1. Number of pages. 12
2. Date of repair. 17-8-36
3. Initials of Reference.

M.R.O. 1—22,400—22-11-30

MADRAS RECORD OFFICE.

Government of Madras.

Pension **DEPARTMENT.**

G.O. No.	732	Press Mis.
Dated	4 — 10 —	1872

Not to be folded or roughly handled

17/8/36

Proceedings of the Madras Government, Pension Department,
4th October 1872.

Read letters from the Commissioner of the Neilgherry Hills, dated 17th August 1872, No. 46, and from the Officiating Deputy Accountant-General, dated 26th August 1872, No. 336.

ORDER THEREON, 4th October 1872, No. 732.

The Governor in Council is unable to see the force of the objection raised by the Officiating Deputy Accountant-General to this application for a compensation gratuity.

2. There were three Clerks in the Office of the Joint Magistrate at Wellington, viz. :—

One on Rupees 40,
One ,, ,, 35,
One ,, ,, 20,

and the Government ordered the abolition of the appointment on 35 Rupees.

3. The Joint Magistrate, in the exercise of a proper discretion, dispensed with the services of the incumbent of Rupees 20 post, and permitted the Clerk on Rupees 35 to remain in employment on the lower rate of pay.

4. Mr. Donald objects that the arrangement was unauthorized; that the Clerk formerly on Rupees 35 should be dismissed; and (it is presumed) that a compensation gratuity should be awarded, calculated on Rupees 35, instead of on the smaller amount for which sanction is sought.

5. The Government consider that this objection is untenable.

6. The Clerk on the higher pay is presumably the more efficient servant of the two, and entitled to first consideration, and it is, moreover, observed that the Clerk who has been removed had been once conditionally promoted to the higher paid post, and again reduced in consequence of his inability to qualify by passing the necessary test, so that to retain him would be to give a premium to inefficiency.

7. He has now lost his employment in consequence of a reduction of establishment, and the Government consider that he is entitled to the gratuity prescribed by the rules. The Accountant-General will report what amount is thus payable to him.

8. The delay of more than a year in submitting the application should be explained.

(True Extract.)

Acting Under Secy. to Govt.

To the Commissioner of the Neilgherry Hills.
,, Accountant-General.

Erd. J. Wright.

Revenue Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Commissioner of Neilgherries dated 17th August 1872 No 46 & from the offg Dy Accountant General dy 26th August 1872 No 3336.

Ordered that Septr 1872

Application is made for the grant of a compensation Gratuity to Coimbatore Ramiah late 2d clerk in the Wellington Cantonment Magistrate's office whose total service qualifying for pension, is stated to amount to 10 yrs 8 Mos 4 10 days.

2 The Register is carefully drawn up, & no information being

Govt. of [1872] Madras.

PENSION.

To

THE COMMISSIONER OF THE NEILGHERRY HILLS, &c., &c., &c.

Dated October, 4th.

Read. Encl.

G. O., 4th October 1872, No. 732.

OCTOBER.

Considering that Ramiah, late a Clerk of the Wellington Joint Magistrate's Office, is entitled to the gratuity prescribed by the rules, and requesting the Accountant-General to report what amount is thus payable to him.

given as to the date & nature of the reduction of establishment, which led to the applicants being thrown out of employ. The date of retirement is given as 1st June 1871 & the reduction of establishment ~~referred to~~ is no doubt that referred to in G. O. 4th January 1870 No 10 Judicial Dept. sanctioning the abolition of the 2d Clerk's post to which a salary of Rs 35 was allotted.

3. Coimbatore Ramiah held the post of 3d Clerk on a salary of Rs 20 & it appears therefore that he was turned out to make way for the 2d Clerk; if this surmise is correct, he is not entitled to a compensation gratuity not being the incumbent of the post which was abolished. He would be entitled to an invalid gratuity on production of a Medical Certificate, but as his age is only 44 yrs & no Certificate has been submitted, it is presumed, that his state of health is not such as to warrant his being invalided. Further under a strict application of Section 44, the Court entails forfeiture of past service, even should the applicant succeed in obtaining further employment.

4 Ramiah's removal therefore operates very hardly & the Government resolve to direct that he be reinstated unless he can be provided with some other post of equivalent value.

The

5 The Commissioner will further call upon the Cantonment Magistrate for an explanation of the delay in submitting this application, more than a year from the date of the applicant's removal having elapsed before any steps were apparently taken to lay his case before Government.

Nos.

Dated
Recd. } 187 , No.

Govt. of {187 } Madras.

To

Note This is a very bad case, and there appears to be no doubt of the difficulty caused by the misstatements of the applicant. The late chief post was abolished & of course entitled to a compensation gratuity, but how the circumstances of any other post, which he means to make way for a senior, whose post has been abolished. Vide clause 2 sec 47 Civil Pension Code - and sec 47 "his appointment" -

Pension Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letters from the Commissioner of the Nilgiris, dated 17 August 1872 No 46, and from the Offg. Dy. Accountant General, dated 26th August 1872, No 336.

Order thereon by Govt. dated 4 Oct 1872 No 732.

The Governor in Council is unable to see the force of the objection raised by the Officiating Deputy Accountant General to this application for a compensation gratuity.

2. There were 3 clerks in the Office of the Joint Magistrate

Magistrate at Wellington,
viz:—

1 on Rupees 40
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and the Govt ordered the abolition of the appointment on 35 Rupees.

3. The Joint Magistrate in the exercise of a proper discretion dispensed with the services of the incumbent of Rs 20 post, and permitted the clerk on Rs 35 to remain in employment on the lower rate of pay.

4. Mr Donald objects that the arrangement was unauthorized — that the clerk formerly on Rs 35 should be dismissed — and (it is presumed) that a compensation gratuity should be awarded, calculated on Rs 35, instead of on the smaller amount for which sanction is sought.

5. The Govt consider that this objection is untenable:—

6. The clerk on the higher pay is presumably the more efficient servant of the two, and entitled to first consideration, and it is moreover observed that the clerk who has been removed had been once conditionally promoted to

to the higher paid post, and again reduced in consequence of his inability to qualify by passing the necessary test, so that to retain him would be to give a premium to inefficiency.

7. He has now lost his employment in consequence of a reduction of establishment, and the Government consider that he is entitled to the gratuity prescribed by the rules. The Accountant General will report what amount is thus payable to him.

8. The delay of more than a year in submitting the application should be explained.

L.H.

The Govt. of the Algeria.

— Accountant General. (2 Copies)
with Register of Application
and Enclosures.

Govt. of {1872} Madras.

To Pension

The Commissioner of Salt Chingleput

Dated Oct. 4th
Recd. } 1872, No. 732

Nos.

Considering that Ramiah late a Clerk of the Vellore Joint Magistrates' Office is entitled to the gratuity prescribed by the Rules and requesting the Acctt Genl. to report what amount is thus payable to him.