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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	166	Press Mis.
Dated	2-2-1971	

Not to be folded or roughly handled

Cochin, 1st March 1877

To,

The Most Noble Richard
Plantagenet Campbell
Temple Nugent Brydges
Chandos Grenville, Duke
of Buckingham and Chandos,
Governor in Council, Fort St. George,
Madras.

The Memorial of John O'Hara,
the late Subordinate Judge of South
Malabar at Cochin.

Respectfully Sheweth,

That Memorialist received
on the 25th ultimo, through the officiating
District Judge of South Malabar, a
copy of the order of the Madras Govern-
ment, Pension Department, dated the
8th February 1877 No 51, granting a pen-
sion to him of only Rs 250 per mensem.

2. Memorialist hopes that the
grounds upon which he submits his
present Memorial will satisfactorily
plead his apology for once more ap-
plying to Your Grace in Council.

for a pension higher than half pay.

3. The abovementioned order has been passed upon two grounds - viz:

I That the Government see no special reason whatever in Memorialist's case to warrant an application to Her Majesty's Government for special pension - and II That he has already been treated liberally in having been allowed to continue in the Service of Government seven years after he attained the age of fifty five years.

4. As regards the first ground, Memorialist begs leave to invite attention to certain facts which, not having been specially alluded to by him, have probably not occurred to your Grace in Council. They are, that his duties were different from those of other Subordinate Judges, and that though he had extra important and responsible duties to perform, he still was allowed only the same pay as the other Subordinate Judges, whose duties are confined to the hearing and disposal of Civil suits, while the Memorialist for more than ten years preceding

preceding his retirement from the Service, and in addition to similar duties held the office of Joint Magistrate in charge of one of the Divisions of the Malabar District and exercising the full powers of a Magistrate of the first class - a position equal to that in which a Covenanted Officer draws a pay of Rs. 733 to Rs. 1166 per mensem - was also the Registrar of Shipping and one of Her Majesty's Justices of the Peace: and from the 15th August 1866 he was in charge of the District Jail of Cochin till its abolition on the 1st May 1872, and tried and disposed of many Criminal cases against European British subjects up to the year 1873. Any other Subordinate Judge of "good service", but who had not had any of these additional duties, would be allowed a pension of half pay after 55 years of age and after a service of 25 years, or 15 years less than the extent of Memorialist's service.

5. With regard to the second ground, Memorialist certainly does acknowledge, and with gratefulness, that it was an act of liberality on the part of Government in allowing him to

to continue in the service after the age of 55 years. On the other hand he would respectfully add that it was upon the strength of the opinion of the Judges of the High Court of Judicature (to the effect that it was not desirable that he should be required to vacate his appointment) and because he was still efficient and his retirement would naturally impose a needless charge on the State, that he was permitted to remain in the service. In fact, had the Memorialist (who was born on the 24th May 1815) been compelled to retire on pension immediately after he attained the age of 55 years, the additional charge on the State would, for the space of six years and 5 months that he continued in the service, have amounted (at Rs 250 per mensem) to Rs 19,250. There are many instances of the British Government having granted even full-pay pensions to their servants, but Memorialist, whose unremitting good service for a period of nearly forty one years has been recognized by

by Your Grace in Council has applied for only two-thirds of his pay, or a special pension exceeding the sanctioned limit by only Rs 83-5-4 per mensem; and he feels confident that Your Grace in Council will now be satisfied that there are special reasons in his case for the same being granted to him, and that such an additional charge on the State would be counter-balanced by the interest accruing upon the aggregate of the abovementioned saving of Rs 19,250 and of the interest which has accumulated since the 24th May 1870.

6. In this confidence, Memorialist concludes by earnestly soliciting that Your Grace in Council will be graciously pleased to reconsider the matter, and recommend that a special pension be granted to him, for which act of justice Memorialist will

Ever Truly

W. L. D. S.

Asst. Secy. Judge
of Civil

enclosure 1.

From John A. O'Brien
Late Sub Judge of South
to His Honor the Governor
in Council
Madras

Dated 1st March 1877
Resd.

Enclosure - none.

Memorial setting forth
certain grounds for a recon-
sideration of the order of the
Madras Government Pension
Department, of 8th February
1877, is herewith forwarded
his application for a special
pension.

Pension DEPARTMENT.
No. 146

From Offg District Judge of South Malabar

Dated 5th March 1877.

FOR ORDERS.

The Dy. Dist. Judge, South
Malabar, forwards,
without remark, a
Memorial from W. O'Brien,
whose case was recently
disposed of by Govt.,
praying for the reconsideration
of the order granting
a pension calculated
at a moiety of his salary,
instead of a special
Pension of $\frac{2}{3}$ salary.

10. 8th May 77

Not yet made in the
matter M
1877

I do not think this is

The Plt urges nothing
new in this favour.
His two pleas are - 1st
that he ~~was~~ performed
the duties of a Magistrate
in addition to his
ordinary civil duties
as Sub-judge 12/1 that
he was retained in
his office, on attaining
the age of 55 years,
at the recommendation
of the High Court.

It is open to
question whether
his claims are strong
enough to support

ground for recommending
a higher pension than
he receives under the rules
viz: Rs. 250 monthly.

agreed

11/1/77

an application ⁹/₁₀ to the
S.D.

At
14.3.77

Order thereon 22nd March
1897 No. 166.

His Grace the Pres. in
Council is unable to
concur in awarding
the order granting Rs.
250 a month pension
equal to a month
of his salary and

to
19.3.77

To the offy District Judge of South Malabar despd

22/3/77

No. 87.
Cochin, 5th March 1877.

To
From
H. M. M. M. Esq.
Off District Judge
C. O. South Malabar.

The Honble W. H. M. M.
Chief Secretary to Government
Judicial Department.
C. O. Fort St. George.

I have the honor to forward
for submission to His Grace the Governor
in Council a Memorial from Mr L.
D. Silva late Subordinate Judge at Cochin.

I have the honor to be,
Sir,
Your most Obedt. Servant
Tudigam
Off District Judge

Mr 15/3/77

15/3/77
1877

1877

Q. O. S. 1876, 1877, 1878, 1879

Q. O. S. 1876, 1877, 1878, 1879

Q. O. S. 1876, 1877, 1878, 1879

Q. O. S. 1876, 1877, 1878, 1879

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Q. O. S. 1876, 1877, 1878, 1879

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Q. O. S. 1876, 1877, 1878, 1879

Q. O. S. 1876, 1877, 1878, 1879

Q. O. S. 1876, 1877, 1878, 1879