

Statement of Manki Timmappayar's Services.

Acting 2^d Clasp D. M. of Mulli . . . 75. Vide Sach Courts' letter dated 8th Novem^r 1854.

P. O. O.

Mangalore 28th April 1867.

From

M. J. Walhouse Esq^r

Civil and Session Judge of Mangalore

To

The Honorable A. J. Arbuthnot.

Chief Secretary to Government

Sir,

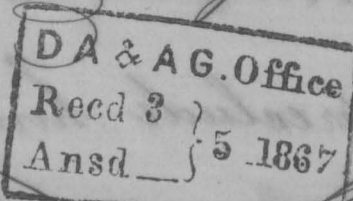
I have the honor to forward an application for Pension from Manki Timmappaya, 2nd Class District Munsif of Bekul, for the favorable consideration of Government. The Register of his service clearly shows that he entered the Government service on the 23rd October 1854 and continued therein up to 20th Instant. The period of his service as Munsif amounts to 12 years and 6 months. He has been an industrious and efficient Officer, and I regret that the circumstance of his having entered the Government service late in life, when a Bahil, will preclude him obtaining a

a Pension under 4 years more service. He has applied for Pension under Section 13 of the Rules of Uncovenanted Service Pension dated 13th April 1864, N. 19, Financial Department, which provides for a grant of Pension in Special Cases. He has maintained a very good character throughout, and I consider his case deserves a favorable Consideration, and leave it for the decision of Government, my opinion however being that $\frac{1}{3}$ of his average salary during previous 5 years may be granted to him as Superannuation Pension. Should the Government consider that the provision above referred to is not applicable to his case, I beg to recommend that a full gratuity of 12 months salary amounting to Rupees 3000, be allowed him, in consideration of his good Service.

I have the honor to be
sir,

Your most obedient servant

Civil & Session Court
Mangalore,
26 April 1867.



W. P. Wilson
Civil & Session Judge

E. D. For

I do hereby certify that I have
examined Manki Simmappa
Mundiy of Belkhal, who came to me
for that purpose.

He is in a good state of health
and, in my opinion, so far as his
physical or mental fitness is con-
-cerned, is perfectly able to perform
his duties as Mundiy -

Mangalore
June 15th 1864

J Macpherson
a.g. Sallah Sargow

1865-74.

Insured by Department.

from the Civil Service of

Mangalore.

The Chief Secretary to Govt
of Madras.

I dated 28. April

Recd: - 11. 3. 1865.

- 22. October 1865.

Ch. Sec.

Enc: 1

Forwarding an application for
leave from Chanki. Sim-
-mappa, 28. April 1865.

Chief of Belkhal, for
the favorable consideration
of Government.

C. H. G. 129

C. H. G.
124-125

To
Mangalore, 16th July 1867.
From The Honorable J. C. S. Clerk
Acting Civil Judge of Mangalore
To The Examiner of Claims
Madras.

Sir, With reference to your Memo.
dated the 21st May 1867, I have the
honor to retransmit the application
for Pension from Timmappaya
together with the Medical Certificate
granted by the Zillah Surgeon.

I have the honor to be,
Sir,

Your most obdt. Servt.,

J. C. S.
Acting Civil Judge

Civil Court
Mangalore,
16th July 1867.

E. J.
Adm.

to give a brief sketch of my case,

To

The Examiner of Claims
Madras.



The humble Petition of
M. Simmappaya, late
II Class District Moonsiff
of Bekul, dated 18th July 1867.

Most Honored Sir,

Agreeably to your direction calling for
the production of a Medical Certificate in sup-
port of my application for pension, I appeared
before the Zillah Surgeon, obtained a Certificate
from him and produced it before the ~~Assistant~~ Civil
Judge, who has forwarded it to your Office for
transmission to Government.

It would appear from the Certificate
that the Medical Doctor has found me on per-
sonal examination to be in full possession of
physical and mental energies to discharge ^{the} du-
ties as Moonsiff, and I therefore beg to apply
for my restoration to my Office.

To give a brief Sketch of my case,

Recd 1867/20/11
L. R. 1867/35

I suddenly received an order from the Civil Court requiring me to apply for Pension, and on enquiring into the cause of it, I came to understand that the late Civil Judge had, in reply to a letter from the High Court, dated 9th February 1867, observed that I and Putter Moonsiff would not be expected longer to continue to discharge the duties satisfactorily; that the High Court had directed the Judge to call upon us both to apply for Pension; and that the Civil Judge had already before the receipt of my application with the necessary Medical Certificate of unfitness, proposed the arrangements to fill up the posts permanently. My case being, however, different from that of the Putter Moonsiff who has completed the Service, and is entitled to a full Pension, I put in a Petition requesting that as I was in full physical energies, I might be allowed to retain the office until the short period requisite to entitle me to Pension, or that if he & the High Court would not allow me to do so, a grant of Pension might be recommended as a special case; but to my regret

x No 332
dated 13th

October 1866, in the Margin which rules that a post vacated by Pension Dept. an applicant for Pension shall not be filled up permanently until the matter of Pension is finally settled, will satisfy your Honor that the Proceedings of the Civil Judge in making the permanent arrangements were wrong, and must now be undone as regards me, as the circumstances urged by the Civil Judge as reasons for my compulsory retirement do not warrant the measure.

The High Court in their Proceedings of the 9th February 1867, put the question only in consideration of my age, and nothing else; and the fact of the Civil Judge not having any where remarked until the receipt of the High Court letter, upon my incapacity to hold the office any longer, argues that the remarks made in the reply, must

must have been based upon a supposition of his own,
in consideration of the same point.

On a reference to the Civil Judge's letter
to the Government recommending me for Pension,
you will observe that, that Officer has entertained
a very high opinion of my abilities and character,
and that his observation "that want of perception,
"forgetfulness, and inaccuracy on my part have
"come to his notice" must have been based upon
a mere conjecture in consideration of my advanced
age. It is extremely lamentable that I should
have been upon such conjecture compelled to
retire without any share of liberality of Govern-
ment, as, I am afraid, it might be the case, if
I should not be reinstated after having served faith-
fully throughout in a responsible post, as acknow-
ledged by the Judge in his letter to Government, re-
commending me for Pension.

I therefore most respectfully solicit
your Honor will, upon a consideration of the
foregoing

or gratuity.

foregoing circumstances be graciously pleased
to recommend my restoration to my office.

I beg to remain,

Most Honored Sir,

Your most obedient & humble Servant

De la Vega

Late Second Class District Moonsiff

of Bekhal.

South Canara.

De la Vega
1885

foregoing

1892/190
17
Aut/12
Proceedings of the Madras Government, Judicial Department,
18th August 1862.

6. The Judges concur in opinion with the Government as to the advisability of the Contingent expenditure of the District Moonsiffs' Courts being in future provided for by permanent advances and Contingent Bills; and recommend that Rupees 20 be fixed as the monthly limit of such expenditure.

7. The Civil Judges are requested to ascertain whether the District Moonsiffs' Courts are sufficiently supplied with necessary furniture, such as, a raised bench including a platform, table and chair for the District Moonsiff, a table and seats for the pleaders, desks for the Goomastahs, &c.; and to submit for the sanction of the Sudder Court estimates for such articles as may be required.

(True Extract.)
(Signed) C. F. CHAMIER,
Registrar.

To the Chief Secretary to Government.

No. 190. ORDER THEREON, 18th August 1862, No. 1,345.

As proposed by the Sudder Court, the Governor in Council sanctions the increased rates of salaries to District Moonsiffs taking effect from the 1st ultimo, and the larger allowance for their establishments from the 1st proximo.

2. Supplemental Abstracts for the past month are not to be forwarded—but the increase now due will be included in the pay bills for the current month.

3. According to the new scale, there will be ten first class District Moonsiffs on Rupees 300 each; ten second class on Rupees 250; and the rest, at present 98, of the third class on Rupees 200. The establishment of a District Moonsiff's Court will be uniformly as shown in the

9 Goomastahs on 20, 14, two on 11, and five on 10	106
2 Peons on 5	10
1 Massajee and Sweeper	4
	Rupees.. 120

margin, at a total cost of Rupees 120. For the contingent expenditure the limit of (20) twenty Rupees is fixed, commencing from the 1st proximo. The Accountant General is requested to issue instructions for a permanent advance equal to two months allowance for Contingencies being made to each District Moonsiff.

118 Courts @ Rupees 40 each = Rupees... 4,720.

4. On first appointment, a District Moonsiff will belong to the third class. Promotion to the second class will follow in the order of seniority, but appointment to the first class will be made in accordance with the instructions in paragraph 1 of the Order of the 26th June last, No. 999. Appointments and promotions will, as heretofore, be made by the High Court, and published in the Fort Saint George Gazette.

The Civil Paymaster will be guided by these announcements, as the allowances of the two higher classes will be personal, and on promotion will ordinarily be passed in arrears from date of vacancy.

5. The Budget contains provision for the salaries and establishments of the District Moonsiffs for the entire year, whereas the revised rates come into operation from 1st ultimo, and 1st proximo, respectively. There is consequently a saving of Rupees 63,750 under the head of District Moonsiffs in the Court's Budget for the current year.

(Signed) T. PYCROFT,
Chief Secretary.

SALARIES.

10 @ 300 =	3,000
10 @ 250 =	2,500
98 @ 200 =	19,600
	25,100
13 @ 200 =	2,600
30 @ 150 =	4,500
75 @ 100 =	7,500
	1,4600 months.
	Rupees 10,500 x 3 = 31,500

ESTABLISHMENTS.

118 @ 120.....	14,160
43 @ 70 =	3,010
75 @ 60 =	4,500
	7,510
	Rupees... 6,650 x 5 = 33,250
	Rupees... 63,750

Exd. T. O'Connor.

or gratuity.

*Proceedings of the Madras Government, Judicial Department,
18th August 1862.*

No. 189. Read the following Proceedings of the Sudder Court, dated 12th August 1862,
No. 98.

Read Proceedings of Government, dated 26th June 1862, communicating the sanction of the Supreme Government for increasing the salaries of the several District Moonsiffs and their establishments, and requesting the Sudder Court to proceed without loss of time to revise the salaries of the District Moonsiffs on the principle laid down in their letter of the 25th July 1855, and to submit their opinion on the suggestion for providing for the contingent expenditure of the District Moonsiffs' Courts by permanent advances and monthly Contingent Bills, &c.

1. In pursuance of the instructions conveyed in paragraph 1 of the foregoing Order, the Judges have selected ten persons, conversant with the English language and possessing superior qualifications, to be District Moonsiffs of the first grade, on a salary of Rupees 300 per mensem. They are all persons who have been reported by the Civil Judges as competent to hold the appointment of Principal Sudder Ameen. The following are the names and present stations of the persons selected :—

A. P. Streenewassa,.....	District Moonsiff of Madura.
Mr. John Desilva,.....	do. Calicut.
Mr. Rosario,.....	do. Tellicherry.
Danakody Moodely,.....	do. Nelliambalam, Zillah Tinnevely.
Mr. Mathew George,.....	do. Chowghat, do. Calicut.
Venkatadry Naidoo,.....	do. Cocanada, do. Rajahmundry.
P. Streenewasa Row,.....	do. Purghee, do. Bellary.
Annasamy Moodeliar,.....	do. Tanjore.
Aroonachella Moodeliar,.....	do. Ernad, Zillah Calicut.
Lutchmiah Naidoo,.....	do. Chidambaram.

2. The ten Senior District Moonsiffs (according to service in that capacity), who are to constitute the second grade, receiving a salary of Rupees 250 per mensem, are the undermentioned :—

C. Butcharow,.....	District Moonsiff of Vellore, Zillah Chittoor.
O. Chapoo Menon,.....	do. Palghat, do. Calicut.
Timmapaya,.....	do. Bekul, do. Mangalore.
Coopoorow,.....	do. Salem.
Hamud Hussain,.....	do. Chittoor.
B. Venkatasawmy,.....	do. Rayavaram, Zillah Chicacole.
A. Ponnoosamy Pillai,....	do. Chengee, do. Cuddalore.
T. Adisem Pillai,.....	do. Combaconum, do. Tanjore.
Mahomed Madar,.....	do. Bramadasem, do. Tinnevely.
P. Venkatasamy Naidoo,...	do. Kurnool.

3. All other District Moonsiffs will be on the third grade, and receive a salary of Rupees 200 per mensem.

4. Some delay having occurred in procuring the information necessary to give effect to the Order of Government, the Judges recommend that the increased rate of salary be allowed to the District Moonsiffs in arrears from the 1st July last.

5. The following scale of salaries for the Ministerial Establishments of the District Moonsiffs' Courts, proposed in the letter of the Sudder Court to Government, dated 2nd May last, will be introduced by the Civil Judges from the 1st of September next :—

1 Goomastah.....	Rupees	20
1 Do.	"	14
2 Do. at 11... ..	"	22
5 Do. at 10... ..	"	50
2 Peons at 5... ..	"	10
1 Massaljee	"	4
		120

12
Accountant General's Office,

FORT SAINT GEORGE,

21st October 1867.

No. 687

OFFICIAL MEMO.

The accompanying papers are forwarded for the consideration and orders of Government in consequence of Timmappaya's petition to the Examiner of Claims dated 18th July 1867 which is also sent herewith. The words "in due form" in the report of the undersigned are intended to mean not that the Medical Certificate is out of form, but that had it been a Certificate of unfitness "not the result of his own imprudence" &c. the applicant would have been eligible &c.

To

*The Chief Secretary
to Government.*

Donald

Examiner of Claims.

*Proceedings of the Madras Government, Financial Department,
18th December 1867.*

No. 61. Read the following letter from the Secretary to the Government of India, to the Chief Secretary to Government, Fort Saint George; dated Fort William, 30th November 1867, No. 2810.

Pensions and Gratitudes.

I am directed to acknowledge the receipt of your letter, dated 5th November 1867, No. 494, submitting the case of M. Timmappaya, late District Moonsiff of Bekul, who has been discharged in consequence of unfitness for further service, though the Medical Officer who examined him has pronounced him to be in a good state of health, and, in reply, to state that the Government of India is unable to accede to the recommendation of His Excellency the Governor in Council for the grant of the full amount of gratuity which would have been admissible had the applicant for it been pronounced by competent medical authority to be unfit for further service, but one-half of that amount is sanctioned under the peculiar circumstances of the case.

ORDERED that a copy of the above letter be furnished to the Accountant General, Madras.

No. 62. ORDER THEREON, 18th December 1867, No. 564.
Communicated to the Pension Department.
(True Extract).

Chief Secretary.

To the Pension Department.

Exd. J. H. Burns.

or gratuity.

Report of the Examination of Claims. No. 235. dated
21st October 1867.

Memorandum for orders.

M. Tiniappayya late District Munsiff
of Baskul is shown to have completed
10 years 10 months and 26 days
Qualifying service. He is ^{however} declared
by the Medical officer to be "in a good
state of health, and so far as his
physical or mental fitness is con-
cerned, perfectly able to perform
his duties as Munsiff."
He is therefore eligible under the
rules for pension or gratuity.

The circumstances under which the
applicant was compelled to resign
are unusual. The Civil Judge
reported Tiniappayya to be unfit for
the effective performance of his
duties; the High Court directed that
application should be made for
pension on his behalf, and the
post was permanently filled up,
before it was ascertained if Tini-
appayya was eligible for pension
or gratuity.

13th Oct. 1866.

No. 332 Pension Dept.

3. This procedure was in direct contra-
-diction of the order of Govt. which
provides that "on a post being vaca-
-ted by an applicant for pension,
the post shall not be permanently
filled up until the final orders
of Govt. passed on the application
shall have been received, an
incumbent being appointed to act
in the interim on full pay."

4. The Govt. in their order of the 30th July
1867 Pension Dept. on an appeal
made by Tinappayya against
the order of the High Court refused
to allow him to retain his appoint-
ment after the decided expression
of opinion as to his incompetence,
but the Government were not then
in a position to know that
Tinappayya was ineligible for
pension: had he been eligible the
hardship would not have been so
great.

5. I think a special reference should
be made for the grant to
the applicant of the gratuity but
he would have been entitled
to his medical certificate
been satisfactory.

7B.
23/10.

Letter of reference

Glacé
Christed

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.
Zillah Court of Benares	Cakil	"	"	"	13 th September 1841	22 nd October 1854	13	1	10	Need not be verified as this service does not count for Pension in Benares.
Civil Court. Acting 2 nd Class of Mangalore D. Munshi of	Mulki	75	"	"	23 rd Oct. 1854	26 th May 1856	1	7	3	
	3 rd Class D. Munshi of Sheriar	100	"	"	27 th May 1856	6 th Nov. 1856	"	5	10	Respectfully, Mr. Munshi is given as D. Munshi of Sheriar Verified from the Re- cords of this Office. He has not been verified as he has not been in the service for 20 years.
	Add. Munshi of Mangalore	100	"	"	7 th Nov. 1856	29 th Dec. 1856	"	1	24	
	1 st Class D. Munshi of Bekul	200	"	"	30 th Dec. 1856	30 th June 1862	5	6	1	
	2 nd Class D. Munshi of Bekul	250	"	"	1 st July 1862	20 th April 1867	4	9	21	
Total.....							25	7	9	
Years. Months. Days.										
Deduct service before 22 years of age							"	"	"	
Deduct service not in Pension grades							14	8	13	
Deduct leave							"	"	"	
							14	8	13	
Net period of Service.....							10	10	26	

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.					Remarks by the head of the Office on past character and conduct of the applicant throughout the service.				
					The Behal. Munshi's Court has been by no means an easy office, the tenures prevalent in its jurisdiction are remarkably intricate, and the suits respecting land especially difficult to apprehend and decide upon satisfactorily. The applicant however during his incumbency, has acquitted himself well and maintained a good character, and deserves credit for the manner in which he has generally discharged a difficult office. <i>Ch. Munshi</i> Civil Judge.				
From		To		Yrs.	Ms.	Ds.			
None									
Total of leave...									
Civil Court, Mangalore Office, } The 26th April 1867.									
No. 235 REPORT OF THE Examiner of Claims									
Service qualifying for pension is proved for a total period of... .. 10 10 26 Rs. A. P.									
In the last 5 years of his service the average pay of the applicant's permanent post was Applicant is eligible to a pension of Rupees 2500 per mensem, equal to 1000 of his average salary during the last 5 years, under Clause 1 Section 6 of the Revised Pension Rules.									
<i>W. Donald</i> Examiner of Claims									

Accountant General's Office,
21. October 1867.

To
The Chief Secretary to Government,
Civil Pension Department.

Chief Secretary.

Ed. J. H. Burd

From the *Commandry of St. Anne*
Fort Saint George.

To the Chief Secretary to Government,

Civil Pension Department.

Dated 20th }
Received } *20 October*
1867

Enclosures.

PENSION 186 DEPARTMENT.

From the

To the Accountant General or Controller
of Military Accounts.

Dated _____ }
Received _____ } 186 .

Verifies the service
of the *Amphipara*
late *Quint* *Amphipara* *32* but
borne on the establishment of the *Quint*

Register of an application for Superannuation Pension in behalf of late
borne on the establishment of the

ORDER OF GOVERNMENT.

