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M.R.O. 1-82 400-22-11-80

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 433	~~Press~~ Mis.
Dated 18-12-1868.	

Not to be folded or roughly handled

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter:—

From the Acting Controller of Military Accounts, Fort Saint George, 8th August 1867, A; to the Secretary to Government, Military Department.

I have the honor to submit, for the orders of Government, letter (in original) of the Acting Examiner Commissariat Accounts, dated 3rd current, No. 1823, forwarding an order in the Insolvent Court, and schedule of liabilities of C. Kistniah Brahaminy, a writer in his office.

2. C. Kistniah has been suspended since the 18th ultimo.

3. The Acting Examiner of Commissariat Accounts reports favorably on the conduct and character of the insolvent, whose public service includes a period of upwards of 21 years.

4. This may be accepted as giving him some claim to the consideration of Government, to the indulgence of which he has no title so far as the transactions are concerned, which have compelled him to take the benefit of the Act.

5. This schedule shows a debt of Rupees 1,322—the available assets being Rupees 43-8. His monthly salary is Rupees 50.

ORDER, No. 3168, 24th August 1867.

The Governor in Council observes that the Insolvent* in the case submitted in

*C. Kistniah Brahaminy, clerk in the office of the Examiner of Commissariat Accounts. the foregoing papers has incurred very large debts compared with his salary, and no reason or excuse is afforded for

becoming thus involved, beyond mere extravagance and imprudence, resulting in a system of giving promissory notes, and a series of litigations with consequent judgments against him; and, as the fact of his being a servant of long standing, and well conducted in the office, does not in itself, under these circumstances, afford a sufficient reason for restoration to his situation, Government are unable to authorise his being allowed to resume his office as recommended.

(True Extract.)

Colonel,

Deputy Secretary to Government.

To the Controller of Military Accounts, with an enclosure.
,, Commissary General.

Exd. A. W. Cooke.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following :—

Petition from C. KISTNAH, late a clerk in the Office of the Examiner of Commissariat Accounts, Madras, 5th May 1868; to His Excellency the Right Honorable Lord FRANCIS NAPIER BARON NAPIER, K. T., Governor in Council, Fort Saint George.

MOST RESPECTFULLY SHEWETH,

That your petitioner first entered the service of Government at the age of twenty-five years in the office of the Commissary General, on a salary of Rupees 15, on the 1st July 1846. That your petitioner's brother was then employed in the same office on a salary of Rupees 55. That it was this brother who had been supporting your petitioner previously, and paying for his education and bringing up.

That with their united salaries, your petitioner and his brother were able to maintain the family consisting of :—

Father,

Mother,

Two brothers, their wives and four children,

Your petitioner and wife,

Your petitioner's brother, wife and child, altogether fifteen souls.

That your petitioner's brother died fourteen months after your petitioner's entertainment in 1847, leaving the support of the above mentioned large number of persons on your petitioner's shoulders, besides the discharge of a debt of Rupees 575, contracted by your petitioner's father for the marriage of your petitioner.

That by the kindness of a merciful Providence your petitioner from time to time received increments to his salary—*vide* memorandum annexed marked A—portions of which were applied towards the payment of the said debt. That on the demise of your petitioner's father, your petitioner in order to decrease his liabilities sold the only patrimonial estate he possessed which had been mortgaged as security for the abovementioned debt, and borrowed a further small sum of Rupees 351, so as fully to clear off this debt which had begun to become oppressive.

That scarcely had your petitioner made this arrangement, than he was according to the custom of his caste obliged to arrange for the marriage of his daughter, and shortly afterwards your petitioner lost his mother, thus unavoidable expenses and heavy misfortunes followed one on another, grief was piled on grief, and trouble heaped on trouble.

That notwithstanding such a state of affairs, your petitioner struggled hard to get out of his difficulties, living with the utmost care and economy, and paying the interest on his debts to his several creditors. In the meantime the cost of living firmly increased, and what formerly sufficed to maintain a large family became barely sufficient for two persons. Rice, ghee, vegetables, oil, and all the other ordinary necessities of life advanced in price.

Your petitioner in consequence was sometimes unable to pay even the interest on his debt, and his creditors from time to time taking advantage of his position compelled him to grant fresh notes including therein the balance of interest. That your petitioner's liabilities gradually increased, until they at length reached the sum of Rupees 1,302—as per memorandum annexed marked D. This sum, however, was not so large that your petitioner could not expect to pay it off. Your

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Lordship will see by the enclosed memorandum marked B., the payments your petitioner has made in one year only, and it was only the oppressive conduct of the creditors which compelled your petitioner to seek the relief afforded by the Insolvent Court. This course was not pursued to deceive his creditors or to deprive them of their just dues but simply by way of protection.

For this, after a period of more than twenty-one years' service, your petitioner has been summarily dismissed, and is now thrown on the cold charity of the world to seek for relief, and without the means of earning a livelihood.

Your petitioner therefore humbly prays that your Lordship will Commiserate his deplorable case, and re-considering the Orders your Lordship in Council, No. 3168, dated 24th August 1867, No. 4245, dated 4th November 1867, has been pleased to pass, be mercifully pleased to restore your petitioner

C. Kistiah has served rather more than twenty-one years—his salary 50 Rupees per month—his character is good, and he is regular and attentive in the performance of his duties, I therefore beg to recommend that he be allowed to resume his duties in this Office.

to his appointment, as recommended by Lieutenant-Colonel E. T. Fasken, Officiating Examiner of Commissariat Accounts, in his letter, No. 1823, dated 3rd August 1867, as per margin, and with the same indulgence as has been shewn in the

case of other employés of Government who have passed the Insolvent Court, as per memorandum marked C. or that a pension rateable to your petitioner's service which extends over a period of more than twenty-one years, may be granted as recommended by the Examiner of Commissariat Accounts in his letter No. 2675, dated 3rd October 1867.

For which act of charity, your Lordship's petitioner, as in duty bound, will ever pray.

ORDER, No. 2197, 4th June 1868.

With reference to petitioner's long service, and to the favorable testimony borne

Proceedings of Government, No. 3168, dated 24th August 1867.

to his character and conduct by the Examiner of Commissariat Accounts, the Right Honorable the Governor in Council is pleased, on re-consideration, to authorize his re-employment either Departmentally or in the public service generally on a suitable opportunity offering.

The following endorsement will accordingly be granted to petitioner.

Referring to petitioner's long service and to the favorable testimony borne to his character and conduct by the Examiner of Commissariat Accounts, the Governor in Council has been pleased to authorize his re-employment either Departmentally or in the public service generally on a suitable opportunity offering.

(True Extract.)

Major General,

Secretary to Government.

To the Controller of Military Accounts.

Ed. J. E. Cashart

1227 7 4 1868
Military
1868 Department.

No. 2197

PROCEEDINGS OF THE SENATE.

DATE 4th June 1868

Authorizing C.
Ristmya to be re-
employed either Depart-
mentally or in the
public service generally
on a suitable opportunity
offering.

His Pension Service
 was lost for pension;
 And that with the
 rule of interpretation
 was him that under the
 subsequent order directed
 employment in the same or
 equivalent post, there was
 no reinstatement, & the
 old service was lost.
 The order now referred
 to (the latter one) being
 doubtful in its meaning,
 undesignated is to ask its
 intended effect.

CW

Through the Controller
 of Military Accounts

No. 1272

OFFICE OF EXAMINER OF ACCOUNTS,
 MEDICAL DEPARTMENT,
 Madras, 19th October 1868.

From
 SURGEON MAJOR G. MACKAY, M. D.,
 Examiner of Accounts Medical Department,
 Madras.

To
 Sir,
 The Chief Secretary to Government
 Pension Department
 Fort Saint George.

Dec. 19/15 Dated
 13th April 1864.

With reference to the revised
 Rules for the grant of Pensions and
 Superannuation allowances for Un-
 encumbered Servants sanctioned by the
 Government of India, I have the
 honor to forward a Register of
 Application for Pension for C. Kristiah
 Record Keeper in this Office, and beg
 to recommend the same for the favorable
 consideration of His Excellency the Governor
 in Council.

2. A Medical Certificate is
 enclosed. C. Kristiah Brahmin is
 recommended to be pensioned from
 the 1st November 1868.

I have the honor to be,
 Sir,
 Your obedient Servant.

Geo Mackay M.D.
 Surgeon Major,
 Examiner of Accounts Medical Department.

Exd.

4798.

Military Department

Memorandum.

The Secretary to Government, in the Military Department, has the honor to state, in reply to Mr. Under Secretary Walker's Memorandum No. 27, dated 4th December 1868, that the intention of Military Order No. 2197, dated 4th June 1868, was to restore C. Kistiah Brahmin the benefit of his former service on his re-employment under that Order.

Genl Secy, }
9th December 1868 }
Munichale Major Genl
Secretary to Govt

To the Chief Secretary,
Pension Department.
With Pro. of Govt. No. 3188 of '67, & 2197 of '68.

Sp. No. 6

Pension 1868. Department

No. 1095

From

The Examiner of Accounts.

Medical Department

Madras

To the Chief Secretary

to Government

Revenue Department

No. 1972. Govt. of Madras

Dated 19th October 1868.

Received

Enclosures.

Forwarded to Registrar

of Applications for Pensions

for the Madras District

Superintendent's Office

with necessary papers.

O. No. 433.

Per Secy

Pension Department

List

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following ~~letter~~ Papers.

From the Examiner of Accounts. (Here enter 19th October 1868)
Medical Department
Report of the Controller of Military Accounts — 12th November 1868.

Order thereon 18th December 1868 No. 433.

The Government observe that the applicant in this case was suspended and removed from the Government service ^{having become insolvent.} in July 1867. In October 1868 he was permitted to be reemployed with the benefit of his former service. His pay before removal was Rupees 50, and when reemployed Rupees 20. Six weeks after reemployment, being 47 years of age, he obtained a medical certificate of incapacity for further service.

Memorandum

The Secretary to the Government
Military Dept

Dated 9th Dec 1868.
Recd 9th Dec 1868.

Order that the intention of the Military Order 4419 of June 68 was to act to the detriment of the benefit of his former service on his reemployment under that order.

service on the ground of pre-
mature decay and infirmity, the
result of private troubles.

2. The Government are not
able to accept so indefinite
a cause for incapacity, and
direct that the applicant be
caused to appear for medical
examination before a medical
Committee.

The medical certificate
will be forwarded herewith
to the Inspector General
Indian Medical Department.

Mel AM

Examiner of Accounts ^{Ind. Med. Dept.}
Controller of Military Accounts.
Inspector General Ind. Med. Dept.
Dept. with Medical Certificate

Dec. 19/12.

To
Messrs. J. & C. Smith,
London.
Gentlemen,

I have the honor to acknowledge the receipt of your letter of the 10th inst., in relation to the above-named subject.

I am, Sir, very respectfully,
Yours, &c.,
J. H. Smith

Dated Dec 10th 1868

Recd.

Dated Dec 7th 1868 }
Recd. 1868

G. O. 18th Dec 1868; No. 433.

December 1868
Nos.

Directing that the applicant
be admitted he caused to
appear for the 2^d. Examination
before a panel of 3 committee.