M.R.O. 1—77,006—8-6-37.

(1) Number of pages 38

(2) Date of repair 6. 1. 41

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 247 Press/Mis.

Dated 25—8— 1863.

Not to be folded or roughly handled

13

FINANCIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read Proceedings of Government in the Pension Department, paragraphs 7 to 11.

Read also the following papers:—

From the Acting Collector of South Canara, dated 4th October 1862, No. 16.

Report of the Civil Paymaster, dated 9th January 1863, No. 5.

Order, 4th March 1863, *No.* 57.

Paragraph 7. The second applicant, Mr. F. J. Brito, has served altogether for upwards of 40 years, but a break occurs in the 24th year owing to his having resigned his appointment.

8. In consideration with this break the Civil Paymaster observes that "in the order of the "Government of India, dated 7th May 1860, No. 4,020, it is ruled that an Officer resigning the "service, and getting employed again is not allowed to count his service prior to resignation "towards pension, if the break between cessation of duty and re-employment was above 12 "months."

9. Having obtained a copy of the above order from the Civil Paymaster, and having referred to the original resolution* of which that order is explanatory, His Excellency in Council is of opinion that the ruling that anterior service is forfeited by resignation, is absolute, whatever may be the duration of the break following such resignation. His Excellency in Council is aware that, as a general rule, twelve months are allowed to elapse between two periods of service without the former being forfeited, but the order quoted by the Paymaster seems to admit of no such indulgence. On the contrary it draws a distinction between cases where the break is for the convenience of Government, and where, as in the present case, it is the voluntary act of the Officer himself. "In the latter case, it is stated, the time cannot be counted for a pension." His Excellency in Council resolves therefore to request the Civil Paymaster to explain the grounds on which he holds that 12 months' grace may be allowed from the date of resignation.

10. Pending the decision of this main point, it would be useless to discuss the minor question, whether, in a case where 12 months' grace is allowed, re-employment within that period in a *temporary* capacity is sufficient to save to the Officer that part of his service which preceded the break.

11. With reference however to the Paymaster's statement that, if Mr. Brito's former period of service be disallowed by reason of the break exceeding 12 months, he can only count 18½ years for a gratuity, His Excellency in Council would draw that Officer's attention to the Order of Government, 16th March 1857, No. 60, recorded in the Civil Auditor's Manual at Chapter III, Section 160 (6). It would appear from that ruling that unless resignation absolutely renders anterior service of no effect as regards claim to pension, (and this is not the Paymaster's opinion), Mr. Brito would be entitled to count the whole of his service *for a gratuity*, whether the break therein exceeded 12 months or not.

From H. A. MANGLES, Esq., Officiating Civil Paymaster; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated 7th March 1863, No. 92.

General Department.

With reference to the Order of Government, dated 4th instant, No. 57, Pension Department, I have the honor to state that the Order of 7th May 1860, No. 4,020, is a misquotation. The correct order is that of the G. I., dated 28th June 1860, No. 5,765, copy of which is herewith sent. It will be perceived from this that the first service of a party resigning his post is prejudiced only when he remains unemployed beyond 12 months.

As regards the point alluded to in paragraph 11 of the order under reply, I beg to refer to the letter published at page 884 of the Fort Saint George Gazette of 1861, Volume II, from the

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* 8th March 1860, No. 1,717.

Financial Secretary to the Government of India, to the Chief Commissioner in Oudh, dated 11th October of that year, No. 13,207. Under this ruling if the break in Mr. Brito's service prevents him from reckoning the first portion of it towards a pension it will have a like effect in reckoning his service for a gratuity.

Extract from the Proceedings of the Government of India in the Financial Department, dated 28th June 1860, No. 5,765.

Read the following papers having reference to the Pension of Madub Chunder Ghose, late Head Writer of the Gowalparrah Collectorate.

Petition from Madub Chunder Ghose, dated 15th May 1860.

Report from Government of Bengal, No. 1,299. dated 2nd instant.

Resolution.—On the 6th February 1857 the Calcutta Board of Revenue submitted to the Government of Bengal an application for a pension to Madub Chunder Ghose, late Head Writer of the Gowalparrah Collectorate.

2. In submitting this application the Board observed that there was an interval of two months in the applicant's period of service, from the end of January to the beginning of April 1829, and that he held no document to prove that he was in Government service before 1824 though he had a Certificate from Major Davidson, stating that he had served under Mr. D. Scott previous to that year.

3. The Civil Auditor reported that the applicant had, according to the books of his office, completed a total service of 30 years, 7 months and 10 days, in two different periods, viz., from 24th February 1825 to 31st January 1829, and from 1st May 1830 to 5th January 1857, and had received a salary of 90 Rupees per mensem during the last five years of his service.

4. As it appeared from the above report that there was a break of 15 months in the applicant's service, the first portion of which could not be reckoned for pension under the late Honorable Court's instructions noted in the margin,* thereby reducing the period to be calculated for pension to 26 years and 8 months which entitled him to ⅔rd instead of a moiety of the average salary drawn by him during the five years of his service, a pension of 30 Rupees was granted by the Government of Bengal to the applicant on the 22nd April 1857.

* Paragraph 3 of the Despatch of the late Honorable Court of Directors, dated 15th August 1855, No. 75.

5. In March 1859, or about two years after the grant of the pension Madub Chunder applied for a reconsideration of his case, and prayed for the grant of a higher rate of pension, on the ground that the break in his service did not extend to fifteen but only to two months. He subsequently submitted an Affidavit in support of his statement; but as the break of two months was occasioned by the resignation of his appointment in January 1829, it appeared to the Bengal Government doubtful whether the later orders of the Honorable Court (vide margin†) which had reference to breaks by abolition of office could apply to interruptions occasioned by resignations, to clear up which a reference was made by that Government on the 18th February 1860 to this Department, where it was decided on the 8th March following that a break caused by the resignation of appointment could not be counted for pension.

† Despatch No. 51, dated 7th July 1858.

6. Under this ruling the applicant's claim to the higher rate of pension was rejected by the Bengal Government, and he now appeals to this Government stating that a break of two months only cannot under Rule 9‡ of the Pension Rules and Court's instructions of 15th August 1855 debar him from a pension equal to a moiety of his average salary.

‡ This rule allows solemn declarations to be accepted for pension purposes.

7. Referring to this appeal the Governor General in Council observes that the Honorable Court's orders of 15th August 1855 allowed twelve months (without reference to the cause of break) to elapse between two periods of service without a servant forfeiting his claim to count the first period as well as the second towards a retiring pension, that the Court subsequently ruled on the 7th July 1858, that breaks caused by the abolition of office would not prejudice an applicant's claim to pension, and that these orders were held applicable to breaks for periods longer than twelve months.

8. It further appears that, with reference to the last mentioned orders when the Government of Bengal inquired whether as a rule, resignation of appointment affected the claim to compute past service for pension, in the event of the individual being subsequently employed by Government, this Government decided that the time (*i. e.*, the past service) could not count for pension.

9. But it is clear to His Excellency in Council that all that these orders meant, was that the past service could not count when the breaks might be above 12 months, and that they were not intended to debar an individual in whose service there happened to be a break of only two months caused by resignation of appointment from obtaining the pension to which he was eligible under the original general Rules. A break of less than 12 months can only operate against previous service being counted, *in case the Officer is dismissed for misconduct.*

10. Under this view, therefore, the Governor General in Council considers that a pension equal to half his average salary may be granted to the applicant Madub Chunder Ghose.

Order.—Ordered that a copy of the Resolution be sent to the Government of Bengal with reference to its report above adverted to. Ordered also that a transcript of the Resolution be sent to Madub Chunder Ghose, in reply to his application of the 15th ultimo.

Ordered further that a copy be sent to the Civil Auditor, Fort William, for information and guidance, and to the Civil Auditor, Bombay, with reference to his letter, No. 231, dated 1st instant.

Ordered also that a copy be sent to the other local Civil Auditors for information.

(A true Extract.)

(Signed) C. H. LUSHINGTON,
Secretary to the Government of India.

(True Copy.)

(Signed) C. A. VINT,
Officiating Head Assistant
to Civil Paymaster.

Order thereon, 16th April 1863, No. 267.

In the Proceedings quoted above, in reference to the Orders of the Government of India, No. 4,020, of the 7th May, cited by the Civil Paymaster, the Governor in Council observed that the rule that previous service is forfeited by resignation appeared to be absolute, and not, as stated by that Officer dependent upon whether the interval between resignation and re-employment was more or less than 12 months.

2. In reply, the Civil Paymaster represents that the ruling of the Government of India, to which he intended to refer, was not that of the 7th May, but a subsequent one, dated 28th June 1860, No. 5,765. In this latter order it is clearly laid down that the first service of an Officer resigning his post is only prejudiced, when he remains out of employ beyond 12 months.

3. The point that now presents itself for consideration is that mooted in the original report. The applicant, Mr. Brito, after having served more than 22 years in grades qualifying for pension, resigned and remained without employment for nine months. He was then entertained in a temporary appointment, which does not qualify, for six months, and subsequently, after being again unemployed for eight months, on the termination of his temporary employment he succeeded in obtaining a permanent situation which he has held for more than 18 years. The question submitted is whether his re-employment within 12 months in a *temporary* capacity is sufficient to save to him his prior service of 22 years, which would otherwise be forfeited by his resignation.

4. On this His Excellency in Council observes that in any case, under the strict rules, Mr. Brito's previous service is forfeited. If his temporary re-employment be not deemed sufficient, the break in his service will clearly exceed 12 months. If, on the other hand, it should be accepted, the second interval of eight months must be reckoned as a distinct break, and will equally vitiate his claim to pension, as service cannot be reckoned in more than two periods.

Honorable Court to Government of India, 15th August, No. 75 of 1855, Financial, paragraph 3, C. A. M., Chapter III, paragraph 117.

5. Under the peculiar circumstances of the case, however, His Excellency in Council resolves to submit it to the Government of India with his recommendation that Mr. Brito be admitted, in consideration of his long service extending altogether over a period of more than 40 years, to a special pension of Rupees 24½ the equivalent of half his salary.

(True Extract.)

Chief Secretary.

To the Civil Pension Department.

Exd. T. McMootry.

No. 186.

The Secretary to the Govt. of India.
Financial Depart.

Sir.

I am directed to inform you that it appears from a report made by the Head Asst. Collector in charge of South Canara in answer to the Enquiry made in your letter of the 16th ult. No. 2069, that Mr. Brito's loss of office in February 1842 was caused, as stated, by a serious illness, & that on recovery he was again employed at first temporarily, & then permanently.

Letter of 18th April 1863. No. 268.

His Excellency the Governor in Council ~~[illegible]~~ desires me to request therefore that his former recommendation of the grant of a special pension to Mr. Brito may be acceded to.

Pros: 3rd June 1863 No. [illegible]8

(4) Pensions – Mr Brito
Sea Customs Clerk
Canara

Pension 1863 Dept.

No. 186

To

The Secretary to
the Government
of India Finl Dept.

dated 29th June 1863.

F. No. 412

Recommending
that Mr. Brito's case may
be again taken into consi-
deration and the pension
proposed be granted him.

No. 186

6 11 (8)

Register of an Application for a Superannuation Pension from the Establishment of the Collector of Bellary preferred under the rules passed by Government under date the 15th May 1851.

Name of the person by whom the Pension is applied for, with the Name of his father.	Number on the Establishment.	Identification of the Applicant's Person.	Size.		Age of Applicant at the time of Application.			Religion, Caste or Tribe.	Where Residing.			Present Employment.	Total period of Service.		Applicants Service continuous or not.	How long un-employed, and under what circumstances.
			Feet.	Inches.	Years.	Months.	Days.		Province.	Purganah.	Village.		Years.	Months.		
Hanoomunthapah alias Hanoomuntha Row son of Naranapah.		Brown Colour, long face, has a wart on the Cheek an inch below the left eye, and another at the end of the right eye brow, & a scar of burning about the size of a double anna on the left side of the chin just below the lip, he bears no other mark of identification.	5	2	60 The Head Sheristadar has given a Certificate of the age of this individual.	.	.	Smartha Bramin	Bellary	Bellary	Bellary	Collector's Hoozoor Goomastah	36	5½	Continuous	None

Date of Application to Government.	Average Salary or authorized Official allowances per mensem for the five years preceding the date of Application.	Salary or authorized Official allowance per mensem at the time of Application.	Abstract of the grounds of Application.	Remarks by the Head of Office.	Proposed amount of Pension per mensem.	Treasury at which the party if pensioned, wishes to draw his Pension.	Order of Government.
1859 March	C.Rs. 20/4	C.Rs. 18 " "	Incapacitated for further service by the general infirmities of old age, & defective vision.	Hanoomuntharow has served the Government for upwards of 36 years and throughout this period of service he conducted himself satisfactorily. The Collector begs to recommend that a Superannuation Pension of Rupees 10-2-" per mensem equal to half of average salary of last 5 Years, may be granted from 30th December 1858.	C.Rs. 10-2-"	Hoozoor Treasury.	

Bellary Collector's Office,
3rd March 1859.

Exd.
Head Accountant.

Kelly
Collector.

ENCLOSURE No. 1

In a letter from the Collector of Bellary, dated 3rd March 1859.

No. 10

REGISTER OF AN APPLICATION FOR A SUPERANNUATION PENSION FROM THE ESTABLISHMENT OF THE COLLECTOR OF BELLARY.

[illegible]

herewith sent, and I beg to state that I do

14

23

Enclosure No. 3

In a letter from the Collector of Bellary

dated 3rd March 1859

[illegible] No. 10 [illegible]

[illegible]

[illegible]

[illegible]

15

10

This is to Certify that I have this day carefully examined Hanoomuntha Row late Goomastah in the Collectors Cutcherry & find him old worn out & with defective vision & unfit for further Service –

– Disease contracted on General Service & not the result of his own imprudence –

Garrison Surgeon

Bellary
9th February 1859

28

Enclosure No 2

in a letter from the

Collector of Bellary

dated 3d March 1859.

No 10

Bellary, Collector's Office
3rd March 1859.

From,
C. Pelly Esquire
Collector of Bellary.

To,
T. Pycroft, Esquire
Chief Secretary to Government
Fort St. George

Sir,

Under the revised rules passed by the Government on the 15th May 1851, I have the honor to submit a register prepared according to the prescribed Form of 30th May 1855 for a Superannuation Pension applied for by Hanoomunthapah alias Hanoomunthrow, Goomastah of my Hoozoor Cutchery. Hanoomunthrow being worn out by old age and infirmity has been permitted to resign his situation —

2 A Medical certificate of incapacity for further service granted by the Garrison Surgeon & a Certificate as to his age given by the Head Sheristadar of the Department, are herewith sent, and I beg to state that I do

not consider that his Pension need be conditional.

3 Hanoomunthrow has served the Government for a period of 36 years & 5½ months, which has been verified by the records of my Office as follows—

	Yrs.-M.-D.-Rs.
As Hoozoor Goomastah from 13th July 1822 to 30th September 1830	8-2-18-20.
" Hoozoor Treasury Goomastah from 1st October 1830 to 23rd September 1838	7-11-23-18
" Hoozoor Goomastah from 24th September 1838 to 14th October 1839	1-"-21-15.
" Hoozoor Treasury Goomastah from 15th October 1839 to 30th September 1854	14-11-16-18.
" — Do. — Do. — from 1st October 1854 to 30th June 1858	3-9-"-21.
" Hoozoor Goomastah from 1st July to 29th December 1858	"-5-28-18
	36-5-16

4 I have pleasure in testifying to Hanoomunthrow having throughout the period of his service conducted himself satisfactorily. The average salary per mensem calculated on the last 5 years of his service amounts to Rs. 20¼, & I beg to recommend that a Superannuation Pension equal to one half of the same being $10^{Rs.}-2^{as}-$ per mensem may be granted to Hanoomuntharow from the 30th December 1858 he having retired on the 29th idem.

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

Collector

Exd. Benj. Blane
Hd. Clerk.

19

Referred to Civil Auditor
for verification & report.

Fort St. George
8th March 1859

D. F. C. 7/3
~~Dy Secty~~ to Govt.

To The Civil Auditor. Dd/ 8/3/59.

Recd. 9/3/59 & Retd.
11/Do.

Actg. C. A.

S-Ex-dt 144- D/ 23/3/59

18[illegible] [illegible] 3
Public 1859 [illegible]
From
The Collector
of Bellary
No. 25
To
The Chief Secretary
to Govt. Fort St. George
Dated 3rd March 1859
Recd. 7 [illegible]
No 10
With 3 Enclosures
No
Submitting a Request
for a Commutation
Pension applied for by
Hanoomuntha Row late
Goomastah of the Hoozoor
Cutcherry & recommending
that a Pension of Rs
10-2-0 may be granted
to Hanoomuntha Row [illegible]
Pension from 30th Decr
[illegible] 2-1852

General Department. 20

(13)

No. 130.

Report of the Civil Auditor

The Acty. Civil Auditor has the honor to report, that the authorized Official allowance drawn by Hanoomuntha Row, late a Goomastah of the Hoozoor Cutcherry on the Bellary Collectorate, for the last five years of his Service, has been Rupees 20-4-0 Per mensem; and that he has served uninterruptedly under the Government for a period of 39 years 3 months and 29 days; Vizt.: from 1st September 1819 to 29th December 1858.

1/2 Pension

Fort Saint George.
Civil Audrs. Office,
11th March 1859.

Acting Civil Auditor.

To,
The Chief Secy. to Government.
Civil Pension Departt.

Oc [illegible]

1/2 Pension 10 Rupees

Separate
Public 1859 Departt
No. 138

From
The Acting Civil Auditor

Dated 11th March/59.
R/11—3—59.

Reporting on the
Service of Hanoomentha
Row - late a Goomastah
on the establishment
of the Collector of
~~Tinnevelly~~
Bellary

S-Ex- No. 114 d/23/3/59

C 14 March
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St. George
1859

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General Dept.
No. 5

24

②

Report of the Civil Paymaster.

Order No 105

Service of Applicant as verified by Civil Paymaster.	Average of salary for the last 5 Years.	Remarks.
Y.-M.-D. 9 — ″ — ″	Rs.-A.-P. 37-6-5	From 11th May 1853 to 15th December 1860 & ″ — 6th March 1861 to 31st July 1862.— The Service of Ramaya, late salt [illegible] of Cundapur Taluq, Canara District, from 1st June 1827 to 10th May 1853, or for a period of 25 years 11 months and 10 days, cannot be verified from the Records of the Audit Office as he was then employed in Village Establishments, but assuming this period, as given by Mr. Hodgson to be correct, Ramaya's entire Service amounts to Y.-M.-D. 34-11-10.— Between 15th December 1860 and 6th March 1861, he was out of employ consequent upon the abolition of his Office.— Ramaya while employed in Village Establishments Viz: from 1st June 1827 to 10th May 1853, was paid from the lump sum sanctioned for those Establishments and should Govt. consider that this fact does not vitiate his claim to pension under G. O. of 13th February 1838 Page 24 of Chapter III of Civil Auditor's Manual he will be eligible to a pension equal to a moiety of his average salary, otherwise only to a gratuity equal to 3 months salary or Rs. 73-8-″.—
40-10-9	Salary for the last 5 years Rs.-A.-P. 25-″-″	From 26th August 1818 to 30th April 1823 ″ — 1st July 1824 to 28th February 1842 & ″ — 29th January 1844 to 31st July 1862.— Mr. F. J. Brito late Certificate Clerk of the Mangalore Sea Custom House Canara District was without employ during May 1823, consequent upon the abolition of the Office he then held, & in temporary employ from 1st June 1823 to 30 June 1824.— From 1st March to 30th Novr. 1842 & from 1st June 1843 to 28th January 1844, he was unemployed, having resigned the service – For the interval which occurs in this period, Viz: 1st Decr. 1842 to 31st May 1843, he was in temporary employ.— In orders of the Govt. of India dated [illegible] May 1860 No. 34020, it is ruled that an Officer resigning the service & getting employed again, is not allowed to count the past service, i.e. Service prior to resignation, towards pension, if the break, between cessation from duty & re-employment, was above 12 months – Mr. Brito appears to have been re-employed only in a temporary Capacity (which service in itself does not reckon towards Pension) on the 1st December 1842 or after a lapse of 9 months from date of resignation of service.– It rests with Govt. to determine whether, under the circumstances, his previous service can be allowed to reckon – If taken into account his service will amount in all to Y.-M.-D. 40-10-9 and he will be eligible to a pension equal to a moiety of his salary, but if disallowed he can reckon only 18-6-3 which will entitle him to a gratuity of 5 months pay, or Rupees 125.–

Civil Paymaster's Office,
Fort Saint George,
9th January 1862

To,
The Chief Secy. to Govt.
Civil Pension Department.

Offg. Civil Paymaster.

Rec. 15

Order of Government.

Enclosure No. 1.
In a letter from the Acting Collector of South Canara to the Chief Secretary to Government, Fort St. George, dated 1st October 1862 No. 76.

Register of Applications for Superannuation Pension from the Establishment of the Collector of South Canara.—

No 101

Civil Paymaster's Report
of 9th January 1863.

1st case disposed of on the
18th April 1863 No. 106.

CIVIL PAYMASTER'S OFFICE
13 OCT 1862

28

(2)

Register of ~~an~~ Applications for Superannuation Pension from the Establishment of the Collector of South Canara, prepared under the Rules passed by Government under date 15th May 1851.

Name of the Person by whom the Pension is applied for, with name of his Father.	No. on the Establishment.	Identification of Applicant's person.	Size. Feet.	Size. Inches.	Age of Applicant at the time of Application. Years.	Months.	Days.	Religion, Caste or Tribe.	Where residing. Province.	Perganah.	Village.	Present employment.	Total period of Service. Years.	Months.	Applicant's service continuous or not.	How long unemployed, and under what circumstance.	Date of Application to Government.	Average salary or authorized official allowance per mensem for the five years preceding the date of Application.	Salary or authorized official allowance per mensem at the time of Application.	Abstract of the grounds of Application.	Remarks by the Head of Office.	Proposed amount of Pension per mensem and date from which to commence.	Treasury at which the party of pensioned wishes to draw his pension	Orders of Government
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Ramaya, son of Lucxoomaya.		Bamboo. A scar on the right cheek, and a scar on the left arm.	5	5¼	63.	5.	15.	Saraswut Brahmin	Cassergode Taluq in South Canara	Cassergode.	Palacorcode.	Salt Mutsady, in Cundapur Taluq.	34.	11.	Not Continuous.	Ms Ds 2. 18 In consequence of the abolition of the Office.	4th Octr 1862.	37 6 8	24 8 ..	Old age and infirmity.	The services of this individual extend over nearly 35 years, out of which he was out of employ for about 2 Months, at the end of 1860 and beginning of 1861. His conduct has been generally good. I recommend that he be granted the amount of pension mentioned in the following Column.	18. 11 4 From 1st August 1862.	South Canara	
Francis Joseph Brito, son of Joseph Brito.		[illegible] A large scar on the back.	5	5	68			Roman Catholic	Mangalore.	Atawar.	Atawar.	Certificate Clerk of the Customs, Mangalore.	40.	..	Not Continuous.	Ys Ms Ds [illegible] On 2 different occasions 1st for 1 month, in consequence of the abolition of the Zillah Court at Tellicherry, & the 2nd time for 1 year, 4 months, & 28 days; viz from 1st March to 30th Novr 1842 & from 1st June 1843 to 28 Jany 1844, from having resigned the service in consequence of continued ill health while serving in the Post Office.	4th Octr 1862	25	20	Old age and infirmity.	This person has served Government for 40 years. He bears a character for integrity, and I recommend that he be granted the pension to which his service entitles him.	12 8 .. From 1st August 1862.	South Canara	

Collector's Kacheri
Mangalore,
4th October 1862.

Arthur P. [illegible]
Ag. Collector

eparate

Public Department

No. 114

Extract from the Minutes of Consultation

Dated 23rd March 1859

Read the following Papers

From the Collector of Bellary.

Forwarding Register of application for Superannuation Pension on behalf of Hanoomuntha Row late a Goomastah of the Hoozoor Cutchery on the Bellary Collectorate. — Here enter 3rd March 1859

Report of the Civil Auditor. — " — 11th March/59

Age.	Period of Service.	Averge Salary for the last five years of Service.	Abstract of the grounds of application
Ys. - Ms. - Ds.	Ys. - Ms. - Ds.	R. - A. - P.	
0 — " — "	39 — 3 — 29	20 — 4 — "	Old age and defective Vision

Resolved that a Superannuation Pension of Rupees 10 Ten Rupees per Mensem be granted to Hanoomuntha Row and

1/2 Pension — 10 Rupees

× No. 2248.

27

and that a Certificate be issued making the same payable from the 30th December 1858 the date from which he ceased to be employed.

Dy Secretary to Govt.

To

The Collector of Bellary Dd. 24/3/59. With the Orgl

" The Civil Auditor Dd. 24/3/59. With a Copy Certe.

Recd Cont & Retd. 25/3/59

Dy C. A

" Public Department.

28

Copy Certe.

74-73

198 1

Separate

Public Department

No. 114

Extract Minutes of Consultation.

Dated 22nd March 1859

Granting a Superannuation Pension of Rupees (10 — " ") Ten to Henwomuntha Row late Gomastah on the Establishment of the Collector of Bellary

No. of Certificate 9
2670

C 14 March
R 22 "

30

No. 2069.

From E. H. LUSHINGTON, Esquire,
Secretary to the Government of India,
Financial Department;

To the Chief Secretary to the Government of Madras.

Fort William, Co. cil Chamber, the 16th May 1863.

Financial Department.

Sir,

I am directed to acknowledge the receipt of your letter, No. 268, dated 16th April 1863, and its enclosures, regarding the proposed grant of a pension to Mr. F. J. Brito, late a Clerk in the Mangalore Sea Custom House, who has been declared by competent Medical authority to be unfit for further duty.

2. Under the strict interpretation of the Rules for continuous service, Mr. Brito has no clain to pension, in consequence of his having resigned his appointment in February 1842, and remained out of permanent employ for upwards of 12 months. But as it is stated that he resigned on account of continued ill-health, the Hon'ble the President in Council, before passing final orders on the case, desires me to request that the Government of Madras will be good enough to cause the statement to be verified in the Department which he quitted on the occasion.

3. Meanwhile, for the last period of his continuous service of 18½ years, Mr. Brito is allowed a gratuity of 5 months' pay, which, pending a final decision on his case, may be disbursed to him in monthly instalments of Rupees 12-8-0 (equal to half his salary) with effect from 1st August 1862.

I have the honor to be,
Sir,
Your most obedient servant,
Ed. H. Lushington
Secretary to the Government of India.

To the Civil Pay Master, Madras.
" Deputy Auditor and Accountant General, Madras.

[Exd. H. D. Bysak.]

Vide Fin.l Pros 16 April 1863
No. 268.

Pension 1863 Deptt.
No 269

From
The Secretary to the
Govt. of India 2069

D/16th May
R/2d June } 1863

2 Spare
Copies No. 269

F. No 297

With reference to the Pension proposed to be granted to Mr. J. F. Brito late a Clerk in the Mangalore Sea Custom House, requests that before passing final orders on his case the statement of his resignation on account of ill health may be verified. Meanwhile directs that a Gratuity of 5 Months pay be disbursed to him in monthly Instalments of Rupees 12-8-0 with effect from 1st Augt./62.

With an order No. 158

Entered 7-7-63

CIVIL PAYMASTER'S OFFICE
3 JY 1863

Order thereon 3d June 1863 No. 158

The Ag. Collector ~~will~~ of S. Canara will ascertain & report, with reference to his letter No. 16 of the 4th of October last, what were the causes which led to Mr. Brito's resignation in 1842. It is observed that in a recent petition to Govt. Mr. Brito has stated that he did not actually resign, but was compelled to absent himself from his duty in consequence of illness brought on by overwork.

2 Pending a reply to this reference a monthly allowance of Rs. 12-8- from the 1st of August last will be passed to Mr. Brito, provided that the whole amount so disbursed is not to exceed the 5 months full salary without further sanction

To the Ag Collector of South Canara Des: 3/6/63
" " Civil Pay [illegible] 1863

No. 20.

Collectors Kachiri
Mangalore 13th June 1863

From
A. McC. Webster Esqre
Head Assistant Collector in charge
South Canara

To
A. J. Arbuthnot Esqre
Chief Secretary to Government
Fort St. George

Sir,

With reference to the Proceedings of Government dated the 3rd Instant No. 158, I have the honor to state that from enquiries made I find that Mr. F. J. Brito held the appointment of Post Office Clerk at this station in February 1842, when he was superseded in consequence of a serious illness.

On his recovery 12 months afterwards he was appointed to a situation in Sea Custom house.

I have the honor to be,
Sir,
Your most Obed. Servant

A. McC. Webster
Head Asst. Collr. in charge

Vide Pro: 3d June 1863 No. 158

Pension 1863. Deptt.

From,

The Head Asst. Collector in charge of [illegible]

No. 297

To

The Chief Secretary to Government Fort Saint George.

Dated 13th June 1863

SL No. 188

Recd 25th June 1863

No. 29

Stating with reference to the Pro: of Government dated 3rd [illegible] No. 158 that the [illegible] Mr. Brito [illegible] the appointment of [illegible] Clerk at this [illegible] in 1842 [illegible]

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(5)

No. 3402.

FROM E. H. LUSHINGTON, ESQUIRE,

SECRETARY TO THE GOVERNMENT OF INDIA,

FINANCIAL DEPARTMENT;

TO THE CHIEF SECRETARY TO GOVERNMENT, FORT SAINT GEORGE.

Fort William, Council Chamber, the 25th July 1863.

Financial Department.

SIR,

IN reply to Mr. Deputy Secretary W. H. Kerr's letter, No. 186, dated 29th June 1863, reporting that Mr. Brito's resignation of office, in February 1842, was the consequence of serious illness, I am directed to state that, under the peculiar circumstances of his case, the Hon'ble the President in Council is of opinion that Mr. Brito may be treated as if he had been on sick leave, without pay, for the interval of more than one year's non-employment in 1842-43-44; and that, under this view, his previous service of upwards of 22 years may fairly count towards pension.

2. Accordingly, for his total service of upwards of 40 years, Mr. Brito is allowed a pension of Rupees 12-8-0 a month, equal to half his monthly salary during the last five years of his service, the gratuity already disbursed to him being now re-adjusted.

I have the honor to be,

SIR,

Your most obedient servant,

E. H. Lushington

Secretary to the Government of India.

To Civil Pay Master, Madras, with copy of Pension Roll.

" Deputy Auditor and Accountant General, Madras, with Do., in continuation of communication, dated 16th May 1863.

[Exd. H. D. Bysack.]

Pension Slate

CIVIL PAYMASTERS OFFICE
AU 27
1863

Order thereon 25th August 1863 No. 247

1 Ordered accordingly that a Certificate be issued in the name of Mr. I. T. Brito for a Monthly pension of Rs 12-8, payable from 1st August 1862.

2 The arrears will be paid to him by the Collector of South Canara, subject to a deduction of Rs 125 in adjustment of the gratuity sanctioned to him in the Pro: of Govt. 3d. June 1863, No. 158.

27/8

W. S. Kerr
Dy. Secry to Govt.

To The Collector of South Canara with Original & Copy Certificate Des 28/8/63

To The Civil Paymaster with Copy Certificate Des: 28/8/63

Intd & Regd 4.9.63

37

575
1

Pension 1863 Departt

Pens: Pros: 29th June 1863 No 186

No 412

From The Secretary to the
Govt of India

Dated 25th July 1863
Recd 20th Augt " }

Sanctioning to Mr Brito a pension of Rs 12-8-- a month, equal to half of his monthly salary during the last five years of his service, the gratuity disbursed to him being now readjusted.

With an order No 247

CIVIL PAYMASTERS O
AU 27
1863