

# MADRAS RECORD OFFICE.

Government of Madras.

*Pension.* DEPARTMENT.

G.O. No.

*431.*

Press  
Mis.

Dated

*21-11-*

*1865.*

Not to be folded or roughly handled

*my*

Read the following letter from E. H. LUSHINGTON, Esq., Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, Fort St. George, dated Simla, 19th October 1865, No. 3026:—

In acknowledging the receipt of the Statements of Pensions, Gratuities, and Compassionate Allowances, sanctioned by the Government of Madras, during the quarter ended 30th June 1865, I am directed to observe as follows.

2. Pensions which are sanctioned subject to the confirmation of the Government of India need not be reported again in quarterly statements.

PENSION STATEMENT.—*Entry 6.*—Pension to A. Puluwalloo Moodelliar, sanctioned subject to the confirmation of the Government of India.

*Entry 18.*—Pension to Oleyat Amboo Pothwal, a Government Pleader.

to clause 2 of Section 1 of the Uncovenanted Service Pension Rules of 13th April 1864.

4. Although the new rules allow of the grant of a maximum gratuity of

GRATUITY STATEMENT.—*Entry 591.*—Gratuity of twelve months' pay to Ramaswamy Iyer, whose total service amounted to twenty-nine years, but of which only three years and eleven months were passed in eligible grades.

*Entry 592.*—Gratuity of twelve months' pay to Soobbier, whose total service amounted to twenty-three years, but of which only two years were passed in eligible grades.

*Entry 637.*—Gratuity of eight months' pay to J. H. D. Alexander, whose total service amounted to ten years, of which only four years were passed in eligible grades.

Letter, No. 6453, dated 23rd December 1863, to the address of the Government of the Punjab.

Letter, No. 4022, dated 22nd December 1864, to the address of the Government of the North-Western Provinces.

11th December 1863, I am to invite your attention to the letter, No. 1513, dated 31st July 1865, addressed to the Government of the North-Western Provinces, a copy of which was furnished to the Government of Madras.

Ordered that a copy of the foregoing letter be sent to the Accountant-General, Madras.

From E. H. LUSHINGTON, Esq., Secretary to the Government of India, Financial Department, to the Secretary to the Government of the Punjab, dated Fort William, 23rd December 1863, No. 6453.

In reply to your letter, No. 905, dated 11th December 1863, I am directed to state that the service for which a gratuity up to twelve months' pay is allowed under the new rules must have been wholly rendered in grades eligible for pension.

Proceedings of the Madras Government, Pension Department,  
21st November 1865.

2. If service in ineligible grades be counted towards the gratuity, it can be allowed up to a maximum of only six months' pay.
3. The maximum of twelve months' pay for gratuities was established by the Secretary of State as a part of the new rules for pension to Uncovenanted Servants, and was authorized only by the same despatch which declared that "it must be understood that it is not now intended to grant the benefit of those rules to any of the lower grades of servants, who are not at present entitled to pension."

From E. H. LUSHINGTON, Esq., Secretary to the Government India, Financial Department, to the Secretary to the Government of the North-Western Provinces, dated Fort William, 28th December 1864, No. 4022.

With reference to the grant, by the Government of North-Western Provinces, of a gratuity to Seetaram, Sheristadar of the Principal Sadr Amin's Court, Cawnpore, reported in item 4 of the Quarterly Statement of Gratuities, sanctioned by the Local Government during the second quarter of 1864-65, I am directed to observe that, as the qualifying period of the individual's service amounted to not more than four years, the maximum gratuity of twelve months' pay was hardly allowable, save as a special case, and as such, accordingly, the grant is regarded and is confirmed.

2. I am to observe, however, that though the Pension Rules simply prescribe that there shall be allowed to an Uncovenanted Servant who is eligible to those rules, and who may be physically unfit for further service in India, "while under fifteen years' service a gratuity not exceeding twelve months' salary," yet the rule must needs be applied on some fixed principle, so as to observe due discrimination in dealing with the numerous cases which arise under the rule. The claims of the majority of applicants for the benefit of the rule being of an ordinary character, all, whether of long or of short service, cannot be equally entitled to a gratuity of twelve months' pay, and as that amount of gratuity is the maximum for even an officer who has served fourteen or less than fifteen years, the gratuity is practically allowed at less than one month's pay for each year of service. Accordingly, for the vast majority of cases, a liberal construction is put on the rule when a gratuity is allowed at one month's pay for each year of service up to the maximum of twelve months' pay for service above twelve to fifteen years, rendered by those eligible to the new Pension Rules.

Ordered that a copy of the foregoing be sent to the Civil Paymaster, North-Western Provinces, for information.

(True Copies.)

(Signed) J. E. COOKE,  
Asst. Secy. to the Govt. of India.

No. 113.

ORDER THEREON, 21st November 1865, No. 431.

To be recorded.

(True Extract.)

(Signed) C. G. WALKER,  
Under Secy. to Govt.

Exd. J. Wright.

CP 6453

From

E. H. Lushington Esq.

Secy to the Govt of India  
Financial Dept

To

The Secretary to Govt.  
Punjab

Fort William the 23<sup>d</sup> Decr 1863

Financial Dept

Sir.

In reply to your letter

CP 905 dated 11<sup>th</sup> December 1863,

I am directed to state that the service for which a gratuity up to 12 months' pay is allowed under the new Rules must have been wholly rendered in grades eligible for Pension.

2 If service in ineligible grades be counted towards the gratuity, it can be allowed up to a maximum of only six months' pay

3. The maximum

Pay for gratuities was established  
by the Secretary of State as a part  
of the new Rules for Pension to Mun-  
covenanted servants, and was authorized  
only by the same Despatch which  
declared that "it must be understood  
that it is not now intended to grant  
the benefit of those Rules to any  
of the lower grades of servants, who  
are not at present entitled to Pension."

I have &c

Edw. H. Lushington

Secy to the Govt of India

13/10

13/10  
Edw. H. Lushington  
10/286

N. 4022

From

E. H. Lushington, Esquire  
Secy to the Government of India  
Financial Department

To,

The Secretary to the Government  
of the N.W. Provinces.

Dated 28 December 1864

For Dep't.

Sir

With reference to the grant by the  
Government of the North Western Provinces, of a  
gratuity to Sectaram, Sherishtadar of the  
Principal Sudder Ameen's Court, Lucknow,  
reported in item 4 of the Quarterly State-  
ment of gratuities sanctioned by the local  
Government during the 2<sup>d</sup> quarter of 1864/65  
I am directed to observe that, as the  
qualifying period of the individual's  
service amounted to not more than 4  
years, the maximum gratuity of 12  
months' pay was hardly allowable, save as  
a special case, and as such, accord-  
ingly, the grant is regarded and is confirmed.  
2 I am to observe, however, that  
though the Pension Rules simply prescribe  
that

that there shall be allowed to an <sup>unconvenanted</sup> Servant who is eligible to those Rules, and who may be physically unfit for further service in India, "while under fifteen years service a gratuity not exceeding twelve months' salary," yet the rule must needs be applied on some fixed principle, so as to observe due discrimination in dealing with the numerous cases which arise under the rule. The claims of the majority of applicants for the benefit of the rule being of an ordinary character, all, whether of long or of short service, cannot be equally entitled to a gratuity of twelve months' pay, and as that amount <sup>of gratuity is the maximum for an officer who has served less than 15 years</sup> the gratuity is practically allowed at less than one month's pay for each year of service. Accordingly, for the vast majority of cases, a liberal construction is put on the rule when a gratuity is allowed at one month's pay for each year of service up to the maximum of 12 months' pay for service above 12 to 15 years.

rendered

rendered by those eligible to the new Pension Rules.

Fort William  
The 28 December 1865

I have the  
hon of C. H. Lushington  
Secy to the Govt of India

Ordered that a copy of the foregoing be sent to the Civil Pay Master, at all Provinces, for information.

1 True copies!

L. C. Clarke

Asst Secy to the Govt of India

sd/10

How/65-90/65  
Jan 12, 1936

Mem. in reply to  
question of Hon. W.D. Phillips

67  
No - the remarks of  
this nature have never  
been so interpreted -  
It has been, no doubt,  
felt that the hardship  
would be to have that a  
pension granted to a man,  
apparently after the fullest  
inquiry, should be cancelled  
many months after - and  
have no further advantage  
<sup>ever</sup> ~~then~~ ~~been~~ received ~~and~~  
calling for information as  
to whether or not pen-  
sions to which exception

was taken had been received  
or with disance, I think we  
have been right in conclu-  
ding that the order have been  
intended to have reference to  
future cases. —  
None than all, Mr. Audit  
appears have never demanded  
the withdrawal!

17/11

W.D.

very well  
W.D.

note 23 June 1866.

The pension was however  
subsequently ordered to be  
cancelled as recalled.

W.D.

No 3026.

6+1

The Chief Secretary to  
Government,  
Fort St. George

Financial Deptt Sir

I acknowledge the receipt of the  
Statements of Pensions, Gratuities and Compassion-  
ate allowances sanctioned by the Govt of Madras,  
during the Quarter ended 30<sup>th</sup> June 1865, I am  
directed to observe as follows. —

Pension Statement 2

Entry 6.

Pension to A. Puthuwallu  
Moodelliar, sanctioned subject  
to the confirmation of the Govt  
of India

Pensions which are sanctioned  
subject to the confirmation of the Govt of  
India need not be reported again in Quarterly

Statements.

Entry 10.  
Pension to Oleyah Ambu  
Pothwal, a first Pleader.

3

A Government Pleader does  
not devote his whole time to the duties of his Off.  
The grant of pension to this class of Servants is  
therefore contrary to Clause II of Section 1 of  
the Uncoerced Service Pension Rules of  
13<sup>th</sup> April 1864.

Gratuity Statement 4

Entry 39.

Gratuity of 12 months pay to Name  
Swamy Iyer whose total service  
amounted to 29 years but of which  
only 3 1/2 months were passed in  
eligible grades.

Although the new rules allow  
of the grant of a maximum gratuity of

of 12 months service in qualifying grades of less than 15 years, the grant within that limit should ordinarily be proportioned to length of service; one month's pay being assigned for each years service, and if service in ineligible grades be counted towards gratuity, the gratuity should only be allowed up to a maximum of six months pay. I am to forward for the future guidance of the Govt of Madras, copies of the orders on the subject marginally noted.

Entry 592 - Gratuity of 12 months pay to Subbiah whose total service amounted to 23 years but of which only 2 years were passed in eligible grades.

Entry 637 - Gratuity of 6 months pay to J. D. Alexander whose total service amounted to 10 years, of which only 4 years were passed in eligible grades.

Letter No 6153, of 23 Decr 1863 to the address of the Govt of the Punjab  
 Letter No 4022, of 23 Decr 1864, to the address of the Govt of the C.M.S.

4  
 foregoing letter be sent to the Accountant General, Madras  
 7+

5 With reference to the grant of compassionate allowances under the operation of Financial Resolution of the 11th December 1863, I am to invite your attention to the letter No 1573 dated 31st July 1865, addressed to the Govt of the North Western Provinces, a copy of which was furnished to the Government of Madras.

Simla  
 The 19th October 1865  
 I have the honor to be  
 Sir  
 Your Most Obedient Servant  
 Ed. W. Cunningham  
 Secretary to the Govt of India

Ordered that a copy of the foregoing

Nov. 23<sup>d</sup> June 1888 229

Pendleton 1885. Department

H-982

Thomson  
The  
J. H. 1049  
F. W. 367  
to the first  
of Charles  
J. D.  
Board

Dec 19<sup>th</sup> 1885  
Dec 21<sup>st</sup> 1885  
Dec 21<sup>st</sup> 1885

Communications statements of  
the Government of India with  
reference to the statements of  
Indians, Europeans and Com-  
missioners of the various  
States by which the Government  
the present in 1885

Order Bureau 21<sup>st</sup> 1885  
J. D. Dec 21<sup>st</sup>  
W. D.

Not indicated by  
page 3 that the  
present is the  
first of Charles in  
the cancelled?  
W. D.

12.16"