	Acting Clerk,Central Jail, Coimbatore,4th June 1866 to 19th September 1866.	25		0- 3-16
Ditto	Clerk (permanent),Central Jail,Coimbatore,20th September 1866 to 29th November 1866.	20		0- 2-10
Pensionable	Clerk (permanent),Central Jail,Coimbatore,30th November 1866 to 30th September 1868.	20	..1-10-1.	-----
Non-pensionable	Clerk in Jail Manufactory, 1st October 1868 to 17th August 1870.	30		1-10-17
Pensionable	Storekeeper,Accountant, Writer Accountant,Deputy Accountant in District Engineer's Office, Nilgiri,24th August 1870 to 31st January 1879.	35-60	..8-5-8	
Ditto	Sub-Overseer,Madras Public Works Department,1st February 1879 to 29th February 1880.	60	1- 1- 0	
Ditto	Local Fund Overseer,1st March 1880 to 25th March 1885.	80	5- 0-25	
Temporary	Upper Subordinate,Madras Public Works Department, 26th March 1885 to 31st July 1885.	80		0- 4- 7
Ditto.....	Upper Subordinate,Madras Public Works Department, 12th August 1885 to 30th June 1886.	80		0-10-19
Ditto.....	Upper Subordinate,Madras Public Works Department, 24th October 1886 to 28th February 1887.	80		0- 4- 8
Ditto.....	Upper Subordinate,Madras Public Works Department, 9th June 1888 to 30th September 1895.	80-100		7- 3-23
			16- 5- 4	11- 3-10

Financial,
No.91.

INDIA OFFICE,
LONDON, 11th MAY 1899.

TO

HIS EXCELLENCY THE RIGHT HONOURABLE THE GOVERNOR
GENERAL OF INDIA IN COUNCIL.

My Lord,

E
I have considered in Council your Letter dated the 2nd of March, No.56, transmitting a Memorial from Mr.P. Pereira, late a temporary Overseer in the Public Works Department in Madras, in which he appeals against the orders of your Government declining to grant him a pension in respect of the qualifying service rendered by him, prior to his transfer from permanent to temporary employment in 1885

2. It is clear that Mr.Pereira accepted the transfer in question on the ~~advice~~ advice of his superior officer, Major Morant, who held out to him the expectation of a permanent position in the Public Works Department; and that, without this expectation, he would not have given up his pensionable employment for a nonpensionable and temporary appointment on the same pay.

3. It also appears that Mr.Pereira's conduct was satisfactory until within a year of the termination of a service of over 26 years in various public appointments; and he is stated to have then broken down, bodily and mentally.

4. In all the circumstances of the case, it appears to me that a compassionate allowance, less than the amount of Invalid pension admissible in respect of his qualifying service, might be granted to Mr.Pereira; and I authorize your Government to adopt this course, unless you are of opinion that the facts connected with the false claim for travelling allowance preferred by him the details of which are not mentioned, were such as to render the concession inadvisable

I have, &c.,

(Signed) George Hamilton.

VE

NOTE FOR THE UNDER SECRETARY.

With reference to the Hon. Member's remarks, please see art. 1014 of the C.S.R. As, under special circumstances, the pension is granted long after the officer has retired, retrospective effect should not be given to it without the special orders of the Sec^y of State who granted it; in the absence of which special orders the pension will take effect only from the date of sanction by India.

The Doty Office has been asked to despatch the letter to India direct if the Under Sec^y approves of this note. Please also reminder from the Govt of India herewith put up - C.N. 865.

W
28.9.99. The contingency fund is provided for by a rule in C.S.R. therefore the letter which I see has signed may come. Submit to Sec^y reminder to approval by 29.12.99

* Submitted separately
aa
29.9.99. Paper handed to Sec^y.
aa
2/10.

Pension (1899) Department.

CURRENT No. 865

V.E.

From

The Govt of India
S. W. Keft.

Order hne

If the Sec^y approves of
the final reply below, it will be transcribed
in the original reminder received from India.

No. 9494
1

Dated 20th Sept/99

Received 28/7.

Registered do

Enclosures nil.

Spare copies. nil.

SUBJECT.

Requesting to be informed of the cause of
delay in furnishing a reply and of the approximate
date on which a reply may be expected to its
letter regarding the grant of a compassionate
allowance to Mr. P. Pereira, late temporary
overseer P.W.D.

Reply
"Answer has been despatched on the 29th Sept 99"

1st
28/9/99

29/9/99
29/9/99
29/9/99

As it may be
"Lodged?" answer having gone?

Nile
The only office has been asked to fill up this date.

1st
28/9/99

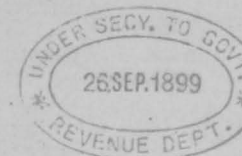
29/9/99
210/99

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.



A.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

No. 9494, dated the 20th September 1899.

REPLY.

No. , dated the 1899.

To The Secy. to the Govt. of Madras Pension Deptt.

TO THE SECRETARY TO THE GOVERNMENT OF INDIA, PUBLIC WORKS DEPARTMENT.

Subject.

Proposed grant of a compassionate allowance to Mr P. Pereira, late Temporary Overseer, Madras P.W.D.

SIR,

I am directed to invite attention to the marginally noted communication and to request that the Government of India may be informed, in the column opposite, of the cause of delay in furnishing a reply and of the approximate date on which a reply may be expected.

I am also to request that the reply to this reminder may be sent not later than the 20th Sept 1899.

I have the honor to be,

SIR,

Your most obedient Servant,

G. W. Walker
Under Secy. to the Govt. of India.



the Tank, then come back, only
to return along the same road,
especially as he had a river
to cross which was in flood.

It is further to be noted that
on 23rd ~~in~~ (the previous day)
he stated in his journal that
he had inspected the same
Pedda chernou, a statement
which he subsequently with-
drew. The overseer in defence
stated that he was informed
by his clerk that the distance
from Kodur to Chitvel was
18 miles, and that he went
by a round-about way to
the Tank. The Mee. Engineer
says that he knows of no reason
why he should have done
this.

Submitted that the Mee. Eng-
ineer's letter may be forwarded
to the Govt. of India and
that it may be informed
that this Govt. has considered
that ^{of the fact stated in the margin} in consideration of the
previous good service of
the petitioner ~~it seems~~ he may
be granted the compassionate
allowance recommended
by the Secretary of State

H. L. 18
7/8
7. 49

The fact that the Officer had
never arrived in the Tank, a
man ignorant of the country
was, I think, he accepted
being that he made a mistake
of 2 miles in entering the
distance travelled in good
faith. In this mistake he
has, I submit, been already
inadequately punished by
losing all his travelling about
- once in the month, & being
marked N.R. in the return
- mandarin R.R.

Condorcement of Pension Dept. No 52 d/31. July. 1899.

The former

In Orders

2 Flay 2

I accept the proposal made by the Sec. in the concluding portion of this Note. The Sec. should note the amount of the compassionate all^y, which may be recommended.

R. E. H.

15.8.99

Note for His Excellency.

It is recommended that the break in service of 1 year, 10 months and 26 days from 1st October 1868 to 24th August 1870, be condoned and that a pension of Rs 20.0.0 per ^{which is} less than the full pension admissible may be granted

H. L. 17/8

H. L. 17/8

18/8

again 17/8

Sending that the highest pension

The history of Mr. Pereira's case is set forth in Govt India's letter No 56 of 1899 dated 2nd March 1899, with which his petition was forwarded to the Secretary of State. In forwarding the petition the Govt of India recommended that his memorialists' prayer should be rejected. The Secretary of State in reply stated that it appeared to him that a compassionate allowance less than the amount of the invalid pension admissible in respect of his qualifying service might be granted to Mr. Pereira; and he authorized the Govt of India to adopt that course, unless it was of opinion that the facts connected with the false claim for travelling allowance preferred by him were such as to render the concession inadvisable. The Govt of

Madras has now been asked to make a recommendation in the matter if they desire to do so, and also to furnish particulars of the false claim to travelling allowance submitted by Mr. Pereira.

The details of the false claim are given in letter from Secy. Engineer (Madras) dated 25th Feb. 1895 (flagged V).

In his journal for October 1894 Mr. Pereira claimed 22 miles mileage on 24th of that month. In it he stated that he "inspected Pedda Cheruvu of Kodur and back and thence to Nagaripadu ancient and Chitvel". The Kodur Tank is a little more than a mile from Kodur and is about 100 yards from the direct road between Kodur and Chitvel. Chitvel is between 15 and 16 miles from Kodur, so, even if Mr. Pereira had done what he said, he would not have travelled at the most more than 19 miles. It is more over extremely unlikely that he would have gone out in the morning to inspect

person that would have been given was

only Rs. 21.5.4 (See 2nd Cont. of India

Des. N^o. 56 of 1899, 27 March 1899, para 1)

I think now to give a compassionate allowance of

as much as Rs. 20, would be inconsistent

with our previous opinion in this case, and

also with the present suggestion of the

Secy. of State. I should propose Rs. 15.

A. 24.

19.8.99

20971D of 23-8-99

The Pension Dept (u.o) with file and notes in original

22-8-99

Plm

Encl. reply to

25/8/99

Herewith submitted

1/4

5923

Despatched 29-9-99.

H-24

14-8-99

I suppose the allowance should be granted with retrospective effect from the date when his services were dispensed with Sept 30th 1895? If so this should be added to the enclosed's sentence

14-8-99

Order No. 665 of 27th Sept. 1899.

Ordered that the following letter be addressed to the Govt. of India.

---:--- 16/12/99

Letter No. 666.

To

The Secy. to the Govt. of India

P. W. D.

Sir,

In reply to your letter No. 949-

G, d/ 4th July 1899, I am directed to furnish the particulars of the false claim to travelling allowance submitted by Mr. Pereira, late a temporary overseer, P.W.D., Madras, and to communicate the views of this Govt. as regards the grant to Mr. Pereira of a compassionate allowance.

2. In his journal for 24th October 1894, Mr. Pereira claimed mileage on the ground that he had travelled 22 miles on that day. He stated that he had inspected a tank called Peddacheruvu from Kodur

Kodur station, had returned and had the same day proceeded to Nagaripad anicut and Chitvel. The Kodur tank is a little more than a mile from Kodur and is about 100 yards from the direct road between Kodur and Chitvel. Chitvel is between 15 and 16 miles from Kodur; so, even if Mr. Pereira had done what he said, he would not have travelled at the most more than 19 miles. It is, moreover, extremely unlikely that he would have gone out in the morning to inspect the tank, then come back, only to return along the same road, especially as he had a river to cross which was in flood.

Further, in his journal for the 23rd

~~October 1894~~ Mr. Pereira stated that he

had inspected the same Peddacheruvu ^{that day}

a statement which he subsequently with-

drew. Mr. Pereira's defence was that he

had just been transferred to the Taluk

and was misinformed by his clerk.

His Excellency the Governor in Council is willing to take a lenient view of the late overseer's conduct and in

response to the ^{request made} ~~invitation~~ contained in your letter ~~would~~ recommend the grant to Mr. Pereira of a compassionate allowance of Rs. 15 per mensem.

10/5/97

186
12/11/88

13999

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189 .

READ AGAIN G.O., No. _____, DATED _____
 189 .

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DETAIL

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

N.B.—

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