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M.B.O. 1-32,400-22-11-80.

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No.	Press Mis.
Dated	18

Not to be folded or roughly handled

29-1-26

To
The Under Secretary
to Government
Pension Department

Sir

With reference to the pro-
ceedings of Government, Finan-
cial Department dated 7th instant
No. 13, communicating the grant
to me by the Secretary of State
of a pension equal to one third
my salary, I beg respectfully
to request that the pension may be
made payable to me at Madras

Madras. I beg to remain

10th January }
1871 } Your most Obedt. Servant
S. Cullianez
Draughtsman

4

Pension
Dept

C. No 21

Pension 1871 Depart

N^o 30

From

S. Guiliance

Dated 10 January 1871
Recd

Requests that his
pension may be ordered
to be made payable in
Madras.

C. No 21

5
Report of the Civil Pay Master.

REMARKS.

The Services of S. C. Allen late a Draughtsman under Major Gill at Adjunta have been verified from the Records of this office and those of the Controller of Military Accounts and are under.

Total Period of Service _____ 4 M. 8. 18-11-11

Went from 1st January 1845 to 31st Decr 1862.

It appears to be doubtful whether Services of this individual are reckoned as of a permanent or temporary nature. Vices Government orders dated 28th October 1844 N^o 949 Pension Department 3rd December 1844 N^o 1071 and 5th March 1845 N^o 190 Public Department.

He ceased to do duty before the introduction of the new Rules. But if Government consider his Service as permanent he will be eligible to a gratuity under the old rules of N^o 500, 5 Months Salary.

To
The Chief Secretary to Government
Civil Pension Department

W. H. Odwin
Civil Pay Master

Register of an Application for Superannuation Pension from the Establishment of the Civil Pay Master preferred under the Rules passed by Government under date 26th June 1863.

[illegible]

S. Calianuel came with me to Ajanta as assistant in Copying the paintings in the Caves of Ajanta in January 1845 & remained with me until the abolition of my appointment in June 1863. His pay during the whole period was 100 Rs. per mensem, during the whole of this time his services were continuous & he only had six months leave during the whole period. The last six months as I was on duty without pay, he received his salary from me.

Prof. Lill Day.
Letter on scientific duty
at Ajanta.

Pension 1862 Departs

W^o 520

Report of the Civil Pay
Master

W^o 93.

Dated 29th July 1864
Rec^d 1st August

Enc 3.

Verifying the Services
of S. Kalyani late a Draughtsman
under Major Gill at Adjunta.

16th January 1871.

For orders

O. No 323

O. No 21 of 1871.

FINANCIAL DEPARTMENT.

No. 329.

FROM

THE HON. R. S. ELLIS, C.B.,

Chief Secretary to the Government of Fort Saint George,

THE SECRETARY TO THE GOVERNMENT OF INDIA,

FINANCIAL DEPARTMENT.

SIR,

I am directed to transmit the accompanying memorial from S. Kalyani, a draughtsman who was employed under Major Gill in copying the paintings in the Adjunta Caves. The memorialist appeals against the orders of this Government granting him a gratuity only for his service, and prays that he may be admitted to pension.

2. He served for eighteen years up to the 31st December 1862, and was granted by this Government a gratuity of Rupees 500 or five months' pay, which was all he was entitled to under the old rules then in force. He now claims pension under the new rules, on the ground that, though the Government ordered his discharge at the end of 1862, he was retained at Major Gill's expense, and believing himself in the service of the State, till June 1863, the month in which the new rules came into force; and he cites as precedents certain cases which, however, were avowedly specially treated. He also urges the arduous nature of his duties and special grievances for which, however, Major Gill alone is responsible.

3. Although, as will be seen from the foregoing explanation, the memorialist has, under the rules in force when his employment ceased, no claim to a pension, his case is one of peculiar hardship. He has passed a great part of his life in the arduous task of copying the paintings in the Adjunta Caves—an occupation which has unfitted him for any other employment. The greater portion of the wages, which he should have received during these years, he lent to his employer Major Gill, and there seems no prospect of this debt being ever recovered, Major Gill being himself in indigent circumstances.

4. Under these circumstances, the Madras Government think that the memorialist's case may be treated exceptionally, and they request the sanction of the Government of India to Kalyani receiving the benefit of the existing pension rules and being allowed the amount of pension, viz., Rupees 33-4-0, to which he is entitled under those rules for his service during a period of eighteen years.

I have the honour to be,

Sir,

Your most obedient servant,

OOTACAMUND,
14th August 1870.

Chief Secretary.

From S. KALYANI, late Draughtsman on Major R. Gill's Establishment, to the Chief Secretary to Government, Fort Saint George, dated Madras, 24th June 1870.

I beg respectfully to enclose, herewith, a memorial (in triplicate) addressed to the Right Honourable the Secretary of State for India, and humbly to request that the same may be forwarded to its destination at an early date.

TO THE RIGHT HONOURABLE THE SECRETARY OF STATE FOR INDIA.

The humble Memorial of S. KALYANI, late
Draughtsman on Major Gill's Establishment.

RESPECTFULLY SHOWETH,

That petitioner was employed as a draughtsman, portrait-painter, and photographer on the establishment of Major R. Gill, who was engaged in taking paintings of the Caves of Adjunta.

2. That he served in this capacity for the period of eighteen years and six months.

3. That, on the breaking up of the establishment, the case of petitioner was submitted to Government by Major R. Gill, with a strong recommendation that a pension might be granted to him on the ground of his "very long, arduous, and unremitting services." But that the Madras Government, in disposing of his case, have granted petitioner only a gratuity of Rupees 500, being equal to five months' salary.

4. That, feeling aggrieved by this order, petitioner again solicited a reconsideration of his case, and prayed for a pension to which he considered he had established a fair right; but that the Madras Government maintained their original decision.

5. That petitioner begs briefly to represent the reasons for which he claimed a pension:—

First.—That he had served for eighteen years and six months—a period which entitles to pension.

6. Petitioner was entertained in the month of January 1845, and continued to be employed until the end of June 1863, when the establishment was abolished, thus completing a service of eighteen years and six months. The Madras Government, however, remarked in their Proceedings on petitioner's solicitation of a re-consideration of his case that "Government, on the application of Major R. Gill, distinctly refused to sanction the employment of S. Kalyani, draughtsman, after the close of the year 1862." But petitioner begs to submit, as he has informed the Madras Government, that he was kept in total ignorance of this order by Major R. Gill, who retained him in employ up to the end of June 1863 when, as petitioner was led to believe, the establishment was broken up. In corroboration of the statement that petitioner had not the slightest knowledge that the Madras Government had refused to sanction any further expenditure on account of Major R. Gill's establishment, he begs to state that it was not until the 30th June 1863 that the last painting 36' by 11' of the ceiling of the caves was finished, and on the hopes held out to petitioner by Major R. Gill that the latter would obtain him a pension, he even continued with Major R. Gill for two months later, or until September 1863, in completing his pictures, but, of course, petitioner did not seek to reckon that period towards pension. It would naturally be inquired, if the Madras Government had intimated to Major R. Gill that petitioner's employment must cease after December 1862, from what source petitioner received his salary for the six months longer he continued in employ. Petitioner begs to state that he did receive his salary for this period, and was under the belief that he was drawing it, as hitherto, from the public treasury, until, for the first time, he found a statement in the Proceedings of the Madras Government made by Major R. Gill that petitioner had been kept on for the six months in question at his (Major R. Gill's) own expense—a fact that Major R. Gill never once mentioned to petitioner. Doubtless, petitioner submits, the Madras Government was perfectly in order in rejecting his six months' service, from January to June 1863, after their express instructions to Major R. Gill. But at the same time your petitioner would most deferentially deprecate the visitation on him of the penalty due to the faults of another, and that other his employer. Nor will the conduct of Major R. Gill towards your petitioner appear so inexplicable, as at first sight it must to any one, when your Grace shall have become acquainted with the circumstances disclosed in paragraph 9 of this memorial.

7. Your petitioner trusts that, under the foregoing explanation, he will be considered to have rendered a *bonâ fide* service to Government of eighteen years and six months.

Secondly.—The arduous nature of his duties while employed in the Caves of Adjunta.

8. Your petitioner submits that these were of a peculiarly trying and exceptional nature, and as such entitling him to special consideration. Not only was the climate of the locality in which he was employed notoriously unhealthy, but he had to contend with difficulties of no ordinary character. He had to traverse backwards and forwards every day in a most difficult, rocky, and jungly country, a distance of more than five miles, far removed from the habitation or even the

haunts of man, and to live in daily apprehension of attacks from wild beasts and sudden sickness, isolated from his kith and kin. The execution of his duties involved the exposure of petitioner to the varied influences of wind and rain, blasts and scorching heats, and to the sickening effluvia of the pent-up caves. More than all this the great effort of sight which was incessantly necessitated for want of sufficient sunlight in tracing the carvings, &c., has so impaired his vision as must naturally result in unfitting him, sooner than otherwise, for any continued employment as a draughtsman in his profession.

Thirdly.—The great losses which your petitioner suffered while employed at Adjunta.

9. During the great Indian Mutiny, when Adjunta was looted by the Rohillas, your petitioner suffered a loss of property estimated at between 3000 and 4000 rupees. This fact was brought to the notice of the Madras Government by Major R. Gill when that officer recommended him for a pension. In addition to this petitioner has suffered to a still greater extent by Major R. Gill. This officer, although drawing the salary of petitioner in the same abstract with that of his establishment, held back petitioner's full pay for a considerable period, giving him only a portion of it by irregular instalments, on the plea that Government had not passed his abstracts regularly. This course Major R. Gill pursued with reference also to Yelliah, the assistant draughtsman, and these sums, so withheld, aggregated Rupees 10,779; the repayment of which was guaranteed to petitioner by Major R. Gill under a note of hand bearing that officer's signature, but which amount up to the present time remains unliquidated. These serious losses have considerably diminished your petitioner's resources, and his case has been rendered harder still by the denial of a pension to him in this time of his need. Taking the word of Major R. Gill as from a gentleman, petitioner had not the remotest suspicion that Major R. Gill, in saying that the pay abstracts were not regularly passed by Government, was saying what was not the fact; and yet in the Proceedings of the Madras Government, a copy of which was furnished to petitioner, it clearly appears from the letters of the Accountant-General, Madras, recorded therein, that the pay abstracts of Major R. Gill's establishment were not only regularly passed, but included the pay of a draughtsman on Rupees 100 per mensem, which post was held by your petitioner during the whole term of his service.

10. That, under the circumstances above narrated, your petitioner earnestly begs that your Grace will be pleased to admit his claim to a pension under the provisions of the Revised Uncovenanted Service Pension Rules.

11. That the case of your petitioner was disposed of by the Madras Government under the Pension Rules of 1862, whereby he was held to be entitled to no more than a gratuity; but petitioner begs respectfully to submit that the Revised Pension Rules are not inapplicable to his case. Petitioner lost his appointment in consequence of the orders of Government bringing the special duty on which he was employed to a termination which is tantamount to an abolition of

C. Vencatachella Moodelly, Clerk in office, on which ground the Madras Government have, in the the Office of the Presidency Pay- cases of individuals who were thrown out of employ through such master in 1861. Mr. N. Abbey, Clerk, Pay Office, a cause, granted them special pensions for service falling short Masulipatam, in 1864.

of the required period. The Revised Pension Rules admit of a public servant obtaining a one-third rate of pension on completing service of fifteen years, and petitioner having served for more than this period is, therefore, clearly entitled to the pension provided for this term of service, and prays that he may be granted a pension, therefore, under those rules, retrospective effect being given to those rules as has been done in numerous cases. Or petitioner begs that, as in the cases above quoted, his may be made a special case on the ground of the exceptionally arduous nature of his employment at Adjunta, and to which Major R. Gill himself has borne ample testimony, and that he was thrown out of employ through no fault of his own; and a pension be granted him under the provisions of the old rules.

12. Under all the circumstances of his case, petitioner begs that your Grace will be pleased to bestow upon him the pension which he has, by hard and laborious service, earned from Government, so that he may have some small support during the remaining years of his life, which, embittered as it is in consequence of the heavy losses he has already suffered in the pursuit of his calling, will be rendered still more so were he, in addition, to be deprived of a pension.

And, as in duty bound, petitioner shall ever pray.

(Signed) S. KALYANI.

Exd. J. Wright.

1870.

FINANCIAL DEPARTMENT.

From

The Chief Secretary to Government,

Fort Saint George,

To

The Secretary to the Govt. of India,

Financial Department.

Dated 4th August 1870.

Recd.

No. 329.

Enclosure.

Forwarding, with the recommendation, a petition to Home Government from S. Kalyani, late Draughtsman of the Adjunta Caves, praying for a pension for his past services.

Proceedings of the Madras Government, Financial Department,
7th January 1871.

No. 18. Read the following Despatch from the Right Honourable the Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated India Office, London, 26th October 1870, No. 341 (Financial):—

I have considered in Council your Financial Letter, dated the 2nd September 1870, in which you request a grant, as a special case, of pension of Rupees 33-4-0 per mensem, equal to one-third salary, to S. Kalyani, a Draughtsman formerly employed under Major Gill in copying the paintings in the Adjunta Caves.

2. I sanction the grant of this pension, but I request that Major Gill may be called upon to furnish an immediate explanation of his conduct as brought to notice in paragraph 9 of Kalyani's memorial, and that copies of his explanation and of your orders thereon may be forwarded for my information.

No. 3564.

Ordered that a copy of the above be forwarded to the Government of Madras for information, with reference to its letter, No. 329, dated 4th August 1870, and that the attention of that Government be drawn to paragraph 2 of the Despatch.

Ordered, also, that extract paragraph 1 and part of paragraph 2 of the Despatch be furnished to the Accountant-General, Madras.

FORT WILLIAM,
FINANCIAL DEPARTMENT,
The 13th December 1870.

(Signed) J. WESTLAND,
Under Secy. to the Govt. of India.

No. 19. ORDER THEREON, 7th January 1871, No. 13.

Resolved that S. Kalyani be informed, with reference to his Memorial, dated the 24th June 1870, that the Secretary of State has been pleased to sanction the grant to him, as a special case, of a pension of Rupees 33-4-0 per mensem, equal to one-third salary.

2. Resolved, also, that copies of the Proceedings of this Government, noted in the margin, be transmitted to the Government of India, with reference to paragraph 2 of the foregoing Despatch from the Secretary of State.
(True Extract.)

Dated 18th May 1866, Nos. 100 to 106.
" 31st July " " 148 to 150.

(Signed) R. A. Mollis
Chief Secretary.

To the Pension Department.
" Accountant-General.

Exd. J. Wright.

*From Mr. Dargachetty
and 3rd July 1886.*

Obt. of 11871 *Mr. Dargachetty*
Passive No 332
FINANCIAL.

To

THE PENSION DEPARTMENT,

Ac.

Ac.

Ac.

Dated January, 7th.

Recd. — — —

Encl.

G. O., 7th January 1871, No. 13.

JANUARY.
Nos. 18-20.

Directing that S. Kalyani, a Draughtsman formerly employed under Major Gill in copying the paintings in the Adjutant General's Office, be informed that the Secretary of State has granted him a pension of Rupees 23-4-0 per annum, and that copies of the Proceedings of the Government relative to S. Kalyani's claim against Major Gill, and that officer's explanation, be forwarded to the Government of India.

With an enclosure No 21.

21/1

Order of the Secretary, 11th Dec 21.

Forwarded, in pursuance of

the sanction conveyed in the foregoing letter that the Adjutant General be requested to issue a permanent payable order in the name of S. Kalyani, for a pension of Rs 23-4-0 per annum with effect from the 1st July 1871 and payable at Madras.

2. On disbursing the amount of the pension, the actual deduction in G. O. No 40 dated 18th Feb 1873 should be applied.

24/1

21/1
Adj. Genl. Secy. to Govt. of India.

with copy to the Secretary, 11th Dec 21.