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MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.

166

Press
Mis.

Dated

26-5-1860.

Not to be folded or roughly handled

N^o 37

Official Memorandum

Agreeably to the request contained
in the Deputy Secretary Mr. Forbes Memo.
of the 19th Instant the Acting Collector
of North Arkot has the honor to enclose
the Pension Certificate of Lammaji Pan.

North Arkot -
Collectors' Circuit Kacheri
Palamaner 23rd May 1860.

R. L. S. M.
Acting Collector

To

The Deputy Secretary to Government.
Fort Saint George

W. S. P. S.
H. S. S.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

From TAMMAJI RAU, late Sarishtadár of the Sub-Collectorate of North Arcot, to T. PYCROFT, Chief Secretary to Government, dated Madras, 5th April 1860.

I respectfully request you will be good enough to submit to Government the accompanying memorial for transmission to the Secretary of State, with their recommendation to grant to me a pension equal to half of my salary.

Memorandum by the Secretary to Government.

1. This memorial is from Tammaji Rau, late Sub-Collector's Sarishtadár in North Arcot whose case has already been before Government. Before sending Home the memorial, I beg to bring the case again under consideration. The points are well and clearly stated in the memorial.

2. The time required for a pension of half salary is 30 years. The Petitioner has served 37 years, but during that time, now 25 years ago, viz. in 1835-6, when he was a Tahsildár, he was once removed from employment; and therefore he is denied all the benefit of his previous service of 14 years. The rule under which he is thus made to suffer was passed several years after his temporary removal; and he thus suffers by an *ex post facto* law.

3. Secondly. The Petitioner's removal was the act of an Officer notorious throughout the country for dismissing his subordinates on trivial grounds; and whose habit in this respect was one chief reason of the order of May 1835, prohibiting the dismissal of Tahsildárs by Collectors without the sanction of the Board of Revenue.

4. Thirdly. The grounds of Petitioner's dismissal were trivial—were not among those specified in the order of the Honorable Court of Directors as sufficient for dismissal. Yet that improper and unjustifiable dismissal, besides being a heavy injury to the Petitioner at the time, is now to operate to his prejudice, 25 years after the event, and for the remainder of his life.

5. Fourthly. Petitioner did not apply for a pension; no one has declared him to be physically disqualified for service, nor does he appear to be so. He might still have continued in employment for some years, and probably have completed his 30 years of consecutive service, but he was called on to take a pension, through no fault of his own, but because of changes in the Public Service. This circumstance alone, as it seems to me, ought to operate in his favour (as it has been allowed to operate in other similar cases), even if the other circumstances were not such as to plead for some consideration for him.

ORDER THEREON, 3rd May 1860, No. 707.

1. This memorialist was lately pensioned on one-third of his salary; * he now submits a memorial to the Home Government, praying, for reasons stated, that his pension may be raised to one-half of his salary.

The Honorable the Governor in Council has reconsidered the case, the particulars of which are clearly set forth in the memorial; and he is of opinion that sufficient grounds exist for admitting the memorialist to the higher rate of pension sought by him.

2. The length of service required for a pension of half salary is 30 years. The memorialist has served 37 years, but on one occasion during that time, now 25 years ago, viz., in 1835, when he was a Tahsildár, he was once removed from employment, and under a rule passed subsequently, viz., in 1855, his services before his dismissal cannot count for pension. But there are special reasons why this *ex post facto* law should not be applied to Petitioner:—

Circular Order, Board of Revenue, Vol. I, Note at page 226.

Despatch to Government of India, 6th August 1851, Circular Order Board of Revenue Volume II page 46.

1st. His dismissal was the act of an Officer known throughout the country for dismissing his subordinates on trivial grounds.

2ndly. The grounds of memorialist's dismissal were in fact trivial, and were not among those specified in the Order of the Court of Directors as sufficient for dismissal.

Separate
Public 1860 Departs
H. 241
Memorandum
From
The Acting Collector
North Arcot
Dated 28th May 1860
Recd 25th

Forwarding the Memorial
Certificate of Tammaji Rau
Late Sub-Collector North Arcot
S. P. W. 216/60
Recd. 25th May 1860

3rdly. Memorialist did not apply for a pension; nor has he been declared physically disqualified for service. He might still have continued in employment for some years, and probably have completed his 30 years of consecutive service; but he was called on to take a pension, through no fault of his own, but because of changes in the Public Service.

3. For these reasons, the Government are of opinion that the case is one calling for a relaxation of the rule which enjoins that dismissal is to cancel the claim of former service for pension. They accordingly resolve to concede to the memorialist the benefit of his entire service of 37 years, and to grant him a pension of one-half of his salary or Rupees (87-8) eighty seven and annas eight in lieu of the one-third pension conferred on him by the Order noted in the margin.

4. These proceedings will be communicated to the Public (Separate) Department in view to the issue of a fresh Certificate.

5. A copy will be furnished to the memorialist.

(True Extract.)

H. H. H. H. H.

Secretary to Government.

To the Public (Separate) Department.

„ Civil Auditor.

„ Acting Collector, North Arcot.

„ Tammáji Ráu.

Exd. Wm. Thomas.

3 Copies sent

46. P. No 70. 2/3/60

330

Septade,
June 1880 (Septade).

No 216

Proceedings of Government
in the Prison Dept
No 231
Date 27 May 1880.
No 5th May 1880.

No 168

Noted accordingly that a
fresh certificate be issued,
and that Jannay's Pass
be revised from
No. 58-4-0 p. M. to No 87-8-0

p. M.

10.7.

11th May

26 May 1880

Handing over to
Jannay's Pass. take with them
the certificate of check from No
(58-4-0) to No (87-8-0).

Write an order X

586

No 166

Confide No 231.

The No. 58-4-0 certificate be revised from
the original to the revised
the civil authorities be No 87-8-0
and No 87-8-0

W. G. 24