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MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 192 Press Mis.

Dated 2 - 6 - 1865

Not to be folded or roughly handled

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(Signed) [illegible]

1859 [illegible]
92
[illegible]

(True Copy)

J. J. [illegible] Captain R.E.
Superintending Engineer 8th Dn.

To No 990

The Deputy Chief Engineer

Sir, D. P. W.

With reference to your Memorandum No 7692 I have the honor to report that Corporal Fuller has not yet joined nor have I received any communication from him on the subject.

2 Corporal White has refused his appointment & this vacancy will be filled up by the Supernumerary Sub Overseer transfered from South Arcot but who has not yet joined

3 In the case of Corporal Fuller who has not accepted his appointment & whose now acceptance after so long a period has elapsed may I think be taken as a refusal I propose to appoint Synsawmy Pillay to the other vacant 7th Claſs Sub Overseership - he served for many years with credit in the old Department and was lately Marahmut Superintendent of Shevagunga. the rule regarding probationery appointment will I presume apply to him and his former service under Government render an examination unneceſsary -

I have &c

Madura -
16th Decr 1859.

(Signed) J. G. Ryves Captn
District Engineer

No. 1168

To,

The Deputy Chief Engineer

Sir

With reference to para 3 of Extract Proceedings No. 9402 under date 20th instant I have the honor to nominate Iyyasawmy Pillay late Marrahmut Superintendent Shevagungah Zemindary (not a passed candidate but up to a late date in Government employ) to be 1st Class Sub Overseer in Succession to Rungsa Row dismissed.

I have &c

Madura — 28th January 1860 } (Signed) J. G. Ryves Captn
District Engineer

No. 1284

To

The Dy. Chief Engineer

Sir

With referance to Extract Prods of Chief Engineer No. 10245 under date 15th February 1860 I have the honor to annex a Statement of Service of Iyyasawmy Pillay therein alluded to; during this period he has gained experience of many kinds of works, and has been favorably mentioned more than once by former Collectors and Civil Engineers of this District.

As to his qualifications he does not know English (with the exception of using English figures) and by reason of this, has not acquired geometry, but he is able to do ordinary surveying & levelling to draw simple plans to form Estimates & to keep accounts. If he had known English he could have passed the necessary Examination before.

Captn Ryves had endeavoured to obtain the services of several passed Candidates previous to recommending this Iyyasawmy Pillay but nearly all have refused the appointments.

I have &c

Dindigul — 25th Feby 1860 } (Signed) H Smalley Lieutt
2nd Assist Distt Engr in charge of Distt

No. 724

To

The Dy. Chief Engineer

Sir,

With reference to Proceedings of

the Chief Engineer No. 3467 under date the 7th August 1860 intimating to Iyasawmy Pillay Marahmut Suptt. of the Shevagunga Zemindary that his case will be taken into consideration for promotion to an Aſsitt. Overseership should the District Engineer consider him fit for that post I have the honor to state that though his profeſsional qualifications do not come up to the Standard laid down, yet considering his long varied & creditable service of 38 years during which he has been uniformly well spoken of by his Superiors, he seems eligible as an Aſsitt. Overseer in this District in which he has paſsed his life. His predeceſsor in the post of Shevagunga Maramut Superintendent Vencataramah now Aſsitt. Supervisor in charge of 2nd Range of this District, with much the same abilities & experience has proved himself fully competent for this post.

Annexed is a list of Iyasawmy Pillai's Services
As Gomastah on pay of 7 Rupees — service 4 years
Madacolum Taluq Maistry 14 " ——— " 3 "
Terumungalam " ——— " 14 " ——— " 17 "

Madacolum Taluq Maistry 14 Rupees Service 1- yea
Madura Town Maistry — 14 — " ——— " — 5
Meylore Taluq — do ——— 14 — " ——— " — 1.
Town Maistry ——— 14 — " ——— " — 3
Maramut Suptt. Shevagunga 50 — " ——— " 3-8-

Years 37-8-M

I have &c.

(Signed) H. Smalley Lieutt.
Aſsitt. District Engineer

28 Sept/60-

(True copies)

Captn. R.E.
Superintending Engineers 8th Dn.

No 1556

To

The Dy Chief Engineer

Sir

5

I have the honor to solicit your instructions as to my appointing Iyasawmy Pillay at present chouramut Superintendent of Shevagungah to be 1st Class Sub. Overseer in this District.

Some time has elapsed since the above vacancy was advertised in the Fort St. Gazette as well as in the District one; but as yet no one has applied for it - on examining the Records of this Office I find that Iyasawmy Pillay has been before favorably brought to your notice with a view to his being appointed to this grade & I beg to observe that I am much in want of his services.

I have &c.

X

Madura
17th April 1860 } (Signed) J. J. Brine Captn
Ag 1st Assist Dist Engineer in charge

(True copy)

J. J. McCarty Captn R.E.
Superintending Engineer 8th Dn

Public Department.

Proceedings of the Madras Government.

Read the following letter from Colonel J. H. Bell Chief Engineer, to the Secretary to Government, Public Works Department, Fort Saint George, dated, Chepauk 7th May 1860. No. 226.

Enclosures 4.
Dated 16th December 1859. No. 990
" 28th January 1860 No. 1168
" 25th February " " 1284
" 17th April " " 1556

I have the honor to forward for submission to Government, the accompanying letters from the acting District Engineer of Madura, recommending one Iyaswamie Pillay late Maramut Superintendent of Shevagungah for employment as Sub. Overseer 1st Class.

No. 1284 2. A Statement of Iyaswamie's services is given in Lieutenant Smalley's letter, dated the 25th February last, from which it will be seen that he has already been 34 Years in the service of Government besides nearly three Years as Maramut Superintendent at Shevagunga. He appears to be fully qualified in all the practical duties of a Sub. Overseer and as his employment was strongly advocated by Captain Ayres and Lieutenant Smalley and now by Captain Brine, on account of his great practical experience and as the vacancy has long remained unfilled for want of past Candidates, I beg to recommend to recommend to prevent further inconvenience to the District that sanction may be granted for Iyaswami Pillay's employment as Sub-Overseer 1st Class 3rd grade, in the Madura District, to fill up an existing vacancy.

Transferred to the Public Department
(Signed) C.G. Master
8th May 1860. Deputy Secretary to Government

Order thereon, 14th May 1860. No 710.

The Government sanction, under the Circumstances stated, the employment of Iyaswami Pillay as Sub. Overseer 1st Class 3rd grade in the Madura District.

(True extract)
(Signed)
Chief Secretary
(True Copy)

Captain R.E.
Superintending Engineer 5th Dn.

No 3371

Resolved, to return the Petition through the Acting District Engineer and to inform the Petitioner, that the rules of the Department require that he should enter the lowest grade of the class to which he is appointed; and that the Rule cannot be set aside on any account.

Central Office of P.W.
Chepauk
4th August 1860.

(Signed) W. Birdwood Lieutt. Col.
Deputy Chief Engineer South Circle

True Copy

Captain R.E.
Superintending Engineer 3rd Dn.

7/

No. 3467.

Extract from the Proceedings of the Chief Engineer in the Department of Public Works

Under date the 7th August 1860.

Read the following

From Iyasawmy Pillay Maramut Superintt. of the Shevagunga Zemindary in the Madura District

His Letter dated 23rd July 1860.

The Petitioner is informed that under the rules all persons appointed Sub overseers in the Public Works Department must enter in the lowest grade of the class to which they may be Nominated, and that he is quite at liberty to decline accepting the appointment to which he has been recently Nominated should he desire to do so.

2 With respect to his application for promotion in the Department, the Petitioner is informed, that the Chief Engineer will be prepared to take this case in to Consideration, should the District Engineer of Madura

Consider him qualified for the grade of Assistant Overseer.

True Extract

(Signed) W. Birdwood Lieut Colt
Deputy Chief Engineer So: Circle

(True Copy)

J. J. [illegible] Captain R.E.
Superintending Engineer 8th D.

No. 6339.

Extract from the Proceedings of the Chief Engineer in the Department of Public Works.

Under date the 27th October 1860.

Read the following Letter

From the Acting District Engineer. Madura

Informs that Iyasawmy Pillay Superintendent of Shevagunga Zemindary deserves to be recommended for an Assistant Overseer, on account of his long experience & length of service only.

Here Order No. 724 dated 28th September 1860.

Resolved that the Acting District Engineer of Madura be informed that the Chief Engineer will be prepared to recommend to Government Iyasawmi Pillay Maramut Superintendent of Shevagunga for the Post of Assistant overseer on the occurrence of a vacancy in the Madura District, should the District Engineer recommend him at that time and should there be no past Candidate to take up the appointment.

True Extract

(Signed) W. Birdwood Lieut. Colonel
Deputy Chief Engineer Southern Circle

(True Copy)

J. J. [illegible] Captain R.E.
Superintending Engineer 8th D.

1865 Septr

Enclosure No 1.
in a letter
No. 546
From the Collector of
Madura
To The Chief Secretar
to Governm
Fort St Geo
Dated 16
Recd } March 186

Copies Correspon
obtained from th
Supg Engineer's
Office in the cas
of Iyasamy Pilla

Pens. 1865 Septr
L No 265

Memorandum

The Collector of Madura on the 24th September last submitted an application for pension, on behalf of Ayasami Pillay, who was employed in the Maramut department and was in 1857 appointed Maramut Superintendent of the Shevaganga Zemindary, when under the Court of Wards. The wardship ceased on the 10th November 1859, but the applicant remained in the Zemindary and hence, quitted the service of Government. His service up to that time was in all $\overset{yr.}{26}$-$\overset{m.}{10}$-10, of which the Civil Paymaster excluded 4 yrs 3 ms on the ground ~~that~~ he was paid from town dues, and was a kind of municipal servant.

In September 1863, four years after he ceased to be a Government Servant, he applied to the Superintending

Engineer for pension, and was by him, referred to the Collector. much delay took place in searching records, and the application was preferred in September 1864 - the Medical Certificate being dated 23rd August 1864 or four years and nine months after the cessation of his tenure of Office under Government.

I doubted whether the Civil Paymaster had correctly excluded the 4 yrs 3 months mentioned above, but abstained from Enquiries of the Collector until Government were pleased to decide whether, in any case, this application could be received. Applicant having had Rs 14 (as his average pay) under Government, when taking service under the Court of Wards got Rs 50 - On this service (as Government Service) determining he might, it is probable, have reverted to his pay of Rs 14 in the General line, but he preferred to take private

Service

service on Rs 50 - and having continued therein for 4 years, he was worn out, and then came to Government for a pension, which he claimed on a Medical Certificate of unfitness for further service, obtained four years and nine months after he ceased to be a Government Servant.

Government have indeed been pleased to permit applications (particularly by men thrown out of Employ by reductions &c as this might be considered practically) to be made after the lapse of a reasonable period, to admit of a man's trying to get further Employ, but this seemed to me, to be quite removed from that category.

At the best, the application resolved itself into one for pension under old rules, after Service of between 20 and 30 years, such service having been terminated by the abolition of the Government Office held by the applicant, and the application being submitted five years after abolition ~~where~~ the case as above stated Upon the following order was passed on the 19th January 1865. "The Collector of Madura submits an application for pension on behalf of Iyasamy Pillay, who having been employed in the Maramut Departt, was in 1857, on the assumption by the Court of Wards of the management of the Sheragunga Estate, employed thereon as Maistry.

2. "On the cessation of the wardship on the 10 Novr 1859 the applicants service for pension amounted to 22 years 7 months and 10 days.

3. "He continued in the employ of the Zemindars, and in September 1863 four years after he ceased to be a Govt. Servant, he applied for pension.

4 "The only ground on which a pension can be claimed is that on the cessation of the wardship, the

the

the applicants services as a Government Servant were dispensed with: but there is nothing to shew that had he attempted to obtain Government employment he would have failed, while under the rules then in force, no pension could be claimed by an Officer unless on a Medical Certificate of unfitness for service. The applicants continuance in active work for 4 years shews that no claim on that ground can be sustained.

5 "The Government therefore consider that Iyasamy Pillay has no claim to pension and as there would seem little doubt that he would have obtained Government employ had he quitted the service of the Zemindary on its transfer to the proprietor, they decline to pass to him a gratuity."

Mr Levinge now states that the applicant did try to get Government employ (and this seems correct) but failed entirely. And on a wrong premise, viz. that Government refused a pension because the applicant did not try to get re-employment, asks for re-consideration:- The fact being, as stated in the order, that the rules in force did not allow pensions on reductions of establishment. That pensions (after 30 years service) on reduction were only sanctioned in 1860 - and d° after 20 years, only in 1862, on the 10th November, precisely three years after applicant was thrown out of employ. It is also to be noted that no gratuities could be given on reductions, and, now permitting the grant of a pension would be giving a rule a retrospective effect of three years, the claim being set up two years after the rule was sanctioned.

532 of /60

948 of /62

The man's case may seem hard, but the hardship, if any, is in the rules then in force, which

derive

√

derive an apparent hardship, very delusive from the exceedingly liberal character of the present rules, which are, I should think, almost unparalleled.

The true way to view the case is this, as I would submit,- Had the man made his application at the time of the cessation of the hardship, and presented the Chief Engineers Endorsement to the effect that he, altho' a good officer, could not be re-employed as he had not passed nor was likely to pass the tests in force - as a proof that he could not get public employ - would he have had a pension granted him; I think that there can be no doubt he would not.

If Government are of opinion that the man may have a pension, a special case may be made of it for the Govt. of India.

Case of Iyasamy Pillay

340 [illegible] March 1865

29

From V. H. Levinge Esqr
Collector of Madura

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

Sir,

Adverting to the order of Government, Pension Department, under date the 19th January last No 22, I have the honor to report that on communicating the above order to Iyasamie Pillay, he represented to me that from the 9th Novr 1859 a day previous to the Shevaganga Zemindari being made over to its proprietor, he had endeavored on various occasions thro the P. W. Department to obtain Government Employ but was unsuccessful, and then seeing that there was no prospect of reentering the Government service and that he has arrived at an age which disabled him for active service, he applied for Pension in September 1863

To

29 May
R 1 June

2 To ascertain the correctness of his assertion I have obtained from the Supd Engineer's office Copies of Correspondence× referred to by him which I beg to enclose for the information of Government & which appears to bear out Iyasamy's assertion

× From Iyasamy Pillay to the Dt Engineer dated 9th Novr 1859 (Tamil Arzee)
From the Dt Engineer to the Dy Chief Engineer dated 16th Decr 1859 No 990
From do to do dated 28th Jany 1860 No 1168
From the 2d Asstt Dt Engineer to the Dy Chief Engineer dated 25th Feby 1860 No 1284
From the 1st Asstt Dt Engineer to Dy Chief Engineer dated 17th April 1860 No 1556.
Copy of the Proceedings of the Madras Govt dated 8th May 1860 No 1284.
Do of an Extract from the Proceedings of the Dy Chief Engineer dated 4th August 1860 No 3371
Do of do from do of the Chief Engineer dated 7th August 1860 No 3467
From the Asstt Dt Engineer to the Dy Chief Engineer dated 20th Septr 1860 No 724.
Copy of an Extract from the Procgs of the Chief Engr dated 27 October 1860. No 6339.

3 It will thus be seen that Iyasamy Pillay attempted to obtain Government Employ but failed. As this is the ground on which his application for Pension was rejected by Govt. I beg again to lay his case before Government for favorable Consideration. Had he been in Government service he would have been about two years ago declared unfit for active duty.

I have the honor to be
Sir
Your Most obedt Servant

Collector

Exd JM

Pension Departt

Read again Prot: of Govt Pens Deptt of 19th January 1865 No 22

33

Pension State 71

166

CIVIL PAYMASTERS OFFICE
JN 3
1865

Read also Letter under date the 16th March 1865 from the Collector of Madura.

Pension Dept No 22 of 19th Jan 1865.

Order thereon 2d June 1865 No 192

In their order of Jan: 19th 1865, Government declined to entertain the claim to pension preferred by Ayasamy Pillay.

Letter from The Collector of Madura To The Chief Secy to Govt of 16th March 1865

The Collector of Madura now asks for a reconsideration of that decision, on the ground that Ayasamy Pillay did try for and failed to obtain employment under Government.

The prior decision of Government, however, was

Pension 1865 Deptt No 256

From the Collector of Madura

To The Chief Secretary to Government Fort St George

Dated 16 }
Recd 21st } March 1865

No. 546

Enc:

Reporting that, previous to the Sevagunga Zemindari being made over to its proprietor, Iyasamy Pillai had endeavored on various occasions thro' the D. P. W. to obtain Govt employ but was unsuccessful & enclosing copies of correspondence obtained from the Supg Engineer's office bearing out his assertion

O. No 192.

C. Pillay.

35

was not based alone on the supposition ~~that~~ the petitioner had failed to apply for Government employment, but on the provision of the "rules in force at the time of the petitioner's retirement. Those rules ~~admitted~~ did not admit of ~~no~~ pensions ~~whatever~~ being granted on the ground of "reductions of establishments," unless on medical evidence of unfitness for further service and the * applicant's claim cannot be urged on ~~that~~ ground.

*Para 4

No. 22. Order. 19th Jan: 1865

The petitioner quitted the service of Government in November 1859, and the grant of pensions ~~to servants of his class [20 years' service)~~ after 20 years service was ~~are~~ not sanctioned until November 1862.

On reviewing the circumstances Government are not prepared to give a retrospective effect of three years to the concession of 1862 by the grant of a pension to the present applicant.

Copies & ~~[illegible]~~ registered - 6/6/65

Chief Assistant
Civil Paymaster
in charge

Fr The Collector of Madura
to The Civil Paymaster } Dated 3/6/65

Application
for
Pension

Pension 1865 Department

No. 192.

Proceedings of Government

Dated 2d June 1865.