

1. Number of *22*
2. Date of *9-10-35*
3. Initials of reference *1680*

M.R.O. 1-23,400-27-11-30

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	<i>313</i>	Press Mis.
Dated	<i>27-9</i>	18 <i>66</i> .

Not to be folded or roughly handled

27

*Proceedings of the Madras Government, Pension Department,
27th September 1866. No. 313.*

Read the following papers :—

From the Accountant-General, dated 9th August 1866.

Report of the Examiner of Claims, dated 9th September 1866, No. 147.

From the Accountant-General, „ 13th „ „ 204.

ORDER THEREON, 27th September 1866, No. 313.

It appears that the qualifying service of Wengavassee Custoor Rungiah Naidoo, late Writer on the Establishment of the Accountant-General for pension, is only twenty-one years, nine months, and twenty-four days, and the Government are pleased to grant him a pension of Rupees 13 per mensem, equal to one-third of his average salary for the last five years under Clause 2nd, Section 9, of the Revised Pension Rules, to have effect from the 1st of May last.

2. The applicant obtained a gratuity, in 1844, in recognition of past services, and this he wishes to refund in order that the previous period may count for pension. After so long a period has elapsed the refund of gratuity cannot be permitted, and the Government are therefore unable to grant him the rate of pension recommended by the Accountant-General, which recommendation was backed by the Examiner of Claims.

(True Extract.)

(Signed) F. BRANDT,
Ag. Under Secy. to Govt.

To the Accountant-General, with Register.

Exd. J. Wright.

Register of an Application for Superannuation Pension from the Establishment of the Accountant General preferred under the Amended Revised Pension Rules, published under date the 3rd May 1864.

I do hereby certify, that to the best of my belief the applicant's age as above stated is correct.

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
9th August 1866.

2^d Moral
By Chief Assistant

F. Leckington
Accountant General.

Pension 1866 Department

24.11.74

184967

From

The Accountant General to the Commissioners of Customs

184968

From

W. L. Pungia in London

184967

Out 29th August 1866

Rec 20th

Out 29th August 1866

Rec 20th

Register of application for
Pension in favor of W. L.
Pungia in London, an Assistant
in the office of the Accountant General

Registers the services of
W. L. Pungia in London in
1849 in the Accountant General's

Oct 313/66

9-4-67/67

No. 117
Report of the Accountant General.

Service qualifying for pension.			Average of salary for the last 5 years.			Remarks.
Yrs.	Ms.	Ds.	Rs.	A.	P.	
25	4	24	39	4	7	Qualifying service as per margin having been verified, applicant will be eligible to a Pension of Rs 19-8-0 a month of his average salary during the last five years. I should be pleased in the circumstances of the case to allow him to refund the gratuity received in 1844. - Government granted a similar concession in their Pro. dated 23 July 1864 No 230 Civil Pensions Dept. but refused it in a case the order on which is dated 12 June 1866 No 221 Pension Department.

Fort Saint George,
Accountant General's Office,
7 September 1866.

H. Donald
Commissioner of Claims
Accountant General.

To the Chief Secretary to Government,
Civil Pension Department.

Order of Government.

2/ Sept 1866

30

Fort Saint George
Accountant General's Office

No 204 13th September 1866

From
J. Lushington Esq^r
Accountant General
To
The Chief Secretary
to Government
Sir,

In submitting an application for pension on behalf of W. C. Ringial a clerk in this Office, I have the honor to explain briefly why I have ventured to recommend that the applicant be allowed half pension on refunding the gratuity received by him in 1844. Contrary to the ruling of Government recorded in Proceedings bearing date the 12th June 1866 No 221 Pension Department.

The applicant, it will be observed, first entered the Government Service in 1840, and having been thrown out of employ by the abolition of his appointment in 1844, he received under the Pension Rules of 1835 a gratuity of Rs 48-. In July 1844 he was again admitted into the Government Service, and as he was re-employed

or misconception of the new rules to make the
refund at the proper period. In the present case
the applicant for pension by his failure to refund
N^o. 48 on the promulgation of the new rules will
forfeit the sum of N^o. 78 9-⁴ annually for
the remainder of his life.

I may perhaps be permitted, in
conclusion to remark that the Government
has on former occasions taken precisely the same
view, as I have done, regarding the hardship
of a strict application of the rules to old gratui-
tous holders, and I would more particularly
advert to the case of Soundooraya a Member
of the Commissary General's Office and
Mr. J. Johnston of the Mint recorded
in the Proceedings of Government dated
the 12th June 1857 N^o. 155 and 7th Dec^r 1857
N^o. 343 Public (Separate) Department.

I have the honor to be,

Sir
Your most Obedt. Servt.

F. Rushmore
Accountant General

Camp JR
C. Nagarathuram

stant Genl. in his letter Sep 13th No. 204. explains the
his recommending that half pension be granted
Rungiah Naidu, an Assistant in his Office, on
of a gratuity received in 1844.
given. 1st That Rungiah, thrown out of employ on
abolition of his appointment in the Govt.
Bank, received under the rules of 1835 a
gratuity of Rs 4800 only 3 months salary.
That under these rules a discharged officer retains
1/2 a month's pay for every month he was unem-
ployed, on refund of gratuity, and that
Rungiah having been unemployed for 6 months
before taken on again, was not bound to refund
anything.

2nd That he concludes that it was in 1851 when
the new rules came into force the Government
expected those who had received gratuities to
come forward & refund, but that as no fixed
time for refund was named no notice
was given to gratuity holders of the alteration
of the rules, the applicant had, in his special
case at all events, grounds for supposing
a refund unnecessary.

3rd That the case is altogether different as regards
those who receive gratuities under the
New Rules, but that in such cases as this
much hardship will result if the New Rules
be rigidly enforced.

4th That there are precedents allowing refund
of gratuity: refer to Sandra Pandey's
Case. 12th June 1857. No. 155. Punjab Dep.
and to Mr. F. Johnston's Case. Dec. 7th
1857, No. 343. Punjab Dep.

24-11-70

Pension 18th September

From

Rs 70002

The Accountant General
Sind and Gujarat

To The Secretary
to Government

Dated 13th Sept 1866

24

24

Recommending Mr.

Rungiah Naidu for a

pension equal to one

half of his salary.

24-11-70

Sundar Mudali was allowed refund 840 Rs. received as gratuity, on dissolution of the Tanjore Commissioners' Office, in 1840 - and to count his previous service towards pension.

Mr. Justine was allowed refund 600 Rs. received in 1836 and count his previous service.

On the other hand

1. It is distinctly stated in despatch of Hon. Court of Directors No. 38. 13th May 1850 that "he cannot allow any period of service for which compensation has been ^{by gratuity} given, to count as time entitling to a higher rate of pension."

2. In the case of a man who had served more than 39 years, but whose service had been broken for an interval of only 15 months after 10 years, these 10 years were not allowed to count towards

pension, because of the grant of him of a gratuity at the end of his first term of service. ^[Proc. Gov. India.]

3. On application made by the Chf. of North West in his letter No. 54. 12th Sept. 1865, Waller ^{of Palnmanah} ~~Waller~~ Subsildar, was refused a gratuity received 20 years ago. Such indulgence was distinctly refused by this Govt.

and in their order No 221. Pension Dept of the 12th June 1866 the Madras Govt. refused to allow refund of gratuity on account of the great lapse of time, and only one third of the average salary for the last 5 years was granted under Cl. II. Sec. 6. Revised Rules, previous service not being admitted.

received in 1842

The old rules would
have given him half
pension after 30 yrs.

the new rules give
it after 25. He can
not claim a con-
cession under the
new rules which,
even if permitted
under the old,
would not have
given him half
pension.

SD

1881/18/13/7/10

8 a
Proceedings of the Madras Government, Pension Department,
27th September 1866. No. 313.

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From the Accountant-General, dated 9th August 1866.

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2. The applicant obtained a gratuity, in 1844, in recognition of past services, and this he wishes to refund in order that the previous period may count for pension. After so long a period has elapsed the refund of gratuity cannot be permitted, and the Government are therefore unable to grant him the rate of pension recommended by the Accountant-General, which recommendation was backed by the Examiner of Claims.

(True Extract.)

(Signed) F. BRANDT,
Ag. Under Secy. to Govt.

the Accountant-General, with Register.

Ed. J. Wright.

Pension Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following Papers

From the Accountant General (Here entered 9th August 1866)
 Report of the Examiner of Claims (— " — 9th September 1866 N^o 117)
 From the Accountant General (— " — 13th September 1866 N^o 204)
 Order thereon 27th September 1866 N^o 313.

It appears that
 the qualifying service of
 Vengavallee Cudooray Rangiah
 Naidoo late Writer on the
 Establishment of the Accts
 General for Pension is only
 31 years 9 months and 24 days
 and the Govt are pleased to
 grant him a pension of
 Rs 13-0-0 per mensem
 equal to one-third of his
 average salary for the
 last 5 years under clause
 II Section IX of the Revised
 Pension Rules, to have effect
 from the 1st of May last

The

N.
go

WOK

Pension 1186. 27th Sept 1866

From

27th 983

Wm J. P. & Co. Secy to Govt
 Madras 27th Sept 1866

Wm J. P. & Co. Secy to Govt
 Pension Department

Wrote 27th August 1866
 Mad 27th —

No 310

Submit remarks as
 to the same to the person
 in granting Govt's Certificate
 to applicants for Pension,
 who are residing in station
 where these are only sent
 Govt's Officer.

Q 118314

The applicant obtained
 a gratuity in 1846 in recognition
 of past services and that he
 wishes to refund in order
 that the previous period
 may count for pension -
 After so long a period
 has elapsed the refund
 of gratuity cannot be
 permitted and the Govt
 are therefore unable to
 grant him the rate of
 pension recommended by
 the Accountt General, ^{which}
^{recommendation was backed}
~~confirmed~~ by the Examiner
 of claims. -

LD

11 copies

To the Accountant General with Register Genentry. Dec^r 28/9/66.

Letter to the Secretary to the
of the 17th August 1865

26-11-7517

29/3/721

London 1865. Department.
S. 252
16th Aug. 1865
No. 313.

PROCEEDINGS OF GOVERNMENT.

Dated 27th September 1865