SD.
20.6.3[illegible]5
6.6.36

M.R.O. 1—82,400—22-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Pension **DEPARTMENT.**

G.O. No.	326.	Press Mis.
Dated	6 – 10 –	1859

Not to be folded or roughly handled

20.6.2

To

His Excellency
The Right Honorable
Sir Charles Edward Trevelyan, K:C:B:
Governor
&c. &c. &c.
Fort St. George.

The Humble Petition of
Just Gantz.

Respectfully Sheweth,

1. That your Memorialist whilst holding the appointment of Revenue Surveyor in the Madras Collector's Cutcherry, received a *circular addressed to the Naib Sheristadar, the Amildar and the Surveyor, directing them to inspect and report upon the waste lands of the Collectorate. This circular directed the parties to proceed in the usual manner, "with reference "to the Collecting Conicopoly's Memo: to the different spots "indicated therein," and to submit a "joint" report on the propriety or "otherwise of relinquishing the arrears of quit rent on each &ca."

*Vide Circular dated 16th October 1843.

2. In accordance with the above order, different spots were visited and reported upon, from time to time for a period of three Years, and among others a particular spot was pointed out by the Conicopoly, as being held under Certificate

Numbered

Numbered 3261 and so entered in his Memo: which he produced at the time.

3. The spot thus pointed out was perfectly barren, and Your Memorialist conjointly with his coadjutors reported accordingly. Some three or more years after this occurrence or in February 1849 a Petition was addressed to the Collector by one Nayena Pillay representing that "Quit rent on certain land held "by one Saravanaperma Moodely, had not been collected for "10 Years, on the plea of its having been waste; although the land "was productive and yielded a sufficient return to the owner". Saravanaperma Moodely was himself a Conicoply for the collection of Quit rent and found no difficulty in evading the demand on his land which on investigation he admitted to be the very one represented by No. 3261.

On receiving this information the Collector directed by an Order dated 1st March 1849 the Sheristadar, Surveyor and Amildar conjointly, to report upon the matter, intimating at the same time the probability of having to submit the explanation to the Board of Revenue, "in order that the neglect, "if any, of the party most to blame may be brought prominently "forward to their notice". This order having induced the necessity of a second inspection of the spot, Your Memorialist and the Amildar proceeded to their duty, but found to their surprise, that the spot to which they were conducted on this occasion was different from that which they had formerly inspected; the first, being a barren spot at Porsewaukum, whilst the latter was situated in the heart of the same village running beside a Street with three houses built in front, and Cocoanut trees growing in the back. The enquiries then made elicited the facts that

that Saravanaperma Moodely held the latter ground under the Certificate No. 3261; and derived an Annual Revenue of Rupees 21, while the barren spot before alluded to was likewise held by the same individual but under a different Certificate, viz: No. 9737.

5 It has been stated that Your Memorialist and the Amildar were conducted to this spot. It is now necessary to explain that the party who conducted them was the Conicopoly, whose business it was to point out the sites of lands, and who had always performed this duty. On being questioned as to the reason of his pointing out a spot of ground different from that previously pointed out, he replied that he was not aware of any Certificate having been issued in the name of Saravanaperma Moodely for the spot containing houses and a plantation, but as Saravanaperma Moodely held possession of several Certificates for land, both cultivated and waste, he was under the impression that this spot was held by him under a Meerassy Title, and had accordingly entered it in his Memo: as waste land. Whether this Conicopoly's proceeding was the result of design or ignorance it is difficult to say; be this as it may, Your Memorialist had no means of detecting the fraud or error, and he would have been as fully convinced now as he was when he first inspected the waste land, that that was the land represented by No. 3261 had not other cultivated land been afterwards pointed out to him.

6 It is further to be urged that Your Memorialist had not to measure the land, but merely to inspect its condition, whether it were waste or productive; it was not therefore in his power to detect the error, by comparison of its actual measurement with that stated in the Certificate, nor had Your Memorialist a Map or Plan for his guidance. It must also be

be explained, that prior to October 1843 the duty of inspecting the lands was performed by the Deputy Collector, whose precedent of not measuring the wastes, was a necessary guide to Your Memorialist; acting as he did in strict conformity with the orders of the Collector, which directed the inspection to be made "in the usual manner with reference to the Collecting Conicopoly's "Memorandum."

7. On the result of this second investigation being reported to the Collector, on the 5th March 1849, that Officer subjected Your Memorialist and the Amildar to fines on the ground of neglect; the sum in which your Memorialist was mulcted was Rupees Ten.

8. On the 15th September 1849 Your Memorialist received an intimation from the Collector that the Government had directed Your Memorialist's dismissal from the service, and that Your Memorialist could not again be employed without special sanction: and stating that Government observe "that, whilst gross neglect was confessed, there "is also what can scarcely be regarded but as a wilful falsi-"fication; and that the application to No. 3261 (a spot of ground "held by a Certificate bearing that No.) of the description of "circumstances belonging to No. 9737, was made with intent "to deceive, and for no other end than to obtain a remission of "the demand upon No. 3261, falsely represented as unproductive;

9. Your Memorialist was accordingly removed from his employment; he then applied to the Collector for copies of documents having reference to his case, but received a refusal. It is here necessary to state, that throughout the circumstances which led to Memorialist's dismissal,

dismissal, no reference was made to him, nor any explanation demanded; save in the single instance when the Collector desired to be informed under what circumstances the land had been brought under the head of waste land.

10 Your Memorialist then* appealed to Government making the forgoing the substance of his appeal. Upon this an investigation was held before the Board of Revenue, under Orders of Government; at which all parties concerned underwent a searching examination; and the result so far as Your Memorialist was concerned was a modificatory Order from Government No. 731 of 3rd August 1850, to the following effect; "The Government decline to authorise the re-instatement of the "Memorialist in his former appointment, but are pleased so "far to modify their orders of the 11th September last, as to permit "his being entertained without the previous sanction of Government in any public Office in which he can obtain employment."

*2nd October 1849.

11. It will be obvious from the forgoing Statements that the charges of "wilful falsification with intent to "deceive," was no longer applicable to Your Memorialist, for the incorrect description of the spot of ground held under Certificate No. 3261, by which Quit rent on that spot had been evaded; as it has been clearly shewn that he was himself, together with the Naib Sheristadar and Amildar, deluded into an error in regard to it: no more can the charge of "gross neglect," be still imputed to Your Memorialist, for having been led into an error, which even the most circumspect could hardly have avoided, under the circumstances described.

12. At the time these occurrences took place Your Memorialist had already been in the service of Government

* As Revenue Surveyor, Draughtsman & Clerk.

Service	Salary			Period		
From 1st Feby. to 31st Decr. 1819	Rups. 70	"	"	"	11	"
1st Jany. 1820 to 15th April 1824	52	8	"	4	3	15
16th April 1824 to 30th Novr. "	140	"	"	"	7	15
1st Decr. 1824 to 30th Septr. 1826	210	"	"	1	10	"
13th Octr. 1826 to 9th Feby. 1829	105	"	"	2	3	28
17th Novr. 1829 to 18th Sept. 1839	103	4	"	} 19	9	29
19th Septr. 1839 to 15th Sept. 1849	140	"	"			
Total Service Years				29	9	27

Break of Service

Between 30th Septr. and 13th Octr. 1826	"	"	13
" 9th Feby. and 17th Novr. 1829	"	9	8

ment* 29 Years 9 Months and 27 Days, two Years and half of which were spent in foreign service, under peculiar privations and difficulties at Rangoon during the wars, and at Penang. During the whole course of this long service, it was his good fortune never once to have incurred the displeasure of Government, nor even the censure of those functionaries under whom Your Memorialist more immediately served, excepting in the single instance, which in its consequences, proved to Your Memorialist so disastrous and fatal. Your Memorialist was therefore emboldened to supplicate Government in a Memorial dated 30th September 1850, the boon of a retiring pension, equal to one half of the Salary he enjoyed as Revenue Surveyor in the Collector's Cutcherry. Your Memorialist was aware that public servants who had toiled the full term of thirty Years, were alone entitled to half pension, but yet he was led to entertain the hope, that the short term of 63 days, required to complete that period, would not be a bar to his obtaining such a pension, especially when his infirmities and the arduous nature of his late duties involving as it did both mental and bodily exertion of no ordinary description were taken into consideration.

13. In reply Your Memorialist was informed by an Ex: from Min: of Con: No. 527 of the 3rd June 1851, to

*See preceding Paragraph.

to the effect that, "The Right Honble the Governor in Council does "not think that the various short* periods included in the letter of "the Board of Revenue of the 28th April 1851, as Mr. Just Gantz's services, can be admitted without an objectionable infringement of "the Pension Rules, and the establishment of an inconvenient precedent; but looking to all the circumstances relating to this "individual, he resolves as a special case to recommend to the "Honble Court of Directors to allow Mr. Gantz a pension of Rupees "Fifty per Mensem, from the present date; but the Pension will "not be drawn until the Courts' reply has been received." The Honble Court of Directors refused this application, and Memorialist was induced himself to appeal to that Authority, but so strong was the impression of Your Memorialists' offence, that he could get no favorable hearing.

14. On the opening of the Central Office, Public Works on the 1st August 1835, Memorialist obtained employment as Second Draughtsman on a Salary of 100 Rupees per Month to teach the Apprentices and Junior Draughtsmen Plan and Map drawing and Estimate making. In January 1837, Memorialist was promoted to Head Draughtsman on Rupees 140 per Month for the same purpose, and general duties of the Department, in which he still continues.

15. Memorialist has now served the Government for upwards of 33 Years with zeal, and he can conscientiously affirm with fidelity, and his growing infirmities make him desirous of retiring from public life, but he cannot do so without having some provision to subsist upon. He ventures therefore to throw himself on the benevolent consideration of Her Majesty's Government for a pensionary provision commensurate

-surate with his labors and service. Your Memorialist submits that he cannot be charged with fraud, or with connivance at fraud in the matter which led to his removal from employment; he was no interested party, and he has shown that the error which led to his misfortune, was at the best an error, was unavoidable, and would have been committed by another party similarly situated. The Collector himself designated it by no other name than neglect, and the Government though in momentary wrath, directed his dismissal and prohibited his employment, was the first, when the circumstances of the case became better known, to withdraw the prohibition, and afterwards even went so far as to recommend a pension to Your Memorialist.

16. Your Memorialist has taken the liberty to allude to these circumstances to shew that his offence, if it be one, was not of that grave character, with which it was at first characterized, and the fact that he has been employed and raised up to the position which he occupied in the Collector's Cutcherry would indicate the estimation in which his services and character are still held. Your Memorialist further begs specially to bring under the consideration of Her Majesty's Government, that for what has been termed as an offence he has already been subjected to a double punishment first by a fine of ten Rupees, and secondly by dismissal, and he very respectfully submits, whether it would be proper, now that his old age and declining health necessitate his retiring from public service, to subject him to the further extreme punishment of starvation.

And Your Memorialist
Shall as in Duty bound
Ever Pray.

Madras }
5th September 1859. }

Just Gantz
Head Draughtsman, Central Office of P.W.

To

The Naib Sheristadar
Amildar and
Mr. Surveyor Gantz

The Board of Revenue in the concluding part of Para 4 of their Proceedings dated 31st August last, having called for an early report of the particulars of such sums as may be irrecoverable out of the balance of land revenue outstanding at the close of the Fusly 1252, which, after deducting the remissions sanctioned at a recent date Amounting to Rupees 21,152–2–10– You will proceed in the usual manner, with reference to the Collecting Conicopoly's Memo. to the different spots indicated therein and will submit your joint report on the propriety or otherwise of relinquishing the arrears on each, with sufficient reasons for your recommendation of any remission.

Signed/ J. A. Hudleston.
Collector.

Madras }
16th October 1843. }

Statement of Just Gantz's extent of service under the Government, shewing the different Departments in which he served and the salary attached to each employment.

Period of Service in each Department				Where and how Employed	Monthly Salary		
	Yrs	Mts	days		Rs	A	p
From 1st Feby: 1819 to 31st December 1819 —	"	11	"	Civil Architects Office under Captain H: Fullerton Engineers, as Head Writer, Draughtsman, and Estimate maker —	70	"	"
From 1st Jany: 1820 to 15th Apl: 1824 —	4	3	15	Inspector Genls: Supg: Engineers and Chief Engrs: Office as Writer and Draughtsman —	52	8	"
From 16th Apl: 1824 to 30th Novr: 1824 —	"	7	15	Foreign Service, Rangoon, Commanding Engineers Dept as Draughtsman — R. 87-8 Chief Engineers Office — " 52 " 8	140	"	"
From 1st Decr: 1824 to 30th Septr: 1826 —	1	10	"	Foreign Service, Penang, Assistant Surveyor, under Captn: E: Lake Engrs: & Rs 150* — Do: Incharge of the Engrs: Department — " 50 —	200	"	"
From 12th Octr: 1826 to 9th Febry 1829 —	2	3	28	Surveyor Genls: Office (Residency) under Captn: D: Montgomerrie as 2nd Draughtsman and Drawing Instructor to the Apprentices —	105	"	"
From 17th Novr: 1829 to 18 Septr: 1839 " 19th Septr: 1839 to 15th Septr: 1849	19	9	29	Collectors Cutcherry, Madras as Revenue Surveyor — Do — Do — Do	103 140	4 "	" "
Total Years	29	9	27				

*Note This salary appears to have been drawn, only from the 15th Jany: 1825 to 31st August 1826.

No 731

Order of Government on the Memorial from Mr Just Gantz dated 2nd October 1849

The Government decline to authorize the reinstatement of the Memorialist in his former appointment, but are pleased so far to Modify their orders of 11th September last as to permit his being entertained without the previous sanction of Government, in any public Office in which he can obtain employment

By order
Signed J Pycroft
Secretary to Government

Fort St George
3rd August 1850

Revenue Department.

Extract from the Proceedings of the Board of Revenue dated 12th June 1851.

Read the following.

No. 527.

Extract from the Minutes of Consultation under date the 3rd June, 1851.

Read again letter from Mr. Just Gantz late Revenue Surveyor attached to the Collector's Cutcherry dated 8th October and recorded in Diary to Consultation 5th November 1850. No. 1150.

Read also the following letter from the Secretary to the Board of Revenue

(Here enter 28th April 1851, No. 183).

The Right Honorable the Governor in Council does not think that the various short periods included in the letter of the Board of Revenue of the 28th April 1851 as Mr. Just Gantz's service, can be admitted without an objectionable infringement of the Pension Rules and

the

the Establishment of an inconvenient precedent; but looking to all the circumstances relating to this individual, he resolves as a special case to recommend to the Honorable the Court Directors to allow Mr. Gantz a pension of Rupees fifty per Mensem from the present date; but the Pension will not be drawn until the Court's reply has been received.-

(A true Extract)
(Signed) T. Pycroft
Secy. to Govt.

Ordered to be communicated to Mr. Just Gantz, with reference to his Memorial to Government dated 8th October 1850.-

(A true Extract and Copy)
(Signed) W. H. Bayley
Secretary

Compd.
(Signed) R. Newbigging.

Official Memorandum

With reference to Extract from the Minutes of Consultation dated 2nd August 1852 communicated to this Office in the Board's Proceedings of the 9th Instant Mr. Gantz is informed that the Honorable the Court of Directors have declined acceding to the recommendation made by this Government for the grant of a pension to him

Madras
11th August 1852

(Signed) J. A. Hudleston
Collector

(Examined)
(Signed) J. A. Wilson

To
Mr. Just Gantz

Revenue Department.

Extract from the Proceedings of the Board of Revenue dated 9th August 1852

No 302

Financial Department
No. 10 of 1852.

Our Governor in Council
at
Fort St George

Letter from in Revenue Depart^t. dated 3rd June 1851 No. 21

Submitting Copy of correspondence on the subject of an application for a pecuniary allowance made by Mr. Jost Gantz late Revenue Surveyor attached to the Cutchery of Madras Collectorate and recommend that as a special case he be allowed a pension of R150 per Mensem

Extract from the Minutes of Consultation dated 2nd August 1852

Ordered that a Copy of this Despatch be forwarded to the Board of Revenue for communication to Mr. Gantz with reference to Extract Minutes of Consultation in the Revenue Department of the 3rd June 1851. No 527.

Mr. Gantz having been dismissed from his situation in the year 1849 for gross negligence and suspected complicity with other parties in the perpetration of a fraud upon the Government we cannot accede

accede to your recommendation for the grant of a pension to him

We are
Your loving friends
(Signed) J. H. Hogg
and other Directors)
(True Copy and Extract)
(Signed) H. C. Montgomery)
Chief Secretary

Ordered to be communicated to Mr Gantz through the Collector of Madras)
(A true Extract and Copy)
(Signed) W. H. Bayley)
Secretary

True Copy
(Signed) J. A. Hudleston
Collector

Memo

The above copy of the Honorable Court's Despatch is forwarded to Mr Gantz in obedience to the Board's Orders dated 19th Augt 1852

Madras
21st August 1852

(Signed) J. A. Hudleston
Collector

(Examined
(Signed) J. P. Wilson

This is to certify that Mr Just Gantz has served in the Engineer Department on foreign service in the capacity of a Draftsman, under my orders, whilst Commanding Engineer at Rangoon, from the 15th April to the end of November 1824, and followed me to Prince of Wales' Island, where he served as Assistant Surveyor, under my orders from the 15th January 1825, to the end of August 1826 — during which time he behaved to my entire satisfaction, and I found him active, intelligent and trustworthy.

(Signed) Edward Lake
Captn Madras Engineers

Prince of Wales' Island
Novr 24th 1827

To,

Surveyor Generals Office.

To

Mr. Just Gantz
Late 2nd Draftsman Surveyor Generals Office.
Madras.

Sir,

In reply to your letter of the 4th Inst., I have to acquaint you, that the Right Honorable the Governor in Council has been pleased to permit you to resign your situation in my Office, which will have effect from this date.

I would be wanting in justice, if on this occasion I did not express my entire approbation with your conduct, during a period of upwards of two years, you have been under my orders, which combined with your abilities as a draftsman, makes me doubly regret that the state of your health precludes you from longer continuing your services in this Department.

I have &ca.

Madras
9th February 1829

(Signed) D. Montgomerie
Deputy Surveyor General.

(True Copies)
(Signed) P. O'Connell.

unable to account for,

7 Oct/59

Duplicate

1859 Septb

Enclosure 2 in a letter from the Chief Engineer to the Secretary to Government Deptt Public Works dated 15 September 1859 No. 5006.–

Memorial from Mr Jual: Gantz Head Draftsman Central Office Deptt Pub: Works dated 5th Septr 1859.

F-59. D.
in No. 449

25

Central Office of P.W.
Fort Saint George
15th September 1859.-

No. 5006

From
The Chief Engineer
To
The Secretary to Government
Public Works Department

Public.-

Sir,

I have the honor to enclose a Memorial, dated 5th September 1859, from Mr. Just Gantz Head Draughtsman Central Office Department Public Works, praying that he may be allowed a Retiring Pension.-

Enclosures - 4
Memorial in
riplicate -
Extract from
ffice Register -

2 Mr. Gantz first entered the service on the 1st Feby. 1819 as a Clerk in the Civil Architects Office and he served between that date and the 15th September 1849 in the several capacities of Clerk, Draughtsman, and Revenue Surveyor, Y. M. D. 29 - 9 - 27.-

3 On the 15th September 1849 he was dismissed from his situation of Revenue Surveyor by a Government order the particulars of which are given at length in para 8 of the Memorial and in which his re-employment without special sanction was prohibited.-

d/11 Septr./49 vide Govt. Order d/3: August/50 No. 731.

Ins.

unable to account for,

4 In October 1849 Mr. Gantz appealed to the Government in the matter, who ordered a full investigation before the Board of Revenue following, on which (on the 3rd. August 1850) the Government declined to re-instate him in his situation; but permitted his being entertained, without the previous sanction of Government in any Office in which he could obtain employment.-

5 Subsequent to this Mr. Gantz petitioned for a Pension on the ground of his wanting but 3 Months to complete 30 years service. By Extract Minutes Consultation 3rd. June 1851, it appears the Government recommended his case to the late Honorable Court of Directors for a Pension of Rupees 50 which however was refused.-

6 On the 1st. August 1855. He was appointed 2nd. Draughtsman in the Central Office, and was afterwards promoted to Head Draughtsman which position he at present occupies on a Monthly Salary of Rupees 140.-

7 Mr. Gantz has now served upwards of 33 years; he is quite worn out, and from the infirmities of age unfit for any further Service. He has while in his present situation conducted himself with uniform propriety, steadiness, and attention, and as it would appear from para 5, above, that, on a full investigation of all the circumstances attendant on the charges which led to his dismissal from the service, the Government of the day took a more favourable

view

view of his conduct, I am induced now that he is over 33 years service, and unable to earn a livelihood, to recommend his case to the favorable consideration of the Honorable the Governor in Council.-

I have the honor to be,
Sir,
Your Most Obedt. Servant,

Fort Saint George
15th. September 1859

H Bell Lieut. Colonel
Chief Engineer

To
The Secretary to Government
Public Works Department

G L Gray

unable to account for,

~~[illegible]~~ Schemeds Public
1859 Department
No 469
From
The Chief Engineer
To
The Secretary to Govt
P.W.D.

Dated 15th September 1859.
Received 20th
2449 - 5306

Forwards Memorial from Mr J. Gantz, Head Draughtsman Central Office of P.W. praying that he may be allowed to retire on pension, and requests to recommend his case to the favorable consideration of the Honorable the Governor in Council.

Just Gantz — Age when first entertained 18 years.

Establishment	Date	Appointment	Salary		Period of Service in each Appointment			Remarks regarding punishments severe and formal reprimands and all special commendations or marks of Approbation.
1	2	3.	4		5			6
			Rs.	A.	Y.	M.	D.	
Civil Architect's Office,	1st February 1818	Head Writer	70	.	"	11	"	Mr Gantz has been very useful as an Instructor to the Draughtsman apprentices partly indeed in whose behalf he has published a very useful rudimentory work on Architecture, which is likely to lead to much more correct Drawing than has hitherto generally prevailed. He is a skilful Draughtsman but the growing infirmities of Age and illness are rapidly disqualifying him for prolonged session at the Drawing Table, or for much eye work at his plans.
Inspector Generals and Superintending Engrs Office, P. D.	1st January 1820.	Draughtsman & Estimate Maker.	35		1.	2	"	
Chief Engineer's Office,	1st March 1821	4th Draughtsman.	52.	8	3	1	"	
Volunteered & sent to the Rangoon Expedition. Commanding Engineer's Department.	April 1824	Draughtsman.	87	8.	"	8.	"	
Transferred to the Govt of Prince of Wales Island	November 1824	Assistant Surveyor.	210	.	2	.	.	
Surveyor Genls Office,	November 1826	2nd Map Draughtsman	105	.	3	"	.	12th April 1859. (Signed) C. E. Faber. Col. Chief Engineer.
Madras Collector's Cutcherry,	September 15th 1829	Revenue Surveyor	140	.	19	11	.	
Central Office of P.W.	1st August 1855	2nd Draughtsman	100	.	1	5	.	
Do.	January 1857.	Head Draughtsman	140	.	2	8	14	

Central Office P.W.
Fort Saint George
15 September 1859

True Extract
H Bell Lieutt Colonel
Chief Engineer

unable to account for,

1859 Department
No.
Enclosure 4 in a letter from the
Chief Engineer to the Secretary to
Government Department Public Works
dated 16th September 1859
No 5006

Extract from the Register
of Unemployed Servants in the
Central Office Public Works dated
September 1859.-

F. 59. D.
in No 449.

Guindy
22/11/59.

My dear Pycroft -

On reading your paper about Mr Gantz — which I return as it contains a full history of the case, for use in case of further references — the Governor concurs in the opinion that it is out of the question now to assign any Pension to Mr Gantz.

Yours sincerely

D Maclean

39

My dear Carmichael

I have been looking into this matter of Mr Fairly's application for a pension & send the papers – Please keep them together –

The history is correctly stated in Forbes' Memo – Fairly was dismissed in 1849 for gross misconduct & some time afterwards he prayed to be admitted to pension – This application was refused by the Court of Directors to this Govt who recommended him for a

on the score of long service
pension of 50 Rs a month, – The Govt
9 June 1852 refused observing that
"Mr Fanty had been dismissed from his"
"situation for gross negligence and was"
"suspected complicity with other parties in"
"the perpetration of a fraud upon the govt"
Fanty made a second application and
received the same answer –

I see that an order has been issued
by the Govt & published in the
Gazette Nov 27 – 1855, that a person
dismissed for misconduct & subsequently
re-employed, is not to count his previous
service towards pension –

I do not see how Mr Fanty can be

pensioned under these circumstances –

Mr Goldingham seems to think that
Fanty was hardly used by Sir H Pottinger
in his original dismissal –
N.B. – Mr D Elliott concurred with Sir H Pottinger

I do not perceive what more can
be known in the affair now than was stated
at the time in the Revenue Board's letters
of 20 Aug 1849 & 1 Nov/49 to which Mr
Goldingham was a party –

Fanty had certified a piece of
land to be waste & unoccupied
and it had thereby escaped payment
of quit rent for four consecutive years,
when all the time it was covered with
buildings & properly chargeable –

His error was that he trusted the Conicopoly who showed him the wrong piece of land

But it was his business not to trust the Conicopoly but to check his statements; and it is clear from Mr G L Taylor's report (in letter from Coll. of Madras 22 March 59) that the two spots of ground cannot well have been mistaken the one for the other –

If there was not wilful fraud there was at least gross neglect of duty –

Yours very truly

T Pycroft

22d 11-59.

21/6-35

14-2-3

M.R.O. 1—22,400—22-11-30.

ORD OFFICE.

with a box of papers 37

T. PYCROFT, Esq.,

Chief Secretary.

-10- 1859

oughly handled

Memo

15th Sept. 59. The Chief Engineer submits, with his support, an application for pension from Mr Gantz Head Draughtsman in the Central Office.

From Bd of Rev: 20th Augt 1849. — In 1849 a gross case of fraud occurred in the quit-rent departt of the Madras Collector's Office, in connection with certain land which should properly have been taxed, but which was fraudulently entered as "waste" and exempted from Assesst.—

— Mr Gantz, the Surveyor attached to the Departt had certified the correctness of the entry, and as he was unable to account for, or explain away, the error, and there were the strongest reasons for suspecting him to have been privy to the fraud, ~~[illegible]~~ the Govt. directed his dismissal and forbad his re-employment in the Public Service without special sanction.

E. M. C. 11th Sept: 1849. No. 862.

To Ct. 22nd Augt. 50.
Fr: Ct. 1st July. 52.
para 15.

— These proceedings were reported home, and approved by the Hon. Ct.

— Subsequently, with the view of clearing himself, Mr. Gantz charged the Manager, Mr. D'Vas, with having induced him to suppress a correct report, which had been prepared, of the above fraud, and to substitute an incorrect statement of the circumstances.

not exactly — not a report of the fraud — but of his own proceedings when the fraud was discovered on a petition given in by the former —

E. M. C. 11th Oct. 49.

This charge was referred to the Bd. of Rev: who after personally examining all the parties declared their conviction that the charge was proved.

Fr: Bd. of Rev. 1st Novr. 1849.

E. M. C. 3rd Augt. 50.

para 5.

— The Govt., after giving their decision in regard to the transaction as it ~~regarded~~ affected Mr. D'Vas, observed that the ~~[illegible]~~ facts brought forward had not placed Mr. Gantz' conduct in a ~~for~~ more favorable light and that his proceedings in the matter of the suppressed report did not redound to his credit. They, however, so far modified their former order as to permit Petr's entertainment by any Officer who might be willing to employ him.

— Mr. Gantz, upon this, applied

for a Pension - He had served over 29 years, and the Bd.

28th April '51. of Rev: recommended that 70 Rs. p. m. or a moiety of his pay as Surveyor should

Letter 3rd June '51. be given him - The Govt. referred the case for the decision of the Ct. of D., proposing a pension of 50 Rs. as a Special Case -

9th June '52 - The Ct. however refused their assent - and reiterated their refusal in their letter of 20th April '53. p. 8.

- In 1855 Mr. Gantz was appointed 2nd Draughtsman in the Central Office, and he has since been made Head Draughtsman on 140 Rs. salary - He is represented to be quite worn out & unfit for further service, and his Character is

favorably noticed by the Chief Engineer - He has now served upwards of 33 years -

- Orders requested (1) as to whether pension will be given - (2) If so, how it is to be calculated, i.e. whether it is to be the average of

the last 5 years (or from 1854 to 1859) ~~to~~ during one year of which he was out of employ - or the last 5 years of his service which wd. include one year of his service as Surveyor prior to dismissal -

The former, I fancy, is the proper course to follow if ~~his recent service be admitted~~

it be decided to grant a pension.

I observe that no Medical Certificate accompanies the Application -

L. F.

Separate   Public Department

Proceedings of the Madras Government

Read the following

From Chief Engineer
d 15th Sept. 1859
No. 5006

Order thereon dated 6th October 1859 - No. 326.

~~with~~

1. The Chief Engineer submits, with his support, an application for pension from Mr. Gantz Head Draftsman in the Central Office of P. W.

2. In 1849 the Govt. ordered an investigation into a case of fraud which had been perpetrated in the Quit-rent Dept. of the Madras Collr. Office, and finding there were the strongest reasons for suspecting Mr.

Gantz of having been privy to it, they directed his dismissal from the Service and forbad his re-employment without special sanction –

3. In the following year they so far modified this order as to permit his Entertainment by any Officer who might be willing to employ him – ~~do~~

4. Mr. Gantz, upon this, applied for pension, and the case was referred home, but the Hon. Court declined to sanction the grant of a retiring pension –

5. In 1858, after 6 years without employment, he obtained an appointt. in the Central Office. He has served there up to the present time, and being now worn and quite unfit for further active duty, he refers to the Chief Engineer's favorable notice of his character & conduct, and to his long service extending over a period of 33 years, and asks for a pension –

6. The Govt. must observe that, independently of the Hon. Ct's decision above noticed, the more recent order× conveyed in para 3 of a despatch dated 15th Augt. No. 56. of 1858 would debar Mr. Gantz from all benefit under the pension rules – The para referred

× Vide Ft St George Gazette of 1858. page 1426.

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Separate   Public Department

Proceedings of the Madras Government
Read the following

From Chief Engineer
D 15th Sept 1859
No 5006

Order thereon dated 1st October 1859 - No 326.

~~submits~~

1. The Chief Engineer submits, with his support, an application for pension from Mr Jantz Head Draftsman in the Central Office of P.W.

2. In 1849 the Govt ordered an investigation into a case of fraud which had been perpetrated in the Quit rent Depot of the Madras Collrs Office, and finding there were the strongest reasons for suspecting Mr

Mem

to runs thus, - "If an Un-
"-covenanted Servant be
"dismissed for misconduct
"and be subsequently re-
"-admitted to Employment
"his first service is not
"to count for pension"-

). The Govt. do not consider that the cir-
-cumstances of the present case would warrant them in departing from a principle so distinctly and absolutely laid down.

To Ch. Engr for
inform.n &
comm.n to Mr. G.
Sec/ 6/10/59 -

Sd L. S.

Separate
Public 1859 Dept
No. 326

Bo. of Government
dated 1 Octr 1859

Declining to
grant Mr Gantz
a Pension.