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MADRAS RECORD OFFICE.

Government of Madras.

Education DEPARTMENT.

G.O. No.	178	Press Mis.
Dated	20.5.41	18/7.

Not to be folded or roughly handled

PENSION DEPARTMENT.

Gratuity.

No. 178.

FROM

THE OFFG. CHIEF SECRETARY TO GOVERNMENT,
FORT ST. GEORGE,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I am directed to refer the accompanying correspondence and to solicit the decision of the Government of India on the point raised.

Pension G.O., 8th February 1877, No. 49.
" " 29th March " " 177.

2. The applicant, P. Sashúchalam, late Gumastah, Revenue Settlement Office, Kistna District, was granted an invalid gratuity of Rupees 320 calculated on his permanent salary of Rupees 40 per mensem before the reduction of the Field Establishment, instead of upon the pay received by him at the date of retirement.

3. The Accountant-General has objected to this grant in his letter of the 27th February 1877, No. 855, annexed.

4. The point in issue is, whether under Section 51, in giving an applicant the benefit of a higher rate of pay than that drawn by him at date of retirement, the Government are at liberty to take the subsequent service at lower rate into account. The Madras Government have hitherto held that it is allowable, but they consider it will be more satisfactory to have an authoritative decision on the point.

I have the honor to be,

Sir,

Your most obedient servant,

FORT ST. GEORGE,
29th March 1877.

Offg. Chief Secretary.

Proceedings of Government, Pension Department.

Read again Proceedings of Government in the Pension Department, dated 8th February 1877, No. 49.

Read also the following letter from L. C. PROBYN, Esq., Accountant-General, Madras, to the Officiating Chief Secretary to Government, dated Fort St. George, 27th February 1877, No. 855.

Audit Department.

With reference to G.O., dated 8th instant, No. 49, Pension Department, sanctioning a gratuity of 320 Rupees to P. Sashúchalam, I have the honor to submit

that, under Section 59 (a) of the Civil Pension Code, the applicant is entitled to a gratuity equal to only eight months' pay, or 200 Rupees, for his service of eight years, eight months, and six days, calculated at 25 Rupees per month, which was the substantive pay of the post of Gumastah he last held. But, as the applicant would have been entitled to a gratuity of Rupees 280 for his service of seven and odd years if he had preferred to retire on a gratuity immediately after the abolition of the post of Classifier in 1874, that amount was recommended by this office, with reference to Section 51 of the Civil Pension Code, and it seems to me that he can, under neither of the sections above referred to, be allowed Rupees 320. I therefore respectfully request that the Order in question may be reconsidered; or, should His Grace in Council adhere to the view already taken, that the confirmation of the Government of India may be obtained to the same.

ORDER THEREON, 29th March 1877, No. 177.

The question, whether under Section 51 of the Civil Pension Code (3rd Edition) in giving an applicant the benefit of a higher rate of pay than that drawn by him at date of retirement, the subsequent service at the lower rate may be taken into account, will be referred for the decision of the Government of India.

(True Extract.)

H. B GRIGG,
Ag. Under Secy. to Govt.

1877.
PENSION DEPARTMENT.

From The Offg. Chief Secretary to Govt.,
Fort St. George,
To The Secy. to the Govt. of India,
Financial Department.

Dated 29th March 1877.

Issued

Recd.

No. 178.

Enclosure.

Gratuity.—Soliciting decision on the point raised by the Accountant-General regarding the grant of an invalid gratuity of Rupees 820 to P. Sashichalam, late Gunastah, Revenue Settlement Office, Kistna District, calculated on his permanent salary before the reduction of the establishment instead of upon the pay received by him at the date of retirement.

Pension No 49 -
Letter from the Acc. Genl.
27th Feb. 1877.

The Acc. Genl. demands to the order of Govt in the above case - The point in issue simply is, whether under Sec 51, in giving an applicant the benefit of a higher rate of pay than that drawn by him at date of retirement, the Gov. are at liberty to take the ^{highest} service at the lower rate into account. The Acc. Genl. says "No" - The Gov. in order, quoted in para 3 of this (No 49) case, have held that it is allowable - It is submitted the case may go at once to G.O. - as the interpretation is doubtful
D. 20.3.77

*Particulars of
Letter for [unclear]*

*Despatch 13/4/77
With G. No. 49 Copy Recd.*

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Pension DEPARTMENT.

No. 178

To

THE SECRETARY TO THE GOVERNMENT
OF INDIA,

For DEPARTMENT.

SIR,

I am directed to refer
the accompanying corres-
pondence and to solicit
the decision of the Govt
of India on the point
raised.

2 The applicant P.
Sasha Chellam, late. Subordinate
Revenue Settlement office
Kistna District, was
granted an invalid gratuity
of Rs 320 calculated on
his permanent salary of
Rs 40 per mensem before
the reduction of Field
Establishment, instead
of upon the pay received
by him at the date of
retirement.

*Proc. G. O. 8th Feb 1877 No. 49
--- 19th March 1877 No. 177*

C. H. 17/1/77

3 The Accountant General
has objected to this grant in
his letter of the 27th February
1877 N^o 866 annexed.

4 The point in issue
is, whether under Section
51, in giving an applicant
the benefit of a higher
rate of pay than that
drawn by him at date
of retirement, the Govern-
ment are at liberty to take
the subsequent service at
lower rate into account.

The Madras Govt have
hitherto held that it
is allowable - but they
consider it will be more
satisfactory to have an
authoritative decision on
the point.

27.3.77

Fort Saint George }
29th March 1877 }

700 p. 35-36
No. 178
The Secretary to the
Government of Chile
Iquique Department.

Dated 17th March 1879.

Following decision
on the point raised by
the Government of Chile,
regarding the grant of a
newly granted of the 320,
to the Chilean estate, the same
has been given, following the
decision of the Council and
the Commission, and before
the reduction of the estate.
-and the decision of the
may be seen by him at the
office of the Commission.