

1. Number of pages. *1 to 18*
2. Date of repair. *3-3-36*
3. Initials of Referencer *P*

M.R.O. 1-82,400-22-11-80- *17.2.36*

MADRAS RECORD OFFICE.

Government of Madras.

pension DEPARTMENT.

G.O. No.	<i>340</i>	Press Mis.
Dated	<i>4-10-</i>	<i>1869</i>

Not to be folded or roughly handled

P
3-3-36

*Proceedings of the Madras Government, Pension Department,
4th October 1869.*

Read the following letter from the Mint Master, to the Chief Secretary to Government, Fort Saint George, dated Madras, 4th August 1869, No. 221.

The matter is one of such great importance to a number of the late servants of the Madras Mint, that I trust the Government will pardon my re-opening the question as to whether the time spent in acting appointments shall be, or shall not be, allowed to count as service for pension or gratuity.

2. In Order, No. 207, dated 9th July 1869, the Government have decided, in the case of Rangayya Nayudu, Die Conicopoly, that the period of one year and four months during which he acted in the situation shall not count, as, at the time of being confirmed in the appointment, it was not declared to be with retrospective effect.

3. In my letter, No. 157, of 29th June 1869, referring to the case of Mr. Joseph Duarte, Superintendent of the Silver Melting and Refining Rooms, I observed in paragraph 3 that it had been customary with Colonel J. T. Smith, while he was Mint Master, to make all appointments acting in the first instance, and that it had not been customary when confirming an appointment to declare it to have retrospective effect, most probably because there was no regulation of the kind at the time.

4. In Rangayya Nayudu's particular case his acting service was from 1st January 1854 to 30th April 1855; he acted in a full vacancy, drew full salary, and was eventually confirmed in the same post, but why not until after a period of one year and four months there is no evidence, but on that particular date a number of men who had been acting for various periods were confirmed.

5. The earliest regulation on the subject appears to be Notification, Civil Pension Department, 2nd February 1864, and as no order of the kind existed previously, I trust the Government will be pleased to re-consider the matter, and not apply the rule to acting service of anterior date, provided the service was in a full vacancy and on full pay.

6. I also beg, with great deference, to observe that I do not understand the Notification referred to above to debar a man from counting as *service* for pension or gratuity the *period* passed in an acting appointment, but simply to prohibit a permanent servant from calculating in an average salary the *allowances* which accrued from acting in a higher or a supplementary appointment, unless he was afterwards confirmed in the same and with retrospective effect; and paragraphs 678, 679, page 121 of the Uncovenanted Service *Vade Mecum* appears to support this view.

7. In the statement of Rangayya Nayudu's service, published in Proceedings of Government, 4th February last, it is shown that he only wanted two months to complete fifteen years, on which ground I had recommended him for a pension equal to one-third of his salary.

ORDER THEREON, 4th October 1869, No. 340.

His Excellency the Governor in Council observes that it is a general rule that service in permanent appointments shall alone be computed towards pension; and that, even though it were shown that the particular exception referred to* was erroneously considered in dealing with Rangayya Nayudu's case, he would not thereby be taken out of the operation of the general rule.

2. His Excellency in Council observes further that the ruling permitting the inclusion of acting allowances in the computation of pension necessarily applies also to the period of service during which they accrued; and that by the G. O. cited in the margin the principle laid down regarding retrospective confirmation has been expressly declared applicable to service whether or not falling within the last five years.

3. The Government are not, therefore, prepared to sanction Rangayya Nayudu's admission to pension.

(True Extract.)

H. E. STOKES,
Under Secy. to Govt.

To the Mint Master.

„ Accountant-General.

Exd. J. Wright.



No. 221

4th August 1869.

From Colonel J. Carpendale C.B.
Mint Master

To The Chief Secretary
to Government
Fort St George

Sir,

Para 1. The Matter is one of such great importance to a number of the late servants of the Madras Mint, that I trust the Government will pardon my re-opening the question as to whether the time spent in Acting appointments shall be, or shall not be, allowed to count as service for Pension or Gratuity.

2. In Order No. 207 dated 9th July 1869 the Government have decided, in the case of Pungiah Naides Die Conicopoly, that the period of One Year and four Months during which he acted in the situation shall not count, as, at the time of being confirmed in the appointment, it was not declared to be with retrospective effect.

3. In my letter No. 157 of 29th June

1869

Cont. of 1869 Madras.

PENSION.

To

THE MINT MASTER.

Rs.

As.

Ps.

Dated October, 4th.

Recd.

Encl.

G. O., 4th October 1869, No. 340.

OCTOBER.

Declining to sanction the admission to pension of Rangaya Nayudu, late Die Conicopoly in the Mint

I had recommended him for a Pension
equal to one third of his salary.

I have the honor to be,
Sir,
Your most obedient servant,
J. P. M. M.
Mint Master

M. P.

Submits to you the question
whether his appointment as acting
Mint Master shall be or shall
not be allowed to count as
service for Pension or gratuity
and brings forward the case
of Principal Master Late Die
Counsellor.

No. 221

Dated 4th
Dec. 6th August 1869

To the Chief Clerk to Govt.

From
Mint Master

Per 1869. Department

Per 1869. Department
Per 1869. Department

Pension Department

Memorandum

In Rangayya
Nayudu, a die counsellor,
in the Mint, who was
thrown out of employ in
November 1868 by reduction
of Establishment, had
served in permanent
employ ^{4th mos.} 13-6, and as
acting counsellor ^{4th mos.} 1-4.

Acting Die Counsellor ^{4th mos. d.} - 1-4-0
Die Counsellor - 13-6-0
14-10-0.

or two months short of the
period necessary to entitle
him to one-third pension.

His total service was
therefore ^{4th mos.} 14-10, and the
Mint Master recommended
him for pension.

2. His case with
some others was sent up
to the Government of India
on the mistaken supposition
that his service had been
passed on the "Permanent
Contingent Establishment",
and the grant of pension
was

which are to be taken into account in calculating pensions, and does not refer to counting periods of service.

To this it may be replied, in the first place, that it is a general rule that service in permanent appointments shall alone count for pension; and that, even though it be shown that the application of a particular exception to this general rule was erroneous in Rangappa Nayudis's case, he is not thereby taken out of the operation of the general rule; and, in the second place, that the inclusion of allowances drawn necessarily

N^o 526, dated 12th Octr/864.

necessarily implies reckoning the period of service during which they accrued.

It appears from the letter to the Government of India which called forth the ruling regarding retrospective confirmation, the case for which a rule was sought was exactly similar to Rangappa Nayudis's, except that the service fell within the last five years of service. In para. 2 of G.O. dated 14th July 1868, No. 211, the principle is clearly extended to all service whether or not within the last five years, and whether or not influencing the amount of pension.

Search

15
Pension Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the
Joint Master, Madras.
(Here enter 4th Aug 5/69-1822)

Order thereon 4th October 1869-18340.

W.O.

M

* G. G. C. 26th Nov 1864, No 3469.

His Excellency
the Governor in Council
observes that it is a general
rule that ^{previous} permanent
appointments shall alone
be computed towards pension,
and that, even though it
were shown that the particular
exception referred to was
erroneously considered
in dealing with Rangappa
Vayudis' case, he would
not thereby be taken out

Search has been made,
but unsuccessfully, for
a case in which the
principle has been thus
widely applied; but in
a recent case, the queries
put by the Examiners of
Claims showed that he
also has put the same
interpretation upon the
as was done in Rangayya Nayudra's case
Order. It is submitted
that Rangayya Nayudra
is not entitled to pension,
and that the reason
given is a good one. The
accompanying draft
embodies this view.

4. Should Govern-
ment, however, consider
that he ought to receive
pension, it can be
granted without reference
to the Government of India,
as

as the case has ^{been} already
~~been~~ before them, and
their sanction accorded
as regards the length of
service, though under
mistaken impression as
regards its nature.
H.L.

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of the operation of the
general rule.

2. His Excellency
in Council observes
further that the ruling
permitting the inclusion
of acting allowances in
the computation of pension
necessarily applies also
to the period of service
during which they accrued,
and that by the G. O.
cited in the margin
the principle laid down
regarding retrospective
confirmation has been
expressly declared
applicable to service
whether or not falling
within the last five
years.

3. The Government
all

N^o 211 of 14th July 1868.

are not therefore prepared
to sanction Rangayya
Nayudu's admission
to pension. All

To The Audit Master. } Dec^r. 4/10/69.
Accountant General

Relative to the admission
of our Run-gangs
Nagadee to pass

2/4/1861

Port of 11869 Madras

London

To

The Merchant Master

of the ship

1860

Dated October 4th 1869, No. 1869

Recd.

Nos. October

Declining to sanction the
admission to Russia of
Run-gangs from the
old Comings in the
port.

Will be forwarded