1. Number of pages. 1 to 26
2. Date of repair. 26·8·35
3. Initials of Reference

M.R.O. 1—12,400—29-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 269 Press Mis.

Dated — 18—

Not to be folded or roughly handled

Statement of the services of Moulavee Syed Ittah oollah Saib, late Cazee ool Cozaat attached to the High Court Appellate Side.—

Appointment	Pay per mensem Rs. As. Ps.	From	To	Period of service in each appointment Y. M. D.	Total Y. M. D.	Remarks
Arabic Law Student in the late College of Fort St. George	14 - -	1st October 1822 x	31st December 1829 x	7—3—-		
Master of the Persian Madrissa School at Arcot	12 - -	1st January 1830	31st August 1830 x	-—8—-	7—11—-	A break here occurs of 6 years—
Acting Mooftee Sudder Ameen of Rajahmundry	100 - -	16th May 1836	1st February 1837	-—8—17		
— Do — Do — of Nellore	100 - -	27th June 1837	8th January 1838	-—6—13		no permanent Office seems to have been held during these 2 years—
— Do — Do — of Bellary	100 - -	8th January 1838	25th December 1838	-—11—14	2—2—14	
Mooftee Sudder Ameen of Calicut	200 - -	27th January 1839	13th September 1843	4—7—24		
— Do — Do — of Coimbatore	200 - -	14th September 1843	1st December 1845	2—2—18		
— Do — Do — of Combaconum	200 - -	2nd December 1845	30th April 1859	13—4—30		
Cazee ool Cozaat of the Sudder Court	400 - -	1st May 1859	31st May 1863	4—1—-		
— Do — Do — of the High Court	280 - -	1st June 1863	15th April 1864	-—10—15	25—2—27	

x The correctness of these dates cannot be ascertained beyond all doubt:— vide letter to Chief Secretary dated 13th April 1864 No. 29.—

Ag Registrar
Appellate Side.

In. No 631

(No. 29)

From,
The Deputy Registrar of the
High Court of Judicature
at Madras.—

To
The Honorable M. J. Arbuthnot,
Chief Secretary to
Government.

Honorable Sir,

1. I am directed to submit to be laid before His Excellency the Governor in Council the accompanying application from Moulvee Mahomed Uttah Oollah Sahib, the Cazi-Ul-Cuzzat attached to the High Court, for a superannuation pension, together with the Register prepared in the form laid down in the Revised Pension Rules published at page 616 of the Fort St. George Gazette, dated 2nd October 1863.—

2 The applicant is a Mahomedan of the Syed sect, and his age is certified by the Serishtadar of this office to be 62 years, 6 months and 17 days.—

3 The applicant states that he was first entertained on the 1st October 1822 as a paid Arabic student on a salary of Rupees 14 per mensem in the late College of Fort St. George, that he was subsequently appointed Government School Master at Arcot, which appointment he held until April 1836 when he was appointed to act as Moofti Sudder Ameen of Rajahmundry, and subsequently at Nellore and Bellary in the same capacity on an allowance of Rupees 106 per mensem; that he was appointed as a permanent Mooftee in the Zillah of Malabar, and held the same appointment at Coimbatore and Combaconum until 1859 when he was appointed Cazi-ool-Cuzzat to the late Sudder Court.—

4. The Secretary to the Board of Examiners reports that the Applicant's name appears in the records of the late College as a paid student on Rupees 14 in October 1822, and also in 1824, 1827 and 1829 as a law Student on the same salary, but not in any of the intermediate years; and the Collector of North Arcot also reports that there are papers on the records of his office "which clearly show that Mahomed Ullahoolah was agreeably to a letter from the Acting Secretary to the College Board dated 10th November 1829 appointed School Master of the said School from 1st January 1830 on a salary of Rupees 12 per mensem", that

CIVIL PAYMASTERS OFFICE AP 15 1861

"he appears to have eventually resigned the post although the exact period for which he held it cannot be clearly ascertained, but that as his successor Mahomed Ajom was, agreeably to a letter from the College Secretary dated 21st August 1830, appointed to the post from the 1st September of that year on a salary of Rupees 29 per mensem, it may be assumed that Mahomed Uttah-oolah held the post till the end of August of that year."—

5. The Applicant has however submitted the accompanying written statement acknowledged before T. Ramachandra Row, a Justice of the Peace, adhering to his statement of his services in the College.

6. It appears from the records of this office that he was

appointed

appointed to act as Moofty Sudder Ameen in the Zillahs of Rajahmundry, Nellore and Bellary between the years 1836 and 1838, and that he was appointed Moofty Sudder Ameen in the following Zillahs on the dates specified viz:

Calicut 21st January 1839.—
Coimbatore 14th September 1843.—
Combaconum 2d December 1845,

and that he was appointed to his present post on the 1st May 1859.

7. It will thus be seen that the period of his service exceeds 25 years exclusive of the period of his employment in the late College, at Arcot, and in the appointment of Acting Moofty Sudder Ameen; but if, as it is believed, he was thrown out of employ on the abolition

CIVIL PAYMASTERS OFFICE AP 15 1861

of the late College, his previous service from 1822 to 1836 should also be reckoned under the orders of the Government of India dated 7th May and 22d August 1860, Nos 4020 and 7616, which will make the total period of his service to amount to about 39 years.—

8. It appears that during the entire period of his service, the applicant while Moofty Sudder Ameen at Calicut, obtained leave on full pay for 21 days on the 2d November 1839 and for 4 months in January 1840, and also for one year on half pay in December 1840.—

Leaves

9. The Applicant is now old and infirm and not fit for further service and, as his office is now abolished by Act XI of 1864, I am directed by the Judges to recommend that, in consideration of his good character, a pension of Rupees 190 (being one half of the average monthly amount of his salary for the last 5 years) may be granted to him from the 15th instant.—

10. The applicant is desirous of drawing his pension at the Treasury of the Civil and Session Court at Tanjore.—

High Court of Judicature, Madras,
15th April, 1864.—

I have the honor to be,
Honorable Sir,
Your most obedt servant,
Tho. Irwin
Depy Registrar
Appellate Side

[illegible]

C. 21st June
R. 23d

Pension
~~Judicial~~ 1864 Department

No. 272

From
The Deputy Registrar
of the High Court of
Judicature at Madras

To
The Chief Secretary
to Government

Dated 13th } April 1864
Received 14th }

No. 29

With one Enclosure.

Recommending that a pension of Rs. 190 be granted to Mahomed Attah Oollah Sahib, Cazi-ul-Cuzzat attached to the High Court from the 15th instant, and stating that the applicant is desirous of drawing his pension at the Treasury of the Civil Court at Tanjore

O.W. No. 260
With an order

Referred to the Civil ~~Auditor~~ Paymaster for the usual verification. Reg. No. 206

Fort Saint George,
14th April 1864
Depy. Secy. to Government.

To
The Civil ~~Auditor~~ Paymaster

Regr. ~~No. 29~~ Regr. No. 72 Regr. No. ~~72~~ 68

Official Memorandum.

The undersigned has the honor to re-transmit herewith the application for superannuation Pension on behalf of Moulavee Syed Mahomed Utta-ool-lah Saib, Cauzee-ool Coozat of the High Court, altered as requested in the Memorandum of the Chief Assistant to the Civil Paymaster dated the 30th ultimo.

Mo Unaid
Depy. Registrar,
Appellate Side.

High Court of
Judicature, Madras,
3d May, 1864.

To
The Civil Paymaster.

Pension Depart.

No. 56

Memorandum

The undersigned has the honor to request the Civil Paymaster to state whether, in his opinion the principle now established in the Pension Rules of treating loss of appointment by abolition of Office in the same way as loss of appointment by physical unfitness, can be held to apply to the cases of Law Officers claiming pensions under the Rules of 1831.

By Order

Fort St. George (Sigd.) W. H. Kerr
16th June 1854 Dy Secy to Govt.

15

Stat 416

Official Memorandum

The Acting Registrar of the High Court, Appellate Side, has the honor to transmit herewith a revised Statement of the Services of Moulavee Syed Ultah Oollah Sahib, late Cazee ool Cozat of the High Court, as requested in the Civil Paymasters Memorandum, dated 31st Ultimo, No. 40.

Acting Registrar,
Appellate Side.

4th June 1864.

To
The Civil Paymaster.

[illegible]

DEPARTMENT.

No. 47

FORT ST. GEORGE,

Civil Pay-Master's Office.

16th June 1864.

Official Memorandum.

Your Official Memo: No 56. d: 16th Inst.

The undersigned has the honor to state that the rules of 1863 have the same bearing on Law Officers as on other Servants of Govt.

R M Lodwick
Civil Paymaster

To
The Dy. Secretary to Govt.
Fort St. George

619

Memo.

I hath drafted on the accompanying Pension certificate the order wh. appeared to me correct when the doubt occurred to me which I have noted in pencil in the margin of the order, & led to the Memos. to & from the Civil Paymr. which are put up with the record —

Mr. Lodwick in his memo reply does not answer my question but raises a general question about "Law Officers Pensions" in wh. it appears to me that he is entirely wrong.

I thought when his report on the case came in that he considered that the Revised Rules were applicable to Law Officers

Gazette of India 13th April
Madras. 3rd May because republished the other day

without the Heading clause inserted in June 1863 stating that they were not applicable to Law officers – I doubted even this being right as the Secy of State had distinctly stated in his Despatch that further rules (for Law officers) would be communicated (we have since heard nothing) & besides they could not in any case apply to the applicant who was discharged on April 15th –

but it now appears fr. Mr. Ludwich's Memo that he considers the rules of 1863 applicable to Law officers.

In this he appears to me to be entirely wrong. & I wish for orders therefore as to whether I should now ask him to explain his Memo of the 16th, or should call upon the applicant for pension to procure a Medical certificate, & then at once give him a ½ pension on grounds nearly similar to those stated in the draft order –

WAll

Yr Off

N.B. It is improbable that any Revised Pension Rules for Law officers that may be sanctioned will make the latter worse off than they were before. as the present Rules would –

C 21st June
R 23d —

O No. 269

Register of an Application for Superannuation Pension from the Establishment of the High Court at Madras on the Appellate Side prepared under the Rules passed by Government under date ~~15th May 1851~~ 8th June 1863.

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.		Age of Applicant at the time of application.			Religion, Caste, or Tribe.	Where residing.			Present Employment.	Total period of Service.		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 if pensioned wishes to draw his pension.	Orders of Government.
			Feet.	Inches.	Years.	Months.	Days.		Province.	Pergunnah.	Village.		Years.	Months.										
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
																		Rs. As. Ps.	Rs. As. Ps.			Rs. As. Ps.		
Mahomed Syed Mahomed Ullah alias Sait, son of Mahomed [illegible] Habibullah Sait.		Black mark on the tip of the forehead	5	2	62	6	17	Mussulman Caste [illegible]	Madras	-	Nungumbaukum, Madras	Cazee at [illegible]	39	-	Continuous from 1st January 1829 the date on which he was appointed [illegible] Cazee of Madras	-	-	380 . .	280 . .	Old age and incapacity for further service	The applicant appears to have borne a good character.	190 . .	Civil and Session Court	
					Mahomed Ullah Sait Cazee al Cazee having produced his Horoscope in support of the age alleged by him I certify that according to it his age up to this date amounts to 62 years 6 months and 17 days 19th December 1863 [illegible] Sarishtadar																			

High Court of
Judicature, Madras
13th April, 1864.

[illegible]
Deputy Registrar,
Appellate Side

No. 70

Report of the Civil Paymaster.

Service ~~of Applicant as verified by Civil Paymaster.~~ qualifying for Pension	Average of salary for the last 5 Years.	Remarks.
Yrs. ms. ds. 24 - 2 - 26	Rs. as. p. 377 - 3 - 7.	The Services of Moulavee Syed Mahomed Ullah-ool-lah Sahib the late Cazi-ul-Cuzzat on the Establishment of High Court have been verified from the Records of this office and are as under Total Period of Service ——— 35 - 4 - 10 Viz. From 1st October 1822 to 31st August 1830 " 16th June 1836 to 1st February 1837 " 21 June 1837 to 5th January 1838 " 8th January to 20th December 1838 " 21st January 1839 to 15th April 1864 Service not counting for Pension ——— 10 — 1 — 14 Viz. From 1st October 1822 to 31st Decr. 1829 as he was a Law Student From 1st January to 31st Augt. 1830 as he resigned the situation on the latter date & was not reentertained within the prescribed period of 12 months. " 16th June 1836 to 1st February 1837 " 21st June 1837 to 5th January 1838 " 8th January to 20th Decr. 1838 As he was only in acting appointments Absence other than Preparatory & Privilege Leave ——— 1 — " — " 11 - 1 - 14 Period counting for Pension ——— 24 - 2 - 26 As the leave shown in para 8 of the Application for 24 days & 4 months were granted on full pay they are not deducted from the period of Service. The Applicant is therefore entitled to a Pension of Rs. 125 - 11 - 10 equal to 1/3 of his average salary for the last five years under clause II of Section 6 of the amended Rules The average of his monthly salary is Rupees 377 - 3 - 7 and not Rs. 380 as given by the Deputy Registrar High Court Appellate Side 188 - 3

Civil Paymaster's Office
Fort St. George
6th June 1864 } To
The Chief Secy. to Govt.
Civil Pension Dept.

W. Hodswith
Civil Paymaster.

Order of Government. 24th June 1864 No. 269

The Governor in Council observes that the Revised Pension Rules published in the Fort St. George Gazette of the 26th June 1863 ~~having been~~ were ~~then~~ distinctly declared not to be applicable to Law Officers & that the applicant the late Cazi-ul-Cuzzat on the Establishment of the High Court having lost his appointment in April last by abolition of office consequent on the passing of Act XI of 1864, the applicant is eligible therefore for his service of 24 years to a pension of Rs. 188-9 ½ his average salary for the last five years under the rules of 1857, instead of a pension of 1/3rd his salary under the new rules as reported by the Civil Paymaster.

Ordered that a certificate be issued accordingly making the pension payable ~~from~~ at the Civil & Sessions Court of Tanjore with arrears from the 16th April last.

WDH

On a letter from the
Deputy Registrar of the
High Court of Judicature
[illegible]
No. 274

C 21st June
R 23rd "

To the Registrar of the High Court [illegible]
To the [illegible] with copy of certificate
To the Civil Paymaster with copy certificate

Pension 1864 Depart.
No. 412

Report of the Civil Paymaster
No. 70

Dated 6th }
Recd. 8th } June 1864

Reporting Services of Mahomed Ullah Oollah Sahib Cazee-ul-Cuzzat attached to the High Court

With an order 1864

295

Civil Paymaster's Office
JN 25
1864

MY 4
1864