

(1) Number of pages 16(2) Date of repair 15-12-110(3) Initials of the Referencer 8

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	359	Press Mis.
Dated	18-7-	1873.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Pension Department,
18th July 1873.*

Read the following letter from F. LUSHINGTON, Esq., Accountant-General, to the Hon. W. HUDLESTON, Chief Secretary to Government, Fort St. George, dated Fort St. George, 20th May 1873, No. 86:—

Correspondence Department.

I have the honour to submit, for the orders of Government, a petition from T. Ruthnum Pillay, late a clerk in this office, praying for a reconsideration of the Proceedings of Government in the Pension Department under date the 29th April 1872, No. 294, setting aside the recommendation of the Officiating Accountant-General that a pension equal to half his salary might be granted to the petitioner, and conferring upon him a pension equal to one-third of his salary only, on the ground that a break of 14 months and 10 days occurred in his service during 1848-49, which vitiated his claim to calculate for pension the service rendered by him to Government prior to that period.

2. I venture to support the petitioner's application for a reconsideration of the above order, chiefly on the ground that the break in his service was caused by circumstances beyond his control, his resignation of his appointment in Tinnevely having been forced upon him by a peremptory summons from the Collector, Mr. Elton, to return to his post at a time when he was incapacitated by very severe illness from doing so, and he had no alternative, therefore, but to resign his appointment, and also because at the time of his resignation the petitioner was not aware of the very serious consequences to himself which would result from it, the rule prescribing the forfeiture of previous service on account of any break in such service not having then been promulgated, nor for some considerable time after. I beg also to point out that, had the petitioner been reappointed to the public service within the year instead of after an interval of 14 months and 10 days, he would have been entitled, under Section 45, Clause 1, of the Civil Pension Code, to count the whole of his service for pension, and it is, therefore, only a matter of 2 months and 10 days which has to be overlooked in his case. The petitioner is an old and valuable servant, and I trust, therefore, that his application may receive favourable consideration.

ORDER THEREON, 18th July 1873, No. 359.

In the above letter, the Accountant-General supports Tranquebar Ruthnum Pillay's application for a reconsideration of the Order of Government declining to recommend him for a pension of one-half salary instead of one-third, to which he is entitled under the rules.

2. Applicant commenced service on the 16th November 1843 and served till the 20th July 1849, when he resigned. He was re-employed on the 1st October 1850. If the service prior to the break be counted, he is entitled to a pension of one-half salary.

3. The Accountant-General supports the application on the following grounds:—

1st.—That his resignation was forced on him by a peremptory summons from the Collector, Mr. Elton, to rejoin at a time when he was incapacitated by very serious illness from doing so.

*Proceedings of the Madras Government, Pension Department,
18th July 1873.*

2nd.—That the petitioner was not then aware of the serious consequences resulting from resignation.

3rd.—That he was reappointed within 2 months and 10 days after the expiry of the year's break, permissible without forfeiture of service.

4. On reconsidering the whole circumstances of the case, and especially bearing in view the peremptory manner in which the applicant was called upon to choose between resignation and rejoining his appointment at a time when there seems reason to believe that he was really in a bad state of health, the Governor in Council resolves to allow him the benefit of his service prior to resignation, and to admit him to the pension of Rupees (40-10-1) forty, Annas ten, and Pie one, to which he then becomes entitled.

5. These Proceedings will be submitted for the confirmation of the Government of India, and the pension granted in G. O., dated 29th April 1872, No. 294, will be continued for the present, subject to adjustment when final orders are passed.

(True Extract.)

Acting Under Secy. to Govt.

To the Accountant-General.

Exd. J. Wright.

Correspondence DEPARTMENT.

No. 86

Fort Saint George,
Accountant General's Office

20th May 1873.

FROM THE ACCOUNTANT GENERAL,
TO THE GOVERNMENT OF MADRAS,

To THE *Chief Secretary*
to Government
Cotacamund

SIR,

I have the honor to submit
for the orders of Government a Petition
from J. Ruttanum Pillai late a clerk
in this Office praying for a reconsideration
of the Proceedings of Government in the
Pension Department under date the 29th
April 1872 N^o 294 setting aside the
recommendation of the Off^r Accountant
General that a Pension equal to half
his salary might be granted to the Petitioner,
and conferring upon him a Pension equal
to one third of his salary only on the ground
that a break of 14 months and 10 days
occurred in his service during 1848/49 which
vitiated his claim to calculate for ^{foreign} the service
rendered by him to Government prior to
that period.

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I venture to support the Petitioner's
application for a reconsideration of the above
order

Govt. of 1873 MADRAS

PENSION.

To
THE ACCOUNTANT-GENERAL.

Dated July, 18th.

Recd.

End.

G. O., 18th July 1873, No. 359.

JULY.

Sanctioning, subject to the confirmation of the
Government of India, the grant of a Pension of
Rupees 40-10-1 to T. Ruttanum Pillai, late a clerk
in the Accountant-General's Office, Madras.

order chiefly on the ground that the break in his service was caused by circumstances beyond his control his resignation of his appointment in Timmely having been forced upon him by a peremptory summons from the Collector Mr. Elton to return to his post at a time when he was incapacitated by very severe illness from doing so, and he had no alternative therefore but to resign his appointment - and also because at the time of his resignation the Petitioner was not aware of the very serious consequences to himself which would result from it. the rule prescribing the forfeiture of previous service on account of any break in such service not having then been promulgated, nor for some considerable time after. I beg also to point out that had the Petitioner been reappointed to the public service within the year instead of after an interval of 14 months and 10 days he would have been entitled under section 45. clause 1 of the Civil Pension Code to count the whole of his service for pension, and it is therefore only a matter of

2 months and 10 days which has to be overlooked in his case. The Petitioner is an old and valuable servant and I trust therefore that his application may receive favorable consideration.

I have the honor to be,
Sir
Your most Obedt Servt
F. K. Kington
Accountant General

Compt. R. R. R.

Pension Department

Read the following letter from
the Accountant General dated Memo: For Orders.
20th May 1873 at No. 320.

1. The Accountant General
supports T. Ruthnum Pillay's
application for a reconsideration
of the order of Government declining
to recommend him for a pension
of one half salary instead of one-
third, to which he is entitled
under the rules.

2. Applicant commenced
service on the 16th November 1843
and served till the 20th July 1849
when he resigned. He was re-
employed on the 1st October 1850.
If the service prior to the break
be counted, he is entitled to a
pension of one half salary.

The Accountant
General supports the application

on

Pension Department,

FROM THE ACCOUNTANT GENERAL,
TO THE GOVT. OF MADRAS.

To

The Chief Secretary
to Government
Madras

Dated 20th May 1873.
Recd.

No. 320.

Enclosures. One

Request that the claim
of T. Ruthnum Pillay
for a half pension instead
of one third (on account of
his Government) may be
reconsidered for reasons
assigned within.

No. 320

on the following grounds.

1st That his resignation was forced on him by a peremptory summons from the Collector, Mr. Elton, to rejoin at a time when he was incapacitated by very serious illness from doing so.

2nd That the petitioner was not then aware of the serious consequences resulting from resignation.

3rd That he was reappointed within 2 months and 10 days after the expiry of the 40 years break permissible without forfeiture of service.

The point for consideration appears to be whether Ruttman Pillay was really too ill to rejoin. It is to be observed that there was a change of Collectors between the time of his taking leave and the time of his resignation, and



6th and it may be inferred from the tenor of Mr. E. B. Thomas's letters submitted, that he would have received more lenient treatment if no such change had taken place.

The case is fully stated and compared with the precedent cited in the Memo previously submitted by Mr. Gallon, in which the Govt granted only Rs 1 1/2 per month instead of

I would like

1/2

Rs 1

Rs 2

1/2

Rs 2

Case of T. Rathan Pillay
Late Clerk, Account Office

PROCEEDINGS of the MADRAS GOVERNMENT.

Again Proceedings of
Read the following letter

Government Pension Department dated 29th April 1873 N^o 294
Read also the following letter
From the Accountant General dated 20th May 1873 N^o 86.
Order thereon 18th July 1873 N^o 359

In the above letter, the
Accountant General supports
Languebar Rathan Pillay's
application for a reconsideration
of the order of Government in
declining to recommend him for
a pension of one half salary
instead of one third, to which
he is entitled under the rules.

Applicant commenced
service on the 16th November 1843
and served till the 20th July 1849
when he resigned. He was
re-employed on the 1st October 1850.

Lf

Under Secy
Pension Dept

If the service prior to the break
be counted, he is entitled to a
pension of one half salary.

The Accountant General
supports the application on the
following grounds:-

1- That his resignation
was forced on him by a peremptory
summons from the Collector, Mr.
Elton, to rejoin at a time when
he was incapacitated by very
serious illness, from doing so.

2- That the petitioner was
not then aware of the serious
consequences resulting from
resignation.

3- That he was re appointed
within 2 months and 10 days after
the expiry of the year's break,
permissible without forfeiture
of service.

On considering the whole
of the case
circumstances and especially
bearing

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bearing in view the peremptory
manner in which the applicant
was called upon to choose between
resignation and rejoining his
appointment at a time when there
seems reason to believe that he
was really in a bad state of
health, the Governor in Council
resolves to allow him the benefit of his
service prior to resignation and to
admit him to the pension of Rs 145.10.0
forty annas ten and pice one to which he
then becomes entitled.

These proceedings will be
submitted for the confirmation of the
Government of India and the pension
granted in G.O. dated 29th April 1872
No 294 will be continued for the
present, subject to adjustment
when final orders are passed.

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To The Accountant General desd 24/5/73

*Received of the Hon. Secy of War
for the sum of \$100.00*

Bort. of 1873; Mndms.

Quinton

To the Secretary of War

Washington

File 557

Dated *15th July* 1873, No. 359
Recd. *15th July*

Nos.

*Sanctuary building
to the expenditure of
the Government of India
the sum of one thousand
of Rs. 10-00-00. The
sum being paid to
the Secy of the Indian
-Land Revenue Office
at Madras.*