M.R.O. 1—77,006—8-6-37.

(1) Number of pages 170

(2) Date of repair 9. 5. 41

(3) Initials of the Referencer GH

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 532 Press/Mis.

Dated 5-9-1876.

Not to be folded or roughly handled

32

Proceedings of the Madras Government, Pension Department,
5th September 1876. No. 532.

Pension.

Read letter from the Acting Collector of South Canara, dated 6th March 1876, No. 503.

Read also letter from the Accountant-General, dated 16th July 1876, No. 224.

ORDER THEREON, 5th September 1876, No. 532.

Under Sections 53, 56 (*c*) and 57 of the Civil Pension Code (2nd Edition) His Grace the Governor in Council is pleased to grant to Tombat Subba Row, late Tahsildar of Kasargode Taluq, South Canara District, a superannuation pension of Rupees 102-12-0 per mensem to which he is entitled for his qualifying superior service of thirty-one years seven months and twenty-two days, payable from the 4th December 1875.

2. With reference to the Collector's recommendation for the grant of Rupees 112-8-0 to T. Subba Row, His Grace the Governor in Council does not see adequate reason for the case being exceptionally treated.

(True Extract.)

Acting Under Secy. to Govt.

To the Accountant-General, with Register.
,, Collector of South Canara.

Exd. W. J. Lewis.

Govt. of 1876 Madras.

PENSION.

To
The ACCOUNTANT-GENERAL,
&c., &c., &c.

Dated September, 5th.
Issued
Recd.
Ind.

G.O., 5th September 1876, No. 532.

SEPTEMBER.

Pension.—Granting a superannuation pension of Rupees 102-12-0 per mensem to Tombai Subba Row, late Tahsildar of Kaurgode Taluq, South Canara District.

Revenue Board Office,
Madras, 14th August 1876

No. 1269

Official Memorandum

As requested in his Memorandum dated 3rd August 1876 No. 18, the undersigned has the honor to forward to the Under Secretary to Government, Public Works Department copies of Board's Proceedings therein alluded to.

(By order)

Ag Sub Secretary

To,
The Under Secretary
to Government, Public Works Deptt
with copies of Board's Proceedings dated 5th June 1872 Mis: No. 3994, & 2nd August 1873 Mis: No. 4850.

P.W.D.
15 AUG 76
No.

Pension 1876 Depts.

Offl. Memo:

From, No. 549.

The Sub Secretary
Board of Revenue.

To The Under Secretary
to Government, PWD

Dated 14th August 1876.

Rd
en 2
desp 14 Recd 15th Au

Forwarding copies of
Boards Proc: dated
5th June/72 Mis: No. 3994
& 2d August 1873 Mis:
No. 4850.

Public I think
not P W D - if so
send to Mr F please
9

Pension D. Spts

No. 17.

Official Memorandum

With reference to the Memo: dated 31st Ultimo intimating that no copies of the Boards Pros: dated 5th June 872 and 2d Augt 1873 No. 3994 and 4850 respectively are available the Registrar of the Board of Revenue is requested to be so good as to furnish manuscript copies of the same for the information of the ~~Chief~~ Secry to Govt.—

Fort St George
1 Augt 1876

Sigd C. U. Fernandez
2d Assist. Chief Secretariat

To The Registrar of the Board of Revenue

TMG

No 813.

Memorandum

With reference to the Memorandum of the 2d Assistant, Chief Secretariat, dated 1st Instant, the undersigned requests that application be made officially for the papers referred to therein, as they were not communicated to Government.

C. Haughton
Registrar

Revenue Board Office
2d August 1876

To The 2d Assistant
Chief Secretariat

Revenue Department.

Miscellaneous No 3994

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 5th June 1872.

Read the following

No 511

From, H. S. Thomas Esqre,
Collector of South Canara

To J. Grose Esqre,
Secretary to the Board of Revenue
Madras

Sir,

In their Proceedings of the 9th February last, No 1020, the Board ordered the case of Tombat Subba Rau, Tahsildar of Kasargode to await my return to duty.

2. From what he has told me it seems that he himself was anxious for this arrangement having relied much on a ⊗ message which I sent him from England and which

⊗ I am sorry to hear Tumbat Subba Rau is going to retire. I had hoped to see the old gentleman still at his post on my return. Tell him so from me. Will you please

which he has I see quoted in
the last of his petitions to the Board.
I should therefore explain this
message. One of my last acts
just before leaving Canara for
furlough was to be very displeased
with him indeed in connection
with a missing document, so much
so as to go the length of fining
him. While I was in England
he managed to exonerate himself,
how I forget, for as it satisfied
my successor, it was no concern
of mine, and I washed my memory
of it. The native mind however is
from eastern experience slow to believe

in

in *tabula rasa*, and when I heard,
without any explanation whatever
of the cause, that he was about
to retire, and observed that his proposed retirement was timed so as
to come just before my return, I
not unnaturally concluded that
he thought I should be returning
with the same feelings with which
I left him and I conceived that
I was thus the innocent cause
of his retirement. Previous letters
from his friends deprecating my ill-will also strengthened this idea. I
therefore sent him this encouraging
message I did, fully reinstating
him in his old position in my
opinion &c

opinion. He seems to have thought I knew all about his matter, not a syllable of which had then reached me in England, and to have concluded that I at least should bear him out, in it.

3. I mention this at the outset that the Board may be satisfied that I come to the subject with no such prejudgment.

4. I approach it however with diffidence because I bring to it nothing new — nothing but what Mr Webster and the Board have already had before them, and I am consequently in no better position than they to form an opinion — indeed

it

it would seem that I am if any thing in a worse position, because Mr Webster has had the experience of the last ×2 years' work, whereas I can only speak of former years.

× little more than 1 year's work as pointed out by Tombat Subba Rau -

5. Of the past however, I can speak confidently, Tombat Subba Rau then bore a name so honorable that he has thereby earned for himself a title to every consideration, and I think a marked difference should be made between honorable men and doubtful characters.

6. Reading through the papers I cannot recognize in the facts brought forward any indication of wilful wrong doing; nothing but short comings such as any man whose work had out-

grown him might easily be guilty of - I think Tombat Subba Rau's position in the matter is that of a Tahsildar of the old School, ignorant of English and unable to keep pace with the times. The tendency of public work is to increase in all departments in proportion with the general advance, and there is no dou that it is more or less overwhelming us all, struggle as we may to keep our heads above the ever swelling tide of work. Tombat Subba Rau's age 52 which in a native is much the same as 62 in a European in England, has made him fall more behind in the struggle than his neighbours.

Moreover

Moreover he has a peculiarly onerous charge, and so also he has fallen-

7. He might or might not be able to discharge the duties of a minor Taluk without detriment to Government. He might or not by a supreme effort be able even to keep his own taluks together for a short period - though from Mr Webster's experience of, and remarks on, his late work I am bound to doubt it. I have no means of judging myself unless I try him - and even then I could not expect to be met by shortcomings for the first six months or thereabouts, for his energies would be exerted to high pressure as long as they were able to sustain it, and when

he did again show indications of failing; I should have to come before the Board with but small reasons probably for recommending his withdrawal, for his late deficiencies brought to light by Mr McIver would have been condoned, and the amount to which his Táluk might have suffered from senile administration might not be tangible and representable — negative rather than positive and apparent.

8. In the interests of Government therefore I hesitate to recommend his reinstatement in his own Táluk, indeed I doubt if it would be kind to the man himself to send him back to stand or fall in a post which I believe to be beyond his declining powers

The

The other course left open to me by the Board, namely his removal to a Sub Magistracy, would be a step freighted with much graver consequences to him than at first sight appear. To place him in a post of lower salary would be permanently to depreciate the value of his pension, which will have to be calculated on the average of his last 5 years' service and as he has ⊕ 2½ more years to serve for pension this remaining time on a smaller salary will virtually score out the advantages to him of many more years of good service.

⊕ (Under 55 years' rule) 2 years, 7 months & 3 days of the period of suspension is counted as service under Cl: 1 Sec: 43 of the Civil Pension Code; or 3 years and 4 days counted from 30th Novr 1871, the date of suspension —

9. It will also mean degradation to a man that has always stood high and that, just at the

close of his Official career-

10. In short degradation now will be a severe punishment to a well deserving man.

11. It will also be a pitiful example, and his case is being watched with interest by other public servants.

12. The only just course in his matter is, in my opinion, to pension him honorably at once. It may be a course slightly at variance with the strict letter of the pension rules, but it is I think fully in accordance with their spirit.

13. It was proposed to admit him to a good service sick pension, but the medical men, for reason well stated by them, consider, and I think

rightly

rightly that it would be improper for them to be judges in the matter, and that even if it were proper they are not competent to arrive at a just conclusion. Sambat Subba Rau's application for pension falls to the ground therefore, for want of an authority competent to decide. The doctors are unable to decide, and if the Collector and the Board, the only authorities really competent to consider the matter fairly, are to be precluded by the rules from having a word to say in it, the consequence will be that a highly deserving man will be sacrificed to a preference of strict rule over justice. Such a result would be a sorry spectacle.

I

14. I trust the Board may therefore see their way to moving the Government and, if necessary, the Imperial Government to consider this case both on its individual merits, and as a question involving a principle.

15. If the reference of this case will give trouble to the Imperial Government then it would seem to be an argument that there should not be the necessity for reference in such unimperial matters.

16. Tombat Subba Rau though at first unwilling now says he is himself desirous to be pensioned and has given me the writing (1) of which copy is enclosed -

(1) marked A

Were

17. Were Tombat Subba Rau in the Bombay Presidency, another and easy course would be open, namely to transfer him on his present pay to a less onerous and less important Taluk, and such a Taluk would be Cundapur, which has the extra advantage of being at the Head Quarters of the Head Assistant Collector the Officer in the whole District who would be able to give most time to supervising his work and examining his Office. But in this Presidency where the salary is attached to the Office, not the person of the Tahsildar, this could not be done without special sanction, and I hesitate to recommend it, certainly

not at the expense of the Tahsildar who will be charged with the care of Kasargód.

18. It remains therefore for the Board to consider whether

I Tombat Subba Rau can be pensioned at once as a special case on half his present pay.
II Or transferred to the Cundapur Thasil on his present salary Rs 225.
III Or on the lower salary of that post which is Rs 150.
IV Also if his pay while under suspension from 30th Novr 1871 can be made good to him.

19. In the event of Tombat Subba Rau's case being referred for pension, what is to be done with him in the interim, probably a month or more? Is he to remain on suspension without pay, or be reinstated pending consideration with

with the liability to be transferred to Cundapur in the event of an unfavorable decision. If he is kept under suspension there will be a further compromising of the Pension Rules.×

× Sec: 43
Cl: 1

20. Since writing the above I have shewn it to Tombat Subba Rau for any remarks he might wish to make. Though I cannot modify my views so as to accord with his, I annex his letter for the Board's perusal.

21. I enclose also at his request, a formal application① for pension, and add that if, in consideration of his character, he be given credit for only 1 year & 11 months out of 2 years and 5 days of service in a grade

① will follow

② Head Gumasta in Munsifs Court - Salary Rs 10 per mensem -

②grade only half a Rupee below the line (Rs 10½) qualifying for pension inclusive of a small period (1 month and & 18 days of service in the same grade which falls under 22 Years of age) besides being at the same time reinstated under Section 43 Cl 1 of the Pension Code to enable him to count the period of his suspension as qualifying service, then he will be duly eligible to half pension as having served the necessary period of 30 Years for his whole net service eligible and ineligible for pension is 42 Years, 4 months and 1 day as shewn below.

Born

Born —— 4th December 1819

Attained 22 Years of age - 3d Decr 1841 Yrs M D -

Service in eligible grades when under 22 Years of age as Gumasta in Munsifs and Sudder Amin's Courts on salaries ranging from Rs 3 to Rs 9-8-" per mensem from 14th January 1829 to 10th September 1841 —— 12-7-28

Do in Do as Head Gumasta in Munsifs Court on Rs 10 per mensem from 11th September 1841 to 3d December 1841 —— "-2-22

Total service when under 22 years of age —} 12-10-20

Further ineligible service in the above grade after 22 years of age, i.e from 4th December 1841 to 15 Septr 1843, which may be considered

as eligible service as proposed
above (para 21) —————— 1-9-12
14-8-2

Superior Service in eligible
grades commencing from 16th
September 1843 and ending
on 29th Novr 1871 (the date
of suspension from office ———— 28-2-14

Total service 42-10-16

Deduct leave other than
privilege leave ———— u-6-15

Net service in eligible
and ineligible grades — } 42-4-u

Deduct service before 22 Years
of age and in ineligible grades — 14-3-2

Net eligible ———— 27-7-29

If service as Head Gumasta in Munsif's
Court on Rs 10 per mensem for 1 year
and 11 months out of 2 years & 5 days
is admitted. ———————— 1-11-u

Do period of suspension from 30th
November 1871 to 30th April 1872 — u-5-1

30-u-u

South Canara
Collector's Office
Mangalore
30th April /72 }

I have &ca
(signed) H. S. Thomas
Collector

To

Enc: 1

To,
H. S. Thomas Esqre,
Collector of South Canara

I beg most respectfully and submissively to represent.

1. The Board have in their order left my case entirely for Your Honor's own decision, without the necessity of a reference asking their previous permission to reinstate me, and I expected that from Your Honor's personal experience and judgment I would obtain justice I did not simply rely on the message sent by Your Honor from England, but upon the justice which I expected at Your Honor's hands as you had known me and seen my work longer than Mr Webster independly of whose opinion Your Honor would form Your decision,

Your Honor in my humble belief, is not as you say, bound to accept Mr Webster's remarks, for if the Board ha meant Mr Webster's opinion to be accepted they would not have referred the matter for Your Honor's decision. I have no doubt that Your Honor's own experience must make you differ from Your predecessor, and differences of opinion exist every where, not only among officers in the Districts, but also at the Presidency, in the offices of the Board, the High Court and Government. In fact I served under Mr Webster only for 1 Year, and not two, the other year, being spent either on sick leave or under suspension.

Under

2. Under these circumstances, and since Your Honor says that You have no means of judging unless you try me again, and moreover as it is necessary that my suspension should be cancelled and I allowed to draw my pay for the last 4 1/2 months, I think it is proper that Your Honor should at present "reinstate me on trial," and this is my prayer - Besides, this course would seem to be rendered necessary by a very recent notification of the Governor General that no public servant should be put on the pension list for inefficiency or misconduct.

3. Your Honor seems to think that the age of 52 makes a native weak as

much as the age of 62 does a European; but I humble think it is not so, and in support of my argument I would cite instances (of which I hear) of Sir Charles Trevelyan and the late English Prime Minister in the latter case, and of Mr Fernandez, the late Deputy Collector, in the former case.

4. In strengthening your Honor's arguments in favor of my being admitted to a good service pension, your Honor has shown me as an inefficient servant from my ignorance of English. With all deference I beg to say that there are many Tahsildars in the Presidency and also Huzur Sheristadars

in

in some Districts, totally ignorant of English and the late shortcomings attributed to me were, your Honor, ~~knows~~ no result of inefficiency on my part, being in matters of ministerial office routine and not in my more legitimate duties as Tahsildar and Sub Magistrate.

5. Your Honor must be reminded that my administration of the Kassergode Talug would show an increase of Revenue to the extent of Rs — on comparison of the Jamabundy returns for Fusli 1275 to 1280, including a large tract of Hosagama land called Kadpar which had for years been under clandestine cultivation and was under me brought into assessment in Fusli 1276-77 (1866.)

If

6. If it is Your Honor's intention that I had better be pensioned at once, I think Your Honor may well ask the Government to make an exception in my case as regards the exact period of eligible service required to entitle me to a pension according to the rules by making up the present deficiency of 2½ Years from my service on 10 Rupees which amounts to 7 or 8 years, as I hear has often been done in relaxation of the rules. Moreover the last 2½ Years of my ineligible service were spent in the capacity of Head Gumasta in the Munsiff's Court the duties of which, are as responsible as those of a Sheristadar in a Superior Court and in consideration of which the pay of that post has been of late raised to Rupees 20 I request that a formal application for my pension be submitted with Your Honor's letter to facilitate the decision of Government.

7. As Your honor has most kindly deprecated my degradation to an inferior appointment the alternative proposed at the conclusion of Your letter, is, I respectfully beg to point out, inconsistent with the pretext. It would therefore be more advantageous to me to omit the alternative in question altogether; and I request that instead of it, the one proposed just before it

may be more positively adhered to in case of a pension being declined as, since I will only remain in the service for a few months, the loss of a few Rupees of salary will not be very significant to the Officer who will displace me and who will necessarily be young in the service while he has a full prospect after my retirement.

20th April }
1872 } (Signed) Subrao
Tahsildar

(True Copy)

(Signed) H. S. Thomas
Collector.

To

Enc: 2.

A

To
H. S. Thomas Esqre,
Collector of South Canara

Honored Sir,

I beg most respectfully to represent to Your Honor that I shall thankfully accept a pension, should Your Honor kindly obtain one for me, and this even in case of my reinstatement, provided I get an amount equal to half of my last pay Rupees 225, and that this is my free and sincere request.

I beg most respectfully &ca

(Signed) S. Subráu
Tahsildar of Kasargod.

(True Copy)

(Signed) H. S. Thomas
Collector.

The Board cannot recommend Government to grant Tombat Subba Row a pension on special grounds as the Collector proposes. The Charge against the state for pensions is so heavy and so liable to increase that they cannot be granted except under rigid restrictions and an application to the Supreme Government on T. Subba Row's case would be useless.

In the interests of Government and the people it is clearly necessary to transfer the man to a light talook and he must accordingly go to Cundap. It is of course impossible that he should draw a higher salary than is attached to the post of tahsildar of that talug.

Under all the circumstances of the case the Board resolve to direct that Subba Row shall be paid three quarters of the salary of his appointment (tahsildar of Casergode) for the period during which he has been under suspension.

(True Copies & Extract)

(Signed) J. Grose

Secretary

To, The Collector of of South Canara

(True Copy)

Ag Sub-Secretary

P.W.D.
15 NO 76
No.

Enclosure in Office
Memo: from the Offg
Sub Secretary to the
Board of Revenue
to the Under Secretary
to Government P.W.D.
D/14th Augt/76 No 1269.

Copy of Board's
Proceedings, dated 5th
June/72 Mis No 3994

Revenue Department

Miscellaneous No 4850

Proceedings of the Board of Revenue
Dated 2d August 1873

Read the following

No 1072

From,
H. S. Thomas Esqre,
Collector of South Canara

To,
J. Grose Esqre,
Secretary to the Board of Revenue
Madras

Sir,

I have the honor to submit for the favorable consideration of the Board, a petition from Tombat Subba Rau, Tahsildar of Kundapur praying that he may be reinstated in his former post of Tahsildar of Kasargod, which petition has been forwarded to me by my Acting Head Assistant with his letter No 97 of the 24th April last, copy of which is enclosed.

2. In their Proceedings of the 9th February 1872, No 1020, the Board were pleased, in reviewing petitioner's case, to leave it to me after my return from furlough to England, either to retain him after suitable admonition and warning in his then post of Tahsildar (1st Class) of Kasargod, or to remove him to a sub-Magistracy.

3. I had to report, as I represented (para 4 of my letter No 511 dated 30th April 1872), on matter not within my personal knowledge for I had been 2 years absent, in England, and I consequently owed and paid some deference to the

opinion

opinion of the officer who had presided over the District during the interim which covered the circumstances to be reported on, I have now been back a Year and can speak for myself that I have had no fault to find with T. Subba Rau's work. The very officer Mr Mc Iver who originally reported unfavorably of T. Subba Rau has, as Ag Head Assistant, had T. Subba Rau under him again, and has been led thereby to modify his views. This Memo: is enclosed. The present Head Assistant's estimate of him is favorable as far as it goes. His letter is enclosed. The late Superintendent of Police speaks in high terms of his Magisterial efficiency. Please see his note accompanying. The present Superintendent of Police holds precisely the same opinion of his present fitness and his Memorandum also is enclosed. Thus every Magisterial and Police Officer who has been thrown in contact with T. Subba Rau during the last twelve months has without a single exception come to but one conclusion with reference both to his rectitude and his present efficiency.

4. As regards the past deficiencies of T. Subba Rau I would say in mitigation thereof that I learn it was domestic affliction which bore him down and made him relax his watch over his subordinates whose neglect of duty has drawn him with them into punishment.

5. As regards his high Character I still hold the same opinion that I did before(+), and think much consideration should be shewn to such a Character.

(+) To Board No 511 dated 30th April 1872

6. The lot that has fallen to T. Subba Rau is a hard one as shewn in his own letter. He has already suffered severely for his temporary remissness under peculiar circumstances.

7. The prospective loss from permanent diminution of pension is, I would venture to submit a consequence that may be spared him under present

views of his present efficiency if the Board will be pleased to accept my recommendation that his petition for reinstatement be granted.

South Canara
Collector's Office,
Mangalore,
11th July 1876

I have &ca
(Signed) H. S. Thomas
Collector.

Enc: 1

No. 97

From,
E. Gibson Esqre,
Ag Head Assistant Collector of
South Canara

To, H. S. Thomas Esqre,
Collector of South Canara

Sir,

I have the honor to forward for your favorable consideration a Petition from Tombat Subba Rau Tahsildar of Kundapur, praying to be reinstated

in

in his former post of second class Tahsildar.

2. I regret that Subba Rau should have declined to follow my advice to withhold this application until, by supervision of his work extending over a longer period, I might have been in a position to express an opinion which would have been of service to him. As however I took charge of this Division only in January last my testimony can of course be of little weight, nevertheless I am glad to be able to say, for what the statement may be worth, that since I joined this District, I have had every reason to be satisfied with the conduct of business in the

Kundapur Taluk. I may add with reference to the certificate given to the Tahsildar by Captain Chryste that in writing the annual report upon grave crimes for 1872, I was struck by the fact that *all* the cases of Housebreaking which occurred in the Kundapur Taluk during the year were detected. The Superintendent gives Tombat Subba Rau credit for his zeal and activity in assisting the Police in their efforts to bring the offenders to justice, and it is only right to infer that had the Sub Magistrate been apathetic and indifferent, such satisfactory results would not have been attained -

As

3. As to the Tahsildar's request to be restored to the Tahsil of Hassengód, as I have no knowledge of the work of the Taluk I can scarcely be expected to express an opinion; I will only remark that the difference in point of pay between one Taluk and another depends solely upon the Land Revenue, which as we all know by experience, is a very imperfect criterion not only of the + Magisterial but also of the Revenue work. Taluks of the lowest class are usually poor. Poor Taluks supply criminals and give the Tahsildar plenty of work in the collection of

arrears of Revenue.

Head Asstt Collector's Office,
Camp, Mudabidu
24th April 1873

I have &ca
(Signed) Edwd Gibson
Ag Head Asstt Collector

(True Copy)
(Signed) H. S. Thomas
Collector

Enc: 2

To
Edward Gibson Esqre
Ag Head Assistant Collector
South Canara

The humble petition of T. Subba Rao Tahsildar of Kundapur — dated 3rd April 1873.

Honored Sir,

I beg most respectfully and submissively to represent the following

following circumstances and trust that they will meet with your favorable consideration.

I beg to state, that I have been a Tahsildar for 9 years during 5 of which I held the 2nd class Tahsildarships of Kassergode on 225 Rupees, but was transferred to my present post of Rupees 150, as a trial, in consequence of my ability to discharge the duties of a Tahsildar, having been called in question by the late Acting Collector Mr Webster.

The permanent Collector Mr Thomas, however, who had much longer experience, and to whose decision the matter was left by the Board, has borne ample testimony to my ability, as well as to my Character but having just returned from England after an absence of nearly two Years, in the face of the opinion expressed by his immediate predecessor, he naturally hesitated to reinstate me, without a fresh trial on his own responsibility, and therefore proposed that I might be put in charge of the Kundapur Taluk if possible on Rs 225 _ But unfortunately, for me, the Board merely sanctioned my transfer to this Taluk with only the pay attached to it.

I beg to enclose a copy of the certificate lately granted to me by the Head Assistant Collector Mr McIver (under whom I have since served) which will shew that he was fully satisfied with the manner in which I discharged my duties as Tahsildar and a letter from the Late Superintendent of Police, Captn Christie testifying to the zeal, with which I have performed my duties and I humbly trust, I have also given satisfaction to Your Honor, as well as to the Collector both of whom, have had sufficient opportunity to judge of my competency for the Office of a Tahsildar.

My efficiency being thus tried and proved, I beg to submit that my degradation is an unwarranted punishment to a public servant, who has served the Government long and faithfully and that it is a mere act of Justice to restore me to my former position. On the other hand it would appear that my restoration to my former post involves no loss to any Public servant, except that of the promotion gained by my transfer and this can be no hardship to them.

As my continuation in my present post, every day tends to deprecate, more and more the value of my pension, which will have to be calculated on the average pay of the last 5 years of my service, I feel compelled to have recourse to Your Honor, with a view of obtaining early redress, and therefore humbly request that Your Honor will be graciously pleased to take my unfortunate case into Your Honor's kind consideration

and

and recommend my restoration to my former position of 2d Class Tahsildar for which act of benevolence I shall as in duty bound ever pray.

(Signed) T. Subba Row
Tahsildar

Enc: 3

Tombutt Subba Rao,

I am very glad to have heard from You before leaving the District and regret that there will be no opportunity for me to see you again.

You have been on leave a great part of the time that I have been in Canara but [illegible] since You have been in Kundapur You have been of the greatest assistance to me as Superintendent of Police. Our famous success in conviction of burgulars last month was greatly owing to the promptness with which You went to the spot and to the energy with which You worked the cases. I told Mr Thomas as I promised you I would how famously You managed.

It will give me great pleasure to hear of Your being restored to Your former pay.

I wish to return to the District at some future time and shall hope to meet You again.

Yours faithfully
(Signed) G. C. Christie Captn
Ag Superintendent of Police
(True Copy)

Copy of the service Register

T. Subba Rao Tahsildar of Kundapur a very gentlemanly person with a

good

good manner and popular with the people. He Knows his work is a good Sub Magistrate and is I now think quite equal to his appointment.

14-12-72

(Signed) Lewis Mc. Iver
Ag Head Asstt Collector.

(Signed) T. Subba Raw
Tahsildar

I have Known T. Subba Raw for some Years and have always found him conduct his duties as a Magistra in a very efficient and satisfactory Manner.

He has great influence with the people of the District and has frequently been of great assistance to me in bringing to my notice irregularities he has observed on the par of the Police.

(Signed) R. E. Jenkins, Captn
Supt of Police

Mangalore }
9th July 1873 }

The Board are glad to find that the negligence charged against the ex-Tahsildar admits of some exculpation, and have no objection to his reinstatement as Tahsildar of Kasargod. The arrangements to be made should be reported for formal sanction.

(True Copies & Extract)
(Signed) H. E. Stokes
Ag Sub Secretary

To, The Collector of South Canara

(True Copy)

Edw [illegible]
Ag Sub Secretary

P.W.D.
15 AUG 76
No.

Enclosure in Offl
Memo: from the Ag
Sub Secretary to the
Board of Revenue to the
Under Secretary to Govt.
P.W.D. of 14th August 1876
No. 1269.

Copy of Board's
Proceedings, dated
2d August 1873, Mis:
No. 4850.

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To

J. G. Horsfall Esquire
Ag Collector of South Canara

The humble Petition of Tombat Subbrao,
late Tahsildar of Kasargod Taluk,
dated 17th January 1876.

Most humbly Sheweth,

That your Honor's Petitioner having passed the age of 55 and been recommended by the Collector for pension, has, in obedience to orders received by him, given up charge of his office on the 4th December last:–

2. That altho' he has served for a much longer period than that required for pension, your Petitioner, to his great misfortune, is unable to obtain the full amount of pension in consequence of his having been placed, under the circumstances to be stated below, in a lower grade of Tahsil at Koondapore on Rs 150 for a short interval during his last five year's service, upon the average of which the amount of pension falls short of the full moiety (Rs 112 "8" 0) of his pay by Rs 9 "12" 0.

3. That your Petitioner took charge of the Tahsil of the Kasargod Taluk on Rs 175 on the 1st April 1865 and in the following year the Taluk was raised to a 2nd Class

Tahsil on Rs 225 –

4 That your Petitioner served on this higher pay from 1st October 1866 till april 1871 when he absented on sick leave – at the end of the leave in November 1871, his capacity to discharge his duties being called in question, the Acting Collector reported him for inefficiency to the Board of Revenue, but the Board having left your Petitioner's case for the decision of the permanent Collector Mr. Thomas who was then shortly expected back from England, – that gentleman, on his arrival, reported to the Board bearing full testimony to your Petitioner's ability as well as character from past experience, but stating that as he had just arrived after an absence of 2 years he could not on his own responsibility, in the face of the opinion expressed by his immediate predecessor, recommend the reinstatement of your Petitioner in his own Taluk, and therefore recommended that your Petitioner might be put in charge of the lighter Taluk of Koondapore, with the proposal however that he might, if possible be allowed to draw the higher pay, namely Rs 225, which he used to receive – But the Board only sanctioned his transfer on the lower pay Rs 150, as they considered it impossible that he should draw a higher salary than is attached to the post.

vide Mr. Thomas' letter to the Board of Revenue, dated 30th april 1872 No. 511. and Board's proceedings dated 5th June 1872, No 3994 Mis

5. That shortly after the Collector Mr. Thomas as well as the other European Officers in the District, one of whom (Mr. Mc Iver) was the very officer who had formerly reported to the Acting Collector unfavorably about your Petitioner, being fully satisfied* as to your Petitioner's efficiency, Mr. Thomas recommended to the Board and obtained your Petitioner's restoration to his former Tahsil at Kasargod, which he joined again on the 7th October 1873 (after an interval of one year, three months and Eighteen days) and in which he has continued till he gave up his charge lately.

Vide Certificates of Mr. Mc Iver. Captains Jenkins & Chrystie and Mr. Gibson's letter to the Collector dated

Vide Mr. Thomas' letter to the Board dated 11th July 1873 No. 1072 & Board's Proceedings dated 2nd August 1873 Miscellaneous – No. 4850.

6. That it is under such circumstances that your Petitioner humbly begs to seek a favorable consideration which he firmly hopes his peculiar case will be found to deser

7. That your Petitioner begs to submit that it being proved that the transfer to the lower pay was unmerited, from the fact of the very Collector Mr. Thomas who had propos the transfer having himself acknowledged your Petitioner's competency for the discha of the duties of his Taluk and got him reinstated therein, – it would be a great hardship to your Petitioner if, in addition his having already suffered a loss in his pay, he were to be liable to suffer a a reduction in the amount of pension wh

he is to receive during the remainder of his life –

8. That your Petitioner begs to solicit your Honor's kind consideration to the fact that he has rendered creditable* services throughout a period of 32 years (Excluding the service in inferior grades) and that during his tenure of the office of Kasargod Tahsildar the total amount of revenue of that Taluk has increased from Rs 2,37,834 " 3 " 7 in Fasly 1274 in which he took charge to Rs 263.469 " 12 " 5 in Fasli 1284 in which the last annual settlement under him was held – and he trusts that as he has already served as 2nd Class Tahsildar at Kasargod for more than 5 years before his transfer as well as for 2 years and about 2 months after it under the circumstances shown above, it would appear to be but fair to allow him to count the last 5 years' service upon which the pension is to be calculated, as service in the Tahsil of Kasargod –

* Vide the true Copies of Testimonials produced.

9. That your petitioner therefore humbly trusts that his claim is a fair one and hopes your Honor's goodness will find it to be so, and it only requires your Honor's kind support to secure a compliance with his request. He prays that your Honor will be pleased to make a recommendation to Government so that, in consideration of his services and character which has always merited

merited high approbation, and of the fact that he has served on the higher pay for about 8 years and would have been serving on it during the short interval mentioned, had it not been for what has afterwards been proved to be a mistaken view regarding his efficiency, the full amount of pension equal to half the said pay may be granted to him.

For which act of justice & kindness
your Petitioner shall, as in duty
bound ever pray.

(Signed) Subbrao –

LSH.

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True Copies of Testimonials.

This is to certify that Subarao, conducted the duties of the miscellaneous department of the Court under my charge for upwards of 18 months. He is a man of very considerable ability & thoroughly conversant with his duties and I had every reason to be satisfied with his general conduct.

Mangalore 14th May 1847. (Sigd) J. Irvine
Ag: Sub: Judge

Subarao bears a high character but the Ag. Sub Judge having made the temporary arrangement for filling up the Ag: vacancy in this Court he regrets he cannot this time comply with Subrao's request.

(Sigd) A. J. Cook
2nd Septr 1847. Ag: Sub: Judge

Extract from the statement of services transmitted to Sadar Adalat in January 1846
"Possesses very good abilities, quick and intelligent."

(Sigd) G. Harris
Sub Judge

This is to certify that Soobarao has served as Head Goomasta under me from 2nd July 1846 to 26th December 1849. He has been uniformly steady and diligent and has good abilities.

Given under my hand and the seal of the Court at Mangalore, this 26th December 1849.

|Sigd| G. Harris
Assistant Judge.

Subarao, the Ag: Nazir of the Subordinate Court has during the time I have been here performed his duty to my satisfaction. He is an active intelligent man, has been long employed in the Courts of this Zillah and has I believe in the different situations he has held, given general satisfaction

Mangalore,
28. 3. 1855.
|Sigd| George Ellis
Sub: Judge.

T. Subarao has served in the Sub Court as Nazir during the last 15 months in which I have acted as Sub Judge.

His duties have been particularly troublesome and disagreeable and have not brought him much into personal communication with myself: but I have reason to be satisfied with his intelligence & industry. He appears to be remarkably clear headed and as far as I know he is upright in his conduct.

Mangalore
4th Decr: 1856.
|Sigd| J.R. Kindersley
Ag: Sub: Judge.

Subarao

In reply to your letter I have much pleasure in stating that I found you active intelligent and industrious when employed under my orders as Criminal Record Keeper in 1852 and that you conducted yourself to my satisfaction during the period I had charge of the Sub Court of Mangalore.

Mangalore
9th Dec: 1856.
|Sigd| W. Fisher
Collector

With the exception of one error for which he was suspended and which seems to have appeared less serious to the Sessions Judge than it did to me, - T. Subarao has conducted his duties as Criminal Record Keeper well, and as far as I remember his duties as Ag: Nazir were performed to my satisfaction. He is an intelligent man.

Mangalore
29. 9. 59.
|Sigd| J. G. Thompson
Sub Judge.

Extract from the Proceedings of the Civil Court of Mangalore, under date 6th November 1858.

" Read Return from the Ag: Sub Judge of Mangalore to the Courts' Precept dated the 1st instant.

In the preceding return the Ag: Sub Judge Explains the circumstances which led him to suspend the Criminal Record Keeper of his Court, at first for a month which, on further consideration and a supposition of the punishment being too severe he reduced to a fortnight - The charge preferred against the Petitioner is that he gave the Prosecutor his deposition to be signed before the jewels, he is declared to have identified were so much as opened, and so recorded a shameful falsehood."

As far as the Sessions Judge can discover it would appear that the prosecutor was standing near the rails of the bench when the Nazir commenced, in his presence, opening the various articles which were then transferred to the table and eventually, to the Judge's desk. During the latter portion of this operation the prosecutor had gone or been called to the Record Keeper, who was engaged in taking his deposition and then & there signed the paper asserting his knowledge of the articles he had only seen in part if at all.

The Ag: Sub Judge stigmatises this act as "a gross falsehood," but in the opinion of the Sessions Judge it cannot be correctly so termed, with reference at least to the Record Keeper, as there was no apparent intention or any conceivable motive to deceive. And as the prosecutor had seen and identified in the Talook all the articles produced before the Court he probably considered the present question as matter of form relative to his former Examination.

It does not appear why an elaborate second deposition was taken from him in the Subordinate Court when the law merely required an authentication of his first or the Talook one.

The Record Keeper is an old and responsible servant who up to the present moment seems to have well and efficiently performed his official duties, and an act of carelessness or haste would, in the opinion of the Sessions Judge, have been sufficiently and more appropriately punished by a reprimand than by a suspension which might prove injurious to his future prospects.

Ordered that Extract from these proceedings be sent to the Ag: Sub Judge of Mangalore with direction to restore the Petitioner to his situation by Precept returnable in III days

True Extract
(Sigd) R. Chatfield
Session Judge,

I consider T. Subrao to be a very able man and fit for any appointment not requiring a knowledge of English.

12. 3. 60 (Sigd) R. Swinton
Sub Judge.

This is to certify that "Subarao" Sub Magistrate of Mangalore has given me - as Superintendent of Police - great satisfaction in the performance of his duties. He is one of the few Sub Magistrates who have got on well with the Police. I have a high opinion of his general character.

14. 10. 62 (Sigd) E. L. Hankins Capt.
Superintendent of Police

Extract from the Service Register of Tombat Soobrao, Tahsildar of Kassargod -

T. Subrao was recommended to me for the post of Sub Magistrate of the Town of Mangalore by Mr. Pochin. I have only had occasion to find fault with him for one or two trifling errors of routine. He makes a very good Sub Magistrate and he continues to deserve the character he has earned in his judicial service -

25. 10. 61. (Sigd) J. Fraser
Collector.

A very good Sub Magistrate.

May 1/63 (Sigd) Arthur P. Hodgson
Ag. Collector

A gentlemanly man of very good family. Has given me entire satisfaction since he joined his acting appointment at Upparangady.

27th March 1865. (Sigd) G. Lee Morris
Collector.

A fair Tahsildar -

1st Jany 1866. (Sigd) A. McC. Webster
Hd. Asstt. Collector

An able man and can do his work well but requires to be roused every now and then.

(Sigd) Wm Cadell

Ootacamund }
7th June 1867 }

Tombat Soobrao, Tahsildar of Kassargod
able, gentlemanly, master of his office and his Talook. Liked and respected by the people, cannot ride and might be more active -

29. 10. 68 (Sigd) H. S. Thomas
Ag. Collector

Order No. 26 (Translation).

From G. Lee Morris Esqr.
Collector of South Canara

To T. Subbrao
Ag. Tahsildar of Upparangady

The Officers of the 8th and 14th Regiments N. I. having informed me that you managed the procuring of supplies to those Regiments in their transit through your Taluk in that extensive manner in which you should have done it, I communicate the same to you and inform you of the pleasure which I have felt in hearing that you have done your duty so satisfactorily on this occasion, and trust that you will always continue to conduct yourself in the same manner as in this matter and thus preserve the high opinion I have of you -

(Sigd) G. Lee Morris.
Collector -

T. Subbrao, Ag: Tahsildar of Kassargod having applied to me for a Testimonial of his services so far as they came under my observation while I was Principal Sadr Amin of Mangalore, I have to state that I was well satisfied with the regularity and judgment evinced by this officer in conducting the prilimenary enquiries as Sub Magistrate of this Town and as Ag. Sub Magistrate of the Talook of Udipi in cases committed for trial before the Principal Sadr Amin's Court during the period of nearly 4 years. I think that he was enabled to discharge his magisterial duties so efficiently by the experience he had gained during his long employment in the judicial Department.

Mangalore 18th July 1865. (Sigd) L. S. Rosario
Late Principal Sadr Amin.

Mangalore 21st. 11. 72.

Tombat Subbrao.

I am very glad to have heard from you before leaving the district and regret that there will ~~bee~~ no opportunity for me to see you again. You have been on leave a great part of the time that I have been in Canara but since you have been in Koondapore you have been of the greatest assistance to me as Superintendent of Police. Our famous success in conviction of burglars last month was greatly owing to the promptness with which you went to the spot and to the energy with which you worked the cases. I told Mr. Thomas as I promised you I would, how famously you managed.

It will give me great pleasure to hear of your being restored to your former pay. I wish to return to the district at some future time and shall hope to mee you again then.

Yours faithfully
(Sigd) Geo Chryptie, Captn.
Ag: Superintendent of Polic

T. Soobrao, Tahsildar of Koondapore. A very gentlemanly person with a good manner and popular with the people. He knows his work — is a good Sub Magistrat and is, I now think, quite equal to his appointment.

14. 12. 72. (Sigd) Lewis Mc. Iver
Ag: Head Asstt. Coll

Sir, I am much obliged by your expressi of regret at my departure from this distric I am sorry to leave it, but I hope to see it ag

I have, as desired by you made an en against your name in the service Register, a copy of which will be sent to you.

I was much pleased with the state o your Talook when I inspected it, and I hope you will keep it in its present state.

16.12.72.

Yours faithfully
(Sigd) Lewis McIver.
Ag Head Asstt. Collectr.

I have much pleasure in offering Tombat Soobrao, Tahsildar of Kassargod a tribute of thanks for his exertions in assisting the Wing under my command to pass the Netravaty river at Pane Mangalore, the families having crossed over in four hours. The Tahsildar also accompanied the Wing from Mane to Farengipett and furnished the requisite supplies.

Farengipett
29th Decr: 1870 } (Sigd) T. M. Ffrench Col:
Commanding 34th Regt. N. I.

Tombat Soobrao, Tahsildar accompanied 34th Regt. Hd. Quarters through his Talook.

He was exceeding active & energetic in obtaining supplies and in aiding the troops with the bandies and families to cross the river, and performed his duties in a most satisfactory manner –

Farringepett Dec: 18th 1870 (Sigd) F Warden Coll.
Comdt. 34th Regt.

This to certify that Soobrao, Tahsildar of Uppinangady accompanied the Left Wing of the 8th Regt. N. I. to Sheeradyi – his management in the way of supplies was excellent, leaving nothing to complain of, and he likewise afforded assistance in many ways –

Camp. Sheeradyi, 3rd Feb: 1865. (Sigd) J. Curtis W. Lt. Coll.
Commdg: Left Wing
8th Regt. N. I.

Camp, Sheerady 26th Jany 1865.

Subrao, Tahsildar of the Uppinangady Talook, has given great satisfaction and assistance in procuring supplies for the Right Wing & Head Quarters of the 8th Regt. N. I. in its march through the Talook.

(Sigd) W. J. Cooke Lt. Coll.
Commanding 8th Regt. N. I.

Diploma

I hereby certify that Tombat Soobrao was examined before the divisional Committee at the Examination held at Mangalore in the month of June 1857 in the Hindoo and Mahomaden Laws and before me in the Examination held under the sanction of the Sudr Adalut on the 26th August 1858 in the Regulation and acts and that I consider him duly qualified from his knowledge of the native languages and of the Laws & Rules of practice for the guidance of the Courts of Civil Justice to hold the office of Pleader in the Sudr Court or in the Court of a Zillah Judge, or Subordinate Judge, Principal Sadr Amin, or Sadr Amin.

(Sigd) R Chatfield
Civil Judge.

(True copies)
J. E. Horsfall
Ag Collector

Compd

No 1086.

South Canara Collector's Office,
Mangalore, 30' May 1876.

From

The Collector of
South Canara

To.

The Accountant General,
Madras.

Sir,

With reference to your memo dated 15th March 1876, I have the honor to state that the details of the services of T. SubbaRao in the Judicial Department are to be obtained from the Sub Judge of this District who has been requested to furnish the same without delay, and your memo will be replied to on receipt of the information from that Officer.

I have the honor to be,
Sir,
Your most obedient Servt,

Collector

Accountant General's Office
Recd. 5 6 1876
Ansd ___

7.3.76.

To be returned with reply on reverse.

AUDIT DEPARTMENT.

17 MAR 1876

To Sub Judge S. Canara 7. 4. 76 No. 754

Fort Saint George,
Accountant General's Office,
13th March 1876.

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE Acting Collector of South Canara

VIDE *your Application for* Pension *on behalf of* T. Soobba Row

THE undersigned has the honor to request explanation on the following points–

1. Whether the services of the applt: in the Judl Deptt: from 16 Septr/43 to 10 Decr/60 and that in the Revenue Deptt: for the subsequent period has been verified either from the pay bills or acquittance rolls of the respective Departments–
   (a) If verified why is it not so stated in the column "How verified"–
   (b) If not it should be verified now and the result should be reported to this office–

2. Why is the applt: shewn as Acting Nazir of the Sub Court from 28 Novr/53 & 30 Octr/54. while in the Annual Return of 1 May/54 he is shewn as permanent Nazir–

Why is the applt: shewn as Criminal Record Keeper from 1 Dec/54 while in the Annual Returns of 1 May/55 & 56 he is shewn as permanent Nazir, and as Acting Nazir in that of 1857.

Whether the applt was allowed pay for the period during which he was under suspension viz. a fortnight in 1858– If paid what

Subordinate Court, S. Canara,
Mangalore, 9th June 1876.

No. 57.

From

The Subordinate Judge of
South Canara.

To

A. Mc C. Webster Esquire,
Collector of South Canara.

Sir

With reference to your predecessor's letter No 754 dated 7th April last, and your letter No. 974 of the 15th Ultimo, I have the honor to state that as the copy, received with the former, is not correct, a fresh detailed statement, prepared in the manner prescribed in Section 70 of the Civil Pension Code, is herewith forwarded, together with Extracts from the Annual Returns, in support of the entries regarding which explanation has been called for in paras 2 and 3 of the Accountant General's letter of the 13th March 1876.

Answer to Query 2 in the Accountant General's letter

2. In the Office Copy-Books of both the Pay Abstracts and Periodical Returns, Tombat Subba Row is shown to have been "Acting Nazir" from 28th November 1853 to 30th November 1854; and the omission of the word "Acting" in the fair copy of the Annual Detailed List forwarded to the Audit Office in May 1854, must be a clerical error.

3.

3. The fact that he was acting and not permanent Nazir, appears also from the Fasli Returns, of which an Extract is enclosed.

4. On comparing the last entries in the accompanying statement and those in the applicant's Service Register in your office, it will be observed, that the discrepancy alluded to in para 3 of the Accountant General's letter, occurred from two of those entries having been omitted probably in the copy transmitted to the Accountant General. Answer to Query 3

5 A copy of the Government order directing the abolition of the Assistant Judge's Court in March 1851; and one of the Proceedings passed by the then Civil Judge transferring J. Subba Row to the Sub-Court in consequence of the abolition of the former, are herewith forwarded.

I have &c.
(Signed) K. R. Krishna Menon
Subordinate Judge

(True copy)

Collector.

History of the Service of Tombat Subba Row, late Ag. Nazir, Sub. Court Mangalore. Age when first entertained 12 years.

Establishment	Appointment	Pay	Acting allowance	Date of beginning	Date of end	Period reckoned as service	Period not reckoned as service	Remarks	How verified
		Rs A P	Rs A P			Y. M. D.	Y. M. D.	According to the statement of services forwarded to the Audit office on 31st April 1845. In this statement the dates of the several appointments prior to 16th September 1843, are not shewn but in the Indent sent on the 1st May 1856, for April 1856 the date of first appointment is given as 1st November 1834.	
Mangalore Munsif's Court	Gumasta	3 3 8 4 5		14th Janry 1829	15th Novr 1838	9 10 2		In Mangalore Munsif Court } Y M D 11 .. .. There are no means to ascertain these appointments, as the names of the Officers employed in the Munsif and Sadr. Amin's Courts, do not appear from the Pay Abstracts of the Zillah Court; nor are the Diaries and acquittance rolls of those Courts, on the records of the Sub Court.	
Temporary Sadr. Amin's Court	Ditto	6		16th Novr 1838	7th Augt 1840	1 8 23			
Pandit Sadr. Amin's Court	Ditto	8		8th Augt 1840	14th March 1841	.. 7 7		In the Extra Sadr A[m]in's Court } 3	
Extra Sadr. Amin's Court	Ditto	9 8		15th March 1841	10th Septr 1841	.. 5 26			
Mangalore Munsif's Court	Head Gumasta	10		11th Septr 1841	15th Septr 1843	2 .. 5		Total 14 .. .. This appointment alone appears from the late Zilla Court Diary	
						14 8 3			
Sub-Court	Gumasta	14		16th Septr 1843	21st Augt 1845	1 11 6	.. ..		The Services in the Sub Court have been verified from the Pay Abstracts, acquittance rolls, Leave Statements and Annual Returns. Those in the Assistant Judge's Court are to be verified by reference to the records of the District and (Late Civil) Court.
	Ditto	17 8		22nd Augt 1845	2nd July 1846	.. 10 11	.. ..	Transferred on the abolition of the Assistant Judge's Court to this lower appointment as a better one was not then available under the minutes passed passed by the Civil Judge Mr. Anderson and the Offg. Sub Judge Mr. G. M. Swinton jointly, a copy of which is enclosed	
Asstt. Judge's Court Sub. Court	Head Gumasta	30		3d July 1846	31st March 1851	4 8 29	.. ..	Correct. (Signed) G. Pacheco	
	Ditto	24 8		1st April 1851	1st July 1851	.. 4	.. ..		
	Ag Criml. Record Keeper	30	Full pay	2nd July 1851	27th Novr 1853	2 4 26	.. ..		
	Ag Nazir	30	7 8	28th Novr 1853	30th Novr 1854	1 .. 3	.. ..	Half pay of both the permanent and Acting posts.	
	Criml Record Keeper	30	7 8	1st December 1854	4th Janry 1855	.. 1 4	.. ..		
	Ag. Nazir	45	Full pay	5th Janry 1855	17th Novr 1857	2 10 13	.. ..		
	Criml. Record keeper	30		18th Novr 1857	24th Oct. 1858	.. 11 7	 14	The pay for this period does not appear to have been drawn and paid to him.	
	Criml Record Keeper	30		8th November 1858	20th Novr 1860	2 .. 12	.. ..		
	Ag. Nazir	45	Full pay	21st Novr 1860	10th Decr 1860	 20	.. ..		

Subordinate Court
Mangalore 9th June 1876.

S. Camara

(True copy)

Collector

(Signed) K. R. Krishna Menon
Subordinate Judge.

Compd RD

Extract from the Detailed Lists of the Establishment of the Sub Court, submitted for the official years 1853-54 to 1856-57.

Date of Statement	Date of Employment	Name	Office	Monthly Pay		
				Rs	a	p
31st May 1854	1st November 1834	Subba Row.	Acting Nazir	45	–	–
30th May 1855	1st November 1834	Subba Row.	Acting Nazir	45	–	–
	Date of the appointment					
1st May 1857.	5th January 1855	Subba Row	Acting Nazir	45	–	–

Sub Court
S. Canara
9th June 1876

(True copy)

(True Extract)
(Signed) K.R. Krishna Menon
Subordinate Judge

W. Wallace
Collector.

Comp^d
C.A.

93

Extract from the Statements shewing the amount of the authorized pay of the fixed Establishment of the Subordinate Court and that actually disbursed, submitted for each Fasli from 1853-54 July to 1855-56 June

Date of the statement	For what year	Name	Employment	Amount of the authorized pay			Amount actually drawn		
				Rs	a	P.	Rs	a	P.
28th August 1854	1853 – 1854	Lawrence Prabhu Sheik Ahmud Subrow	Nazir from 1st to 24th July 1853 Ag. Do " 25th July to 27th November 1853 . . . . Do Do " 28th November 1853 to 30th June 1854.	540	"	"	540	"	"
28th August 1855	1854 – 1855	Soobrow Sheik Ahmud Soobrow	Ag Nazir from 1st July to 30th November 1854 Nazir from 1st December 1854 to 4th Jany 1855 Ag Do from 5th January to 30th June 1855.	540	"	"	540	"	"
17th April 1857.	1855 – 1856	Subrow	Ag. Nazir from 1st July 1855 to 30th June 1856.	540	"	"	540	"	"

(True Extract)
(Signed) K.R. Krishna Menon
Subordinate Judge.

Subordinate Court
Mangalore
9th June 1876

(True copy)

W. Wedderburn
Collector

Compd
A.

Rev: In No. 455 of 76

Pro: Ex No. 1557/46

No. 41

District Court S. Canara
Mangalore 23d June 1876.

From

J. W. Best Esqr.
Ag District Judge of South Canara

To

A. McC Webster Esqre.
Collector of South Canara.

Sir

I have the honor to return the statement of Services of Tombhat Subrao received with your letter of the 21st Instant, No. 1236, the services in the Assistant Judge's Court from 3rd July 1846 to 31st March 1851 being duly verified from the records of this Court. No leave appears to have been obtained by him during the above period.

I have &c.

(Signed) J. W. Best
Ag. District Judge.

(True Copy)

Collector

Comp BJ

Pro: Ex No. 1557/46

Extract from the Proceedings of the Sa
Udalut under date the 28th March 1851.

Read Extract from the Minu
of consultation of Government under da
25th March 1851 approving of and sanctioni
the arrangement proposed by the Cour
of Sadr Udalut for the transfer of th
Assistant Judge's Court at Manga
to Combaconum.

The Court direct that a copy
of the Extract be forwarded to Civil
Judge of Mangalore for his informatio
and for communication to Mr. Swinton,
and that a copy be also forwarded toge
with a list of the Establishment authori
by Government to the Civil Judge of
Combaconum who will be pleased to tak
the necessary steps for giving publicity
the proclamation referred to and for openi
the new Court on the date specified.

Vide Fort St. George Gazette of the 21st March 1851—

Ordered that Extract from the
Proceedings be forwarded to the Civil Judg
of Mangalore and Combaconum for the
information respectively.

True Extract
(Signed) G. P. Beauchamp
Register

Judicial Department

No 186.

Extract from the Minutes of Consultation under date the 25th March 1851.

Read the following letter from the Register of the Sadr Udalut.

Here enter 17th March 1851, No 37.

× × ×

The Right Honorable the Governor in Council approves and sanctions the arrangements proposed by the Court of Sadr Udalut for the Establishment of the Assistant Judge's Court at Combaconum. He directs that the Proclamation submitted by the Judges be inserted for general information in the Official Gazette and requests that the Judges will cause the same to be published in the Tanjor District. The appointment of Mr. G. M. Swinton to be Judge of the new Court will likewise be notified in the Gazette and that officer will proceed to Combaconum on being relieved from his present duty and take the requisite measures for opening the Court on the 15th May next. He is also authorized to entertain an Office Establishment of the same strength as that allotted to the Mangalore Court at a charge as shown by the memo: annexed to Mr. Beauchamp's letter of Rs 159 per mensum.

× One hundred and fifty nine

2. The steps taken by the Judges of the Sadr Udalut for the discontinuance of the Mangalore Assistant Judge's Court and for the discharge of the servants are approved.

A true Extract

(Signed) T. Pycroft.

Secretary to Govt.

(True Copy)

(Signed) G. P. Beauchamp.

Register

(True Copy)

(Signed) K. R. Krishna Menon

Subordinate Judge

(True Copy)

Collector.

Extract from the Proceedings of the Civil Court of Mangalore, under date the 31st March 1851.

The Assistant Judge's Court of Mangalore having been transferred to Combaconum by the Government's order dated 4th March 1851, it is ordered that of the Establishment attached to that Court the undermentioned servants be removed on the following dates.

× × ×

The remaining servants are to be removed from their respective situations from the 1st April.

Therefore the following arrangement has been made by the Civil Judge in consultation with the Ag. Sub Judge to provide for the Establishment of that Court.

Subordinate Court.

English Department:

	R.	A.	P.
C. J. Coelho, Head Writer of the Asst. Judge's Court to be 3rd Writer	24.	8	„
F. A. Saldanha to be 4th Writer	21	„	„
P. Saldanha to be 5th Writer	17	8	„

Canarese Department:

	R.	A.	P.
Soobrow, Head Gumasta of the Asst. Judge's Court to be Head Gumasta vice D. Saldanha	24.	8	„
D. Saldanha to be 2nd Gumasta	17	8	„

Zoolpakurally.

	Rs.	A.	P.
Zoolpakurally to be 3rd Gumasta	14	–	–
Sinvao Rais to be 4th Do	14	–	–
Subrow to be 5th Do	10	8	–
Ramanaya to be 6th Do	10	8	–
Timmappaya to be 7th Do	10	–	–

The above arrangement to take effect from the 1st April.

(True extract)

(Signed) Findlay Anderson,
Civil Judge

To,
The Acting Subordinate Judge
of Mangalore

(True Copy)

(Signed) K.R. Krishna Menon
Subordinate Judge

(True Copy)

Collector.

Compd

Pro: Ju No. 455/76

103

Name of Officer.	Tombat Soobarow
Caste or Race.	Saraswat Brahmin
Residence.	Mangalore (South Canara)
Father's Name.	Tombat Shivarow
Father's Residence.	Mangalore
Date of birth.	14th December 1819.
Age. Years	54 (55, 56)
Age. Ms.	9
Age. Days.	8
Exact Height. Feet.	5
Exact Height. In.	6
Personal marks for identification.	None Complexion rather fair, features regular and well made. Small mole on left cheek on line between nostril and ear. Arms very hairy. Small mole on left side of nape of neck - A small projecting mole of the size of a rice grain on the left side of the chest about two inches below the collar bone - the chest covered with hair - mark of a burn on the cap of the right knee.
Date of Entry.	November 1834. 3rd December 1875.
Signature of Officer.	
Signature and designation of the head of the Office.	J. S. Sinfeld Acting Collector of South Canara -

THE ENTRIES IN THESE COLUMNS ARE TO BE REATTESTED EVERY FIVE YEARS; EACH ATTESTATION SHOULD BE CAREFULLY RULED OFF THE DATE MAY BE CLEARLY SHOWN.

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.
The service below 10 Rs on the last page	which ought	to have been entered here has been shown				S. Sooba Row
Gumasta in the Sub: Court of Mangalore	Substantive	"	14-„-„	"	16-9-1843	
Do	Do	"	17-8-„	"	22-8-45	
Head Gumasta in the Apt. judge's Court.	Do	"	30-„-„	"	23-6-46	
❀ Do. in the Sub: Court	"	" ❀	24-8-„	"	1-4-51	
Criminal Record keeper in Do.	"	" Do	30-„-„	"	1-7-51	
Ag: Nazir in Do	Acting	Criminal Record-Keeper in the Sub: Court	Moiety 30 45-„-„	22-8-„	28-11-53	
Criminal Record keeper in Do	Substantive	"	30-„-„	"	1-12-54	
Ag. Nazir in Do	Acting on full pay	Criminal Record-Keeper	Full pay 45-„-„	"	21-11-60	
Town sub: Magistrate of Mangalore	Substantive	" "	65-„-„	"	11-12-60	
Ag: Tahasildar of Udapi	Acting	Town sub: Magistrate of Mangalore	Do Moiety of 65 225-„-„	112-8-„	21-10-62	
Town sub: Magistrate of Mangalore	Substantive	"	65-„-„	"	6-12-62	
Ag: Tahasildar of Uppinangadi Talug	Acting on full pay.	Town Magistrate	Full pay. 150-„-„	"	19-11-64	
Tahasildar of Kassergode Talug -	Substantive	Substantive	175-„-„	"	1-4-65	
Do	Do	Do	225-„-„	"	1-10-66	
On sick leave	"	"	"		15-5-71	
* Tahasildar of Kassergode Talug	Do	Do	225-„-„	"	30-11-71	
Tahasildar of Kundapoor Talug	Do	Do	150-„-„	"	19-6-72	
Tahasildar of Kassergode Talug	Do	Do	225-„-„	"	7-10-73 to 3. 12. 75.	

Judicial

Revenue

* Vide Board's order 5-6-72 No 1217, & Collr's order 22-6-72 No 146.

❀ Owing to the abolition of the Apt. judge's court, whereupon the applicant was transferred to the Sub: Court on a post of lower salary there being at the time no vacancy yielding a salary equal to that of his former post.

8

Character of Officer.

No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.

√ Fined 8 annas for not having carefully examined a record copy. Signed/ G. Bird-
17th January 1839. } Judge.

He is a man of very considerable abilities and thoroughly conversant with his duties and I had every reason to be satisfied with his general conduct.
Mangalore } Signed/ P. Irvine
14th May 1847. } Ag: Sub: judge

√ Sooba Row bears a high character, but the Ag: (Sub:) judge having made a temporary arrangement for filling up the acting vacancy in this court, he regrets he cannot this time comply with S. Sooba Row's request.
2nd September 1847. } Signed/ H. D. Cook.
Ag. Sub: judge

√ Extract from the Statement of Services transmitted to Sader Adalat in January 1846. " Possesses very good abilities, quick and intelligent.
Signed/ G. Harris
Sub: judge.

√ He has been uniformly steady and diligent and has good abilities.
26th December 1849 } Signed/ G. Harris
Apt. judge.

√ He is an active intelligent man, has been long employed in the courts of this Zilha and has, I believe, in the different Situations he has held, given general satisfaction.
Mangalore } Signed/ George Ellis
28th March 1855. } Sub: Judge.

√ His duties have been

9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e.g.*, *transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.
	21-8-1845	Promotion	
	22-6-1846	Do	
	31-3-1851	Do	
	30-6-1851	Transferred	
	27-11-1853	Promotion	
	30-11-1854	Do	
	20-11-1860	Acting over, revert	
	10-12-1860	Promotion	
	20-10-1862	Do	
	5-12-1862	Do	
	18-11-1864	Acting over revert.	
	31-3-1865	Promotion	
	30-9-1866	Do	
	14-5-1871	Do	
	29-11-71	"	
	18-6-1872	"	
	6-10-1873	* Transfer in Reinstatement.	

* Vide Collr's order dated 12th June 1872 No 183.

1	2	3	4	5	6	7
Name of appointment.	Nature, *i.e.*, whether substantive or acting, permanent or temporary.	Substantive appointment, if the new appointment be acting only.	Pay.	Acting allowance.	Date of appointment.	Signature of Officer.

"Extract from the Proceedings of the Civil Court of Mangalore [illegible]

17th Novr 1858

Read return from the Acting Sub Judge of Mangalore to this Court's Precept dated the 1st instant.

In the foregoing return the Sub Judge explains the circumstances which led him to suspend the Criminal Record Keeper of [illegible] for [illegible] month which, on [illegible] consideration & a supposition of the punishment being too severe he reduced to a fortnight. The Charge preferred against the Petitioner is that "he gave the Prosecutor his deposition to be signed before the articles [illegible] to have identified were so much as opened, and so recorded a shameful falsehood."

As far as the Sessions Judge can discover it would appear that the Prosecutor was standing near the railing of the [illegible] when the [illegible] commenced in his presence, opening the various articles which were then transferred to the table and, eventually, to the Judge's desk. During the latter portion of this operation the Prosecutor had gone or been called to the Record-keeper who was engaged in taking his deposition, and then and there signed the paper asserting his knowledge of the articles he had only seen in part [illegible]

The Sub Judge designates this act as [illegible] falsehood but, in the opinion of the Sessions Judge it cannot be correctly so termed, with reference at least to the Record keeper, as there was no [illegible] intention or any conceivable motive to deceive, & inasmuch as the Prosecutor had seen and identified in the Taluk all the articles [illegible] before the Court he probably considered the present operations as matter of form [illegible] relative to his former examination. It does not [illegible] elaborate second deposition was taken from him [illegible] Court when the Law merely requires [illegible] of his [illegible] the [illegible].

The Record Keeper is an old and responsible servant who, up to the present moment seems to have well and efficiently performed his official duties, and an act of carelessness or haste would in the opinion of the Sessions Judge, have been sufficiently and more appropriately punished by a reprimand than by a suspension which might prove injurious to his future prospects.

Ordered that Extract from these Proceedings be sent to the Acting Sub Judge of Mangalore with directions to restore the Petitioner to his situation by Precept returnable in III days."

True Extract

[illegible]

Civil Judge.

True Copy

8	9	10	11	12
Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	Signature & designation of immediate head of the Office.	Date of termination of appointment.	Reason of termination *e.g., transfer, promotion, return of permanent incumbent.*	Signature and designation of immediate head of the Office.

particularly troublesome and disagreeable, and have not brought him much into personal communication with myself, but I have reason to be satisfied with his intelligence and industry. He appears to be remarkably clear headed and as far as I know he is upright in his conduct.

4th December 1856 }
Mangalore }
Signed / J. R. Kindersley
Ag: Sub: Judge.

I found you active, intelligent and industrious, when employed under my orders as Criminal Record keeper in 1852; and ~~that~~ you conducted yourself to my satisfaction during the period, I had charge of the Sub: Court of Mangalore.

Signed / W. Fisher
Collector.
Mangalore }
9th December 1856 }

Suspended for making a false entry on the record of a case. Just before the time expired the Session Judge ordered that he should be restored. 25.10.58. With this exception he has performed his duties as Criminal record keeper well and so far as I remember those of Ag: Nazir also. He is an intelligent man.

Mangalore }
29th September 1859 }
Signed / J. G. Thompson
Sub: Judge

A true Copy of the Certificate of which this is an abstract is as follows
"With the exception of one error, for which he was suspended, & which seems to have appeared less serious to the Sessions Judge than it did to me, T. Soobrao has conducted his duties as Criminal Record Keeper well. And, as far as I remember his duties as Acting Nazir were performed to my satisfaction. He is an intelligent man."
Mangalore
29. 9. 59.
(Sigd) J. G. Thompson
Sub Judge.

I consider T. Sooba Row to be a very able man, and fit for any appointment not requiring a knowledge of English

12.3.60. }
Signed / R. Swinton
Sub: Judge

T. Sooba Row was recommended to me for the post of Sub: Magistrate.

8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.
of the Town of Mangalore by Mr. Pochin. I have only had occasion to find fault with him for one or two trifling errors of routine. He makes a very good Sub: Magistrate and he continues to deserve the character he has earned in his judicial Service. 25.10.61. } Signed / J. Fraser Collector. T. Soobarow, Sub: Magistrate of Mangalore has given me – as a Supt. of Police – great satisfaction in the performance of his duties – He is one of the few Sub: Magistrates, who have got on well with the Police – I have a high opinion of his general character Mangalore 14. 10. 62 } Signed / E. L. Hankin Supt. of Police A very good Sub: Magistrate. May 1/63. Signed / Arthur P. Hodgson Ag: Collector A gentlemanly man of very good family – has given me entire satisfaction since he joined his acting appointment at Uppinangadi. 27th March 1865 Signed / G. Lee Morris Collector. Order – No. 26. The officers of the 8th and 14th Regiments N I. having informed me that you managed the procuring of Supplies to those Regiments in their transits through your Talug in that extensive manner, in which you should have done it, I communicate the same to you and inform you of the pleasure which I have felt in hearing that you have done your duty so satisfactorily on this occasion, and trust that you will always continue to conduct yourself in the				

Character of officer
No entries should be made in this column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.

in the same manner as in this matter and thus preserve the high opinion I have of you.

1st January 1866. } Signed / G. Lee Morris
Collector.

√ I was well satisfied with the regularity and judgement evinced by this officer in conducting the preliminary enquiries as sub: Magistrate of this town and as acting Sub: Magistrate of the Taluq of Udapi, in cases committed for trial before the Principal Sader Amin's Court during the period of nearly four years – I think that he was enabled to discharge his Magisterial duties so effeciently by the experience, he had gained during his long employment in the Judicial Department

Mangalore
18th July 1865 } Signed / L. S. Rosario.
Principal Sader Amin.

√ A fair Tahasildar.

1st January 1866. } Signed / A. Mc C. Webster
Hd. Apt. Collector

√ An able man and can do his work well, but requires to be roused every now and then.

Ootacammund
7th June 1867 } Signed / W. M. Cadell

√ Tombat Sooba Row, Tahasildar of Kassergode. Able, gentlemanly, master of his Office and (pres) Taluq. Liked and respected by the people – Cannot ride and might be more active

29-10-68. } Signed / H. S. Thomas
Collector

√ You have been on leave a great part of the time that I have been in Canara, but since you have been in Kundapoor, you have been of the greatest assistance to me as Superintendent of Police – Our famous success in convictions

SERVICE BOOK
OF
Name.
Caste or Race.
Residence.
FATHER'S Name.
Residence.
Date of birth.

Character of Officer

No entry should be made in this column except when there is any thing either good or bad to be recorded - Suspensions should be noted here when the order of suspension is passed.

---

of burglars last month was greatly owing to the ~~pro~~= promptneſs with which you went to the spot and to the energy with which you worked the cases - I told Mr. Thomas as I promiſsed you, I would how famously you managed.

It will give me great pleasure to hear of your being restored to your former pay -

I wish to return to the District at some future time and I shall hope to meet you again then -

yours faithfully
21.11.72 } Geo. Chrystie Capt.
Ag: Supt. of Police

T. Sooba Row, Tahasildar of Kunda poor - A very gentlemanly person with a good manner and popular with the people - He knows his work - Is a good Sub: Magistrate and is I now think quite equal to his appointment.

14-12-72. } Signed / Lewis Mc. Iver
Ag: Hd. Apt. Collector

The order relating to the fine of Rs 10, was paſsed in consequence of an alleged delay on my part in the conduct of an enquiry into accusation ~~[illegible]~~ brought forward against the clerk, who, it was said, did away with certain official record - These very records subsequently turned up in the Huzur when the order passed was, that I may appeal to the Board against it.

The reason for fining me Rs 5 was this that I did not pay sufficient attention to the Sanction of the Huzur before granting every copy to the parties.

I was rather unwilling to appeal to the higher authorities against such orders.

Establishment	Appointment	Pay Rs.	as.	p.	Acting allowance	Date of beginning	Date of end	Period reckoned as service	Remarks.
Judicial	*Gumasta in the Mangalore Munsif's Court	3 3 4 5	" 8 " "	" " " "	"	14th January 1829.	15th November 1838.	"	Under 22 years of age.
	Gumasta in the temporary Sadr Amin's Court.	6	"	"	"	16th November 1838.	7th August 1840	"	Do
	Do in the Pundit Sadr Amin's Court	8	"	"	"	8th August 1840	14th March 1841	"	Do
	Do in the extra Pundit Sadr Amin's Court	9	8	"	"	15th March 1841	10th September 1841	"	Do
	Head Gumasta in the Mangalore Munsif's Court	10	"	"	"	11th September 1841	15th September 1843	"	Do

* As the above list shows the service below Rs 10 and the age of 22 which is not reckoned as service, this is shown separately.

12-9-1874

J. G. Semfale
Acting Collector of
South Canara.

In 7948/74

Encl: II
In a letter from Coll.r of South Canara to Chief Secy. to Govt. Pension Dept. of 6 March 1876, No. 503

Service book of

Name		Tombat Sooba Row
Caste or race		Saraswat Brahmin
Residence		Mangalore
Father's	Name	Shiva Row
	Residence	Mangalore
Date of Birth		4th December 1819.

ಪ್ರಮಾಥಿ ಸಂವತ್ಸರ ಮಾರ್ಗಶಿರ
ಬಹುಳ 3 -

Ru: In No. 4557/76

No. 503.

South Canara Coll.r's Office,
Mangalore, 6th March 1876.

From,
J. G. Horsfall Esq.,
Ag. Collector of South Canara.

To,
The Hon'ble W. Hudleston
Chief Secretary to Government,
Pension Department,
Fort St. George.

Sir,

In submitting the accompanying Application for a Superannuation Pension on behalf of Tombat Subba Rau, late Tahsildar of Kasargode Taluk in this District, I have the honor at the same time to forward, for the favorable consideration of Government, a Petition addressed to me by the retired officer, praying that a higher pension than the Rules entitle him to may be recommended for him.

2. Under the strict letter of the Pension Code Tombat Subba Rau is entitled to a pension of Rs. 102.11.8 only, being half of his average salary for the last five years of his service. During this interval he was transferred from his own Taluk on 225 Rs. to the Kundapur

Taluk on 150 Rs. for one year, three months and eighteen days, and then restored to his former Taluk under the peculiar circumstances mentioned in his Petition, which I find, in no way reflect against his character as an honest and faithful Servant of Government. It will be seen from the history of his service that he has served more than five years as Tahsildar upon Rs. 225, and he prays that this fact only may be taken into consideration in fixing his pension and not the interval during which he served in a reduced grade. I recommend his prayer as deserving of every consideration at the hands of Government.

I have the honor to be,
Sir,
Your most obedt. Servt.

J. E. Horsfall
Ag. Collector.

EM

Ell.

Accountant General's Office
Recd 10 } 3 .1876
Ansd — }

1876 Deptt.

From the A.g Collr. of
S. Canara
To the Chief Secretary
to Govt.
Pension Deptt.
Fort St. George

Dated 6th } March 1876.
Recd. } No. 503.

Enclo: three

Submits an application
for a Superannuation
Pension on behalf of
Tombat Subba Rau,
late Tahsildar of
Kasargode Taluk
together with a petition
from the retired officer
for the favorable
consideration of Govt.

22779

Pen: Dn No. 455/76

Pension Department

No 18

125

Official Memorandum

The Under Secretary to Government P.W. Deptt is directed to request that the Secretary to the Board of Revenue will be so good as to furnish Copies of their Proceedings marginally noted for the information of Government.

d/5th June 1872
No. 3994.
" 2nd Augt 1873
No. 4850

(Signed) W. Farewell Colle
Offg Under Secy D.P.W

Fort Saint George
3rd August 1876. }

To
The Secretary to the
Board of Revenue.

To

His Excellency the Viceroy and Governor General of India
In Council.

The humble Petition of Tombhat Subba Ráu,
Pensioned Tahsildar of Kasargode Taluk
in the District of South Canara, dated
Mangalore, 29th April 1877.

Most humbly sheweth,

That Your Petitioner was Tahsildar of the Kasargode Taluk, a second class Tahsil, on Rs. 225-0-0 per month in the South Canara District, and was on the 4th December 1875 required to retire on the ground of his having passed the age of 55 years.

2. That although Your Petitioner had served the Government with good character for a period of more than 31 years in pensionable grades of which more than 7 years were spent in the second class Tahsil of the aforesaid Kasargode Taluk on Rs. 225, and although he was recommended by the Collector of the District for a pension equal to a full moiety* of the said pay, yet the Madras Government sanctioned† only Rs. 102-12-0. Your Petitioner, therefore, highly aggrieved, begs with profound deference and submission to appeal to your Excellency's Supreme Government in the sanguine hope that his case will be found to deserve a favorable consideration.

* Rs. 112-8-0.

† Pro: of Govt. dated 5th Sept. 1876 No. 532. Pension Dept.

3. That the reduction in the amount of Your Petitioner's pension is owing to the circumstance of his having, in the course of the 5 years immediately preceding his retirement (on the average emoluments of which the pension is calculated) been transferred from the Kasargode Tahsil to the lower grade Tahsil of Kundapur on Rs. 150 for a short period of 1 year 3 months and 18 days.

4. That Your Petitioner was appointed to the Kasargode Tahsil in 1865, and in October 1866 the Taluk was raised to a second class on Rs. 225. So late as November 1871 his capacity to discharge the duties of that Tahsil having been called in question by the then Ag. Collector, the permanent Collector Mr. H. S. Thomas to whom the matter was referred by the Board of Revenue, on his return from furlough, recommended that Your Petitioner might be put in charge of the lighter Taluk of Kundapur which was sanctioned accordingly. Shortly afterwards, however, the same Collector Mr. Thomas, fully satisfied as to Your Petitioner's efficiency, recommended and obtained Your Petitioner's restoration

inc No 1361/77

to his former post. And it is this short intermediate period that has led to a diminution in Your Petitioner's average emoluments—a result occasioned by what is proved to have been nothing more than a mistaken view as to his efficiency.

5. That such being the case Your Petitioner humbly begs to submit that it would bear extremely hard on Your Petitioner if, in addition to the loss of pay entailed on him by his unmerited reduction, he were held liable to suffer also a reduction in the amount of pension for the remainder of his life; and that, from the fact of the very same Collector who had proposed Your Petitioner's transfer having himself found that it was improper and got him reinstated, it would appear to be but just and reasonable that Your Petitioner's claims for pension should not be prejudiced by the said transfer but be exceptionally treated.

6. That Section 69 Rule 2 of the Civil Pension Code, 3rd Edition, provides that periods of leave and suspension followed by reinstatement are to be treated for the purpose of calculation of average emoluments, as if such absence or suspension had not taken place; and according to Rule 3 to the same Section, (see Section 46 also) in case of suspension adjudged as a penalty, the period of such suspension is excluded in the calculation of the average of the last 5 years and an equal period added from the prior service. Such being the case, it would not, Your Petitioner humbly trusts, be found too much to exclude from the 5 years' average the short interval passed in the Tahsil of Kundapur and add an equal period from his prior service, in consideration of the fact that he had already held the Kasargode Tahsil on Rs. 225 for more than 5 years before his transfer to Kundapur, independently of his subsequent service in the same office, and *would have been holding* it during the interval mentioned, had it not been for what has turned out to have been a mistaken view of his efficiency.

7. That under the spirit of the above-mentioned rulings, combined with a sense of justice due to Your Petitioner, Your Petitioner respectfully begs to express his hope that his case will be found to be a fit one for the exercise of the power of relaxation of rule by Your Excellency's Supreme Government contemplated in Section 78.

8. That Your Petitioner need scarcely add that there are instances in which cases have been specially considered and rules relaxed. In two recent cases in this District, namely of Amlády Shántappaya, Taluk Sheristedar of Uppinangady, pensioned in 1872, and of Hattiangadi Manjunáthaya, Head Gumasta of the Mangalore Subordinate Judge's Court, pensioned in 1874, the requisite period of service necessary to entitle them to a full half pension was made up by allowing them to count, in the case of the former, service rendered prior to transfer to non-qualifying establishment, and in the case of the latter, service rendered in an inferior grade on transfer from a superior one. In a still later case, namely of Balthazar Fernandez, late Sea Custom Superintendent of Bárkur, pensioned in 1875, the Government were pleased to overlook a break in the service caused by resignation and specially allow his previous service to count for pension.

9. That the most just and benign British Government have instituted the liberal system of half pay pension to reward its faithful servants on their retirement from arduous service in which the best part of their lives is spent, and it would be highly grievous to Your Petitioner to find that with such long good service as he has he should be unable to get the boon, ordinarily allowed to all Government servants, of a pension equal to half the pay which he last drew and on which he has served for nearly 8 years.

10. That, as would appear from the testimonials which accompanied Your Petitioner's Application for Pension, Your Petitioner has rendered long and faithful services and merited approbation. Your Petitioner begs to add that during his tenure of the office of Kasargode Tahsildar there has been an increase of Rs. 22,000 in the land revenue of the Taluk. Your Petitioner is also the recipient of the honor of a Certificate of long and faithful services granted on the occasion of the recent Proclamation of the assumption by Her Majesty of the Title of Empress of India.

11. That, in conclusion, Your Petitioner most respectfully begs leave to add that, when many acts of munificence and liberality on behalf of the Blessed Empress of India have been, and are being, done by Your Excellency's Government in this country in commemoration of the happy event above alluded to, he humbly trusts that, under the circumstances and on the grounds before mentioned, the grant of an addition of Rupees 9-12-0 to make up the pension to which he has a fair claim will not be considered an undue indulgence to an old and faithful servant of Government.

12. That Your Petitioner, therefore, prays that Your Excellency will be graciously pleased to take into Your benign consideration the foregoing facts and order the grant to Your Petitioner of the full amount of pension Rs. 112-8-0 as recommended by the District Collector, and thereby fully secure to Your Petitioner the ultimate reward of a long and faithful service.

For which act of justice and kindness Your Petitioner and his family shall, as in gratitude bound, ever pray for Your Excellency's long life and prosperity and for the weal of Her Majesty's Imperial Government of India.

By command of His Excellency the Viceroy and Governor General this Certificate is presented in the name of Her Most Gracious Majesty Victoria, Empreſs of India, to M. R. Ry Tombat Subba Rao Pensioned Tahsildar, son of Tombat Shiva Rao – in recognition of his long and faithful service to Government.

Signed/ Buckingham & Chandos.

January 1st, 1877.

(True Copy)

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APPLICATION FOR {PENSION / GRATUITY.

1. Name of Applicant. Tombat Subba Rau.

2. Father's name. Tombat Shiva Rau.

3. Sect or Caste. Saraswat Brahmin.

4. Residence. Mangalore.

5. Present or last employment. Tahsildar of Kasargode Taluk.

6. Date of beginning of service 14th January 1829.

7. Date of end of service 3d December 1875.

	Y.	M.	D.
8. Length of service including breaks	46.	10.	20
of which superior	31.	8.	3.
inferior	1.	9.	12.
non-qualifying and breaks	13.	5.	5.

9. Class of {pension / gratuity} applied for, and cause of application.* C. Superannuation Pension.

10. [Average] emoluments or pay. Rs. a. P. 205. 7. 4.

11. Proposed pension. Rupees 112. 8. " (102-12-0)

12. Proposed gratuity.

13. Date from which to commence. 4th December 1875.

14. Place of payment. Mangalore.

According to the strict letter of the Pension Rules the applicant is entitled only to a Pension of Rs. 102-11-8 calculated on his average emoluments for the last five years, but he claims Rs. 112. 8. " for reasons which are set forth in his enclosed Petition which is submitted for the favorable consideration of Government.

15. Age of applicant on this date. 56 years.

Date birth by Ch [illegible] esq ~ 4 Decr 1819

16. Height. 5 feet and 7½ inches.

17. Marks. Complexion rather fair, features regular & well made. Small mole on left cheek on line between nostril & ear. Arms very hairy. Small mole on left side of nape of neck. A small projecting mole of the size of a rice grain on the left side of the chest, about two inches below the collar bone, the chest covered with hair. Mark of a bruise on the cap of the right knee.

18. Date. 6th March 1876.

J. G. Horsfall

Ag. Collector of S. Canara

SIGNATURE OF THE HEAD OF OFFICE.

* 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.

HISTORY OF THE SERVICE (SHOWING BREAKS) OF Tombat Subba Rau, late Tahsildar of Kasargode.

Establishment. 5	Appointment. 12	Pay. 6			Acting allowance. 5	Date of beginning. 9	Date of end. 9	Period reckoned as service. 5			Period not reckoned as service. 6			Remarks. 10	How verified. 10	Remarks by Accountant-General. 11
		RS.	A.	P.	RS.			Y.	M.	D.	Y.	M.	D.			
Judicial.	Gumasta in the Mangalore Munsiff Court	3. 3. 4. 5.	– 8. – –	– – – –	"	14 January 1829.	15th Novr 1838.	–	–	–	9.	10.	2.	Under 22 years of age.		This period of Service does not count having been rendered in inferior &c grades
	Gumasta in the Temporary Sadr Amin's Court	6.	"	"	"	16th November 1838.	7th August 1840.	–	–	–	1.	8.	23.	Do		
	Do in the Pandit Sadr Amin's Court	8.	"	"	"	8th Augt 1840.	14 March 1841.	–	–	–	"	7.	7.	Do		
	Do in the Extra Do	9.	8	"	"	15 March 1841.	10 Septr 1841.	–	–	–	"	5.	26.	Do		
	Head Gumasta in the Mangalore Munsiff Court	10.	"	"	"	11 Septr 1841.	15 Septr 1843.	–	–	–	2.	"	4.	Y. M. D. " 2. 22. Do 1. 9. 12. Inferior Service.		
	Gumasta in the Sub Court Mangalore	14.	"	"	"	16th Septr 1843	21st August 1845.	1.	11.	6.						
	Do	17.	8.	"	"	22d Augt 1845.	2d July ~~22d June~~ 1846.	–	10.	11 ~~1~~.					Verified–See Statement of Service marked A. accompanying Letter No. 41 of 23-6-76–	
	Head Gumasta in the Assistt. Judge's Court	30.	–	–	"	3 July ~~22d June~~ 1846	31st March 1851.	4.	8 ~~9~~.	29.						
	Do in the Sub Court.	24.	8	–	A	1st April 1851.	1 July ~~30 June~~ 1851.	"	3.	1.						
	Total period of {superior / inferior} service...						....									
	Criminal Record Keeper in the Sub Court	30.	"	"	Full pay.	2d ~~1st~~ July 1851.	27 Novr 1853.	2.	4.	26.						Verified from the records of the District and Sub-Courts and from those of the Collector of South Canara, the verification being confirmed partly from the annual Returns and partly from the audit Registers on record in this office.
	Ag Nazir in do	30.	–	"	-do-	28 Novr 1853.	30 Novr 1854	1. "	– 1	3. 4						
	Criminal Record keeper in do	30.	–	"	–	1st Decr 1854.	20 Novr 1860.	~~5.~~	~~11.~~	~~20.~~						
	Ag Nazir	45	–	"	full pay	5 January 1855–	17 ... 57	2	10	13						
	Crl Record Keeper	30	–	"		18 Nov 1857–	20 ... 60–	*2	11.	19	"	"	14	* Exclusive of the period of [illegible] from 25/10/58 to 7/11/58		
Revenue.	Ag Nazir in do	45	–	–	-do-	21st Novr 1860.	10 Decr 1860.	–	–	20.						
	Town Sub Magte of Mangalore	65.	–	–	–	11 Decr 1860	20 Octr 1862	1.	10.	10.						
	Ag Tahsildar of Udipi Taluk	225.	"	"	–	21 Octr 1862.	5th Decr 1862	"	1.	15.						
	Town Sub Magte of Mangalore	65.	"	"	–	6 Decr 1862	18th Novr 1864.	1.	11.	13 ~~12~~.						
	Ag Tahsildar of Uppinangadi Taluk	150.	"	–	–	19th Novr 1864.	31st March 1865.	"	4.	13.					Verified from Colrs records. Vide reply memo accompy [illegible]	
	Tahsildar of Kasargode Taluk	175.	"	"	–	1st April 1865.	30 Septr 1866.	1.	6.	"						
	Ditto	225.	"	"	–	1st Octr 1866.	14 May 1871.	4.	7.	14.						
	On sick leave.				—	15 May 1871.	29 Novr 1871.	"	"	"	"	6.	15.			
	Tahsildar of Kasargode Taluk	225.	"	"	B	30th Novr 1871.	18th June 1872.	"	6.	20 ~~19~~.						
	Tahsildar of Kundapur Taluk	150.	"	"	–	19 June 1872.	6th Octr 1873.	1.	3.	18.						
	Do — of Kasargode Taluk	225.	"	"	–	7 Octr 1873.	3d Decr 1875.	2.	1.	27.						
	Total period of Superior Service —							31.	7 ~~8~~.	22 ~~3~~.	15.	2.	17.			

KS BY HEAD OF OFFICE.

Service Book is enclosed. It contains all that is on record
is public character which appears to have been good and

2. Explanation of any suspension or degradation. **A** Owing to the abolition of the Astt. Judge's Court, whereupon the applicant was transferred to the Subordinate Court on a post of lower Salary, there being at the time no vacancy yielding a salary equal to that of his former post.

3. Regarding any gratuity or pension already received by Applicant. See Chapter XX. None

B During this period the applicant was under suspension pending the decision of the Board of Revenue on a reference made by the Collector suggesting his compulsory retirement on pension. The period was however subsequently ordered to be reckoned as service in the post of Tahsildar of Kasargode for all purposes connected with the grant of pension in Proceedings of the Board of Revenue dated 5th July 1872, No. 1217 copy of which appears to have been supplied to the Acctt General.

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

5. Any other remarks. The permanent Collector in a letter addressed by him to the Board of Revenue under date the 11 October 1875 No. 1945 and recorded in Bd's Proceedings 22d October 1875, Miscel: No. 9572, (G. O. 26th idem, No. 2261 Rev: Dept.) has declared that he does not consider the applicant "physically fit for further efficient service, specially in his present hardworked Taluk."

J. G. Horsfall
A. g Collector of S. Canara
SIGNATURE.

No. 224

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 — 31 — years — 7 — months and 22 days; and that a Superannua-tion {pension ~~gratuity~~} not exceeding Rs. 102-11-9 per mensem is admissible under Section — 57 — of the Civil Pension Code. (The calculations have been duly verified.)

The Acting Collector states that the permanent Collector does not consider the applicant to be physically fit for further efficient Service.

Accountant-General.

Fort Saint George
Acctt Genl's Office
10th July 1876

To The Under Secretary to Government
Pension Department

Pension 1876 Dept
No 455

APPLICATION FOR {PENSION ~~OR~~
{~~GRATUITY.~~

Date of application.
6 March/76

Name of applicant.
T. Subba Rao

Last appointment.
Tahsildar

Class of {pension ~~or~~
{~~gratuity.~~

Amount of pension sanctioned.

Amount of gratuity sanctioned.

Date of commencement.

Date of sanction.

G.O. No 833

G.O. No 532 of 5 Sept/76

Filed with order No 532

Government of Madras.

PETITION DEPARTMENT.

139

Endorsement on No. 2235 of 1876.

The Government decline to modify their order of 5th September 1876 No 532.

(By Order.)

H. B. Gill

Ag Under Secretary to Government.

FORT SAINT GEORGE,
4th Decr 1876.

G.O. No 1046/29

Sork fo-d. 5-9-76: 532
—— " —— 11-6-77: 284
—— " —— 8-8-77: 425
Lndh. d. 4-12-76: 2235

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Government of Madras.

Pen No. 49 DEPARTMENT.

Petition No. 104 of 1879

From T. Subba Rao

Occupation Pensioned Tahsildar of

Village

Talook Kassergode

District South Canara at Mangalore

Dated 2nd } January 1879

Received 11th }
" 30

(with order)

Enclosures. 5

ABSTRACT.

Prays that the accompanying Memorial, requesting that his present pension of Rs 102-12-4 may be enhanced to Rs 112-8-4, may be forwarded to the Secretary of State for India.

Oc No 24 of 79

Transferred to the Pension Dept.

Chas Masters

25/1/79 Ag Under Secy.

40R

Stamped & Registered

MANGALORE JAN 8

MANGALORE JAN 8

148

To
C. G. Master Esquire
Ag: Chief Secretary to Government
Fort St George.
Madras

I. DEL X MADRAS JAN 11

REGISTERED MANGALORE
4179 N. 40 R

MANGALORE JAN 8

No 1151.

Memorandum.

M. R. Ry. Tombat Subba Row late Tahsildar of Kassergode Taluk is informed that the Government have in their order dated 5th September 1876 No. 532 Pension Department admitted him to a Superannuation pension of Rs. 102-12-- per mensem commencing from the 4th December 1875.

South Canara Collector's Office
Mangalore 5th October 1876.

Deputy Collector

To M. R. Ry. Tombat Subba Row.
late Tahsildar of Kassergode Taluk
Mangalore.

compd by. H! L N° 104 of 79

1st Octr 1866 to Nov 1871

7th Octr 1873 to
4th Decr 1875.

5-1-"
2-2-"

7-3-"

263469- 12-5
2378347 3-7

25635-8-10

104
11-1-79
5 Encl.

1

19 14.8

To

C. G. Master Esquire
Ag. Chief Secretary to Government
Fort St. George.

Honored Sir,

I beg most respectfully to enclose a Memorial addressed by me to the Right Honorable the Secretary of State for India on the subject of my pension, and request your Honor will be pleased to submit the same to England for the favorable consideration of His Excellency.

I beg most respectfully to remain,
Honored Sir,
Your most obedt. and humble Servant.

Tombhat Subba Rau, pensioned
Tahasildar of Kassergode Taluk,
South Canara District

Mangalore
2d January 1879

To

His Excellency The Right Honorable
The Secretary of State
For India
In Council.

The humble Memorial of Tombat Subbarau, pensioned
Tahasildar of Kaſsergode Taluk, South Canara District,
Madras Presidency, dated Mangalore 2d January 1879.

My Lord _ May it please Your Lordship,

That your Lordship's humble Memorialist, with the profoundest deference & ſubmiſsion, begs leave to intrude upon Your Lordship's most precious time with a representation of his hard case and to state that he having been ordered to retire from his office of Tahasildar of Kaſsergode in December 1875, under the rule of 55 years' age and the Government of Madras having granted him a pension of Rs. 102 12 - instead of Rs. 112 8 - being half of his pay (Rs. 225) as recommended by the Collector of the District, and thereby caused a reduction of Rs. 9 12 - in his pension, and his Petition to the said Govt. for a reconsideration of his case and finally his appeal to the Govt. of India having failed to obtain redreſs, Your Lordship's Memorialist, extremely aggrieved, is driven to lay this Memorial before Your Lordship in Council as his ultimate resource, and he sanguinely hopes that

the

L. N 104 of 79

the circumstances of his case will meet with the kind and favorable consideration of Her Majesty's benign Govt. as represented by Your Noble Lordship in Council.

2. That the circumstances of his case appear from the printed copy of his Petition to the Govt. of India, which Your Lordship's Memorialist respectfully begs to enclose herein; so that he need not repeat them all, but respectfully crave Your Lordship's kind perusal of the said copy of Petition.

3. That Your Lordship's Memorialist, however, begs to lay before Your Lordship more prominently the following facts, namely that, as would appear from his pension application, out of his total service of $\overset{y.}{41}$ - $\overset{\overset{a}{m.}}{1}$ $\overset{d.}{3}$. a period of $\overset{y.}{31}$ - $\overset{m.}{7}$ $\overset{d.}{22}$ was spent in superior grades - of which $\overset{y.}{7}$ $\overset{m.}{10}$ - $\overset{d.}{15}$ were in his post of Tahasildar of Kassergode on Rs. 225 (viz: $\overset{y.}{5}$ - $\overset{\overset{b}{m.}}{8}$ - $\overset{d.}{18}$ before, and $\overset{y}{2}$ $\overset{\overset{c}{m}}{1}$ $\overset{d.}{27}$ after, his transfer to Kundapoor); that the cause of the reduction in the amount of his pension is the fact that the last 5 years of his service, on the average emoluments of which pension is calculated, included a period, short as it was, of $\overset{y.}{1}$ - $\overset{m.}{3}$ $\overset{d.}{18}$ passed in the lower Class Tahasildarship of Kundapur to which he was transferred from Kassergode; that this transfer is clearly proved to have been made under a mistaken view as to his efficiency in as much as the very same Collector, upon whose recommendation the transfer was made, himself recommended & obtained Your Lordship's Memorialist's restoration to Kassergode; that, therefore, Your Lordship's Memorialist begs earnestly to submit to Your Lordship's benign consideration, he should not, in justice, be made to suffer the consequences of the said mistaken view by a diminution of pension for the remainder of his life in addition to the loss of the higher pay already sustained by him during the time he was transferred to Kundapoor; that it is under such hardship that Your Lordship's Memorialist seeks a relaxation of strict rule by Your Lordship in whose hands lies the power of treating such cases exceptionally and he humbly but firmly believes that his case will be found not unworthy of such treatment, considering that he has had at his credit more than the required five years' service in his post interrupted for a short time only by what was, as already stated, clearly referable to error in opinion as to his capacity, whilst on the other hand his retirement was compulsory (it was not on Invalid Certificate) and premature & without the consideration due to his hardship from the result which has now ensued and which

a From 1st November 1834* to 3rd December 1875

* when pay was first fixed by Govt. for the Cost of Mffl Courts, the prior service being private.

b From 1st October 1866 to 18th June 1872.

c From 7th October 1873 to 3rd December 1875 which, consistently with the repeated wishes of Govt. in the matter of superannuation pensions, might have been avoided if he were allowed to complete the last 5 years' service by a retention in the service (as was done for only one year) for 2 y 10 m 3 d more - a period which would have expired by the 7th October last.

Service in Kassergode Tahasil on restoration from Kundapoor from 7th October 1873 to 3d December 1875. = 2 - 1 27
+ 2 10 3.
5 " -

4. That Your Lordship's Memorialist begs to add that he is fully aware of the Home Government's general disinclination to increase the state charges by the grant of pensions in excess of what the Regulations provide and also its declaration that mere length of service, however faithfully performed, is not in itself a sufficient ground for exceptional reward; but he need hardly submit that it is not mere length of service upon which he ventures to claim the concession he seeks - for although he has had an attested honorable service* of 41 years, his claim rests chiefly on the ground of an unmerited transfer for which it would be extremely hard upon him to suffer and for which a compulsory retirement has debarred him the means of obtaining a remedy so far as the amount of his pension was affected; and while many cases have been specially considered by the Home Govt. and the grant authorized

* Among the Gentlemen under whom he served are:
Messrs. James Fraser ....
G. Lee. Morris ...
William Molle Cadell.
Lewis Mc Iver ....
Edward Gibson ...
Hon'ble J. R. Kindersly J..
who are now in England.
and.
Messrs. H. S. Thomas .....
J. Sturrock ..
G. Stokes ...
A. McC. Webster
who are now in India.

---

of pensions in excess of what is ordinarily a
-ed by the rules, it is clear that Your Lords
Memorialist's pretensions do not extend to any t
higher than half the pay of his post - which, in
the circumstances as already set forth, he trusts
will be found peculiarly to deserve.

5. That Your Lordship's Memorialist, how
finds it to his great misfortune that his case has
been able to attract the sympathy of the Governm
to whom he has petitioned - yet, with all deferen
to them, he hopes that it will not fail for want
recommendation from these higher authorities.

6. In conclusion Your Lordship's Memori
-ist humbly prays Your Lordship in Council w
deign to take into Your benign consideration th
foregoing facts and also those stated in the enclos
copy of the Petition to the Government of Indi
and be graciously pleased to order the grant to
him of the deficiency of Rs. 9 12 " per month
in his pension, and thereby secure to him fully
the reward of a long and faithful service.

For which act of justice and benevolen
Your Lordship's Memorialist an
his large family shall, as in duty
bou

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comnd, ever pray for the prosperity of
Your Lordship & of Her Majesty's
Imperial Govt. of which Your
Lordship is the noble
representative.—

Tombhat Subba Rau, pensioned
Tahasildar of Kaseergode
Taluk South Canara District

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

8th August 1877, No. 425.

Pension.

Read the following paper:—

From E. J. SINKINSON, Esq., Officiating Under Secretary to the Government of India, Financial Department, to the Secretary to Government, Fort St. George, dated Simla, 25th July 1877, No. 2072.

In reply to your letter, No. 284, dated 11th June 1877, forwarding a memorial for increased pension from T. Subba Row, a pensioned Tahsildar in the South Canara District, I am directed to request that the memorialist may be informed that the Governor-General in Council declines to interfere with the orders of the Government of Madras against which the memorialist appeals.

ORDER THEREON, 8th August 1877, No. 425.

Copy forwarded to the Collector of South Canara for communication to T. Subba Row.

(True Extract.)

Acting Under Secy. to Govt.

To the Collector of South Canara.

Exd. J. W. Fischer.

No. 1386

Communicated to T. Subba Rau,
late Tahsildar of Kasargod Taluk,
South Canara—

Collectors Office
Mangalore, 17th Augt. 1877

Ag. Collector.

Le No 104 of 79

Jul. 2799/77

Govt. of 1877 Madra

PENSION.

To THE COLLECTOR OF SOUTH CANARA.

Dated August, 8th.

Issued

Recd.

Encl.

G.O., 8th August 1877, No. 425.

AUGUST.

Pension.—Letter from the Government o
ndia declining to grant increased pension t
'. Subba Row, late Tahsildar of Cassergode i
ne South Canara District.

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To

His Excellency the Viceroy and Governor General of India
In Council.

The humble Petition of Tombhat Subba Ráu,
Pensioned Tahsildar of Kasargode Taluk
in the District of South Canara, dated
Mangalore, 29th April 1877.

Most humbly sheweth,

That Your Petitioner was Tahsildar of the Kasargode Taluk, a second class Tahsil, on Rs. 225-0-0 per month in the South Canara District, and was on the 4th December 1875 required to retire on the ground of his having passed the age of 55 years.

2. That although Your Petitioner had served the Government with good character for a period of more than 31 years in pensionable grades of which more than 7 years were spent in the second class Tahsil of the aforesaid Kasargode Taluk on Rs. 225, and although he was recommended by the Collector of the District for a pension equal to a full moiety* of the said pay, yet the Madras Government sanctioned† only Rs. 102-12-0. Your Petitioner, therefore, highly aggrieved, begs with profound deference and submission to appeal to your Excellency's Supreme Government in the sanguine hope that his case will be found to deserve a favorable consideration.

* Rs. 112-8-0.

† Pro: of Govt. dated 5th Sept. 1876 No. 532. Pension Dept.

3. That the reduction in the amount of Your Petitioner's pension is owing to the circumstance of his having, in the course of the 5 years immediately preceding his retirement (on the average emoluments of which the pension is calculated) been transferred from the Kasargode Tahsil to the lower grade Tahsil of Kundapur on Rs. 150 for a short period of 1 year 3 months and 18 days.

4. That Your Petitioner was appointed to the Kasargode Tahsil in 1865, and in October 1866 the Taluk was raised to a second class on Rs. 225. So late as November 1871 his capacity to discharge the duties of that Tahsil having been called in question by the then Ag. Collector, the permanent Collector Mr. H. S. Thomas to whom the matter was referred by the Board of Revenue, on his return from furlough, recommended that Your Petitioner might be put in charge of the lighter Taluk of Kundapur which was sanctioned accordingly. Shortly afterwards, however, the same Collector Mr. Thomas, fully satisfied as to Your Petitioner's efficiency, recommended and obtained Your Petitioner's restoration

In No 104 of 7/79

to his former post. And it is this short intermediate period that has led to a diminution in Your Petitioner's average emoluments—a result occasioned by what is proved to have been nothing more than a mistaken view as to his efficiency.

5. That such being the case Your Petitioner humbly begs to submit that it would bear extremely hard on Your Petitioner if, in addition to the loss of pay entailed on him by his unmerited reduction, he were held liable to suffer also a reduction in the amount of pension for the remainder of his life; and that, from the fact of the very same Collector who had proposed Your Petitioner's transfer having himself found that it was improper and got him reinstated, it would appear to be but just and reasonable that Your Petitioner's claims for pension should not be prejudiced by the said transfer but be exceptionally treated.

6. That Section 69 Rule 2 of the Civil Pension Code, 3rd Edition, provides that periods of leave and suspension followed by reinstatement are to be treated for the purpose of calculation of average emoluments, as if such absence or suspension had not taken place; and according to Rule 3 to the same Section, (see Section 46 also) in case of suspension adjudged as a penalty, the period of such suspension is excluded in the calculation of the average of the last 5 years and an equal period added from the prior service. Such being the case, it would not, Your Petitioner humbly trusts, be found too much to exclude from the 5 years' average the short interval passed in the Tahsil of Kundapur and add an equal period from his prior service, in consideration of the fact that he had already held the Kasargode Tahsil on Rs. 225 for more than 5 years before his transfer to Kundapur, independently of his subsequent service in the same office, and *would have been holding* it during the interval mentioned, had it not been for what has turned out to have been a mistaken view of his efficiency.

7. That under the spirit of the above-mentioned rulings, combined with a sense of justice due to Your Petitioner, Your Petitioner respectfully begs to express his hope that his case will be found to be a fit one for the exercise of the power of relaxation of rule by Your Excellency's Supreme Government contemplated in Section 78.

8. That Your Petitioner need scarcely add that there are instances in which cases have been specially considered and rules relaxed. In two recent cases in this District, namely of Amlády Shántappaya, Taluk Sheristedar of Uppinangady, pensioned in 1872, and of Hattiangadi Manjunáthaya, Head Gumasta of the Mangalore Subordinate Judge's Court, pensioned in 1874, the requisite period of service necessary to entitle them to a full half pension was made up by allowing them to count, in the case of the former, service rendered prior to transfer to non-qualifying establishment, and in the case of the latter, service rendered in an inferior grade on transfer from a superior one. In a still later case, namely of Balthazar Fernandez, late Sea Custom Superintendent of Bárkur, pensioned in 1875, the Government were pleased to overlook a break in the service caused by resignation and specially allow his previous service to count for pension.

9. That the most just and benign British Government have instituted the liberal system of half pay pension to reward its faithful servants on their retirement from arduous service in which the best part of their lives is spent, and it would be highly grievous to Your Petitioner to find that with such long good service as he has he should be unable to get the boon, ordinarily allowed to all Government servants, of a pension equal to half the pay which he last drew and on which he has served for nearly 8 years.

10. That, as would appear from the testimonials which accompanied Your Petitioner's Application for Pension, Your Petitioner has rendered long and faithful services and merited approbation. Your Petitioner begs to add that during his tenure of the office of Kasargode Tahsildar there has been an increase of Rs. 22,000 in the land revenue of the Taluk. Your Petitioner is also the recipient of the honor of a Certificate of long and faithful services granted on the occasion of the recent Proclamation of the assumption by Her Majesty of the Title of Empress of India.

11. That, in conclusion, Your Petitioner most respectfully begs leave to add that, when many acts of munificence and liberality on behalf of the Blessed Empress of India have been, and are being, done by Your Excellency's Government in this country in commemoration of the happy event above alluded to, he humbly trusts that, under the circumstances and on the grounds before mentioned, the grant of an addition of Rupees 9-12-0 to make up the pension to which he has a fair claim will not be considered an undue indulgence to an old and faithful servant of Government.

12. That Your Petitioner, therefore, prays that Your Excellency will be graciously pleased to take into Your benign consideration the foregoing facts and order the grant to Your Petitioner of the full amount of pension Rs. 112-8-0 as recommended by the District Collector, and thereby fully secure to Your Petitioner the ultimate reward of a long and faithful service.

For which act of justice and kindness Your Petitioner
and his family shall, as in gratitude bound, ever
pray for Your Excellency's long life and
prosperity and for the weal of Her
Majesty's Imperial Government of
India.

(Signed) T. Subba Rao
(True copy)

No. 1242.

To,

The Chief Secretary to the
Government of Fort St. George.

Financial Deptt. Sir,

With reference to your letter No. 214 dated 7th May 1879, forwarding a memorial for increased pension, addressed to the Secretary of State for India, by T. Subba Rao, a pensioned Tahsildar in the South Canara District. I am directed to req [illegible] the permission of His Grace the Governor in Council, you will be good enough to forward the Application for pension and the Certificate by the Accountant General upon which pension was granted to the memorialist.—

I have the honor to be
Sir
Your most Obedient Servant.
E J. Sinkinson
Under Secy: to the Govt. of India

Simla
The 16th June
1879

J.G. 14/6

Pension (1879) Depart
No 529
From
The Under Secy to the
Govt of India &c

Dated 16 June 1879
Recd 25 June /79

With reference to the Memorial for increase of pension addressed to the Se of State for India by [illegible] Row, a pensioned Tahsildar the South Canara Distric requesting to be furnished the application for pension & the Certificate by the Ac General upon which the pen was granted to the memori

~~Memo: Sent to the Govt of~~
India dated 21st July 1879 No 29

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Memo

The applicant T. Subba Row petitions Govt. to grant him a Pension of Rs 112-8, as a special case, instead of Rs 102-12 – the amount to which he is entitled under the Rules – He grounds his claim on the fact, that – altho' he was first of all suspended by W. Webster, then reduced by W. Thom he was finally restored to his original post on the recommendation of W. Thomas –

The pay of the post he originally held was 225 that to which he was degraded Rs 150 –

He wishes to have his pension calculated throughout on the higher pay –

There seems to be nothing in the case to justify an application to the Govt. of India –

Mr. Thomas was dissatisfied with the man before he left for England, and in spite of his known respectability & age had actually disgraced him by imposing a fine – Mr. Webster in his absence suspended him for misofficiating & other irregularities. – Mr. Thomas whose return the Board had awaited before dealing finally with the case, – on taking charge of the Dist. recommended his degradation by removal to a lighter Taluk with smaller pay, if he could not be pensioned off at once – He speaks of him as an honorable man, but behind the times and not up to his work – Later however, but without any special grounds, except the partial loss of pension, which ~~and~~ his opinion was too severe a punishment, he recommended his restoration to his former post & the Board approved.

He explains his previous inefficiency by saying he had found out that it was due to domestic afflictions =

The history of the case is set forth in G.O. Proc. 5 June 72 No 3994 & 2 Aug 73 No 4850

It is submitted that there is no case for the Govt. of India - who makes a point of discouraging all such special applications -

Quite agree
22/8

23/8

24/8

circ.

21/8/76

Order passed by

O. No. 532 of 5/9/76

c 21.8
30.8

Pension Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following ~~letter~~ Papers

From the Ag Collector of South Canara dated 6th March 1876 No. 503

— " — Accountant General dated 16th July 1876 No. 22

Order thereon 5th September 1876 No. 532

23/8

Under Sections 53, 56 and 57 of the Civil Pension Code (2nd Edition) His Grace the Governor in Council is pleased to grant to Tombat Subba Row, late Tahsildar of Kasargode Taluq, South Canara District a Superannuation pension of Rs 102 - ~~12~~ - per mensem to which he is entitled for his qualifying superior Service of 31 yrs 7 ms & 22 days payable from the 4

4th December 1875.-

With reference to the collector's recommendation for the grant of Rs 112-8-0 to T. Subba Row, His Grace the Governor in Council sees nothing in the case to justify its being exceptionally treated.-

To the Accountt General with Register
To the Collector of South Canara } desp 12/9/76

[illegible]

2235/76
1361/77

Govt. of {1876} Madras.

Pension

To The Accountant General.

Dated 5th Sept.
Recd.
1876, No. 532

Nos.

Granting a super-
-annuation pension
of Rs. 102-12-" per men-
-sem to Tombat Subba
Row, late Tahsildar
of Kasargode Taluq
South Canara District.