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W. B. K.

M.R.O. 1-22,400-22-11-90

# MADRAS RECORD OFFICE.

Government of Madras.

*Pension* DEPARTMENT.

|          |      |               |
|----------|------|---------------|
| G.O. No. | 85   | Press<br>Mis. |
| Dated    | 9-3- | 1865          |

Not to be folded or roughly handled

*S.*

No 16

From

Charles W. Pearce Esq  
Collector of South Arcot

To

J. G. Walker Esq  
Under Secy to Government

Sir,

Fort St George

Referring to the Proceedings of Government under date the 9<sup>th</sup> Instant No 51 sanctioning gratuities to the several Peons who were thrown out of employ by the late reduction of Establishments I have the honor to observe that the aggregate of the Amounts of gratuity as detailed in the list submitted from this Office is Rs 641-8-<sup>00</sup> but only Rs 614-8-<sup>00</sup> has been sanctioned in the Proceedings under acknowledgment leaving a difference of Rupees 27-<sup>00</sup> The Cause of this difference is not apparent and as it may have been the result of clerical error

error in the Government Office.  
I trust you will be good enough  
to rectify it, and enable me to  
make the corresponding alter-  
ation in the said Proceedings.

2 If I am mistaken I  
shall feel obliged by your in-  
forming me of the names of  
such person or persons to whom  
the gratuity amounting to Ru-  
pees 27-0-0 has been disallowed  
together with the causes of the  
same.

I have the honor to be

Sir  
Your Most Obedt. Servant

C. S. S. S.

Collector

South Arcot  
Mr. L. C. Cutchy  
Parembay.  
20<sup>th</sup> Feb/65

Memoandum

The applicant in this case  
Vallapilayathu Syed Ahmed  
has served in all 35 years  
6 months: of this however  
only 25 years 2 months 14 days  
can be counted towards  
service owing to 8 years, one  
month having been completed  
before attainment of his  
22<sup>nd</sup> year, & to leave  
after the privilege of pre-  
seniority having been taken  
Moreover his service has  
not been continuous, he  
having been suspended by  
order of Govt. from the  
15<sup>th</sup> of Feb 1855 to the  
27<sup>th</sup> May 1857, in con-  
sequence of want of nerve  
displayed in connection with  
the outrages in Malabar.  
The Collector of Malabar  
recommends however

That the applicant should be  
granted a pension equal  
to one-half of his average  
salary for the last 5 years,  
in consideration of his  
having served as a  
Tributary for eight  
years, having suffered  
reduction of salary sub-  
sequently owing to the  
revised scale adopted  
in the Salt Establishment.

— F.B.

Mem.  
For action

This man's resignation  
can hardly be called  
to. He resigned &  
in the letter announcing  
his doing so the Super-  
intending Engineer re-  
appoints him. I think  
a special case should  
be made of it.  
MS

Memorandum

With reference to the President's  
remark in the margin of this draft,  
I beg to call attention to the margin

the consideration of injurious to the service that  
men, who have been dismissed for misconduct  
from one Dep't, &c. be considered eligible for  
re-employment in any other Dep't, that we  
must entirely discontinue such a prac-  
tice. It is a wholesome check upon  
dishonesty for the servants of Govt. &c.  
to understand that probity & diligence  
are the only means of retaining employ-  
ment under Govt.

Extract from  
a Despatch  
from the C.  
of Directors.  
It was circulated  
by S. M. C. 8th  
Nov. 1850, W/1008,  
to all Dep'ts.  
& it was also  
published in

the gazette of the 12th Decr, p. 1029.

The authorities in the N.W. Province  
objected to the rule, on the ground  
that native servants were often  
dismissed hastily & for no slight

Officers, & that its strict enforcement  
would be apt to operate with  
unjust severity. These representations  
were submitted to the Court of Directors  
for further orders, & meanwhile the  
local Gov<sup>t</sup> is authorized to exercise  
discretion in applying the rule.  
The CP however refused to reconsider  
or even to modify it. They pointed  
out that the proper remedy for the  
evil apprehended would be not to  
alter the rule which they had laid down,  
but for Heads of Houses to be more  
cautious in inflicting the punishment  
of dismissal, & for Gov<sup>t</sup> to lay down  
rules for their control in this respect.  
The rules adopted by this Gov<sup>t</sup>,

~~are that no individual should be fined~~  
~~until 3 months from the date of the~~  
~~being reported~~ are to be found in S. M. C.  
5th May 54, No 421.

The order of the Ct. might perhaps be  
republished, but I do not think it is  
often, if ever, <sup>infringed</sup> in special cases  
the Gov<sup>t</sup>, & sometimes the Board, have  
authorized the re-employment of a dis-  
missed servant, because, the disapproving of his  
unqualified dismissal, they have been  
unwilling to force him back upon an  
officer. ~~no confidence in him.~~  
Orders are requested.

MH  
25 April 63

The reasons for the  
medical certificate being  
obtained at the time  
of the discharge from the  
service are obvious - but  
it seems, in practice,  
quite impossible that  
men can while in full  
work, obtain medical  
certificates of incapacity,  
& then, that same day  
be discharged - without  
great detriment to the  
service. A man suffering  
from chronic disease  
does not become all at  
once unfit, nor, when so  
unfit as to be truthfully  
certified unfit, is he usu-  
ally unable to do his  
work with fair efficiency  
for a few days.

The cases in which  
the obtaining of certificate  
after due of service

15  
man on - and  
unfit - say  
man a few  
just is filled  
home no pay  
have an a  
can, in prac-  
did. —  
it is a case

Ch

entitled to pension after  
lying in the hope of recovery  
& when they fail to get  
apply.

rule is that a dead letter  
I think, refuse in this case.

order is written, over

has occurred are becoming  
very frequent, and I was at  
a loss to account for them  
until this feeling came  
to notice — In order to  
avoid coming against the  
terms of this article — Heads  
of Offices keep their men  
till they can fill their places,  
and then discharge them, with  
"go & get medical certi-  
ficate".

Thus the pensioner-  
expectant is between two  
hard rules: — The first Indian  
say "Be Certified unfit before  
close of service — or — no pension"  
The Quodras first say — "no pay  
after being certified unfit". —  
One head of office keeps his  
man till he can fill his  
place, and then discharges  
him and tells him to get  
a certificate and thus perils  
his pension. — The other

15  
keeps his man on — and  
when certified unfit. say  
"you must remain a few  
days till your post is filled"  
but you can have no pay.  
I do not see how one or the  
other can, in prac-  
tice be avoided. —

The present is a case  
in point.

Chas.

entitled to pension after  
applying in the hope of re-employment  
when they fail to get  
applied.

rule is that a dead letter  
I think, refuse in this case.

order is written, on

Report of the Ex<sup>r</sup>. of Claims.  
No. 757.

I do not see how gratuity can be granted  
in this case: The Examiner of Claims  
says he is eligible if the explanation  
of the Collector with reference to the  
applicant's delay in applying for his  
gratuity is accepted.

Now no explanation whatever is  
given - merely the fact is stated  
that the applicant was thrown out of  
employment on the 1<sup>st</sup> of Sept. 1867, and  
did not apply till 25<sup>th</sup> March last.

The truth is men so thrown out of employment  
and not entitled to pension often  
defer applying in the hope of re-employment  
& when they fail to get  
it, then apply.

Unless the rule is that a dead letter  
or must, I think, refuse in this case.

a draft order is written, on  
the page.

Papers submitted  
Please see  
This is not  
Circulated

## Report of the Examiner of Claims

757.

In this case the applicant Shesha-  
ghiri Pyi late Sheriff in the Malabar  
Tayur Taramuz was thrown out of  
employment by reduction of  
Establishment after a little more  
than six years qualifying service,  
on the 31<sup>st</sup> August 1867. He did  
not apply for gratuity till the  
20<sup>th</sup> March 1868.

No explanation as to the cause of  
delay is given, as the Examiner  
of Claims erroneously supposed,  
and as it is imperative that  
the rules requiring applications  
for pension & gratuity be made  
at the time of retirement, shall be  
strictly observed, the Governor in  
Council is unable to grant a  
gratuity to Shesha-ghiri Pyi.

J.B.

M.L.

Gratuity to a Sheriff refused.

Gratuity

Gratuity Memorandum

For orders

21

This is an application for a gratuity for a late District Munsiff at Mangalore. He began service in Sept/53 as a District Munsiff - a month after he was made Acting Munsiff Sadr Amir and held it for 1 1/2 months. Then District Munsiff again from 19 Jan/54 to 14 Oct/54. Then Munsiff Sadr Amir until 31<sup>st</sup> Dec/61 - Sadr Amir till 31<sup>st</sup> Aug/62 - and then Adol. District Munsiff till 7 Apr/64 when he was dismissed by Mr. J. S. Thompson, then Civil Judge. Because he was such an conscientious man he made such an unconscionable delay in his work - He thought 3 months a fair time for a "small case" to occupy, & "a big case" could not be done under 6 months!

Mr Thompson said he had no doubt  
the delay was intentional on the part  
of Hamed Hussein, and with the  
hope of keeping his file full  
& so preventing the abolition  
of his court.

The High Court approved of the  
dismissal, but mercifully remarked  
that it was hard that the man  
should lose all claim to gratuity as  
that had he not been reemployed  
on the abolition of his Rank Amintship  
in 1862 he would have drawn 6 months  
pay as gratuity, a \$1200 - and that  
they did not think he ought to  
lose this because he had been  
reemployed in a post for which  
he was proved unfit.

Hence this application which  
has been delayed by Hamed Hussein's

neglecting a delaying giving any  
information as to his service -  
This applied to men 2 over 23  
again.

It certainly does not seem a  
special case for favorable con-  
sideration. - Mr. Taylor's letter is to  
the point, but erroneous in saying  
that his post "was abolished in  
home only." He was however at once  
reemployed, without a day's break.  
He could have, at most, a  
gratuity of \$600, or 3 months  
pay, and for this, I think, the  
Government of India must  
be asked.

Orders are requested C.F.W.  
29/11

*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*

Reunion 1865 Report

Collection of South Sea

4

The number of

the number of

of the 25th Feb 65

Reunion 24

40 1/2

It is noted that the aggregate

amount of products is higher

Feb 8 - than only 1800 1/2

have been furnished leaving

a difference of 1000

40000 to the 100000 of

the original

Order the 100000 March 1865 Re 85-

The Collector is in error

in stating that the total amount of the gratifications

paid in 1865 was 100000 and not 100000

of 100000 - was 100000 and not 100000

614-8- - The examination of the statement

will show that the case - all the

gratifications, 28 in number, were paid without

alterations.

W. M.

W. M.

To the Collector of the 100000 1865

29

with an order 1865