

Pension (1899) Department.

ORDINARY MS.

G.O., No. 834.

DATED 5-12-99.

[Despatch Abstract.]

*Stating that the application of
Mohamed Bakker, late from of Kaniya Salak
praying for a retiring allowance cannot now
be entertained.*

101
23.11.27

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C No.	273/01						

Pension
Political (1899) Department.

CURRENT No. *965*

From *The Collector of Nilgiris*

Order *5th Decr. 1899 No 834*

As the applicant resigned his appointment in favour of his son and consented to forego all claims to pension, the application for a retiring allowance cannot now be entertained.

16/11/99

16/11/99

To *The Collr. of Nilgiris. / (with encls. Annexed) (12)*



Dated *7 November 1899*
 Dispatched *8 November 1899*

Received *10-11-99*

Registered

Enclosures

Spare copies

SUBJECT.

Submitting petition presented by Mahomed Rachee, late peon of Kaniyoori Sub station praying for pension.

16/11/99

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

D
4 1,920-14-3-99.

Pension

REVENUE DEPARTMENT

No. 965

From The Collector of Nellore.

Dated

7th Novr. 1899. No 211 R
acc

FOR ORDERS.

Note

- A -

The applicant was warned that he would forfeit his pension by resigning. But he preferred to resign & his son got his post.

16/11
20/11/99

In June 98, the applicant appealed to the Colr, but was told that "his case could not be reopened at that distance of time". D

F

The applicant resigned his appointment in favour of his son, knowing what the consequences of such a resignation would be. In his petition to the Sub Collector 8/23-10-88, he stated that he did not require to be pensioned, but that he wanted his son to be appointed to the post of peon in his stead. Accordingly, his son was appointed and after the lapse of 10 yrs, the applicant has put in his claim for pension for his past services. His age on the date of resignation is not given, but if it was below 60 years, there is no rule in the C.S.R. under which the claim can be favourably considered, as he resigned his appointment without having obtained a medical certificate that he was physically incapacitated for further service.

Hence draft order on docket sheet of CN:9 for approval.

H

G.O. No 1063 Pension, 8/5-11-92 rules that conditional resignations should under no circumstances be permitted, but the applicant resigned in 1886.

See Please see draft 30

one file

16/11
23.11.99

FOR ORDERS.

Nellore Collector's Office
Dated 7th November 1899.

No. 2112
acc

Read Petition from Mahomed Bahir Sahib, late peon, Kanigiri Taluk, dated 31-10-98 requesting that he may be granted pension for the services rendered to Government for the last 35 years.

Submitted to Government.

Petitioner was a peon in the Kanigiri Taluk butcherry on Rs 6 per mensem until June 1886 when having fallen sick and being hopeless of recovery, he resigned his appointment in favour of his son waiving his claim for pension. The resignation is not forthcoming in the records of the Sub Collector's Office or of the Taluk butcherry, but the under-mentioned papers show that the petitioner resigned his post and waived his claim to pension.

A (a) Sub Collector's Taluk no. 1159 of 15th April 1886 to the Tahsildar of Kanigiri directing him to inform Bahar Sahib that, if he should resign conditionally, he would not be entitled to pension.

B
(b) Sub Collector's Sakid no. 1898 of 12th June 1886 to the Tahsildar of Hanigiri accepting the resignation of Mohomed Bahar Sahib and appointing his son Mohomed Hussain in his place as requested by him and adding that the petitioner stated in his petition that he did not want pension.

C
(c) Extract from petition of 23rd October 1888 (filed by petitioner and not traceable in office records) with a translation of it into English, in which petitioner stated clearly that he was informed by Mr. Lake, the then Sub Collector, that conditional resignations could not be accepted, but, that thinking he would not live any further and as that the appointment would be lost, he requested that it might be bestowed on his son.

3. Petitioner's resignation was accepted and his son appointed in his stead in 1886. In 1888 he moved the Sub Collector for pension and was given an endorsement that he was not entitled to it. He petitioned the Treasury

Treasury Deputy Collector who referred him to the Sub Collector's order. No attempts were thereupon made to appeal to the Collector. After a lapse of ten years, he submitted a petition to the Collector in June 1898 when he was told by Mr. Scott that his case could not be reopened at that distance of time.

D
4. The petitioner's statement that he did not resign his appointment is incredible and is contradicted by the Sub Collector's orders quoted above.

5. The petition of 1888 alluded to by the petitioner in para 7 of his petition is apparently the one given to the Treasury Deputy Collector.

6. The marginally noted records are enclosed for reference.

7. The delay in the submission of this petition is due to the difficulty in obtaining information from old records in

a. Sub Collector's Sakid no. 1159 of 15th April 1886.

b. DO no. 1898 of 12th June 1886.

c. Translation of an extract from petition of 23rd October 1888.

d. Disposal no. 2517 of 30th June 1888.

e. DO no. 2383 of 25th July 1898.

various offices, as the matter relates
to a period or more than ten years
old.

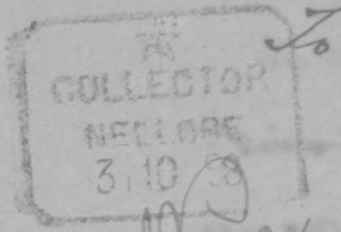
Muhammad
8.11.99
H^d. Ar. Dy. Collector
for Collector.

11/8/99

Comptroller
N^y

143 Ret
ace 798.

1766 Pth J^W Rth
N^y



His Excellency the Governor in Council
Fort St George
Madras

Through the Collector of Nellore in obedience
to the Endorsement of the Madras Government
no 800 dated 19th October 1898, herewith enclosed.

The humble memorial of Muhammad Bakhar
Sahib, late peon of Kanigiri Taluq, Nellore
District.

Most humbly sheweth,

That his Excellency's Memorialist had contin-
uously served in the Revenue Establishment
for more than 35 years, as per detail in the
margin. In May 1886 Memorialist having
fallen sick applied for leave on the substitution
of his son. During the period of leave, Mem-
orialist's sickness having increased, he request-
ed the then Tahsildar to recommend Mem-
orialist's son for the post, as he (the Memorialist)
would be of no use.

From 1851 to 1856 Adanki Taluq peon Rs 3-0-0 monthly.
From 1857 to 1860 Gopalapally Taluq peon Rs 4-0-0 per month.
From 1861 to April 1886 Kanigiri Taluq peon Rs 6-0-0 per month.

recover his health (vide copy of the Memorialist's petition dated 27-2-1886 marked A).

2 On this petition orders were passed by the then Sub-Collector that no pension could be granted to the Memorialist, if the appointment be given to his son, and that no appointment would be given to his son if the Memorialist be granted pension. On receiving

this order from the Tahsildar, the Memorialist in his petition dated 16-5-86 to the Sub-Collector represented his grievances prayed for compliance with the Memorialist's two requisitions as it had been the practice existing throughout the whole district as well as in the Sub-Division (vide petition marked B)

3 In another petition dated 2-9-87, Memorialist again requested the then Sub-Collector to recommend him for pension (vide petition marked C). On which the Memorialist was assured with the endorsement dated 29-9-87, that the Collector had been addressed on the subject. (vide endorsement on the petition marked C)

4 In an endorsement from the Tahsildar of Kavigiri dated 11-10-87 no. 2692, Memorialist stated that orders were passed

had lost his claims for pension as he had resigned his post in favour of his son. (vide endorsement marked D)

5 On receiving the above endorsement Memorialist in his petition dated 23-10-88 again requested the Sub-Collector to reconsider Memorialist's claim for pension as he had not resigned his post but merely requested, as a favour to grant his post to his son, and that the Memorialist could see no reason why he should forfeit his claim for pension after having put in a service of more than 35 years (vide petition marked E)

6 In reply to the above Memorialist received an endorsement dated 29-10-88 (marked F) that (he) the Sub-Collector could not interfere in the matter as it had already been decided.

7 In November 1888 Memorialist again put a petition to the Collector (marked G) to annul the order passed by the Sub-Collector and grant him pension but with no effect (vide endorsement dated 30-7-88 marked H)

8 Thus becoming unable to

as there was

his old age, he went to Hyderabad to take shelter under his daughter, thence he returned about one year back to this district, owing to her demise, thus he is now left unsupported. On his return from Hyderabad he again put in a petition to the Collector to take up the case for reconsideration and grant him pension. The Collector's endorsement no 2383 A.C. dated 25-7-98 herein enclosed says the matter will not be reopened.

9 Now the whole history of the memorialist is placed before the Honorable Government with a proper full hope that the memorialist will have justice and be awarded pension.

10 Memorialist can declare on oath that he has not at all put in a petition resigning his post. If there really be found such a petition either in the Sub-Collector's or in the Collector's office, then it is nothing but justice to consider that the memorialist had forfeited his claim for pension.

11 His Excellency's memorialist most humbly begs that this case may be taken into favorable consideration and justice rendered to memorialist being a poor and help less man just at the brink of the grave for which act of justice and generosity he will ever be praying to God for his Excellency's long and happy life.

His Excellency's most humble and obedient servant.

Petition of 2.7.87 from Muhammad Baker, late from Kanigiri To the Sub. Coll. of Nellore

1. The peti. states that on the 16th May 1886 he presented a petition to the Sub. Coll. praying that he might be pensioned. He did not renew this prayer as he was sick and had an attack of fever. He had put in as a service of 35 years. As he is very poor he prays that he may be granted a pension.

2. Petition of 3.2.88 from the same individual to the Treasury Dy. Coll. Nellore.

The peti. states that he had already petitioned the Sub. Coll. for pension and on 29th Sept 1887 received an order (copy of which he encloses) stating that he had been recommended to the Coll. for pension. As he is very poor he prays that early orders may issue granting him the pension he has been applying for.

Dy. Coll. takes to the T. H. S.

2517. & 30688.

3.

On the 30th February 88, Muhammed Baker, late from of your office presents a petition to me stating that the Sub. Coll. has recommended him to the Coll. for pension. I wrote to the Sub. Coll. about this and in ^{his} reply No. 2456, D 19. 6. 88 am given to understand that the from in question resigned his app't. requesting that the same might be conferred on his son. Under the circumstances the man has no claim to pension and I request he may be informed accordingly.

Petition D 26th May 1898 from Muhammed Baker, late from, Kanigiri to the Coll of Nellore.

The peti. states that he has put in a service of 35 years. In 1886 when he was a from of the Kanigiri Taluk he took leave for 3 months on account of the marriage of his daughter. While on leave he had an attack of fever and therefore presents petitions to the Sub Coll. praying that he might be pensioned and that his son who was acting for him and who had ~~before~~ previously held many

4.

acting appointments might be permanently appointed to succeed him in the appointment. The then Sub. Coll. thought, unfortunately for the peti., that the peti. had forfeited his claims to pension. The peti. however encloses copies of his petns. to the Sub Coll. and states that in none of them he had consented to forego his pension. It is very unjust that the peti. should have been & deprived of his pension simply because he asked that his son might be appointed to succeed him and that his long service of 35 years should have been overlooked. For the last 10 years the peti. had been unable to find out any means

means of livelihood. He lived
for some time in the Nizam's
dominions depending on the
generosity of his relations. He
prays that he may be
granted a pension.

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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 DITTO.

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

N.B.—

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