

1. Number of pages. 1-8.
2. Date of repair. 28-5-36
3. Initials of Referee.

M.R.O. 1-22,400-22-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	138	Press Mis.
Dated	25-3-	1870

Not to be folded or roughly handled

For orders.

Letter from the Acting Collector of Kistna N^o 527
dated 5th February 1870.

amounting to Rs 127.15.8.

I agree in this
and taken in this
manner
R

I would give the
money. The delay
was the fault of an
one officer & I do
not think of arrears
of pay him or partly

Yakub Khan, a revenue man
who had served 38 years, who
was thrown out of employ on
revision of establishments in 1862
applied for compassionate al-
lowance in 1865, & in 1867 gave
an affidavit verifying the fact
^{which was not borne out by records}
23 years of his service. He died
in ^{March} 1868, his grandson, a police
constable, claims the arrears of
compassionate allowance to which
Yakub Khan was entitled.

2. I respectfully submit that
the application ought not to be
acceded to. It is true that
had not the District authorities
failed in their duty, the com-
passionate allowance to Yakub
Khan would have been sanc-
tioned before his death; and
it is also true that the payment
of arrears to heirs in somewhat
similar cases has been allowed.
The claim however assumes

should be
~~very~~ in H. held under

such circum. claims
from the heirs - I

cannot but think

that in equity this

pat. was the

rightful property

of the deceased &

should pass to

his grandson - He

served us for 38 yrs

and has cost

advice in his

old age for me

and since I gain

nothing from it

J. D. S.

that the allowance is to be
treated as a debt due by the
Government to the deceased's es-
tate; and this I submit is
not the true theory of pension-
ary allowances. These are
granted as a matter of grace
and on personal grounds for
the support of old servants after
their retirement from Govt. em-
ploy; and if not enjoyed by
the servants themselves fail in
their object. The argument that
when Govt. promulgate pension
rules, they make a tacit con-
tract with them who enter their
service, & therefore that the allow-
ances are in fact debts, will
not apply in this case; for
the rule under which the claim
is made was an *ex post facto*
one, promulgated after the retire-
ment of those who benefit by it.
Further the grandson who claims
the allowance is himself in receipt of
a salary from Govt.
(G.C.)

Compassionate Allowance to Pon Yutumb Khan

Memo: for orders

0110 138 of 1870

C. 14 Feb 1870
R. 16 March 1870

5X

KISTNA DISTRICT,
COLLECTOR'S KACHERI,
AT Masulipatam
5th February 1870.

No. 527. of 1870.

FROM,

J. G. C. Boswell Esquire,
Off. COLLECTOR OF THE

Kistna District.

TO,

J. S. Minchin Esquire,
Chief SECRETARY TO GOVERNMENT
in the Civil Service Dept. Fort Saint George.

SIR,

I consider it right to request the orders of Government on the following claim advanced by one of the heirs of a deceased Pon who was thrown out of employment during the arrangement of Salugatalat to arrears of compassionate allowance that might become due to the latter had an application on his behalf been submitted to the Examiner of claims.

Yahub Khan was a revenue peon of the late Kondavid Division: he was discharged from the service on 31st August 1862 owing to revision of Salug Establishment according to a Mr. Pelly's scale. In the year 1865 Yahub Khan applied to the Collector for compassionate allowance. Orders were then sent to the Talukdars of the respective Talugs in which he had served before to verify from their records the periods of his service of 38 years according to his statement. On 27th April 1867 he attended before the Magistrate and gave an affidavit of his service. Before complete information was collected in this case, Yahub Khan died on 17th March 1868. This case was consequently put aside, & now one Hussain Beg Police Constable & 50556 has sent an application to me stating that he is the grand-son of the deceased; and praying that the arrears of compassionate allowance due to the deceased up to the date of his death might be paid to him.

Yours

There are no other cases of this nature a period of 10 years
of the demand was only verified by public records.

I have the honor to be,

Sir,

Your most obed^t Serv^t

L. M. W.

Officiating Collector

2
1
2
3

Despatch 1870 Department 12/21

From The Collector of the Kistna District.

To The Secretary to Government Fort Saint George.

Dated 3rd March 1870
Received 14th 1870

No. 597
Enclosures.
No.

*Respecting order of Government
in the claim advanced by Mr. ...
for an advance of Rs. 1000 ...
allowance due to his deceased Grand
father*

W. H. H. H.

With an order No. 138.

Kistna District Collectorate Press.

List Order thereon 25th March 1870 No. 738.

The Government are of opinion that the claim of Husain Khan to the annas of the compassionate allowance which might have been granted to his grand father Yakub Khan, had he lived, should not now be admitted.

H. H. H.

To the Offy Collector of Kistna District, Secy. 25/3.
Accountant General.