

MADRAS RECORD OFFICE.

Government of Madras.

Pensioning DEPARTMENT.

G.O. No.	826	Press Mis.
Dated	9-10	1866.

Not to be folded or roughly handled

Pensions.

Read again Proceedings of Government, Pension Department, dated 27th June 1866, No. 240.

Read also the following papers:—

From W. M. CADELL, Esq., Collector of South Canara, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort St. George, dated Mangalore, 13th August 1866, No. 83.

I have the honor to acknowledge the receipt of the Order of Government, dated 27th June 1866, No. 240, calling upon me to report "whether there was anything in the circumstances under which the applicant (Mohamad Jamal, late Sub-Magistrate of Nileshwar) was absent without leave, which could be considered as mitigating this defect in his service," and, in reply, would respectfully beg to request that the Government will be pleased to reconsider their order, I am induced to make this request, as I conceive that there has been some misapprehension as to the nature of the post held by Mohamad Jamal on the Village Establishment.

2. In the order alluded to, Government observe that the applicant's service from 19th June 1850 to 10th March 1859 (amounting to eight years, eight months, and twenty days) was passed upon a Village Establishment, and does not therefore give him any claim to pension. I beg, however, to observe that Mohamad Jamal was not properly a village-officer. The post held by him during the above interval was that of a Revenue Monigar, an office analogous in every respect to that of the present Revenue Inspector on the revised Taluq Establishment, and which is in no way connected with the other hereditary village-offices of this district, such as those of the Potal (Head of the village) or Shanbhogue (Village Accountant). Previous to the revision of the Taluq Revenue Establishments of this district, there were several servants employed in each taluq who were termed Monigars; and although these servants were nominally borne on the list of the General Village Establishment and paid from the funds sanctioned for these establishments, yet the offices were always considered to be distinct and separate from the other village-offices above referred to, and in fact formed part of the regular Taluq Establishments; in proof of this, I may observe that, when these latter establishments were revised according to the Hon. Mr. Pelly's scheme, the revision was extended to these servants, and their posts were accordingly abolished along with the other old Taluq Establishments of the district.

3. In my letter to the Accountant-General, dated the 19th of May 1866, No. 291, I had pointed out several

* Shamaiya.—Pensioned under G.O., 25th May 1860, No. 35, Public Dept, Certificate No. 2331 of 1860.	No. 291, I had pointed out several instances* in which employment on the permanent Village Establishment and in situations precisely similar to that of Mohamad Jamal, and the salaries of which exceeded 10 Rupees, had been admitted by Government as service qualifying for pension, and I would
Anantaiya and Annappaya. } Pensioned under G.O., 15th Feb. 1861, No. 56, Public Dept., Certificate Nos. 2548 and 2549 of 1861.	
Shek Ismal.—Pensioned under G.O., 14th March 1864, No. 116, Pen. Dept.	

*Proceedings of the Madras Government, Pension Department,
9th October 1866. No. 325.*

Ramayar.—Salt Mutsady in Cundapur Taluq—
vide Procs. of the Madras Govt.,
4th March 1863, No. 57, and 18th
April 1863, No. 106, Pen. Dept.

now beg special reference to the orders passed by Government in the case of the servant noted in the margin, and in which similar objections had been raised and eventually overruled on explanation being given as to the nature of the office and the duties appertaining to the Revenue Monigars on the Village Establishment of this district. This itself will, I conceive, show that Mohamad Jamal is fairly entitled to have his service as Monigar of Cadaba reckoned in the aggregate period required to entitle him to a pension. I trust therefore that, under the explanation now afforded, Government will be pleased to modify their orders and to admit Mohamad Jamal to the benefit of the Pension Rules.

4. With regard to the break of one month and four days caused by his unauthorized absence from duty for that period, in 1865, and adverted to in paragraphs 2 and 3 of the Order of Government under reference, I beg to state that the facts of the case were as follow:—

On the 27th March 1865, the applicant, who was then Sub-Magistrate of Karkal, in the Udipi Taluq, was transferred to a similar post at Nileshwar, in the Cassargode Taluq. The order reached him on the 3rd April, on which day he made over charge of his office to his successor, but instead of proceeding to join his appointment at Nileshwar, he sent in an application to the Head Assistant Collector then in charge of the district, asking for one month's privilege leave to enable him as he said to perform the marriage of his daughter, and for which he stated he had already made the necessary preparations. The applicant was at the time entitled to privilege leave; but his application was not complied with by the officer then in charge of the district, and an order was sent to him on the 8th April directing him to join his new appointment at Nileshwar, and after doing so, that he might avail himself of one month's privilege leave. Before this order could reach him, however, the applicant already availed himself of the leave he had applied for in anticipation of a favorable order on his application, and did not take charge of his office at Nileshwar till the 7th of May. The applicant was therefore considered absent from duty without leave, and his pay from 3rd April to 6th May was stopped. It will thus be seen that Mohamad Jamal's fault in absenting himself without leave was highly reprehensible; but considering that he has forfeited the whole of his salary during the time that he was absent, and further that the circumstances under which he stayed at Karkal were of an urgent nature, and also that he was at the time entitled to privilege leave, I would on more mature consideration take leave now to recommend that his case be viewed with leniency, and that the loss of the whole of his salary for the time, as also the forfeiture of this period of service, may be deemed an adequate punishment for the offence in question.

Referred to the Accountant-General for his remarks.

FORT ST. GEORGE,
30th August 1866.

(Signed) J. GROSE,
Under Secy. to Govt.

*Proceedings of the Madras Government, Pension Department,
9th October 1866. No. 325.*

From H. TAYLOR, Esq., Acting Deputy Accountant-General, to the Secretary to Government, Pension Department, Fort St. George, dated Fort St. George, 26th September 1866, No. 221.

Post Audit Department.

In returning the original letter of the Collector of Canara received for report under endorsement of the 30th ultimo, the undersigned has the honor to report that he has no sufficient argument now to urge against reckoning as service for pension the man's employment as Revenue Monigar, the said post being but nominally one on the Village Establishment, and having now been supplanted by that of Revenue Inspector. Touching the break caused by absence without leave for few days more than a month it will not be unreasonable to regard these four days as spent in joining, for the distance between the old and new station exceeds sixty miles.

2. Accepting, then, the Collector's explanation and his certificate of the pay drawn by this man as Monigar, pension not exceeding Rupees 16-4-0 (one-third of average pay of last five years) may be granted; but attention is drawn to the imperfection of the medical certificate, and the unfavorable notice of the applicant in his character-roll.

ORDER THEREON, 9th October 1866, No. 325.

The applicant's service as Revenue Monigar being allowed, under the explanation afforded by the Collector, to count towards pension, it appears that Mohamad Jamal has passed not less than fifteen years in grades entitling him to pension equal to one-third of his average salary for the last five years, the total period passed by the applicant in all grades being not less than forty years.

2. Bearing in mind the somewhat indifferent character which the applicant has received from his superior, and the fact that it is only by accepting the excuse made on his behalf by the Collector that the break in Mohamad Jamal's service in 1865, which would vitiate entirely all claim either to pension or gratuity, can be overlooked, Government are not prepared to grant a pension exceeding 8 Rupees a-month to Mohamad Jamal.

3. This sum will be paid with arrears from the 8th February last.

(True Extract.)

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

To the Collector of South Canara.
,, Accountant-General, with Register for entry.

Exd. J. Wright.

5M
68
Pension Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read again Proceedings of Government
Pension Department dated 27th June 1866 N^o 240.

Read also the following papers.

From
The Collector of South Canara (Received 13 August 1866 N^o 33)

The Asst. Dy. Accountant General (— 27th September 1866 N^o 221)

Order thereon 9th October 1866 N^o 325.

The applicant's service, as
Revenue Munsif being allowed,
under the explanation afforded
by the Collector, to count towards
pension, it appears that Mohamed
Jamal has passed not less than
15 years in grades entitling him
to pension equal to one-third of
his average salary for the last
5 years: the total period
passed by the applicant in all
grades being not less than 20 years.

Bearing

2. Bearing in mind the somewhat indifferent character which the applicant has received from his superior, and the fact that it is only by accepting the excuse made on his behalf by the Collector, that the break in Mohamed Jamal's service in 1865, which would vitiate entirely all claim either to pension or gratuity, can be overlooked, Govt. are not prepared to grant a pension exceeding 8 Rupees a month to Mohamed Jamal.

3. This sum will be paid with arrears from the 8th February last.

JP.

Sd/- J. Brand

108

Ln 4 D. 16 copies

To

The Collector of South Canara

The Accountant General with Register for entry

Des 29/10/66

Proceedings of the

of the
of the
of the

8m

2

Proceedings 1866. Department.

No. 226

PROCEEDINGS OF GOVERNMENT.

Dated 9th October 1865.