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MADRAS RECORD OFFICE.

Government of Madras.

Revision DEPARTMENT.

G.O. No.	539	Press Mis.
Dated	18-10-1973.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
4th June 1873.*

No. 59. Read the following Petition from Mr. J. SMITH, Mechanical Engineer,
through Public Department :—

Transferring a petition from Mr. Smith, Mechanical Engineer, praying for payment of arrears of pension due to him. (Here enter 18th April 1873.)

No. 60. ORDER THEREON, 4th June 1873, No. 1,489.

ESTABLISHMENT, No. 9.

Mr. SMITH appears to have completed his ten years' service for a pension of 2s. 6d. a day on the 13th January 1867, for a couple of years previous to which time he had been serving as Mechanical Engineer of the Lawrence Asylum Works at Ootacamund. In that service he remained till the 31st March 1870, when his services were dispensed with in consequence of reduction of establishment, and he received a gratuity of Rupees 1,298-7-0 in addition to the above pension from that date. Since September 1870 he has been employed in the Military Department as Engineer in charge of the Ulsoor Water Works at Bangalore.

2. The Officiating Accountant General at Bombay in report recorded with G. O., No. 497, of 9th December 1870, objected to his drawing pension from the expiration of his ten years' service on three grounds: 1st, because he did not retire at the time, but being then in civil employ remained continuously in such employ; 2ndly, because the order permitting pay and pension to be drawn together did not come into operation till the 24th October 1868; 3rdly, because Government of India Order, No. 1,582, of 30th June 1869, ruled that re-employment of good service pensioners was conditional on the previous sanction of the Government of India being obtained.

3. Reference is made to the Pension Department for authoritative decision of the case, with remark that the first objection is set aside by the report from the Accountant General of Bombay, recorded with G. O., No. 1,254, of 27th April 1867, which distinctly lays down that Mr. Smith's personal attendance to receive his pension at Bombay might be dispensed with and his pension granted by the Madras Government from 13th January 1867. Moreover, that the Government of India Order, No. 1,582, of 30th June 1869, does not appear to have had retrospective effect. Consequently it would appear that whether Mr. Smith is entitled to draw pension from the 13th January 1867 or from the 24th October 1868 must depend entirely upon whether the Government of India Order of that latter date has retrospective effect or not.

(True Extract.)

C. M. Walker Colonel, R.E.,
Secretary to Government.

To the Pension Department.

„ Military „
„ Controller of Public Works Accounts.
„ District Engineer, Bangalore.

Exd. S. T. Austin.

2. Spare copies given at Madras.

Musim Department

Govt. of 1873 Madras.
Pension
PUBLIC WORKS.

24/377

26

THE PENSION DEPARTMENT.

R

&c., &c., &c.

Dated June 4th.

Recd. - 4 - 14

Encl.

G. O., 4th June 1873, No. 1,489

JUNE

Nos. 59-60

Musim D

Mr. Mechanical Engineer Smith.—
Passing orders on petition from Mr. Smith
praying for payment of arrears of pension
due to him.

Accountant DEPARTMENT.

Treasury.

No. 267

Fort Saint George,
Accountant General's Office,
29 August 1873.

FROM THE ACCOUNTANT GENERAL
TO THE GOVERNMENT OF MADRAS,

TO THE

Chief Secretary
to Government
Pension Department

SIR,

* Herewith returned -

With reference to the docket of the
Under Secretary to Government in the
Pension Department dated the 26th instant
referring for report the Proceedings of
Government in the Public Works Depart-
ment No. 1489 dated 4th June last, I have
the honor to state that as Mr. Smith did
not according to notice retire on the 13th
January 1867, but continued in service
under Government till the 31st March 1870,
he is entitled to his pension only from the
latter date. The remark in para 3 of the
above-mentioned Proceedings of Government
does not, it will be observed give the
full report of the Accountant General

Bombay

Referred to the Accountant General for early
Report.

26 August 1873

By Order of the Accountant General

Wm. D

Accountant General
Recd 27
Ans'd 8 1873

Bombay. That Officer after saying that personal attendance in Bombay is not necessary distinctly states that Mr. Smith can be granted his pension on his services being dispensed with not from 13th January 1867. His re-employment in the Military Department having taken place subsequent to the date of the Order of the Supreme Government which requires previous sanction of that Government for such re-employment, it seems to me that he cannot receive his salary in addition to his pension without their sanction.

I have the honor to be

Sir
Your obedient Servant

W. H. Odewitz

In charge of Scott's Office

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

Read the following papers:—
Proceedings of Government in the Public Works Department, dated 4th June 1873, No. 1489.
From the Accountant-General, dated 29th August 1873, No. 267.

ORDER THEREON, 18th October 1873, No. 539.

In G.O., dated 28th June 1870, No. 284, Financial Department, Mr. Smith was granted a pension of 2s. 6d. per diem from the 31st March 1870, the date on which his services were dispensed with by the Public Works Department in this Presidency, and he is not entitled to pension from any earlier date. The Resolution of the Government of India, dated 30th June 1869, No. 1582, does not apply to Mr. Smith's case so far as his service in the Public Works Department is concerned, as he did not vacate office in that department when he became entitled to the pension for ten years' service; but the sanction of the Government of India must be obtained before he is entitled to draw his pension in addition to the full pay of his present appointment.

2. The necessary application for such sanction will be made in the Military Department.

(True Extract.)

Acting Under Secy. to Govt.

To the Public Works Department.
,, Military Department.
,, Accountant-General.

Exd. F. R. Bantleman.

Recd 10th August 1870 No. 391

Produced 1873. DEPARTMENT.
FROM THE ACCT. GENERAL

TO THE GOVT. OF MADRAS.

To

*The Chief Secretary
to Government
Pension Dept.*

Dated *29th* August 1873.
Received *1st September*

No. *267.*
ENCLOSURE. *No. 2*

*State for the Pension
Commission that Mr. Smith
is entitled to the Pension
from 31st March 1870.
and that his Pension is
not to be paid until he
has been sanctioned by the
Government of India.
and that his Pension is
not to be paid until he
has been sanctioned by the
Government of India.*

Old 539

2
It is submitted that
the application should
be made in the Military
Department in which
Mr Smith is now em-
ployed. - a para might
be added to the draft
order in the Pension Dept

"The necessary application
for sanction will be made in the
Military Department"

JL

See add
to draft
and dispatch

202.260

Out. of 1873 *1873*

PENSION.

To

THE PUBLIC WORKS DEPARTMENT,
do., do., do.

Dated October, 1871.

Recd.

Recd.

G.O., 18th October 1873, No. 539.

OCTOBER.

Observing that Mr. J. Smith, Mechanical Engi-
neer, is not entitled to pension earlier than the
31st March 1870, and that the sanction of the
Government of India be obtained, through the
Military Department, before he is entitled to draw
his pension in addition to the full pay of his pre-
sent appointment.

Pension Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter—

Proceedings of the Public Works Department } dated 4th June 1873, No. 1489.
Letter from the Accountant General dated 29th August 1873, No. 267.

Order thereon 18th October 1873 No. 539.
In G. O. dated

note

Being doubtful in this case I
got a report from the Accountant
General and his view of the case
corresponds with that in the code
as far as I can judge.

That is his case
that is his case
Sanctified

28th June 1870, No. 284, in
Financial Dept. Mr. Smith
was granted a pension of
2 P. 6 D. per diem, from the
31st March 1870, the date on
which his services were dispensed
with by the Public Works
Department in this Presidency,
and he is not entitled to
pension from any earlier
date. The Resolution of the
Government of India dated
30th June 1869 No. 1582 does
not

not apply to Mr Smith's case
so far as his service in the
Public Works Department
is concerned, as he did not
vacate office in that Depart-
ment when he became en-
titled to the pension for
ten years service, but the
sanction of the Government
of India must be obtained
before he is entitled to draw
his pension in addition
to the full pay of his present
appointment.

H 2. The necessary application
for such sanction will be
made in the Military Dept.
H

To The Military Department
To The Public Works Department
— Accountant General.

W. Smith's printer

Memorandum

Cont. of 1873; M. Adams.

Smith

To

The Quaker Milk Dept.

11/16/73

Dated

Recd.

1873, No. 539

Nos.

Observing that all the Smith's Mechanical Engineers is not entitled to freedom before them the 3rd March 1873 and that the nature of the Government of the United States the President's message before the Congress of the United States is submitted to them as a question in addition to the full page of this journal to the subscribers.

Quaker

Mr. Sturges

Mr. Van Hook

We should expect

the case to the

part of the

AD

Copy