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MADRAS RECORD OFFICE.

Government of Madras.

Revision DEPARTMENT.

G.O. No. 183 Press / Mis.

Dated 22-3-1961

Not to be folded or roughly handled

Tinnevelly

No. 55

Principal Sadr. Amins Court

4th February 1873.

From

The Principal Sadr. Amin of

Tinnevelly.

To

H. Lushington Esqre.

Accountant General

Fort Saint George.

Sir,

I have the honor to forward herewith an application for pension on behalf of Bavameah Saib, late 3d Gumasta of this Court. His application is for a gratuity but he seems to have completed a period of service entitling him to a pension.

I have the honor to be,

Sir,

Your most obedt. Servt.

Accountant General's Office
Recd 8 2 1873
Ansd

Principal Sadr Amin.

I Henry Dand Esqr M.D.

Acting Gillah Surgeon Limewally

do hereby certify that Boramiah

Saib Comadah in Principal Ladr Armis Court Limewally

has been under my treatment

from 31st August to 29th September

1872, for Consumption, and that

he is not likely to derive per=

=manent benefit from further

treatment, or from change of air.

He is, in my opinion, unfit for

further service; and to the

best of my judgment, such

disqualification is not the

result of intemperance or

other irregular habits.

Palamcottah
30th September
1872

E. H. Loomis.
Assist Surgeon
& Gillah Surgeon
Limewally

Limewally Gillah Dist. Armis Court

From

To

The Principal Collector

Limewally

Sir

I have the honor to forward

the Certificate of

Boramiah Comadah

Date 30th

Registered No

Received

No 535

Enclosure 2

Previous reference

Of Principal Collector

Gillah Limewally

Date 30th Sept 1872

Boramiah Comadah

Limewally

1870

To be returned with reply on receipt

Audit Department.

No.

Fort Saint George,
Accountant General's Office,
13 February 1873.

From The Accountant General

To The Principal Sudr Ameen. to the Government of Madras,

Tinnevelly

Vide Post Office application for pension on behalf of Bava meah Saib.

The Undersigned has the honor to request Explanation on the following points.

1. Why was the applicant shewn in the history of service to have been in service upto 29 Sept. last & recommended for pension from the 30 idem while from his No. 5 for September paid in Octr. last he appears to have drawn moiety of pay for the 30th Septr. also 2. Please state from what date he actually retired, whether 30 Septr or 1 Octr. last?

2. What is the Jath named of the applicant?

3. Give some more description of the person of the applicant as the one already given is insufficient for a satisfactory identification of the man; in the absence of any such please give such description of his appearance.

4. What was the cause of nearly 4 months delay in the submission of the applica-

tion.

Please forward attested copies of orders in connection with the Applicant's dismissals and rein-statements on appeal in 1862. & Copy of proceedings of the High Court in connection with the Lapse.

An early reply is solicited.

H. Worsley

Offg Dy Accountant Genl

Reply to Question I. } The applicant retired from the 1st October. The order removing him from the service with reference to the Zillah Surgeon's letter of the 31st September is dated the 1st October. The statement in the application for Pension that the service of the applicant ended by the 29th September is a mistake.

Reply to Questions II and III } The applicant having died on the 7th instant, the required details cannot be given. He was all along simply known as Bawaneah Saib

Reply to Question IV. } The deceased notwithstanding notice given put in his application only on 28th November 1872, and sometime was since required to look up the history of his services and ascertain the dates of his dismissals on two occasions and of his re-instatements

Copies of the required orders are herewith forwarded.

Yours very obly

Principal Sadr Ameen's Court

19th February 1873

J. Ameen

Principal Sadr Ameen.

Accountant General's Office
Recd 24
Answd
2 1873

N° 238.

Proceedings of the High Court of Judicature at Madras, 23d March 1863.

Read letter dated the 11th instant, from the Acting Civil Judge of Tinnevelly, reporting upon the case of Bawaniab, Cate 46 — Gomastah in the Principal Sadr Amin's Court at Tinnevelly.

1. The Acting Civil Judge reports that he has examined the petitioner and finds him fit to discharge the duties hitherto usually assigned to him.

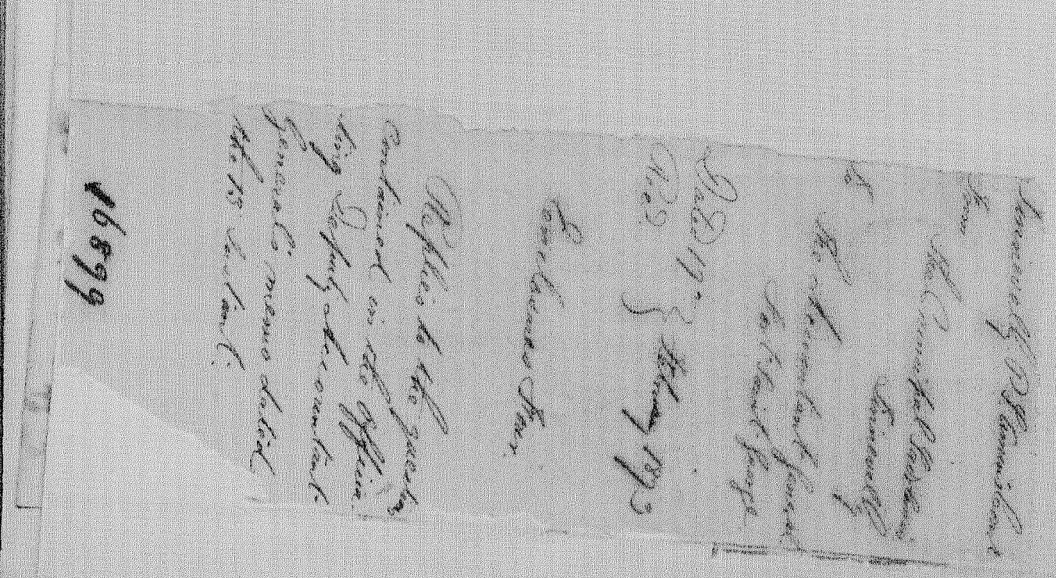
2. The Acting Civil Judge further states that the Principal Sadr Amin did not recommend the dismissal of the petitioner though the Civil Judge adopted that extreme course.

3. In the circumstances now reported the High Court resolves to direct the Acting Civil Judge to reinstate the petitioner in the office from which he was removed by the Civil Judge.

/True Extract/

/signed/ C. F. Chanier

Registrar



(True Copy)

Timmerelly
Civil Court
27th March 1863

/Signed/ J. Blair
Acting Civil Judge.

To,

The Offg. Principal Sadr Amin
of Timmerelly.

who is requested to reinstate the said Davaniah in the Office from which he was removed.

/True Copy/

Principal Sadr Amin.

1862 [illegible]

(Signed) Krishnasamy
Princ. Sadr Amin

True Extract.

Principal Sadr Amin

Extract from the Proceedings of the Civil Court of Tinnevelly under date the 10th November 1853.

Read again Miscellaneous Petition No 451 presented on the 21st October 1853 by Davaniah Sahib Gomastah of the Principal Sadr Ameen Court appealing from an order passed on the 3d October 1853 dismissing him from his situation.

Read also Returns from the Principal Sadr Ameen dated 25th, 28th and 29th October and 9th November 1853 and orders dated 23d December 1852, 2d May and 3d and 6th October 1853.

1. On the 30th September 1853 the Civil Judge interdicted as practice which had obtained in the Principal Sadr Ameen's Court of allowing the Vakeels recently appointed by the Principal Sadr Ameen, to take down depositions in Civil Cases.

2. The Principal Sadr Ameen correctly considered that the spirit of this order forbade the performance of

any important duty of the Court by an irresponsible person and he consequently, on the ground that the Gomastahs of his Court were generally incompetent, dismissed the Petitioner and appointed one of the Volunteers, who had been paid from his own purse and who had been in the habit of reading to him, to the vacancy thus created.

3. The Civil Judge observes that the difficulty into which the Principal Sadr Amin was thrown by the Order of the 30th September 1853 was entirely one of his own making. Had he upon first taking charge of the Court carried on the business by the responsible servants of the Court they would doubtless have by this time gotten into his ways and given him all the satisfaction that they gave his predecessor.

4. The Petitioner was originally appointed to the situation from which he has been dismissed with the sanction of the late Acting Civil Judge Mr. Frere

on the 28th December 1850 and performed his duties to the entire satisfaction of the late Principal Sadr Amin, who on leaving the station on the 6th April 1852 gave him a very favorable Certificate.

5. The Civil Judge considers that the proceedings of the Principal Sadr Amin in regard to the Petitioner exhibit a want of that consideration which the favorable testimonial given to him by the late Principal Sadr Amin fairly entitled him to.

6. The Petitioner had been employed chiefly in translating from Tamil into Hindoostanee and taking down depositions by the late Principal Sadr Amin. Little if any, allowance seems to have been made on this account, for he was harshly censured and fined on the 3d December 1852 for a very venial mistake, viz. using the plural personal pronoun in speaking of one of the Court Servants, when drafting a Yadast to the Civil Court.

7. The Petitioner was prohibited in February 1853 from taking down depositions

a duty which the late Principal Sadr Amin had specially certified that he had performed to his satisfaction, upon one of the Vakeels complaining that the Petitioner could not understand his questions. The Civil Judge's experience satisfies him that the most intelligent Gomastah will often be puzzled at the questions proposed by the Vakeels attached to the Courts and it is to be regretted that there is no record forthcoming to show whether the Principal Sadr Amin at the time considered the question or questions which the Petitioner required to be repeated to him were such as might have been written down in the very words of the vakil.

8. On the 2d May 1863 the Petitioner presented for the signature of the Principal Sadr Amin the separate Diary of an appeal suit which the Principal Sadr Amin has grounds to be dissatisfied with and, the Civil Judge regrets to observe, expressed his dissatisfaction at it in contemptuous and very objectionable language.

9. The draft prepared by the Petitioner has been produced. It bears the counter signature of the then Head Gomastah and, if as is stated the rough Diary had been prepared when it was written and the Petitioner had nothing to do but to extract from the Diary the orders of the Court in the matter, it appears extraordinary that the Head Gomastah should have passed as correct a mere abstract of the Proceedings made by the Petitioner himself from the papers in the record.

10. Whether however the Diary was prepared at the time or not one thing seems quite clear, that the Petitioner could not have been expected to copy from it, for of the 7 entries in the corrected Proceedings only are copied from the Diary. The Head Gomastah seems to the Civil Judge to be much more to blame in this matter than the Petitioner.

11. The Petitioner seems to have committed no subsequent error in the performance of the duties which were entrusted to him.

12. After his dismissal the Petitioner

applied for a copy of the order dismissing him when the Principal Sadr Amin adopted the very questionable course of subjecting him to the test of taking down a deposition and of calling upon certain servants and a Volunteer of the Court to bear testimony to his inefficiency, as a proof of which it was alleged that he paid a Volunteer to assist him.

13. The statements made by the servants of the Principal Sadr Amin under such circumstances carry little weight with them and still less is due to the fact that the Petitioner did not execute the task he was called upon to perform satisfactorily.

14. Even supposing that the Petitioner is not competent without some aid from the Bench to take down depositions or to calculate the Interest on decrees &c.a. without assistance, which he should be led to look for not from a privately paid person but from one of the higher Gomastahs, the Civil Judge does not consider him incompetent for the situation which he has filled, for these duties require long practice and experience and it is not to be expected that they should be perfectly discharged except by the Senior servants of the Court.

15. The remuneration given by the Petitioner to the Volunteer who had been trained up by and assisted his Predecessor seems to have been given openly. The remuneration of an assistant by the Head Writer was expressly sanctioned by the Principal Sadr Amin and the Civil Judge therefore does not consider that the Petitioner has deserved punishment on this account.

16. The Civil Judge consequently resolves to restore the Petitioner to the situation from which he has been dismissed with the pay of the office from the date of his dismissal.

Ordered that Extract from these Proceedings be forwarded to the Principal Sadr Amin of Trinomelly for his information and guidance by Precept returnable within 11 days from and after it's receipt

(True Extract)

[Signed] G. J. Beauchamp

Civil Judge

To

The Principal Sadr Amin of

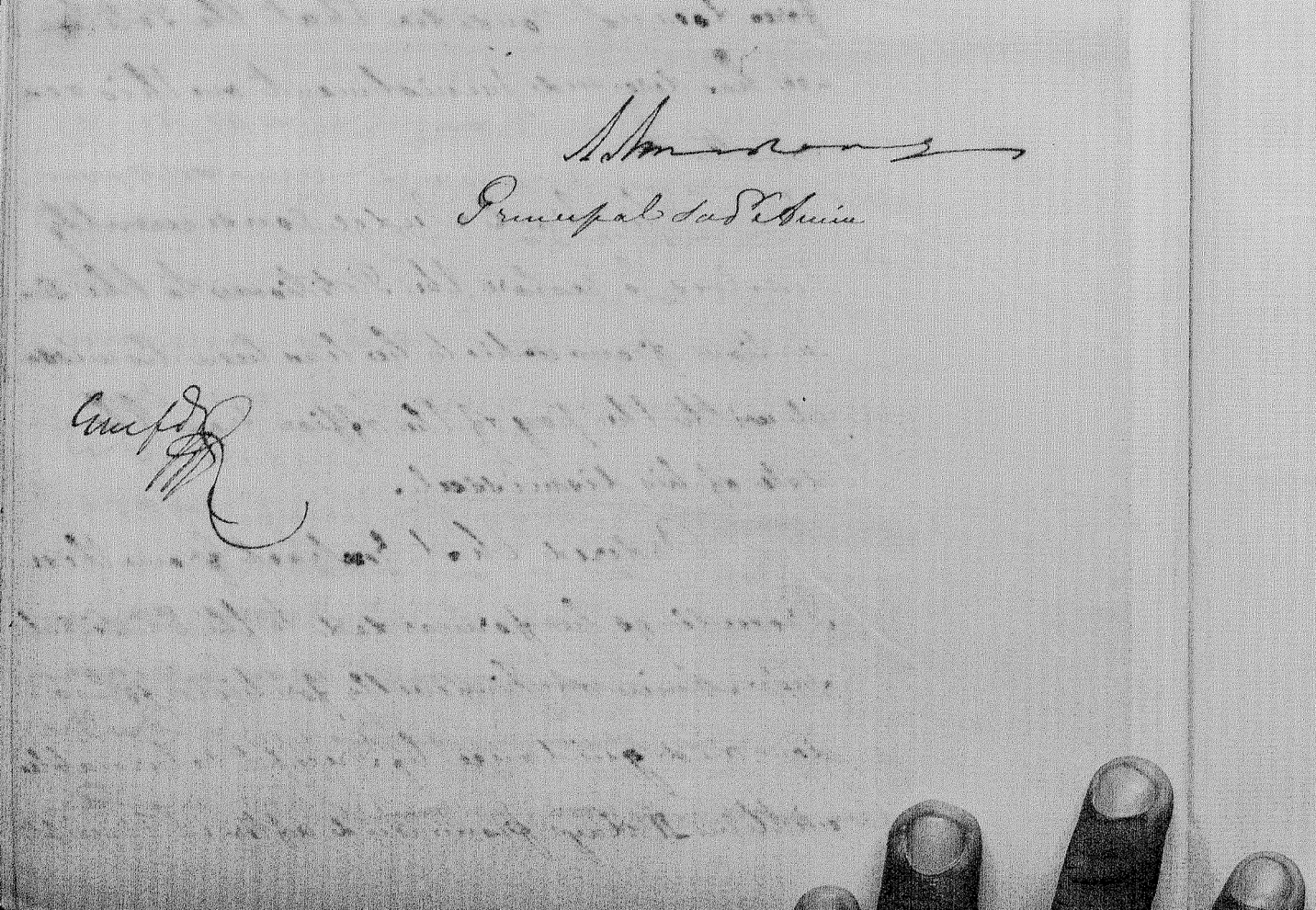
Jinnelly

(True Copy)

Sd/-

Principal Sadr Amin

Examd



APPLICATION FOR { PENSION / GRATUITY.

1.	Name of Applicant.	Bavameah Saib.
2.	Father's name.	Mohomed Ghouse Saib Sithagi
3.	Sect or Caste.	Mahomedan, Suni.
4.	Residence.	Tinnevelly.
5.	Present or last employment.	Third Gumastah.
6.	Date of beginning of service	22d March 1851
7.	Date of end of service	29th September 1872
8.	Length of service including breaks	Y. 21. M. 6. D. 8.
	of which superior	15. 11. 5
	inferior	4. " 27
	non-qualifying and breaks	1. 6. 6
9.	Class of {pension / gratuity} applied for, and cause of application.* ...	Invalid pension See the accompanying Medical Certificate
10.	[Average] emoluments or pay.	Rs 10. 8. "
11.	Proposed pension.	One-third
12.	Proposed gratuity.	
13.	Date from which to commence.	30th September 1872.
14.	Place of payment.	Tinnevelly
15.	Age of applicant on this date.	Forty six years.
16.	Height.	5 feet 4 inches.
17.	Marks.	Scar on the right side of the upper lip
18.	Date.	February 1873.

* If the application is for a compensation pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

SIGNATURE OF THE HEAD OF OFFICE.

HISTORY OF THE SERVICE (SHOWING BREAKS) OF Ravamesh Saib 3d Gumasta of the Principal Sadr Amin's Court of Tinnevelly.

Principal Sadr Amin's Court Tinnevelly

Establishment.	Appointment.	Pay. RS.	A.	P.	Acting allowance. RS.	Date of beginning.	Date of end.	Period reckoned as service. Y.	M.	D.	Period not reckoned as service. Y.	M.	D.	Remarks.	How verified.	Remarks by Accountant-General.
	5th Gumasta	8	"	"	— " —	22nd March 1851	18th April 1855	"	"	"	4	"	27	Inferior grade.	From the records of this office	Not to be verified as this service does not count for pension on the superior scale.—
	4th Do	10	8	"	— " —	19th April 1855	17th August 1858	3	3	29	"	"	"			
	2nd Do (Acting)	10	8	"	— 7 —	18th August 1858	16th September 1858	"	"	29	"	"	"			
	4th Gumasta	10	8	"	— " —	17th September 1858	13th July 1863	4	9	27	"	"	"			
	3rd Do (Acting)	11	8	"	— " —	14th July 1863	12th August 1863	"	"	29	"	"	"			Verified from the records of this office. Applicant's qualifying service after deducting the period of service in inferior grade and Leave is years - 15 - 11 - 13.
	3rd Gumasta	10	8	"	— " —	13th August 1863	4th January 1864	"	4	22	"	"	"			
	3rd Do (Acting)	10	8	"	— 7 —	5th January 1864	1st February 1864	"	"	27	"	"	"			
	Private affairs Leave on full stoppage of pay					2nd February 1864	5th May 1864	"	"	"	"	3	4			
	3rd Gumasta	10	8	"	— " —	6th May 1864	11th September 1865	1	4	6	"	"	"			
	Sick Leave on half pay					12th September 1865	19th — Do —	"	"	"	"	"	8			
	3rd Gumasta	10	8	"	— " —	20 — Do —	26th March 1868	2	6	7	"	"	"			
	Private affairs Leave on full stoppage of pay					27th March 1868	18th May 1868	"	"	"	"	1	22			
	3rd Gumasta	10	8	"	— " —	19th May 1868	17th July 1870	2	1	29	"	"	"			
	Private affairs Leave on full stoppage of pay					18th July 1870	17th March 1871	"	"	"	"	8	"			
	3rd Gumasta	10	8	"	— " —	18th March 1871	25th July 1871	"	4	6	"	"	"			
	Chemical Parah nevis (Acting)	10	8	"	— 14 —	26 July 1871	31st August 1871	"	1	7	"	"	"			
	Private affairs Leave on full stoppage of pay					1st September 1871	3 January 1872	"	"	"	"	4	3			
	3rd Gumasta	10	8	"	— " —	4 January 1872	30th August 1872	"	7	27	"	"	"			
	Sick Leave on half pay				—	31st August 1872	29th September 1872	"	"	"	"	"	29			
	Total period of {superior} {inferior} service...					.....		15	11	5						

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant. I do not know much of this man personally as he left the Court within a short time after I took its charge. But from informations that I have been able to gather I have reason to believe that his conduct was good and that he performed his duties to the best of his abilities.

2. Explanation of any suspension or degradation.

3. Regarding any gratuity or pension already received by Applicant. See Chapter XX.

4. Explanation under Section 47, Rule 1, so far as the Head of the Office can give it.

5. Any other remarks. The applicant seems to have been twice dismissed from his office on the 3rd October 1853 and 19th November 1863, but both the orders of dismissal have been set aside, one by the Civil Judge and the other by the High Court and the Applicant reinstated.

Compared with Name and Mark of Applicant

Signature.
Principal Sadr Amin

CERTIFICATE AND REPORT OF ACCOUNTANT-GENERAL.

Certified that (~~subject to the remarks below recorded~~) qualifying service in {~~inferior~~} {superior} grades has been duly proved for 15 years 11 months and 13 days; and that a ~~gratuity~~ {pension} {gratuity} not exceeding Rs. 3 — 8 — per mensem, is admissible under Section 56 (b) of the Civil Pension Code. The calculations have been duly verified. The cause of delay in the submission of this application has been explained by the Principal Sadr Amin in ~~his~~ letter dated 9th Instant Accompanying. The applicant having died on the 29th Instant it is requested that Government would be pleased to authorize the payment by the Treasury of pension from 1st October 1872 to 29th September 1872 to the legal heirs of the deceased on Application.—

Fort St George, Accountant-General's Office, 27th February 1873.

Accountant-General.

To The Chief Secretary to Government Revenue Department.

Pension 1873 Dept 6

No 160

APPLICATION FOR {PENSION OR GRATUITY}

Date of application.

February 1873

Name of applicant.

Baranath Saik

Last appointment,

Gumastah

Class of {pension or gratuity.}

Amount of pension sanctioned.

Amount of gratuity sanctioned.

Date of commencement.

Date of sanction.

Order Section 22nd March 1873 No 183

Under Section 82 Rule 3 of the Civil Pension Code His Excellency the Governor in Council is pleased to sanction payment to his heir of the arrears of pension due to Baranath Saik late 3rd Gumastah, ~~Calcutta Police Courts~~ Labor Court, Tinnevelly at the rate of Rs 3-8-4 per mensem from 1st October 1872 to the date of his decease.

2 The ~~Principal Sudder Ameen~~ Labor Judge will ascertain who is entitled to the arrears which have accrued.

Labor Judge
~~To the Principal Sudder Ameen~~ of Tinnevelly
Collector of Tinnevelly
Accountant General
FHG.

dest'd 24/3/73.

Note an order No 183

C: 6: March
R 12