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M.R.O. 1-82 400-21-11-30

MADRAS RECORD OFFICE.

Government of Madras.

Revenue

DEPARTMENT.

G.O. No. 251

Press
Mis.

Dated 4 8

1898.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Pension Department,
4th August 1868.*

Read the following papers :—

From the Acting Civil Judge of Mangalore.

(Here enter 11th April 1868).

Report of the Examiner of Claims.

(Here enter 14th July 1868, No. 745).

ORDER THEREON, 4th August 1868, No. 251.

Mr. Felix Estanislao Saldanha, late 2nd Writer in the Mangalore Civil Court, has been in Government Service since January 1841, but his first post was a temporary one, and service in it cannot count for pension. His service for pension began only on January 5th, 1847, and he has served 21 years and 19 days. Mr. Saldanha's average salary for the past five years being Rupees 34-11-10, he is eligible to a pension of Rupees 11-8-0, or one-third of his average salary. He is certified unfit for further service, but his medical certificate is dated a week later than his discharge. This is in direct contradiction to the instructions which have been prescribed by Government. The Civil Judge should have known that he could not certify the applicant's unfitness, and, without such certificate, the applicant should not have been discharged. This breach of rule renders an application to the Government of India necessary to confirm the grant of a pension of Rupees (11-8-0) eleven and Annas eight, which, subject to such confirmation, the Government are pleased to grant, with effect from the 23rd January 1868.

(True Extract).

Ag. Under Secy. to Govt.

To the Civil Judge of Mangalore.

„ Accountant General.

„ Financial Department.

Ed. J. H. Burne.

*L. Pycroft
Chief Secretary
True Copy*

Mr. Felix Saldana has
 held the appointment of
 translator in this office since
 1841. I have always found
 him most attentive to his
 duties and anxious to be
 useful. He gets through
 his work well and quickly
 and has always given
 great satisfaction.

Sup. Office Alexander
 Major Des Ref
 15th June 1846

50
I hereby testify that Felix
Salakana has served as a
Canarese translator in the
Judicial Dep^t of this territory
since January 1841 — I consider
him fully qualified for the
situation and have every
reason to be well satisfied with
him in all respects.

Chas. H. Gandy
Supt. Territory
St. Louis
3^d Sept. 1844

Enclosure III 28

In a letter from the Acting
Civil Judge of Mangalore
under date the 11th.
April 1868.

N. S. A.

Certificates granted by
the Superintendent.

Pens/68 Dept.
In No 647.



Extract from the Minutes of Consultation
under date the 11th December 1858.

Read the following letter from the Acting Register
to the Court of Sudder Adalat.

Stating that the Civil Judge of Combaconum
had reported that the services of the Principal
Sudder Ameer temporarily appointed to
Combaconum, whose services may shortly
be dispensed with, may be appointed to
the vacancy in Tirunelveli, and recom-
mending the abolition of the Principal
Sudder Ameer's Court at Combaconum
from the beginning of next year and the
creation of a similar Court at Man-
galore. (Here enter 1st December 1858, N^o 117.)

- Order.—1. Para. 1 of this letter and enclosure N^o 3 will be
communicated to the Right Honorable the President's Private
Secretary.
2. The Sudder Adalat report that while the period
for which sanction was granted for the temporary establish-
ment of a Principal Sudder Ameer's Court at Combaconum,
does not expire till the 8th April next, the files are suffi-
ciently clear to allow of the Court being abolished from
the 1st January next. They therefore recommend that this
should be done. Ordered accordingly.
3. The suggestion of the Sudder Adalat that from the 1st January
next to the 8th April, a Principal Sudder Ameer's Court shall
be established at Mangalore, to aid in clearing off the
appeals in Civil cases pending in that Zillah, is approved.
They will please to submit in the usual form their application
for the maintenance of a Court of this description at Mangalore
for a further period of 2 years, which is represented as being
urgently required.
- (True Extract)

Signed / J. Pycroft
Chief Secretary
True Copy

(True Copy)

Signed / C. F. Channer

Acting Regt.

To the Judges of the Court of Sudder Adalat.

" Private Secretary to the Right Honourable the Governor,
with an Enclosure.

" Accountant General.

" Civil Auditor.

To The Civil Judge of
Mangalore, who will make imme-
diate arrangements for opening an
additional Principal Sadr Ameen's
Court, on the arrival of the officer
whom the Govt may appoint.

18th December 1858.

(True Copy.)

Acting
Ag. Civil Judge

1858
Dec
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I hereby certify that I have examined
 H. S. Saldanha Esq. Clerk Sessions Court
 And that he is in my opinion
 incapacitated by age and general
 debility for the performance of his
 duties. The disease is not the
 result of his own improvidence. He
 has not been under any treatment
 nor do I think that he is capable
 of being rendered fit for the performance
 of his duty.
 Munafare }
 30 Janry 1888 }

J. Macpherson
 M.D.

Enclosed is
 a form from the Acting
 Govt. of the
 10th Dec 1887

1018

Copy of the Government Order
 regarding the establishment
 of the "Municipal Council"
 in the "Municipal Council".

Dec 1887
 L. S. Saldanha

Mangalore, 11 April 1868.

From The Honble J. C. St. Clair
 Acting Civil Judge of Mangalore
 To The Honble R. S. Ellis.
 Chief Secretary to Government
 Fort St. George.

Sir, I have the honor, under the provisions of the Uncovenanted Service Pension Rules dated 15 April 1864, N. 1915, Financial Department, to forward an application from Felix Estimadas Saldanha, 2^d Clerk of the Civil and Session Court of Mangalore for a Pension consequent upon his inability to serve longer by age and general debility, as will be apparent from the accompanying Certificate of the Zillah Surgeon.

2. From the enclosed Certificates granted to the Applicant by the late Superintendent of Naghar Division, it appears that he served since January 1841 as a Conarese Translator in the Judicial Department of the Superintendent's Cutcherry. A reference was made to the Superintendent of Shimoga on the 23 January last requesting information as to whether the said service is proved from the records of his Office, but an answer was received from that Officer stating that the Applicant was employed as a Temporary Translator on Rupees 50 in the late Naghar Division

Supdt.

Copy of the letter
 to the
 Secy.

Recd 18/4/68
 Secy.

Incluse II
 Is a letter from the Acting
 Civil Judge of Mangalore
 under date 11 April 1868.

Recd 18/4/68

Superintendent's Office from 22nd January 1841 to the close of April 1847. But as the record of this Court shows that he was appointed in the Civil Court on the 6th January 1847, and as the Superintendent in his letter states that the records of his Office relating to this service have been destroyed, I think that the date up to which he served in the Superintendent's Office, as entered in the Register, is correct.

3. If the Applicant's services in the Naghar Division may be counted as service under the Madras Government, he will be entitled to a full pension under the Rules equal to half his late salary or Rs. 17. 6. 5. If not he can only claim a pension equal to one-third of that salary or Rs. 11. 9. 7.

I have the honor to be

Civil Court
Mangalore,
11 April 1868.

Sir,
Your most obedient servant,

A. S. Lla.
Acting Civil Judge

64?
A. S. Lla.

PENSION REPORT DEPARTMENT.

No.

Fort Saint George,
Accountant General's Office,
The 22nd May 1868.

To
THE Civil Judge,
Mangalore.

The undersigned has the honor to return the papers connected with the
Pension case noted in the margin, received with
letter of 11th April '68 for want of Nos. 11 - 23 - 24
25 - 26.

This paper should also be returned with the case

Tudor. Trevor.
Offg Examiner of Claims.

1. Detail, with dates, of local posts.
2. " " pay.
3. " of leaves enjoyed other than privilege or preparatory.
4. " Full name in item 1 of the Register of application.
5. " Certificate of age attested by head of Department.
6. " that the applicant has been under medical treatment for a named period.
7. " that he is broken down through no fault or excess of his own.
8. " that alleged services are proved from the records.
9. " of past character.
10. Explanation of apparent breaks.
11. " " degradation. on 19th Aug 1854
12. Mention of desired place of payment.
13. Printed form of application for " under the Rules published at page 631, of the 2nd Volume of the Gazette for 1866.
14. Insertion in item 15 of the Register of all descriptive marks agreeably to Notification published at page 802, of 2nd Volume of the Gazette for 1866.
15. Insertion in the Leave Statement, of the period of absence with loss of full and half pay respectively during the period of
16. For deletion of Remarks at foot of the Register, if the applicant did not receive any gratuity.
17. For the deletion of grounds of retirement &c., other than those required under N. B. at foot of the Register.
18. Discharge Certificate from the Superintendent of Police shewing the period of the applicant's employment in the new Police, and why his services were dispensed with.
19. Testimonials of character or Certificates given to applicants by the Head of an Office or in the absence of such Certificates an affidavit signed before a Magistrate, in support of the applicant's Service of years.
20. Explanation of the cause of delay in submission of application until when the applicant appears from the statement of service to have ceased to do duty on the
21. Explanation why the applicant was retained in Government service from to when the Medical Certificate was dated
22. Medical Certificate in prescribed form shewing the applicant's inability to serve longer, vide Government Notification published at page 740 and 632, Volume 1 of Gazette for 1858 and 1863, respectively.

23. Explanation why Med. Certificate was not submitted on or immediately after the applicant's retirement from service

24. Error Correction in the Register 2^d page

1. Register of application
for Mr. Caldwell of
11th April '68.
1. Med. Certificate of 30th Aug 68
2

C28 44

Pension 1868 Department
No. 647. Recd. 24th
from the Acting Civil Judge of
Mangalore.
The Chief Secretary & Govt
of Madras
Dated 1st April 1868
The Civil Judge
Mangalore.
Enc. 2
Enclosure in application from
Mr. Caldwell, 23rd
April 1868
Chief of the Civil Court of
Mangalore, for a Pension Certificate
granted upon his inability to serve
longer by old age and general debility

not cancelled -

25. For exhibition in item 10 of the Register the period of Applicant's temporary service.
26. Information whether the Addl. Principal Sudr Amin's Court in which the Applicant is said to have held the post of Head Writer was a temporary or permanent one. A copy of the Order sanctioning the Establishment is required.

Pens/68 Dept

No. 100

Memo.

With reference to the letter of the Officiating Examiner of claims dated 22^d May last, the Acting Civil Judge of Mangalore has the honor to re-transmit the papers therewith received, with the Register of application for Pension duly corrected, and to state as follows:-

With regard to item No. 14, it appears from the Indent of this Court that the applicant was employed as Acting 3^d English Writer from 1st September 1853 to 18th January 1854, and returned to his permanent post of 4th Writer on Rs 21 on the 19th January 1854. He suffered no degradation.

In regard to item No. 23. On the 23^d January 1868 the applicant resigned his post of 2^d Writer and applied for pension, and on the 24th idem the Zillah Surgeon was requested to examine and report on the state of his health & under the G. O. dated 11th December 1862 No. 392. The Zillah Surgeon's answer was received on the 30th January 1868.

Item No. 25. The period of applicant's temporary service has been exhibited in item 10 of the Register.

Item No. 26. The Court of the Additional Principal Sudr Amin, in which the applicant held the post of the head Writer was a temporary one. A copy of the Order sanctioning the Establishment

*
Returning
Reg. of
Applica-
tion for
Pension.

Establishment is forwarded.

Civil Court
Mangalore
20th June 1868

H. S. S. S.
Sd/- Civil Judge

To
The Officiating Examiner of Claims
Madras

G. C. S. S.

Recd 18th Sept.
Lr 18th 68

Whereas the Registrar of the Civil Court
Mangalore has submitted the application
for Pension duly executed
and a copy of the Order
sanctioning the Establishment
of the Civil Court
Mangalore

Received 20th June 1868.
Sd/-
Civil Judge

REGISTER of an application for Superannuation Pension under Pension Rules
published under date 3rd May 1864, from the Establishment of
the Civil Court of Mangalore

1	Full name of Pensioner...	Mr Felix Estanislao Saldanha		
2	Sect or caste...	Christian (Roman Catholic)		
3	Residence ...	Town of Mangalore		
4	Present post ...	Sole 2 nd writer		
5	Date of commencement of service...	22 nd January 1844		
6	Date of retirement from service ...	22 nd January 1868		
7*	Abstract of the grounds of application.	1. Good service ...		
		2. Inability to serve longer ...		
		3. Reduction of Establishment		
8*	How long unemployed, and under what circumstances.	1. Resigned the service from ... to ...		
		2.† Reduction of Establishment from ... to ...		
		3. Suspended from ... to ...		
		4. Dismissed for misconduct from ... to ...		
9	Total of service before 22 years of age ...	Years.	Months.	Days.
10	Total of service not in Pension grades ...	5.	11.	14.
11	Total of leave other than privilege and preparatory leave ...			
	Grand Total...	5.	11.	14.
12	Total period in Pension grades counted as service ...	27.		3.
13†	Age of the applicant at the time of this application ...	51.		3.
14	Height ...			
15	Descriptive marks.—	A deep scar on the right cheek. Spue mark on the right arm and country mark on the left forearm. Fair complexion		
16	Average salary of past 5 years ...	Rs.	A.	P.
		2088	5	1
17	Proposed amount of Pension...	17	6	5
18	Date from which to commence ...	23 rd January 1868		
19	Place of payment ...	Collector of South Canara		

* N. B.—The reason of the applicant's retirement and of his being unemployed for the periods given being left, the other grounds of retirement and reasons of break in employment should be erased with red ink.

† It is hereby certified that no gratuity was drawn by the applicant on reduction of Establishment in the year.
It is certified that gratuity having been granted was refunded to the amount of Rs. A. P.
Order sanctioning payment of gratuity was
Amount of gratuity granted was Rs. A. P.
Refund of gratuity was credited to the account for the month of 186

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

G. S. S.
Sd/-

Statement of total period of Service.

Establishment.	Post.	PAY.			PERIOD.				Accountant General or Controller of Military Accounts Remarks.
		Rs.	A.	P.	From	To	Yrs.	Ms.	Ds.
Special Commissioner's Office	Extra Writer	21	-	-	4 th July 1837			7	27
Allahabad Court	Ditto	12	8	-				3	-
Superintendent's Office	Comptroller's Office	50	-	-	22 nd January 1841	5 th January 1847	5	11	14
Civil Court	5 th Writer	17	8	-	6 th January 1847	13 th April 1847	3	8	-
	4 th ditto	21	-	-	14 th April 1847	31 st August 1853	6	4	17
	3 rd ditto	24	8	-	1 st September 1853	10 th January 1854	4	18	-
	4 th ditto	21	-	-	19 th January 1854	20 th August 1855	7	3	-
	3 rd ditto	24	8	-	21 st August 1855	10 th September 1855	1	21	-
	Ag. Nazir	15	-	-	10 th September 1855	10 th March 1856	6	-	-
	3 rd Writer	24	8	-	11 th March 1856	14 th May 1861	5	2	5
Additional Principal Amin Court	Head Writer	30	-	-	15 th May 1861	28 th February 1862	9	14	-
Civil Court	3 rd Writer	24	8	-	10 th March 1862	15 th March 1863	1	-	-
	2 nd ditto	35	-	-	5 th March 1863	22 nd January 1868	4	10	19
Total.....							27	3	3
Years. Months. Days.									
Deduct service before 22 years of age									
Deduct service not in Pension grades							5	10	14
Deduct leave							5	11	14
Net period of Service.....							22	19	19

Cannot reckon for Pension as it was of a temporary nature. See para 2 of the Civil Judge's letter dated 11th April 1868.

Verified

The applicant's service from 15th May 1861 to 28th February 1862 on the temporary establishment of the Additional Principal Sudr Ameen can be counted for pension under the letter from the Secretary to the Government of India to the Secretary to the Government of Bombay dated 20th February 1868 No. 968 Financial.

Donald
Examiner of Claims

Explanation of Column 8 with quotations of orders of reinstatement.	Explanation of any degradation.

Detail of leave on half pay and full stoppage of pay.

From	To	Yrs.	Ms.	Ds.
None	None			

The records of the Court do not contain any remarks unfavorable to the Applicant's character.

Civil Court, Bangalore. The 11th April 1868. OFFICE, } Acting Civil Judge.

No. 745
REPORT OF THE Examiner of Claims

Service qualifying for pension is proved for a total period of... 21 - 11 - 19
Rs. A. P.

In the last 5 years of his service the average pay of the applicant's permanent post was ... 34 - 11 - 10
Rs. A. P.

Applicant is eligible to a pension of Rupees 11 - 8 - 4 per mensem, equal to 1/3rd of his average salary during the last 5 years, under Clause II of Section 6 of the Revised Pension Rules, should Government be pleased to accept the explanation given by the Civil Judge in his Memo dated 20th June 1868 No. 10 therewith accompanying with reference to the cause of delay in production of Medical Certificate.

The applicant's average salary for the last 5 years is as above stated Rs. 34. 11. 10.

Donald
Examiner of Claims

Fort Saint George
Accountant General's Office,
14th July 1868.
To The Chief Secretary to Government,
Civil Pension Department.

Pension Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter Papers.

From the Ag. Civil Judge of Mangalore (Here enter 11th April 1868 at 2.00.)
Report of the Examiner of Claims (— a — 14th July 1868 at 7.45.)

Order thereon 4th August 1868 No. 251.

M^r. ~~His~~ Saldanha late 2nd Writer in the Mangalore Civil Court has been in Govt. service since January 1847, but his first post was a temporary one, and service in it cannot count for pension, ~~and from~~ his service for pension began only in Jan'y 5th 1847, and he has served 21-0-19. His average salary for the past 5 years being Rupees 34-11-10, he is eligible to a pension of Rupees 11-0-0 or 1/3 of his average salary. He is certified unfit for further service, but his medical Certificate is dated

M. Saldanha's

PENSION 1868 DEPARTMENT.

No. 648.

From the Examiner of Claims
Fort Saint George.

To the Chief Secretary to Government,
Civil Pension Department.

1868-45-

Dated 14th July
Received 14th July 1868.

Enclosures.

Verifies the service
of M. Saldanha
late 2nd Writer
borne on the establishment of the
Court of Mangalore.

228th 1868
1830 251.

PENSION 1868 DEPARTMENT.

From the Ag. Civil Judge
Mangalore.

To the Accountant General or Controller
of Military Accounts.

Dated 11th July
Received 11th July 1868.

Register of an appli-
cation for Superannuation Pension in behalf
of M. Saldanha late 2nd Writer
borne on the establishment of the
Court of Mangalore.

ORDER OF GOVERNMENT.

^{week}
a ~~month~~ later than his discharge.
The Government have by every
means in their ~~power~~ endeavoured
to impress on heads of offices
that public servants cannot be
discharged (unless after service en-
titled to good service pension) before
obtaining Medical Certificate of
incapacity without penning their
pensions. The Civil Judge could
not certify the applicants unfit
and without such certificate
the applicant should not have
been discharged. This breach of
rule renders an application to
the Govt. of India necessary to
confirm the grant of a pension
of Rupees (11-8-0) eleven annas
eight, which, subject to such con-
firmation, the Government are
pleased to grant with effect
from the 23 January 1868.

ML
JW

This is in direct contradiction
to the instructions which have
been prescribed, by Govt.
should have known that the

16 order only

Civil Judge of Mangalore
Accountant General
Financial Department

Review

(1)

June. 1868. Department

No. 257.

PROCEEDINGS OF GOVERNMENT.

Dated 4th August 1868.