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MADRAS RECORD OFFICE.

Government of Madras.

Pension

DEPARTMENT.

G.O. No.	144	Press
		Mis.
Dated	15 5	1868.

Not to be folded or roughly handled

9/11/35

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

15th May 1868, No. 144.

Pension and Gratuity.

Read again—

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

Read also the following paper :—

From E. H. LUSHINGTON, Esq., Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, dated Fort William, 8th April 1868, No. 2116.

In reply to your letter, No. 252, dated 16th August 1867, I am directed to state that Custooru Rungiah Naidu was discharged on reduction of establishment in the end of 1843 with a gratuity of three months' pay. More than six months after he was re-employed, and under the rules then in force he regained his former service without being required to refund his gratuity. It was not till May 1856, or thirteen years after Rungiah Naidu's discharge, that the Court of Directors prohibited the reckoning towards half-pay pension of service preceding discharge with gratuity. This decision was frequently relaxed, however, to the extent of allowing the reckoning of the service on the refund of the gratuity.

2. Had Rungiah Naidu claimed to reckon his service under the old Pension Rules, which were in force till August 1863, he would have been entitled to count the three years preceding his discharge in 1843, on refunding the gratuity. But he has claimed pension under the new Pension Rules established in 1863.

3. Under those rules service preceding discharge on abolition of office does not count towards pension if, on re-admission to service, the applicant does not refund the gratuity which he received on discharge. But this supposes that at the time of re-admission the applicant for pension was under a disability as to reckoning his former service, which the refund of gratuity, at the time of re-admission, could alone remove, whereas Rungiah Naidu was under no such disability as shown in my first paragraph.

4. In this view half-pay pension may be allowed to him on his refunding the gratuity which he received in 1843.

5. Had Rungiah Naidu been re-entertained after September 1862, when the rules for a refund of gratuity were made explicit, the decision of His Excellency the Governor in Council would have been perfectly correct.

ORDER THEREON, 15th May 1868, No. 144.

With reference to the above letter from the Government of India, and in supersession of the order in this Department, No. 313, of the 27th September 1866, the Government are pleased to grant to W. Custooru Rungiah Naidu, late a Clerk in the Accountant-General's Office, a pension of Rupees 19-8-0 per mensem, with effect from the 1st of May 1866, in place of the pension of Rupees 13 granted him in the order above quoted. Custooru Rungiah Naidu will refund the gratuity of Rupees 48 granted him in 1844 from the arrears of difference of pension now due to him.

(True Extract.)

R. S. ELLIS,
Chief Secretary.

To the Accountant-General.

Exd. C. Howarth.

Order thereon 15th May 1868 N^o 144.

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Accountant General. D^o 16/5/68.

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