

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT

G.O. No. 57

Press
Mis.

Dated

15/11/50

Not to be folded or roughly handled

*Proceedings of the Madras Government, Pension Department,
6th February 1869.*

Read the following letter from the Principal Sudder Ameen of Salem, to the Accountant General, Madras ; dated Salem, 18th December 1867, No. 139.

Under the Notification published in the *Fort Saint George Gazette* of the 19th October 1866, at page 572, I have the honor to submit, in the prescribed form, an application for a superannuation pension from the late Criminal Record-keeper of this Court, B. Sabapathy Moodelly, who has been declared unfit for further active service by the medical certificate, Exhibit I., and to recommend that a pension, equal to one-third the average salary of the applicant for the last five years, be granted him in consideration of his services as set forth in the Register, and verified by the records of this Court, and by the Takeeds issued by the Collector of Salem in the applicant's possession.

2. The applicant had, it would appear from the Exhibit II., put in his application for pension on the 5th August 1863, to take effect from the 1st September 1863, but the Medical Officer certifying that the applicant was fit for active employment, the late Principal Sudder Ameen, Mr. Dawes, passed an order declining to reinstate him, and observing that he will be prepared to recommend him for pension on the applicant producing a medical certificate of his physical incompetency. From this order the applicant appealed both to the Civil and High Courts praying for restoration to his office, but without effect. Though the applicant now claims his pension from the date on which he ceased to do duty, (1st September 1863,) I consider that he is only entitled to it from the date of the medical certificate, (9th November 1867,) and leave the matter for the consideration of Government.

3. Provision to meet this charge has been made in this Court's budget estimate.

4. The application, presented by B. Sabapathy Moodelly on the 11th November 1867, being found incorrect, he was called upon to put in an amended one, which having been done on the 7th instant, the Register has been prepared and submitted. This explanation will, I trust, be deemed satisfactory for the delay occasioned subsequent to the date of the medical certificate.

REGISTER of an application for Superannuation Pension under Pension Rules published under date 3rd May 1864, from the Establishment of the Principal Sudder Ameen's Court of Salem.

1	Full name of pensioner.....	Bawani Sabapathy Moodelly.
2	Sect or caste.....	Siva sect, Tondamundala Vellala caste.
3	Residence.....	Salem District.
4	Present post.....	Criminal Record-keeper of Principal Sudder Ameen's Court at Salem.
5	Date of commencement of service.....	28th October 1834.
6	Date of retirement from service.....	1st September 1863.
7	Abstract of the grounds of application.....	Inability to serve longer; old and infirm.
8	How long unemployed, and under what circumstance :—	
	Resigned the service 13th to 15th April.....	0 0 3
9	Total of service before 22 years of age.....	0 0 0
10	Total of service not in Pension grades.....	4 2 28
11	Total of leave other than privilege and preparatory leave.....	1 6 8
	Grand Total.....	5 9 6
12	Total period in Pension grades counted as service.....	23 0 28
13*	Age of the applicant at the time of this application.....	60 1 10
14	Height.....	Feet. Inches. 5 4
15	Descriptive marks :—Bamboo color; two moles near the right temple, one mole on the right side of the chest; two moles on the right side above the belly; and one scar on the left knee.	
16	Average salary of past five years.....	RS. A. P. 28 8 0
17	Proposed amount of pension.....	9 8 0
18	Date from which to commence.....	9th November 1867.
19	Place of payment.....	Treasury of the Salem Collectorate.

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

(Signed) C. LUKSHMAIYA NAIDOO,

Principal Sudder Ameen

(Signed) V. SHUNMOOGUM,

Acting Sheristadar.

*Proceedings of the Madras Government, Pension Department,
6th February 1869.*

Statement of Total Period of Service.										
Estab- lishment.	Post.	Pay.			Period.				Accountant General, or Controller of Military Accounts' Remarks.	
		RS.	A.	P.	From.	To	Yrs.	Ms.		
District Moonsiff's Court at Bawani.	2nd Goomastah.	10	00		28th Oct. 1834.	27th Dec. 1838.	4	2	0	Need not be verified.
Do. at Amnapett.	Do.	10	0	0	28th Dec. 1838.	24th Jan. 1839.	0	0	28	
Zillah Court at Salem.	Do.	14	0	0	25th Jan. 1839.	7th Jan. 1842.	2	11	14	
Do.	Do.	17	8	0	8th Jan. 1842.	12th Sep. 1842.	0	8	6	
Do.	Do.	21	0	0	13th Sep. 1842.	15th Sep. 1843.	1	0	3	Verified. Pay drawn up to 31st August 1863 only. (Sd.) W. DONALD, Exr. of Claims.
Subordinate Court at Salem.	2nd Goomastah.	17	8	0	16th Sep. 1843.	25th Oct. 1844.	1	1	10	
Do.	Head Goomastah.	24	8	0	26th Oct. 1844.	23rd Dec. 1844.	0	1	29	
Do.	Javabnevis.	28	0	0	24th Dec. 1844.	20th Nov. 1848.	3	10	28	
Salem Collector's office.	Ag. Do.	70	0	0	21st Nov. 1848.	14th Feb. 1849.	0	2	24	
Do.	Do.	70	0	0	15th Feb. 1849.	12th Apl. 1849.	0	1	26	
Subordinate Court, Salem.	Do.	28	0	0	16th Apl. 1849.	11th Dec. 1849.	0	7	26	
Do.	Acting Criminal Record-keeper.	30	0	0	12th Dec. 1849.	14th Feb. 1850.	0	2	4	
Do.	Javabnevis.	28	0	0	15th Feb. 1850.	22nd Jan. 1856.	5	11	6	
Do.	Ag. Sheristadar.	90	0	0	23rd Jan. 1856.	15th May 1856.	0	3	24	
Do.	Sheristadar.	90	0	0	16th May 1856.	1st Sep. 1856.	0	3	17	
Do.	Javabnevis.	28	0	0	2nd Sept. 1856.	31st Mar. 1862.	5	6	29	
Principal Sudder Ameen's Court, Salem.	Criminal Record-keeper.	30	0	0	1st Apl. 1862.	23rd Apl. 1863.	1	0	23	
Do.	Acting Civil Record-keeper.	35	0	0	24th Apl. 1863.	31st Aug. 1863.	0	4	7	
Total.....							28	10	4	
Deduct service before 22 years of age.....							YRS.	MS.	DS.	
Deduct service not in Pension grades.....							0	0	0	
Deduct leave.....							4	2	28	
							1	6	8	
Net period of Service.....							23	0	28	

*Proceedings of the Madras Government, Pension Department,
6th February 1869.*

Explanation of Column 8, with quotations of orders of reinstatement.					Explanation of any degradation.				
Was for three days unemployed after he resigned the office of Javabnevis on the Collector's Establishment.					Was, it appears, transferred to the Subordinate Court, on a salary of Rupees 17-8-0, when organizing the Judicial Establishment in 1843. Resigned the office of Javabnevis on the Collector's Establishment. Reverted to the office of Javabnevis on the restoration of Vencatramiah to Sheristadarship under orders from the Sudder Udalt, 18th August 1856.				
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.				
From	To	Yrs.	Ms.	Ds.	I cannot personally testify to the character of the applicant as he did no duty under me. All that I can say of him is, that he appears from the Testimonials he possesses to have conducted himself to the satisfaction of his employers.				
1st Nov. 1860.	15th Nov. 1860, half-pay.	0	0	15					
8th June 1861.	7th July 1861, full pay.	0	1	0					
15th Aug. 1861.	14th Nov. 1861, full pay.	0	3	0					
15th Nov. 1861.	14th Feb. 1862, full pay.	0	3	0					
15th Feb. 1862.	9th April 1862, full pay.	0	1	23					
1st July 1862.	31st Dec. 1862, full pay.	0	6	0					
1st Jan. 1863.	31st Mar. 1863, full pay.	0	3	0					
Total of leave...		1	6	8					

SALEM,
18th December 1867.

(Signed) C. LUKSHMAIYA NAIDOO,
Principal Sudder Ameen.

No. 991.

REPORT OF THE EXAMINER OF CLAIMS.

Service qualifying for pension is proved for a total period of..... YRS. MS. DS. 23 0 28
RS. A. P.

In the last five years of his service the average pay of the applicant's permanent post was..... 28 3 10

Applicant would have been eligible to a pension of Rupees 9-4-0 per mensem, equal to one-third of his average salary during the last five years, under Clause 11 of Section 6 of the Revised Pension Rules, had he been able to produce the required medical certificate at the time of his removal from Government employ, but the Medical Officer could not give this.

The applicant's salary for a period of years 1-5-23, viz., from 8th June 1861, to 7th July 1861, from 15th August 1861, to 9th April 1862, and from 1st July 1862, to 31st March 1863, during which he was absent with loss of full pay, has been excluded from the calculation of his average salary for the last five years under the Order of Government of India, dated 21st July 1866, No. 1476, Financial Department. The average of salary which has, however, been calculated in the manner directed in the Proceedings of Madras Government, dated 19th February 1868, No. 45, Pension Department, is Rupees 28-3-10, and not Rupees 28-8-0 as given by the Collector in item 16 of the Register.

*Proceedings of the Madras Government, Pension Department,
6th February 1869.*

As the applicant held only the acting appointment from 24th April to 31st August 1863, his permanent salary of Rupees 30, appertaining to the post of Criminal Record-keeper, has been calculated.

The case is submitted for the orders of Government.

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
18th September 1863.

To the Chief Secretary to Government, Fort Saint George.

(Signed) W. DONALD,
Examiner of Claims.

RETURN of a man of the Judicial Department, Salem, considered unfit for further service.

No.	Rank.	Name.	Present Age.	Disease or medical reason for considering the man unfit.	Summary or period of previous treatment, or opinion as to benefit to be derived from further treatment.
5	Late Criminal Record-keeper, Principal Sudder Ameen's Court.	Sabapathy Moodelliar.	60	This Government servant is upwards of sixty years of age, and twenty-eight year, eleven months, and six days of service. He is old and infirm. I, therefore, granted him the following certificate :— I do hereby certify that Sabapathy Moodelliar, Criminal Record-keeper at the Principal Sudder Ameen's Court, Salem, is incapacitated by old age, and infirmities consequent thereon, from further performance of his duties contracted on general service, not the result of intemperance, or other irregular habits. Is unfit for further service.	Has not been under medical treatment, and I am of opinion that no benefit would be derived from further treatment.

SALEM,
9th November 1867.

(Signed) H. C. MAYER,
Acting Zillah Surgeon.
(Signed) R. W. MANIKUM,
*Native Surgeon,
Civil Dispensary.*

ORDER.

With reference to Criminal Record-keeper Sabapathy Moodelliar's application for pension, the Principal Sudder Ameen observes that it is unsupported by the prescribed medical certificate. His application cannot, therefore, be submitted to Government; and adverting to his own admitted incapacity for further service in the Court, the arrangements already made for supplying his place cannot be disturbed.

2. Upon Sabapathy Moodelliar's submitting a medical certificate of physical incompetency, the Principal Sudder Ameen will be prepared to recommend him to Government for the usual pension.

31st August 1863.

(Signed) S. R. DAWES,
Principal Sudder Ameen.
(True Copy.)
(Signed) C. LUKSHMAIYA NAIDOO,
Principal Sudder Ameen.

*Proceedings of the Madras Government, Pension Department,
6th February 1869.*

Copies of Testimonials of B. Sabapathy Moodelly.

No. I.

Sabapathy Moodelly was a diligent and painstaking public servant during the time when he was employed under my superintendence.

(Signed) W. A. NEAVE,
Judge.

No. II.

In taking leave of the Subordinate Court of Salem, after presiding over it for fourteen months, the Acting Subordinate Judge puts on record his opinion of some of the servants attached thereto.

The Criminal Javabneviss, (B. Sabapathy Moodelly,) lately 1st Goomastah, is a clever and improving servant, the only Goomastah indeed who can retain in his head, for a single moment, what he has just before been reading to the Court either in a Civil or Criminal matter.

(Signed) E. STORY,
Acting Subordinate Judge.

No. III.

Extract from the Remarks in the Annual Statement submitted to the Sudder Udalut.

The Criminal Javabneviss Sabapathy Moodelly is a man of superior talent, and is well versed also in the transaction of Civil business.

14th March 1845.

(True Extract).

(Signed) H. FRERE,
Subordinate Judge.

(Signed) R. J. SULLIVAN,
Acting Subordinate Judge.

No. IV.

Extract from the Remarks in the Annual Statement submitted to the Sudder Udalut.

The Criminal Javabneviss Sabapathy Moodelly is a man of superior talent, besides being well versed in the transaction of Civil business.

28th February 1846.

(True Extract).

(Signed) H. FRERE,
Subordinate Judge.

(Signed) R. J. SULLIVAN,
Acting Subordinate Judge.

No. V.

Sabapathy Moodelly served as criminal Javabneviss of the Subordinate Court for the five years that I have presided in that Court. He is a man of great talent and capacity for the despatch of business, and I consider him a very valuable public servant.

SALEM,
5th December 1849.

(Signed) H. FRERE,
Subordinate Judge.

No. VI.

Sub-Court Diary, dated 8th February 1853.

Sabapathy Moodelly, the Head Criminal Javabneviss, is thoroughly acquainted with his duties, and it would be difficult to find a person in either the Sub or Session Court to adequately supply his place; he requires, however, some supervision; he is a man of considerable talent, would make a good District Moonsiff (being a good judge of evidence and well versed in the Regulations) to which post the Subordinate Judge hopes he will eventually be promoted.

(Signed) R. R. COTTON,
Subordinate Judge.

(True Extract.)

(Signed) W. HODGSON,
Acting Subordinate Judge.

No. VII.

Sabapathy Moodelly has served under me in the capacity of Criminal Jevabueviss, and latterly in that of Acting Sheristadar, in both of which situations he has given me reason to entertain a very high opinion of his talents, although he has only held the office of Acting Sheristadar for about four months, owing to the incompetency of the late Sheristadar, he has transacted the chief duties of that office for a much longer period, and the trial I have now had of him is sufficient to enable me to judge of his capability, and therefore confirm him.

16th May 1856.

(Signed) R. C. LEWIN,

Acting Subordinate Judge.

(True Copies).

(Signed) C. LUKSHMAIYA NAIDOO,

*Principal Sudder Ameen.**Order, 27th November 1868, No. 406.*

Before entering into the merits of this case, the Government resolve to call on Mr. Dawes, late Principal Sudder Ameen of Salem for explanation of the circumstances under which he issued the order sent up with this case. The copy of the order will be sent to Mr. Dawes, who will return it with his reply.

2. It appears that Sabapathy Moodelly, Record-keeper in the Salem Principal Sudder Ameen's Court, applied for pension in August 1863, but as it would seem failed in obtaining a certificate of incapacity. Mr. Dawes removed him from his post, and told him he would recommend him for pension when he obtained a certificate.

3. The Pension Rules then in force were clear in requiring a medical certificate to be obtained "on the retirement" of a Government servant (as are also the existing rules); but Mr. Dawes appears to have disregarded this wholly, and thus to have perilled the pension of an old man of fifty-six years of age, and twenty-eight years of service.

4. The Government request that Mr. Dawes will submit an explanation of his action in the matter.

(True Extract).

(Signed) C. G. WALKER,

Under Secy. to Govt.

To Mr. R. S. Dawes, with the copy of the order above referred.

From Mr. S. R. DAWES, late Principal Sudder Ameen of Salem, to the Under Secretary to Government, Fort Saint George; dated Masulipatam, 16th December 1868.

I have the honor to acknowledge the receipt of the Proceedings of Government, in the Pension Department, under date the 27th ultimo, No. 406, calling upon me to explain the circumstances under which I passed an order, dated the 31st August 1863, with reference to the application for pension of M. Sabapathy Moodelly, late Criminal Record-keeper in the Principal Sudder Ameen's Court at Salem.

2. I beg to state that, on the 4th August 1863, Sabapathy Moodelly tendered his resignation of office on the ground of physical incapacity, and applied at the same time to be recommended for a pension. Finding him physically disqualified myself, I accepted his resignation, and made arrangements for filling up his place.

3. The Zillah Surgeon subsequently refused to grant him a medical certificate, and Sabapathy Moodelly, therefore, applied to be reinstated; but as he evidently was unfit for the performance of his duties, and felt sensible of such unfitness himself as previously acknowledged before me, I was precluded from acceding to his request for reinstatement. From the moment he declared his inability to discharge his duties, he of course became irresponsible, and I should not have been justified in employing him in a position involving even the slightest degree of responsibility and trust. Neither did I think I could trouble Government with his case, as, under the Pension Rules then in force, a medical certificate was necessary to support an application for pension; and I accordingly intimated to Sabapathy Moodelly, in paragraph 2 of my order in question, that on his submitting a certificate, I would be prepared to recommend him for a pension.

4. I did not see that any other measure could have been taken by me, responsible as I was, for the efficiency of the Court; and I would take leave further to state that Sabapathy Moodelly unsuccessfully appealed against my order to the Civil Court, as well as to the High Court.

5. I would also submit, for the consideration of Government, whether the course I followed was not in accordance with the spirit of the later order of Government in the Revenue Department under date the 8th June 1865, No. 1236, wherein it is held that the refusal of a Medical Officer to grant a Taluq Sheristadar a certificate of physical incapacity could not be admitted as a sufficient reason for the retention in office of an individual acknowledged by the Collector to be worn out. In Sabapathy Moodelly's case, it will be observed, that, in addition to my own opinion of his incompetency, he avowed the fact himself. There seemed to me, therefore, no opening for any reference to Government, unless to obtain for him a gratuity, which, however, he did not himself apply for, or desire.

6. I trust that, under the explanation now afforded, the Government will be satisfied that my action in the matter was influenced by the desire to promote the interests of the Court, and that, under the circumstances, I could not have acted otherwise.

7. I beg to be excused for this tardy reply to the Proceedings of Government; the delay has been owing to my having no records here to refer to, and to my having been obliged to write to Salem for information.

ORDER THEREON, 6th February 1869, No. 53.

Bawani Sabapathy Moodelly, late Criminal Record-keeper of the Principal Sudder Ameen's Court at Salem, submitted his application for a pension on the 5th August 1863, with a view to the grant having effect from the 1st September of that year. The Principal Sudder Ameen (Mr. Dawes) passed an order on the application, and observed that "it was unsupported by the prescribed medical certificate," and that it could not, therefore, be submitted to Government; and adverting to the applicant's admitted incapacity for further service, he was informed "that the arrangements already made for supplying his place could not be disturbed."

2. Sabapathy appealed against this order to the Civil and High Courts, but without effect.

3. The present Principal Sudder Ameen, (C. Lukshmaiya Naidoo,) in submitting the usual Register of an application for pension states, that although Sabapathy claims his pension from the date on which he ceased to do duty, (1st September 1863,) he considers him to be only entitled to it from the date (9th March 1867) of the medical certificate.

4. The Examiner of Claims reports that Sabapathy would have been eligible to a pension of Rupees 9-4-0 per mensem, being equal to one-third of his average salary, had he been able to produce the required medical certificate at the time of his retirement from Government employ.

5. At the time Sabapathy presented his application for pension he was fifty-six years of age, and had served in grades entitling him to a pension for a period of twenty-three years and twenty-eight days. If he was a Gazetted Officer he would have been allowed to retire at the age of fifty-five as superannuated.

6. Mr. Dawes, the late Principal Sudder Ameen of Salem, having been called upon for explanation of his order passed on Sabapathy Moodelly's application for pension, replies in his letter of the 18th December last. The Government do not consider Mr. Dawes' explanation to be satisfactory: they do not doubt that Mr. Dawes was influenced, in the first instance, by a desire to maintain the efficiency of his Court Establishment; but the claims of a public servant who had served for three and twenty years in grades qualifying for pension, and who was at the time apparently physically incapacitated for further duty, should not have been disposed of in the summary manner adopted by the late Principal Sudder Ameen. It was his clear duty, as prescribed in the Pension Rules, when Sabapathy Moodelly presented his application for pension, to have sent him to the Medical Officer at the station, and to have obtained from that Officer a certificate of the applicant's disqualification for further service, and until such certificate was obtained, no arrangements should have been made for filling up the Record-keeper's place.

*Proceedings of the Madras Government, Pension Department,
6th February 1869.*

7. If, on Mr. Dawes' requisition, the Medical Officer was unable to grant the certificate, and Mr. Dawes was dissatisfied with the manner in which the Record-keeper performed his duty, the case, having in view Bawani Sabapathy's long service, should have formed the subject of a special report to Government.

8. It would be an undue hardship that the applicant should, after the long delay which has already occurred, suffer for the non-observance of the Pension Rules on the part of the late Principal Sudder Ameen. His Excellency the Governor in Council resolves, therefore, to sanction, subject to the confirmation of the Government of India, the grant to Bawani Sabapathy Moodelly of a pension of Rupees (9-4-0) nine and Annas four per mensem, equal to one-third of his average salary, with effect from the 9th November 1867.

(True Extract.)

Ag. Under Secy. to Govt.

To the Principal Sudder Ameen, Salem.

To Mr. S. R. Dawes.

To the Accountant General.

„ Financial Department.

63
Copies of Testimonials of B. Sababathy Moodelly.

No I.

Sababathy Moodelly was a diligent and pains-taking public servant during the time when he was employed under my superintendence.

(Signed) W. A. Rorer, Judge
No. II

In taking leave of the Subordinate Court of Salem, after presiding over it for 14 months, the Acting Subordinate Judge puts on record his opinion of some of the servants attached thereto—

The Criminal Jawabuwis (B. Sababathy Moodelly) lately 1st Jomastah is a clever and improving servant; the only Jomastah indeed who can retain in his head for a single moment what he has just before been reading to the Court either in a civil or Criminal matter.

(Signed) E. Story
Jy. Sub Judge.

No III.

Extract from the Remarks in the annual statement submitted to the Sadr Madaht.

The Criminal Jawabuwis Sababathy Moodelly is a man of superior talent and is well versed also in the transaction of Civil business.

(Signed) H. Fries.

11th March 1845.

Subte Judge.

(True Extract)

(Signed) K. J. Sullivan.
Jy. Subte Judge.

Grant of Rs 1000 to B. Sababathy Moodelly, late Criminal Record-keeper of the Principal Sudder Ameen's Court of Salem.
PENSION.
THE PRINCIPAL SUDDER AMEEN.
Dated February 6th.
G. O., 6th February 1860. No. 65.
FEBRUARY.

No IV.

Extract from the Remarks in
the annual statement submitted to
the Sudr Adalat.

The Criminal Javabueifs Sa-
habatty ^{Woodley} is a man of superior talent,
besides being well versed in the transac-
tion of civil business.

25th February 1856 (Signed) Th. True.

Subt. Judge
(True Extract)
(Signed) R. J. Sullivan
Sgt. Subt. Judge.

No V.

Sahabatty Woodley served as
Criminal Javabueifs of the Subordinate
Court for the five years that I have
presided in that Court. He is a man
of great talent and capacity for the
dispatch of business, and I consider
him a very valuable public servant.

Salut. (Signed) Hatty True.
5th December 1849.

No VI.

Sub. Court diary dated 8th Febru-
ary 1853.

Sahabatty Woodley the Head
Criminal Javabueifs is thoroughly ac-
quainted with his duties, and it would
be difficult to find a person in either the
Sub or Session Court to adequately supply
his place; he requires however some
supervision; he is a man of considerable
talent, would make a good District
Magistrate (being a good judge of evidence
and well versed in the Regulations)
to which post the Subordinate Judge
hopes he will eventually be promoted.

(Signed) Dr. Ho. Cotton.
Sub Judge
(True Extract)
(Signed) W. Hodgson.
Sgt. Sub Judge.

No VII

Sahabatty Woodley has served
under me in the capacity of Criminal
Javabueifs and latterly in that of
acting Sheristadar in both of which
situations he has given me reason to
entertain a very high opinion of his
talents- although he has only held the
office of acting Sheristadar
for about four months, owing to the
incompetency of the late Sheristadar
he has transacted the chief duties of
that office for a much longer period,
and the trial I have now had of him
is sufficient to enable me to judge
of his capability and therefore con-
firm him.

(Signed) R. C. Swin.
16th May 1856. Sgt. Subt. Judge.
(True copies).

Chaborn
Principal Kadetain

Exhibit III.

Copies of Testimony
also of B. Sababathy
Woodell's late Crimi-
nal Record keeper
of the P^l Sadr & friends
Court at Salem.

Cons. 160 Dept.

In pages

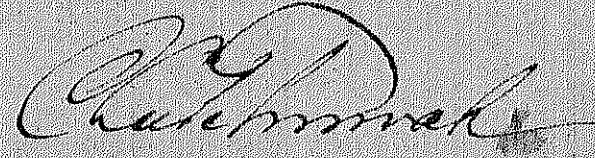
Order.

With reference to Criminal Record keeper Sababathy Woodell's application for Pension, the Principal Sadr Amir observes that it is unsupported by the prescribed Medical Certificate. His application cannot therefore be submitted to Government, and advert- ing to his own admitted incapacity for further service in the Court, the arrange- ments already made for supplying his place cannot be disturbed.

Upon Sababathy Woodell's submitting a Medical Certificate of physical incompetency, the Principal Sadr Amir will be prepared to recom- mend him to Government for the usual Pension.

(Signed) J. R. Dawes
31st August 1883. Principal Sadr Amir.

(True copy)


Principal Sadr Amir

People's Opt
L. Opt

Copy of records
forwarded by the late
Principal Clerk to the
the same.

Exhibit II.

Return of a Board of the Judicial Department, Considered unfit for further service.

Name Rank Name	Rank	Date	Disease or medical reason for considering the person unfit.	Summary or period of previous treatment or opinion as to benefit to be derived from further treatment.
5 Principal Clerk Principal Clerk		Apr 60	His government servant is upwards of 60 years of age, and 28 years, eleven months & 6 days of service. He is old and infirm, therefore, entitled to the following certificate. I solemnly certify that the above named person is incapable of performing the duties of his office, and is therefore, entitled to the result of his general service, with the result of his performance on other irregular habits. Unfit for further service.	Has not been under medical treatment & from further treatment.

9th of November 1887.

W. W. M. M. M.

J. C. Mays

John C. Mays

Madulipalam 10
16th December 1868. 11

From J. R. Dames Esq.
Late Principal Sadra Amin
of Salem.
D. C. G. Walker Esq.
Under Secretary to Government,
Prison Department,
Fort St. George.

Sir,
I have the honor to acknowledge the receipt of the Proceedings of Government in the Prison Department under date the 27th ultimo No. 406. Calling upon me to explain the circumstances under which I passed an Order dated the 31st August 1868, with reference to the application for Prison of Mr. Subbapathy Moodily, late Criminal Records Keeper in the Principal Sadra Amin's Court at Salem.

2 I beg to state that on the 4th August 1868, Subbapathy Moodily tendered his resignation of office on the ground of physical incapacity and applied at the same time to be recommended for a Pension. Finding him physically disqualified myself, I accepted his resignation and made arrangements for filling up his place.

3 The Gillies Surgeon subsequently refused to grant him a Medical Certificate, and Subbapathy Moodily thereupon applied to be reinstated, but as he evidently was

Order to be returned.

Order from Prison
of the Judicial Department
under date the 27th ultimo
No. 406.

Exhibit I.

Order by the Principal
Sadra Amin of the Prison
Department at Salem.

Exhibit II.

was unfit for the performance of his duties, and felt sensible of such unfitness himself as previously acknowledged before me, I was precluded from acceding to his request for reinstatement. From the moment he declared his inability to discharge his duties, he of course became irresponsible, and I should not have been justified in employing him in a position involving even the slightest degree of responsibility and trust. Neither did I think I could trouble Government with his case, as under the Pension Rules then in force, a Medical Certificate was necessary to support an application for Pension, and I accordingly intimated to Sahasputty Moodily in para 2 of my Order in question that on his submitting a Certificate, I would be prepared to recommend him for Pension.

4 I did not see that any other measure could have been taken by me, responsible as I was, for the efficiency of the Court, and I would take leave further to state that Sahasputty Moodily unsuccessfully appealed against my Order to the Civil Court, as well as to the High Court.

5 I would also submit for the consideration of Government whether the course I followed was not in accordance with the spirit of the

later

13/11
later Order of Government in the Revenue Department under date the 8th June 1865 No. 1236, wherein it is held that the refusal of a Medical officer to grant a Temporary Certificate of physical incapacity could not be admitted as a sufficient reason for the retention in office of an individual acknowledged by the Collector to be worn out. In Sahasputty Moodily's case, it will be observed, that in addition to my own opinion of his incompetency, he avowed the fact himself. There seemed to me therefore no opening for any reference to Government, unless to obtain for him a gratuity which however he did not himself apply for, or desire.

6 I think that, under the explanation now afforded, the Government will be satisfied that my action in the matter was influenced by the desire to promote the interests of the Court, and that under the circumstances I could not have acted otherwise.

7 I beg to be excused for this tardy reply to the Proceedings of Government. The delay has been owing to my having no records

here

I have the honor to be
Sir,
Your most Obedient Servant

John Austin
Late Principal. Ind. Am.
of Salem

Ad

159

Person Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter *Papers*.

From the Principal Sadr. Amiri (Here entered 18th December 1869)
Report of the Examiners of
Clarks (— " — 18th Sept^r 1868 N^o 99)

Order thereon 27th November 1868 N^o 206.

Before entering into the merits of this case, the Government resolved to call on Dr. Dimes late Principal and Rector of Salem; for explanation of the circumstances under which he issued the order sent up with this case. The copy of the order will be sent to Dr. Dimes who will return it with his reply.

2. It appears that Sal-
patty Audale Record keeper in the
Salem Principal Sadr Court
Court applied for pension in
August 1863, but as it would appear

Failed

of the record

[illegible]

failed in obtaining a certificate of incapacity. Mr. Dawes removed him from his post, and told him he would recommend him for pension when he obtained a certificate.

3. The pension rules then in force were clear in requiring a medical certificate to be obtained on the retirement of a Government servant (as are also the existing rules) but Mr. Dawes appears to have disregarded this wholly, and thus to have perilled the pension of an old man of 56 years of age and 28 years of service.

4. The Government request that Mr. Dawes will submit an explanation of his action in the matter.

S. R. Dawes with the copy above referred

REGISTER of an application for Superannuation Pension under Pension Rules published under date 3rd May 1864, from the Establishment of the *Al Badr Jinn Court of Salce*

1	Full name of Pensioner...	Bawani Subaspathy. Koodelby.																						
2	Sect or caste...	Shiva sect, Gondamandala Willala caste.																						
3	Residence ...	Salme District																						
4	Present post ...	Principal Record Keeper of Principal Sadg. Court at Salme.																						
5	Date of commencement of service...	28 th October 1854.																						
6	Date of retirement from service ...	1 st September 1863.																						
7*	Abstract of the grounds of application.	1. Good service ... 2. Inability to serve longer ... <i>old and infirm</i> 3. Reduction of Establishment																						
8*	How long unemployed, and under what circumstances.	<table border="1"> <thead> <tr> <th></th> <th>Years.</th> <th>Months.</th> <th>Days.</th> </tr> </thead> <tbody> <tr> <td>1. Resigned the service from</td> <td>15th to 15th April 1859.</td> <td></td> <td>5</td> </tr> <tr> <td>2.† Reduction of Establishment from</td> <td>to</td> <td></td> <td></td> </tr> <tr> <td>3. Suspended from</td> <td>to</td> <td></td> <td></td> </tr> <tr> <td>4. Dismissed for misconduct from</td> <td>to</td> <td></td> <td></td> </tr> </tbody> </table>				Years.	Months.	Days.	1. Resigned the service from	15 th to 15 th April 1859.		5	2.† Reduction of Establishment from	to			3. Suspended from	to			4. Dismissed for misconduct from	to		
	Years.	Months.	Days.																					
1. Resigned the service from	15 th to 15 th April 1859.		5																					
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 ...																							
10	Total of service not in Pension grades ...	4 2 28																						
11	Total of leave other than privilege and preparatory leave ...	1 1 3																						
	Grand Total...	5 4 6																						
12	Total period in Pension grades counted as service ...	23 4 28																						
13†	Age of the applicant at the time of this application ...	60 1 10 Feet. Inches.																						
14	Height ...	5 4																						
15	Descriptive marks.	Bamboo color 2 moles near the right temple, 1 mole on the right side of the chest, 2 moles on the right side above the belly, 1 mole on the left knee.																						
16	Average salary of past 5 years ...	Rs.	A.	P.																				
		28	8																					
17	Proposed amount of Pension ...	Rs.	A.	P.																				
		9	8																					
18	Date from which to commence ...	4 th November 1864																						
19	Place of payment ...	Treasury of the Salme Collectorate.																						

* 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

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

Signature
Signature

Ronald
Exam. of Claims

To the Hon. George }
 Peck, U. S. Marshal, Office. }
 18th September, 1868. }

To
The Chief Secretary to Government,
Civil Pension Department.

No 139. Salem, 2^d Sadr Amin's Court
18th December 1867.

From, The Principal Sadr Amin
of Salem.

To, J. Lastington Esq.
Accountant General
to the Government of
Madras.

Sir, Under the Notification published
in the Port St. George Gazette of the 19th
October 1866, at page 572; I have the honor
to submit in the prescribed form an ap-
plication for a Superannuation Pension
from the late Criminal Record Keeper
of this Court, B. Sababathy, a man who
who has been declared unfit for further
active service by the Medical Officer in
charge. I and to recommend
that a Pension equal to one third the
average salary of the applicant for the
last 5 years be granted him in considera-
tion of his services as set forth in the Regis-
ter and verified by the Records of this
Court and by the Papers issued by the
Collector of Salem in the Applicant's
possession.

The Applicant had it would
appear from the Exhibit II put in
his application for Pension on the 5th
August 1863 to take effect from the
1st September 1863, but the Medical
Officer certifying that the Applicant

PENSION 1867 DEPARTMENT.

From the *Principal Sadr Amin*
Port Saint George.

To the Chief Secretary to Government.

Civil Pension Department.

Dated 18th December 1867.
Received

Enclosure.

Verifies the service

of *B. Sababathy* formerly
late Criminal Record Keeper
borne on the establishment of the
Salem Sadr Amin's Court.

PENSION 1867 DEPARTMENT.

From the *Principal Sadr Amin*

To the Accountant General or Controller
of Military Accounts.

Dated 18th December 1867.
Received

Register of an appli-

cation for Superannuation Pension in behalf

of *B. Sababathy* formerly
late Criminal Record Keeper
borne on the establishment of the
Salem Sadr Amin's Court.

ORDER OF GOVERNMENT.

Alto

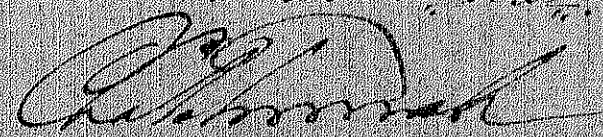
was fit for active employment, the
late Principal Sadra Amin, Mr. Baines,
passed an order declining to re-employ
state him and observing that he
will be prepared to recommend him
for Russia on the Applicant pro-
ducing a Medical Certificate of his

physical incompetency. From this
order the Applicant appealed both
to the Civil and High Courts, praying
for restoration to his office, but
without effect. Though the Applicant
now claims his Russia from the date
on which he ceased to do duty (1st
September 1863), I consider that he
is only entitled to it from the date
of the Medical Certificate (9th Novem-
ber 1867), and leave the matter for
the consideration of Government.

3. Provision to meet this
charge, has been made in this Court's
Budget Estimate.

4. The Application presented
by B. Sababathya Mudali on the
11th November 1867 being found in-
correct, he was called upon to put
in an amended one which hav-
ing been done on the 7th instant
the Register has been prepared
and submitted. This explanation
will, I trust, be deemed satisfac-
tory for the delay occasioned sub-
sequent to the date of the Medical
Certificate.

I have the honor to be,
Sir,
Your most obedient servant,



Principal Sadra Amin

10th August 1868.

Valencia.

San Francisco.

Alfred De

My Collectors

Proc. Paper 1

Collector

Yours really,

Principal Sadet Acim

1869

0.1

John,

124

Headings

Wm. H. H. H.

No 139.

Am Lovell

Submitting an Application for a Licensure Question #1-10-11

10876

Sapahutty. Moodily

I have duly received your letter of the 11th September and two from your brother Soondra-Linga Moodily soliciting that you should be appointed to succeed to the situation of Magistrate for the Straits vacant by the death of your lamented brother Soobroy Moodily. I have been trying a person of the name of Tursiah whom I have been acquainted with for a long time but having had experience of business only in a Telugu country in Guntur I found from his acquaintance with the language of this District will not suit me.

So if Mr. Gore will give you leave of absence for a month I should like to try you in that capacity. I suppose you can read Tamil letters in Hindustanee and Telugu as your brother did and also understand some English if so, and you can get Mr. Gore's permission. You can proceed here as soon as convenient.

Yours faithfully
(Signed) W. E. Lockhart

(True copy)

[Signature]

Principal Sadr Jinn

By the Principal Secy. Ameen -

True Copy of Mr. Gore's letter from the

Magistrate of
Salem, dated 5th
September 1868,
No 124.

Copy of a letter from
the Magistrate, Col-
lektor to the
Collector of Salem

Received by
L. Wright

No 124, Salim, P. Sadr Amin's Court.
5th September 1868.

From, The Principal Sadr Amin
of Salim.

To, The Accountant General
to the Government
of Madras.



Sir, In reply to the Memorandum of the Examiner of Claims dated 13th May 1868, I have the honor to state as follows,

No 8. It is proved from the records of the Collector's Office at Salim that B. Sahapathy Moorthy served as Janabudini in it from 1st November 1848 to 12th April 1849 as will be seen from copy of the Deputy Collector's letter set here- with sub.

No 11. Deletion of remarks at the foot of the Register has been made.

No 13. All the particulars required by the Notification of Government dated 18th October 1866 and published at page 631 of the second volume of the Official Gazette for 1866 have been inserted in the printed form of Application received with the said Memo- from the Examiner of Claims

No 24. The Applicant Sahapathy Moorthy states that he had obtained the

EA & AG Office
Recd 9 / 9 1868
Ans'd

Enclosure No 1

See letter from
the Principal
Sadr Amin of
Salim, dated 5th
September 1868,
No 124.

Copy of a letter
from Mr H. C.
Lindsay to the
Collector to the
Sadr Amin of Salim.

Copy to Dept.
in Regd.

permission of the Subordinate Judge for his Appointment to the post of Javabinis in the Collector's Office and in support of it produces letter No 2 (copy of which is also here with serial) written to him by the Collector Mr W. C. Lockhart in which he is advised to take a month's leave that he might undergo trial in that Appointment and as the leave appears from the records of this Court to have been granted him I am induced to think that he had obtained the permission of the Subordinate Judge when he was appointed to the post of Javabinis which is shown by the copy of the Deputy Collector's letter not to have been resigned by the Applicant from illness and incapacity to transact with the Collector's Circuit Duties.

The delay in the submission of this explanation is partly owing to the annual recess of the Court from 11th May 1868 to 15th July 1868 and partly to the non-receipt until the 3rd Instant of a reply from the Collector of Satna to my communication dated 18th July 1868 requiring

of the order Decd 27/11

31
information on the points ad-
verted to in Nos 8 and 24 of the
Memo under reply.

The Memorandum and
the Register of Application with
all the requisite particulars in-
serted in it are herewith returned.

I have the honor to be,
Sir,

Your most obedt. servt.

Ch. F. Smith
Principal Sadristain

107
Call on me on 30
for an explanation
in connection with
the Pension Case

Port of 1868: *London*
To
W. H. P. Smith

Dated *October 27*
Recd.

G. O. 27, Nov. 1868, No. 476.

Nos.

Respectfully *W. H. P. Smith*
to submit public statement
of his *transacting the Pension*
of *London & Co. since last year*
a *special certificate* can be
obtained.

Recd 18 Dec 1868
22

PENSION REPORT DEPARTMENT.

No.

Fort Saint George,
Accountant General's Office,
The 13th May 1868.

To
The Principal Secy. General
Salem

The undersigned has the honor to return the papers connected with the Pension case noted in the margin, received with letter No 109 of 18 Decr/67 for want of Nos. 8-16-22- and 24

This paper should also be returned with the case as early as possible

Tudor Trevor
Off^r 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 of the Collyer of Salem from 21 Nov/48 to 12 April/49
9. " of past character.
10. Explanation of apparent breaks.
11. " " degradation.
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 showing 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 when the Medical Certificate was dated to when the Medical Certificate
22. Medical Certificate in prescribed form showing the applicant's inability to serve longer, vide Government Notification published at page 740 and 632, Volume 1 of Gazette for 1863 and 1863, respectively.

23. Insertion of all particulars in the accompanying printed form of application published by Govt. at page 631 of the 2nd Volume of the Gazette for 1866 as the Govt. will not admit the Reg^d of appⁿ sent by the Principal Secy. General -

*1 Reg^d of appⁿ for Pension per B. Subramanyam
received 2/18 Decr/67*

1868
Department
From the Secy. General
to the Accountant General
for the Government
of Madras
dated 14th September 1868
No 126.
Enclosures 3.
According to the
order to return
the certificate for
the examination
of claims in regard
to the application
for leave or commutation
of service of 16 days
privately & confidentially.
Secy. Genl.
1868

An Explanation as to whether the applicant had the
permission of Sub Judge when he was appointed by him
as Javabnevis on a salary of Rs 70, and why he resigned
the post of Javabnevis in the Court Office -

Dec 10/88
J. M. 9/8

Pension Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the
Examiners of Claims -
(here enter, 8th Sept, 1888, No 999)

Order November 1888 No

Ramani Saba-
pathy Brodely, late Crimi-
nal Record Keeper of the
Principal Sudder Munsif's
Court at Salem, submitted
his application for a
pension on the 5th August
1888, with a view to the
grant having effect from
the 1st September 1888. The
Principal Sudder Munsif
(Mr. James) passed an
order on the application,
that it was unsupported
by the prescribed medical
Certificate, & that it could
not

M. A.

not therefore be submitted
to Govt.; and advising
to the applicant admitted
incapacity for further
service, he was informed,
"that the arrangements
already made for suc-
ceeding his place could
not be disturbed."

2. Sabapathy appealed
against this order to the
Civil & High Courts but
without effect.

3. The present Princi-
pal Sadler Ameen,
(C. Lutchmiak Naidoo)
in submitting the usual
Register of an applica-
tion for pension states
that, although Sabapathy
claims his pension
from the date on which
he ceased to do duty,
(1st Sept. /03) he considers
him to be only entitled

to it from the date (p. to mark
/67) of the Medical Certificate.

4. The Examiner of
Claims reports that Sabapathy
would have been
eligible to a pension of
Rs 9-4 per mensem, being
equal to one-third of his
average salary, had he
been able to produce the
required Medical Cer-
tificate at the time of
his retirement from
Govt. employ.

5. At the time
Sabapathy presented
his application for pension
he was ~~58~~ 56 years of age, and
had served in grades
entitling him to a pension
for a period of 23 years &
28 days. If he was a
Gazetted Officer, he would
have

have been allowed to
retire at the age of 55
as superannuated, &
compelled to do so at 60.

His Excellency
the Governor in Council
views with much dis-
satisfaction the proceed-
ings of the late Sudder
Ameen of Salem, Mr
Dawes, in this case -
It was his clear duty,
as prescribed in the
pension Rules, when
Sabapathy hoodelly
presented his applica-
tion for pension, to have
sent him to the Medical
Officer at the Station,
and to have obtained
from that Officer a
Certificate of the applicant's
disqualification for
further

I do not think that
this course ought
to have been pursued
by Mr Dawes
until we knew
what he had to
say on the subject.
It is not unjust to
think he was unaware
of the order of Govt.
1882 (if there was
any delay on his
part of Mr Dyke (not
in communicating it
to the Principal Officer
in the Government)
he passed his order
of August 1883.

M. D.
I would call on Mr Dawes
W. P. M. W. D.

To the Principal Sudder Ameen
Salem -
Accountant General.

further service, & until such
Certificate was obtained, no
arrangements should have
been made for filling up
the Record Keeper's place.
It would be an undue
hardship that the appli-
cant should, after the
long delay which has
already occurred, suffer
for a neglect of duty on
the part of the late Sudder
Ameen. His Excellency
the Governor in Council
resolves therefore, to sanction
subject to the confirmation
of the Govt of India, the
grant to Bawani Sabapathy
hoodelly of a pension of
Rupees (9-4) nine Annas
four perrmenium, equal
to one-third of his average
salary, with effect from the
1st September 1883.

Handwritten notes at the top of the left page, including "P.S. ..."

(Circular stamp)

Govt. of 1868, Madras.

To

Dated October

Recd.

G. O., 1868, No.

Nos.

O. 1868.

43
12
Pension Department

PROCEEDINGS of the MADRAS GOVERNMENT.

27th Novr 1858 no 100

Read the following letter from the

Commissioner of Madras.

Read also letter from Mr. J. R. Dawes,
late Principal Sudder Ameen, Madras.

(~~Handwritten note~~)
Order thereon 16th February 1869, No 33

Burani Sabapathy Mudali,
late Criminal Record Keeper of
the Principal Sudder Ameen's
Court at Salem, submitted his
application for a pension on the
5th August 1853, with a view to the
grant having effect from the 1st
September of that year. The Principal
Sudder Ameen (Mr. Dawes) passed
an order on the application, and
observed that "it was unsupported by
the prescribed Medical Certificate,"
and that it could not therefore be
submitted to Government; and advising
to the applicant's admitted incapacity
for further service, he was informed
that the arrangements already made
for supplying his place could not

I do not think the Prin:
Sudder Ameen Mr. Dawes,
should be censured for what
he has done. He took the
right course in my opinion
(see para 3 G. O. 11 Decr 1862, No 392
and 1st Decr 1862, No 16 Decr 1862)
and advised, in Mr. Dawes's
place, as he did.

Handwritten notes at the bottom left corner.

be disturbed."

2. Sabapathy appealed against this order to the Civil and High Courts but without effect.

3. The present Principal Sudder Ameen (S. Satchanath Mudra) in submitting the usual Register of an application for pension states that, although Sabapathy claims his pension from the date on which he ceased to do duty (1st Sept. 1903) he considers him to be only entitled to it from the date (9 March 1877) of the Medical Certificate.

4. The Examiner of Claims reports that Sabapathy would have been eligible to a pension of Rs 7-4 per mensem, being equal to one-third of his average salary, had he been able to produce the required Medical Certificate at the time of his retirement from government employ.

5. At the time Sabapathy presented his application for pension he was 56 years of age, and had served six grades entitling him to a pension for a period of 23 years and

The applicant for pension had admitted his incapacity for further service. In the face of this admission, I doubt whether Mr S. S. Ameen could have justified his further retention of the man in office, the more especially as he had himself observed & noted his physical incapacity.

Further, I doubt whether the rules for Pension can be held to contemplate the grant of one Rs 7-4 on a medical Certificate given to an applicant nearly four years after he has ceased to hold government employ.

The view in this case appears in 1 Sept. 63. His Certificate is dated 9 March 64.

It seems to me to be of doubtful propriety to lay down as a rule what appears in para 7 of Mr. Dwyer's letter of 28.1.04. W.D.

Mr. Dawes could not I think have rectified the memorialist in his office being satisfied that he was incapable, and the man avowing his incapacity but I think

Mr. Dawes should have brought the case under the notice of Govt for special consideration. I think Mr. Dawes did not show all the solicitude for the good of the public service that he might have done. I would not like to understand that I presume the pension cannot be granted from the date of the certificate.

And 28 days. If he was a gazetted officer he would have been allowed to retire at the age of 55 as superannuated.

6. Mr. Dawes the late Principal Sudder Ameen of Salem having been called upon for explanation of his order passed on Sabapathy Mudra's application for pension replies in his letter of the 18th December last. The Government do not consider Mr. Dawes' explanation to be satisfactory. They do not doubt that Mr. Dawes was influenced in the first instance by a desire to maintain the efficiency of his Court establishment, but the claims of a public servant who had served for three and twenty years in grades qualifying for pension, and who was at the time apparently physically incapacitated for further duty, should not have been disposed of in the summary manner adopted by the late Principal Sudder Ameen. It was his clear duty, as prescribed in the Pension Rules, when Sabapathy Mudra presented his application for pension, to

to have sent him to the Medical Officer
at the Station, and to have obtained
from that Officer a Certificate of
the applicant's disqualification for
further service, and until such Certi-
ficate was obtained, no arrangements
should have been made for filling
up the Record Keeper's place.

48. It would be an un-
due hardship that the applicant
should, after the long delay which
has already occurred, suffer for on
the non discharge of the Mysore Bill,
neglecting duty on the part of the
late Sudder. Amm. Secy to collect
the Government in Council.
resolves therefore, to sanction,
subject to the confirmation of
the Government of India,
the grant to Bawani Labapathy
involvement of a pension of
Rupees (9-4) nine and annas
four per mensem equal
to one-third of his average salary
with effect from the 1st September
1868.

78

If on Mr. Dawes' suggestion the
Medical Officer was unable to grant
the certificate, & Mr. Dawes was
dissatisfied with the manner in
which the Record Keeper performed
his duty, ^{the having in view Bawani Labapathy long} the case should have
~~been specially reported~~ formed
the subject of a special report to
Govt.

11 Nov 68
1869
To
The Principal Sudder Amm
Salem.
Mr. T. R. Dawes.
Accountant General
Financial Department

Pension to Tatapathy
 made in the name of
 N. P. S. Quaker (and, &c.)

109

Court of 1869 Quakers.
Quaker

To

The Principal & the same place
 + + +

Date February 1869
 Recd.

G. O. S. February 1869, No. 13.

Dec 16/1869
 Nos

by writing in Pension of
 1869-70 to Tatapathy
 made late Principal the
 reason of the Principal's
 opinion known to be