1. Number of pages. 1 to 40
2. Date of repair. 22-5-35
3. Initials of repairer.

M.R.O. 1—82 400—23-11-30

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	85	~~Press~~ Mis.
Dated	17-4-	1857

Not to be folded or roughly handled

22-5-35

24 Decr

To

Wm Robinson Esqre

Collector of Malabar

Sir,

Most respectfully I take the liberty to address you these lines humbly begging that you will pardon me for the intrusion.

Pursuant to a Circular issued by you No 3969 dated 15th instant having for its object the payment of Commutation in lieu of Pensions I beg to state that I am willing to avail myself of this offer under the rates therein specified, and to remain with due respect,

Sir,

Your Most Obedient Servant

F. I. Cabral

Calicut

23d December

1856.

~~Aub 1857~~
~~In No 3~~
~~27~~

Aub 1857
In No 326

To,
W. Robinson Esqre
Collector of Malabar
Calicut

In No 382 of 185
[illegible]

Statement shewing the Age and Amount of Monthly Pension &ca of the Applicant J. C. D'Araujo in the District of Malabar for commutation of his Pension -

Name of Pensioner	Date of the Sanction of Government.	Age			Amount of Monthly Pension	Commutation Company's Rupees -
		Yrs	M.	D.		
J. C. D'Araujo	14th March 1854.	66	4.	17.	60.	4,320. .. ..

W Robinson
Acting Collector -

Exd. TWH

37

This is to certify that Mr P. A. Cabral, Pensioner Sub. Court Calicut has been Examined and found to be in a good state of health.

A. S. Cleveland
Civil Surgeon
Malabar

Calicut,
5th January, 1857.

In a letter from the Acting Collector of Malabar dated

~~Collr. 1857~~ Pub. 1857
~~No 232~~ No 326

2

In L. No. 362 of 1857.
Sd. 9 March.

Statement showing the age and amount of monthly Pension &c of the applicant S. C. d'Araujo in the District of Malabar for commutation of his Pension.

~~Pub 1857 D~~
~~In No 382~~

Pub 1857 D
In No 326

2

In No. 382 of 1857.
Incl 9 March.

Cd

---

3 Jany

To,

W. Robinson Esquire
acting Collector of Malabar.
Calicut.

Sir,

With reference to your circular order dated 15th ultimo, I beg leave to state that I am willing to conform with the orders therein alluded to. I solicit that my monthly Pension may be continued to me until I receive the amount in question.—

I remain,
Sir,
your very obt. humble Servant

[illegible] 1st [illegible] 1857.

Stamped.-

To,

W. Robinson Esquire-
acting Collector of Malabar
Calicut.

COCHIN

45-1-8

8-1-57

No. 111

I hereby certify that I have this day examined Mr. J. C. D'Araujo and I find him in his usual state of health he suffers alone from the common disabilities of old age.

Cochin
9th January 1857

Civil Surgeon

In No. 362 of 1857
Del 9 March "

~~Pub 1857d~~
~~In No 232~~

Pub 1857d
In No 326

15

Statement Shewing particulars relating to Mr. P. A. Cabral, applicant for commutation of Pension.

Name of Pensioner.	Date of Government Sanction.	Age.		Amount of monthly Pension.	Commutatio
		yrs.	m.		Co's Rs.
Mr P. A. Cabral.	4 April 57.	68	4	10 9 10	764 4 "

J. Robinson
Acting Collector.

1857. Department.

No. 3.

In a letter from the Actg. Collector of Malabar dated 15th January 1857 No. 5

Recd 1857
In No. 326

3

L. No. 382 of 1857.
K. 9 March "

Statement shewing Particulars relating to Mr. P. A. Cabral applicant for commutation of Pension.

No. 4/1857 Sultan's Battery 15th January 1857.

From, W. Robinson Esquire,
Acting Collector of Malabar,
To, J. D. Sim Esquire,
Acting Secretary to the
Board of Revenue,
Fort St. George.

No. 408

Sir,

No. 3697.
*d/1st Jany/57

With reference to Extract Minutes of Consultation under date the 31st October 1856 received with the Board's Proceedings* of the 6th November last, I have the honor to submit the application of J. C. D'Araujo for the commutation of his Pension, with medical certificate relative to his health and Statement shewing his age and amount of purchase money due to him, and beg to be favored with the Board's Sanction, to disburse the said amount viz Rupees 4320. to that individual.

I have the honor to be,
Sir,
Your most Obedt. Servant,
W Robinson

1856
Department

From No. 362
The Acting Collector
of Malabar

To
The Acting Secretary
to the Board of Revenue
Fort St George.

Dated 15 } January 1857
Received 22 }

Enc. 2. No.

Enc. 2

In Consn. of 9 March
Prol. 1857 ~~Rec. 1856~~
On No. 326 ~~No. 2222~~

Submits the applica-
tion of J. A. Cabral for the
commutation of his Pension an[d]
solicits the Board's sanction to
disburse the Amt. Rupees 764-4

Orig. to Govt.
9 March 57

19

No. 5
1857

Sultan's Battery 15th January 1857

From,
W. Robinson Esquire,
Acting Collector of Malabar

To,
J. D. Sim Esquire,
Acting Secretary to the
Board of Revenue,
Fort St. George.

Sir;

With reference to Extract Minutes of Consultation, received with Board's Proceedings No. 3697 under date the 6th November 1856, I have the honor to submit Mr. J. A. Cabral's application for commutation of Pension, with medical certificate, relative to his health and Statement shewing the requisite particulars in such case, and beg to be favored with the Board's Sanction to disburse the amount viz, Rupees 764-4-0 to that individual.

Decr/56.

4/

I have the honor to be,
Sir,
Your most Obedient Servant,
W. Robinson
Acting Collector.

Copd

1857.
Department.
From, No. 382
The Acting Colactor of
Malabar,

To,
The Acting Secretary to the
Board of Revenue.
Fort St. George.

Dated 15 January } 1857.
Received 23 — do — } 1857.

No. 5
Enc. 3.
No.

In Cons. 9 March 57
~~Cons. 1857~~ Cons. 1857
~~In No. 232~~ In No. 326

Submits Mr. P. A. C. bal's application for Commun of Pension and solicit sanction disburse the 764-4- Rupees that individual.

Origl Recd
9 March 57

Commutation of Pensions.

2
Extract Pros. Bd. of Rev 9 March 57

The principle of commuting Pensions was first enunciated in the Political Dept. - vide E. M. C. 14th Novr and 19th Decr /54.

2. Subsequently - 17th Feby/55 - the Govt., on view in the 'Agra Gazette' of the 26th Decr/54, of a Circular order issued to the provincial authorities under sanction of the Lt. Govr. N.W.P. - permitting the commutation of some other classes of small Pensions - directed the Bd. of Revenue, to submit, after consultation with the Civil Auditor, Draft of a Circular order, embodying, with such modifications as might be called for, the rules sanctioned by the Govt. N.W.P.

3. The Draft called for, and of the terms of wh. the Govt. - E. M. C. 10th July/55 - approved generally - became the Bd's Circular order 1821, dated 21st July.

4. The pensions, to buy up which arrangements were made, are of five kinds.

a. Hereditary Pensions & Melikanas

of the value of Rs 100 & less per annum.

b. Allowances for Institutions of a permanent character as Mosques & Pagodas.

c. Such personal pensions of Rs 100 & less per annum, as may have been declared hereditary.

d. Grants (not hereditary) for the support of Durgahs, Tombs, Tuckeyas or Makans.

e All life pensions of twelve (12) rupees per annum & less.

+ No 3697.

5. On the 6th November/56, the Board issued a second Circular order, under instructions from Govt. dated the 31st of the month preceding. These instructions were based on a letter from the Honble Court, dated 30th April, No 3 of 1856, ~~[illegible]~~ thereon as per margin.

× answer to Political Letter, 27th Feby, No 3 of 1855. & to paras 14 and 15 of Letter dated 10th August. (No 10) /55. Respecting the grant of consolidated sums to Carnatic (and other) Stipendiaries in commutation of their Pensions.

6. The cases reported to the Court were those of Carnatic Stipendiaries. They approved of what had been done – and observed that they saw no reason against entertaining applications for commutation, whatever the amount of Pension, whilst

Govt. feels assured that the purpose is to employ the money profitably.

7. On this, the Govt, ~~[illegible]~~ ~~[illegible]~~, instructed the Bd. that the Ct's orders apply to all Pensions & Yeomiahs of whatsoever description. Where the amount of Pension, however, exceeded the limit previously laid down by the Board in their first order, ~~the~~ reference was to be made to Govt.

8. The Govt. of India do not appear to have recd. any orders from the Ct. of a similar nature. They have lately sent this Govt. an Extract from their Proceedings, under date the 30th Jany last, enlarging the 'Agra' limit of 12 Rupees in the case of Life Pensions to 20 rupees per annum – but no other extension of the 'Agra' rules has been sanctioned by them.

Ext. Procs Bd. Rev. 9/3/57.

9. The second Circular order of the Bd. has not met with any general response. Two applications, from Malabar, have, however, lately been recd. by them – and are now before Govt., to be taken into consideration on their own merits and in connection with the order of the Govt. of India above recorded.

10. The applicants are both [illegible].

-annuated Pensioners – the Pension of one is 60 Rs, and of the other, Rs 10-9-8 per mensem.

11 – The questions put by the Board are –

1st – Are the orders of Govt, upon which the Bd's second Circular order is founded, applicable to Pensions of Superannuated Public Servants?

2d – Are the same applicable to allowances from the late Native Pension Fund?

23/3

I wd recommend for the present adherence to the rules laid down by the Govt of India for ordinary cases of commutation.

A G

Under these rules both classes of Pensions appear to be included if not exceeding Rs 20 per mensem – Mr Cabral's application may therefore be complied with and Mr D'Aranjo's refused – It will be necessary to have certificates of health in all cases & the recommending officer must be required to state that ~~[illegible]~~ the applicant has appeared in person before him and has satisfied him on points required – 3/4/57

Mr Carmichael's memo gives a correct resumé of the questions for consideration.

The late order of the Govt of India, 30 Jany 1857 proceeded from an application from the Govt of Bombay for permission to adopt for that Presidency the rules for the commutation of Pensions and other allowances of a limited extent already obtaining in the N W Prov: & the Punjaub – The Supreme Govt in acceding to the request somewhat extended the limits & made the option general.

It had not appeared to this Govt necessary to obtain the sanction of the Govt of India for the adoption of a principle already acted on in the other Presidency – The rules therefore of

July 1855 were authorized without prior reference to Calcutta —

Neither when the Court of Directors so explicitly approved and sanctioned the commutation of Carnatic Stipends irrespective of their amount, did it appear necessary to seek the consent of the Govt of India for extending to other allowances the principle already recognized by the Court in respect to the Carnatic Stipendiaries —

The late Circular from the Supreme Govt extending the amount of commutable life pensions from 12 to 20 R per an. makes it however doubtful whether this Govt can of their own autho go beyond that limit — except of course in the case of the Carnatic Stipendiaries for whom there are the express orders of the Court —

It might be proper to address the Govt of India on the subject — report to them what had been done in the commutation of the Carnatic Pensions, and ask that this Govt might be allowed a similar discretion in respect to other Pensions —

A further question is also propounded by the Bd. viz whether Superannuation Pensions granted to ~~[illegible]~~ retired Servants — & Pensions on the Native Pension Fund should also be admitted to commutation.

As to these it may be remarked that the recipients are usually men of considerable age and probably

[illegible]

more likely to lose than to gain by the commutation — These pensions are usually large compared with the ordinary Yeomiahs - & there is consequently not the same object in commuting - Besides which such persons are usually well known & little scope given for fraudulent practices in reference to their Pensions.

I shd be afraid of any reference on this subject doing more harm than good. At all events - if any be made I wd restrict to asking any general question as to whether the Supreme Govt is disposed to extend the rule to commutation for larger sums in specified classes of pensioners &c

I wd not make any refce

c2 Apl.

Revenue Department

No. 725

Extract from the Proceedings of the Board of Revenue, dated 9th March, 1857.

In Con 9th March /57.

Read letters from the Acting Collector of Malabar, dated 15th January 1857 submitting Applications from two superannuated Pensioners for the commutation of their Pensions.-

(Here Enter No. 485.)

Resolved that the above letters be forwarded for the orders of the Right Honorable the Governor in Council with reference to Extract Minutes Consultation dated 31st October 1856 No. 408.

2. The Board are not aware whether the orders quoted above are intended to apply to the commutation of Pensions of Superannuated Public servants, and request to be favored with the instructions of Government on the subject.-

3.- They also request to be informed whether they are to dispose of applications for the

commutation

commutation of allowances from the late Native Pension Fund.

(A true Extract)

J A Sim

Acting Secretary

To

H. Forbes Esqr

Actg Secretary to Government

Revenue Department.

33

P.C. 4th Nov/56 No. 20.
F.C. 24th Feby/57 – " – 9 & 10.
P.C. 29th July/56 – " – 9 & 10.
" – " 16th " /55 – " – 72-73.
" – " 19th Feby – " – 66.
B.C.O. No. 1821 of /55.

S Pub: Dept E No. 85 – of 17th April/57

Public Separate
1857 Department
No. 142

Extract from the Proceedings of the Board of Revenue

Dated 9th March 1857.
Recd 10 " "

Recd in the Public Dept 17th April do 7 Encls
No. 725

~~No. 2232~~

No. 326. 10/4/57

Submitting letters from the Acting Collector of Malabar enclosing applications from 2 Superannuated Pensioners for the commutation of their Pensions, and Enquiring in [illegible] as well as with respect to the commutation of allowances from the late Native Pension Fund.

~~Separate.~~

Public Deptt.

No. 85

Extract from the Minutes of Consultation
Dated 17th April 1857

Read the following Extract from the Proceedings of the Board of Revenue.

(Here enter 9th March 1857 No. 725)

The Board of Revenue submit applications from two superannuation Pensioners for the commutation of their Pensions and inquire whether the orders of Government 31st October last apply to such cases as well as to those of incumbents on the late Native Pension Fund.

2. It is observed that those orders intimated that

that the principle laid down by the Honble the Court of Directors in their letter, Political Department, 30th April No. 3 of 1856, relative to the commutation of Carnatic Stipends, viz: that it was to be without limit in regard to the amount of the Stipend,— must be considered applicable to all Pensions and Yeomiahs of whatever description— but that such allowances as were in excess of the limit prescribed in the Board's Circular Order of 31st July 1855, founded on that of the Govt. of the N.W. Provinces, — were to be reported for the decision and orders of Government—

Agra Gazette 26th Decr 1855. C.O. Bd Revd N.W.P. No 18 - 15th Decr /55.

The

3. The Government have, however, subsequently received the orders of the Government of India, 30th January last, which enlarge the limit of life pensions purchaseable in the N.W. Provinces from 12 to 20 Rupees per annum as in the Punjab— and direct that this shall apply to all cases of Life Pensions payable by Government under all the Presidencies and Administrations in India.—

4. From this the Government [redacted] infer that it is not the intention of the Supreme Government that Pensions of a larger amount than 20 Rs. a year shall be commuted— The orders

of

of 31st October last must therefore be considered withdrawn.

5. It is remarked that in both of the cases now under submission by the Board the yearly pension is far beyond 20 Rupees.

D. F. Carmichael
D. Secy.

To the Bd. of Revu. — dispd. 17th
" Revu. Departt. " dispd. 20th

Received
Entd. & Retd. } 18. April 1857.

Entered 21st April

J. D. Sim
Ag. Secretary

Ag. Secy. to Govt.

To the Pol. Departt. dispd. 22d.
Entd. & Retd. 27/4

c 15 Apl.
R 17 "

Dy. Secy. to Govt.

Separate
Public 1857 Departt.

No. 85

Extract-

Dated 17th April 1857

Recd. from the Record Office

[illegible] Board's C.
[illegible] 40 of 1857