M.R.O. 1—77,006—8-6-37.

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 51 Press / Mis.

Dated 8-2-1877.

Not to be folded or roughly handled

KV.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

8th February 1877, No. 51.

Pension.

Read again the following paper :—

Proceedings of Government, Judicial Department, dated 21*st September* 1876, *No.* 1930.

Read also the following papers :—

From the Officiating District Judge, South Malabar, dated 10*th November* 1876.
From the Accountant-General, dated 19*th December* 1876, *No.* 629.

ORDER THEREON, 8th February 1877, No. 51.

Application is made for a special pension of Rupees 333-5-4, or two-thirds, on behalf of Mr. D'Silva, late Sub-Judge, Cochin, whose superior service amounts to thirty-nine years, one month, and eighteen days, with reference to paragraph 2 of G.O., dated 21st September 1876, No. 1930, Judicial Department.

2. On the perusal of the applicant's pension papers the Government see no special reason whatever in this case to warrant an application to Her Majesty's Government for special pension. Mr. D'Silva 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.

3. Under these circumstances, the Governor in Council resolves to grant the half-pension, Rupees (250) two hundred and fifty per mensem, to Mr. John D'Silva, to which he is entitled under Sections 56, 59 (c), and 60 of the Civil Pension Code (third Edition), payable from the 27th October 1876.

(True Extract.)

Ag. Under Secy. to Govt.

To the Accountant-General, with Register.
" Officiating District Judge of South Malabar.
" Resident of Travancore.

Exd. J. Wright.

Govt. of {1877 Madras.

PENSION.

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

Dated February, 8th.

Issued

Recd. Recd.

G.O., 8th February 1877, No. 51.

FEBRUARY.

Pension.—Granting a pension of Rupees 250 per mensem to Mr. John D'Silva, late Subordinate Judge at Cochin.

3

APPLICATION FOR { PENSION / ~~GRATUITY~~.

1. Name of Applicant. . . . . John D'Silva

2. Father's name. . . . . Joachim Marcos D'Silva

3. Sect or Caste. . . . . Roman Catholic Religion

4. Residence. . . . . In the Town of British Cochin.

5. Present or last employment. . . . Subordinate Judge, First Class Magistrate in charge of a Division of South Malabar, and Registrar of Shipping, at Cochin, & one of Her Majesty's Justices of the Peace.

6. Date of beginning of service . . . . . 17th November 1835.

7. Date of end of service . . . . . 27th October 1876

	Y.	M.	D.
8. Length of service including breaks	40.	11.	10.
of which superior	40.	11.	10.
inferior	"	"	"
non-qualifying and breaks	1.	9.	22.

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

10. [Average] emoluments or pay. . . . . Rupees 500 Five hundred.

11. Proposed pension. . . . . Rupees three hundred and thirty three, annas five & pies four (333-5-4)

12. Proposed gratuity. ... ... " " "

13. Date from which to commence. . . . . 27th October 1876.

14. Place of payment. . . . . Town of British Cochin.

15. Age of Applicant on this date. . . . . 24 May 1815 — 61. 5. ~~10~~. 3

16. Height. . . . . 5 feet and 6 inches.

17. Marks. . . . . One blackwart on the left side of face below corner of mouth, one black mole on left side above forehead, & one scald mark on back of left hand.

18. Date. 10th November 1876.

*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.

Undigraces

SIGNATURE OF THE HEAD OF OFFICE.

HISTORY OF THE SERVICE (SHOWING BREAKS) OF John D'Silva.

Establishment.	Appointment.	Pay. RS.	A.	P.	Acting allowance. RS.	Date of beginning.	Date of end.	Period reckoned as service. Y.	M.	D.	Period not reckoned as service. Y.	M.	D.	Remarks.	How verified.	Remarks by Accountant-General.
Auxiliary Court, Tellicherry	English Clerk.															
Ditto do do	Civil Department	20	"	"	"	17th Nov. 1835	11th February 1836	"	"	"	"	2	25	Under 22 yrs of age		
Ditto do do	Do do Criminal Do	25	"	"	"	12th Feby 1836	20th Jan. 1837	"	"	"	"	11	9	Ditto Ditto		
Zillah Court, Malabar	Do do Civil do	52	8	"	"	21st Jan. 1837	31st Mar. 1837	"	2	7	"	4	3	Ditto Ditto		
Ditto do do	Do do Criminal do	70	"	"	52 1/2	1st Nov. 1837	31st Dec. 1837	"	2	"	"	"	"			
Ditto do do	English Clerk do do	70	"	"	"	1st Jan. 1838	13th April 1839	1	3	13	"	"	"			
	On sick leave	-	-	-	-	-	14th April 1839	"	"	"	"	2	6			
Ditto do do	Eng. Clerk Crim. Dept	70	"	"	"	20th June 1839	15th Octr 1843	4	2	25	"	"	"			Verified from the records of the District Court South Malabar and from those of the Sub Court Calicut the verification being confirmed partly from Annual Returns & partly from Audit & Registers on Record in this Office.
Zillah Court, Calicut	Tax Darogah Translator	* 50	"	"	"	16th Octr 1843	30th Nov. 1845	2	2	15	"	"	"	* Zillah Ct. Mal. having been abolished.		
Ditto do do	Head Clerk Eng. Dept	70	"	"	"	1st Dec. 1845	29th Jan. 1847	1	1	29	"	"	"			
Sub. Court, Calicut	Shereستادار	90	"	"	"	30th Jan. 1847	29th May 1851	4	3	22	"	"	"			
Zillah Court, do	Do Ditto †	100	"	"	100	22nd May 1851	31st Dec. 1853	2	7	9	"	"	"	† acting simply because Mr. Cheeran's appointment as Dist. Munsiff of Pergunnah was conditional upon his passing the tests, & he did not pass.		
Zillah Calicut	2nd Cl. Dist. Munsiff Calicut	150	"	"	"	1st Jan. 1854	9th Aug. 1857	3	7	9	"	"	"			
	On sick leave	-	-	-	-	10th Aug. 1857	18th Sept. 1857	"	"	"	"	1	9			
Ditto Ditto	2nd Cl. Dist. Munsiff do	150	"	"	"	19th Sept. 1857	30th June 1862	4	9	12	"	"	"			
Ditto Ditto	1st Cl. Do do do	‡ 300	"	"	"	1st July 1862	4th Aug. 1864	2	1	4	"	"	"	‡ Drawn retrospective[illegible]		
Ditto Ditto	Prin. Sadr Amin, do	500	"	"	"	5th Aug. 1864	14th Aug. 1866	2	"	10	"	"	"			
Ditto Ditto	Do do, Joint Mag. & Registrar of the Spring Cabin	500	"	"	"	15th Aug. 1866	28th Feby 1873	6	6	15	"	"	"	Was all along in charge of a Division of South Malabar, & for 5 years & 8½ Mths was in charge of the District Jail.		
Ditto Ditto	Sub. Judge, & Ex Class Mag. & Reg. of the Spring Cabin	500	"	"	"	1st March 1873	26th October 1876	3	7	26	"	"	"			
		Total period of {superior / ~~inferior~~} service...				.....		39	1	18						

Note. The applicant was employed as an English Clerk in the Petty sessions of Lice Bamboy, from 7th April 1834 to 21st Septr 1834, and afterwards resigned. It appears from the applicant's accounts that the following sums were stopt out of his pay to remunerate the persons employed apparently under departmental arrangements:—

Rs. 13 in July 1840, absent on private affairs leave for 13 days (dates unknown)
" 14 per mensem in September & October 1840, absent on sick leave (Ditto Ditto)
" 15 in December 1840, absent on sick leave (Ditto Ditto)
" 9 & rs 12 in October 1844, absent on private affairs leave (Ditto Ditto)

J. D'Silva

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant. From his certificates it appears that this officer has always maintained an unimpeachable character for integrity.

2. Explanation of any suspension or degradation. "

3. Regarding any gratuity or pension already received by Applicant. See Chapter XX. "

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

5. Any other remarks.

A special pension equal to two thirds of the officer's salary is applied for in accordance with a private application addressed to the Govt which was ordered to be considered in the Pension Department. (G.O. Jud. Dept. dated 21st Sept 1876 No 1930)

No. 629

Ed Ingraces
~~Signature~~
Offg District Judge.

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 39 years 1 months 18 days; and that a Superannuation {pension / ~~gratuity~~} not exceeding Rs. 250 per mensem, equal one half of his pay is admissible under Section 60 of the Civil Pension Code, 3rd revised Edition. (The calculations have been duly verified.)

With reference to the foot note in the second page the undersigned has the honor to state that if the applicant was really absent on leave during the periods his pay was stopped, such period of leave do not materially affect either the class or the amount of pension recommended.

Fort Saint George.
Account't Genl's Office
19 December 1876.

To
The Under Secretary to Government
Pension Department.

W. Rodwell
Accountant-General.

Pension 1876 Dept
No. 918

APPLICATION FOR {PENSION or ~~GRATUITY~~	
Date of application.	10th November 1876
Name of Applicant.	John D'Silva
Last appointment.	Subordinate Judge
Class of {pension or ~~gratuity~~	Establishment pension, since abolished in change of division of Courts of Judicature, but Director of Pensions at Calcutta, by his letter of the 5th October 1876, has recommended pension.
Amount of pension sanctioned.	
Amount of gratuity sanctioned.	
Date of commencement.	27th October 1876.
Date of sanction.	

Rec: 9th October 1876

Pension 1876 Dept
No. 918

Rec
6.11.76

To be returned with reply on reverse.

AUDIT DEPARTMENT.

Fort Saint George,
Accountant General's Office,
31st October 1876.

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE Offg. District Judge South Malabar

VIDE your Application for Pension on behalf of Mr. John D'Silva

THE undersigned has the honor to return the register of application for submission of one prepared in the printed form with all the particulars therein called for filled up, and to request to be informed whether the post of Sheristadar of the Zillah Court Calicut which the applicant held from 22d May 1851 to 31 December 1853 was a full vacancy and whether any person other than the applicant was counting service on that appointment during that period.

R. S. Gordon

Apty to the Acctt Genl

- Reply -

An application prepared in the printed form is herewith sent.

The post of Cheristedar was a full vacancy and no other person was counting service in that appointment during the period that Mr. D'Silva held it. Mr. D'Silva was not confirmed as his predecessor Mr. Pereira who was acting Munsif of Palghat could not be confirmed until he had passed the required examination.

14th November 1876.

Indigrave

Offg District Jude.

Accountant General's Office
Recd 16 11 1876
Asst

16188

9

I hereby Certify that Mr. D'Silva served under me in the office of Clerk to the Court of Petty Sessions and I have much pleasure in testifying that I had no reason to be really satisfied with his behaviour and attention to his business. He was always early in office and was willing to make himself useful.

Bombay
Petty Sessions
Apollo 23 Sept. 1874

A. Goodwin
Clerk

Prince Kenon John D'Silva, has been
writer in this Est. for 18 months - and has
always proved him an assiduous intelligent
and useful native servant. he knows French
translates from Marseille well - and is generally
intelligent & trustworthy - L. B. Thomas.
5. Sept. 42.
Calicut.

Ex Appt 1842

13

Calicut Nov 11/1846

Mr De Silva

I have much pleasure in giving you a testimonial of the satisfaction I have derived from the very careful & able manner in which during the time I have been in the Court you have performed the duties of Head Writer.

In addition to these duties I have to thank you for much extra work undertaken by interpreting for me in the Defaulter Court where by your aid the language used has been highly valuable.

With all good wishes for your

Health & public welfare

Lewis

per

C. M. Wright

Mr Delahay

Head Waters

Cal. Co. Colorado

15

Mr De Leon
Holcker
Level Cross
Colonie

Lt Sept 9 1864

17

To
Mr J Selva
Sheriff's Office of
the Patient Sub. Court.

Having been requested to give you a memo of my opinion of the manner in which you have performed your duties, I have much pleasure in stating that I have a high opinion of your character & abilities.

You were promoted by me from the Sessions Court, where you bore a high character from Mr Thomas

you have been. I here with a
I have been perfectly satisfied
with the regular conduct & correct
manner in which you have
performed your duties.

It will give me great
pleasure to hear that
you get on well & in perfect health
Your sincere well wisher
M Goodman

Paliacatt
Feb. 12. 1850

Extracted from the Diary of the Sub: Court of Paliacatt 19
of the 21st May 1851.

Mr John De Silva having been appointed to the office of Sheristadar of the Civil Court, the acting Sub Judge appoints Mr Maurice La Bouchardiere to be Sheristadar of the Sub: Court from the date of Mr De Silva's leaving.

It is due to Mr De Silva to place on record his zealous and intelligent services in the office of Sheristadar of this Court. He has uniformly gained the approbation of his superiors, and the present acting Sub Judge deeply regrets the loss of his assistance but he would not, on this account, place his own feelings in opposition to Mr De Silva's welfare which he hopes may be increased by this promotion.

Signed/ H. D. Cook
act'g Sub Judge

[illegible]

[illegible] Juan de Vitoria

[illegible] Minister

[illegible] I am [illegible] I feel [illegible] it is

[illegible] I feel anxious to [illegible] in

[illegible] opinion of your [illegible] may

prove the means of [illegible] your interest

which I shall [illegible] When the

late Earthquake [illegible] I wished you

[illegible] Translators situation of

300 Rs. but on the new arrangements such

was reduced to 50 Rs. you were desirous

of declining that appointment, public

employ. Fortunately I was enabled to

induce you to accept the Fourth Translatorship & you should afterwards

have the opportunity of proving your

to the Head Writership of this Court,

& ultimately I shall recommend you

for the vacancy nominated to the

Chief Judgeship of the Sadr Court, which

your conduct has not only obliged

me in [illegible] since I fill the

Steer she has presided in. Such

In all this I must fully concur & have had very much pleasure in immediately [illegible] Capt. Moore's letter which I now leave you. I hope you may meet with the success the occasion calls for.

Believe me of your friend

Caleb Cushing

Attorney General

Capt. [illegible]

Court in to the ruin the estate of all classes. When therefore our present situation became so alarming, the people looked to the Regiment & the 1st Regiment of Rifles which I was only too glad to avail myself of our services, which have proved of the first importance to us. Your real defenders have embarked, which your experience & knowledge of the Rifles, has for years urged as the best of material for a Rifle Battalion & I consider you eminently fitted for a Rifle Battalion. It was my fall intention to recommend you for the first vacancy & should not return here I trust under this my successor will not fail to carry out my wishes, to serve as I think your character & ability to be known to be highly appreciated. With many wishes for your future success

I remain

Your friend

H. Moore

Brig. Maj. Genl.

Catawba – 14th December – 1857.

Calicut 28th Jany 1857

25

To
The Register to the Court of S. A.
Fort St. Geo.

Sir,

I have the honor to acknowledge the receipt of your letter dated the 23rd Inst. & in reply to inform you that there are 3 individuals in the Tillaki whose qualifications both as regards their moral character and the estimation in which they are held by their Countrymen point them out as in every way qualified for the Office of P. S. A. Kootel Kellos Nair 1st Class Moonsiff of Shernaad a man of great experience intelligent in a high degree and generally respected both in his private and public capacity - He was once appointed P. S. A. of Tinevelly but declined to proceed to that Country - his longstanding in the service & the fact of his having been before nominated to a P. S. A ship point him out as pre-eminently qualified for a P. S. A ship before the others -

Mr. John D'Silva the 2d Class Moonsiff of Calicut - he is much esteemed by the people

and is in every point of view a most deserving public servant. correct and moral in his private conduct and of an excellent disposition and temper. painstaking and assiduous in his public duties and strictly honest. his character stands high in this Tallak.

T. Changoony Menon 3rd Class Moonsiff of Tellicherry. he also bears a very high character. his private conduct is correct and his reputation as a Moonsiff stands very high. I have never heard a whisper against his conduct either in his private or public capacity. his manners and deportment point him out as a very gentlemanly Native officer and I can with confidence also name him as in every way deserving to be put on the list of those qualified for the high and responsible office of P.J.A.

Trichinopoly
[illegible]
Civil & Sessions Judge

Pleadings Bo 1861

2/29

Extract of a letter from Mr. H. D. Cook, Civil Judge of Calicut to the Acting Deputy Registrar Sadr Adalut dated the 3rd June 1861 and written in communication with the Collector of Malabar Mr. Grant, recommending 3 persons as fit for the important office of Principal Sadr Amin.

× × × ×

(2nd) Mr. De Silva, 2nd Class Munsiff of Calicut.

Mr. De Silva is an excellent officer strict honest and a most painstaking public servant. His character stands very high & he gave great satisfaction when acting for Mr. Cullen at Cochin.

Extract ~~of~~ a letter from the Civil Judge of Calicut to the offg. Register to the Sadr Adalat dated Decr. 1859 submitting with reference to the Proceedings of Government dated 3rd. Inst. a list of the three men he considers the best qualified for the office of Deputy Collr.

× × × × × "I would certainly have mentioned Mr. D'silva the 2nd. class Moonsiff of Calicut who is an officer bearing a very high character both for zeal, assiduity and correct and high moral worth; but he is not desirous of leaving Malabar and I therefore did not give his name as one of the three individuals. I merely mention this in justice to that officer's excellent conduct. He is an able and experienced Judicial officer and in his capacity of Sheristedar of the Civil Court had extensive experience in Magisterial duties. Perhaps of the three he is in all points the best qualified but as before observed he prefers to remain in the Judicial line where, no doubt his talents will yet lead to higher advancement &c."

Collr. Calicut 1859

Reply

1. The applicant was born on the 24th May 1815
2. Mr. Pereira was transferred from Palghat to Tellicherry in Sept. 1852 as Ag. Dist. Munsif & passed the Test in April 1854. He was confirmed in July 1854 by the Court of Sadr Adalut, but the order does not mention whether the confirmation had retrospective effect. Mr. Pereira had all along been drawing the full salary of the appointment
3. The applicant had a lien on his appointment of Sherestedar of the Sub-Court

Dist. Court
Calicut
15th Decr. 1876

Judge
Off. Dist. Judge

Accountant General's Office
Recd 18
Ansd 12 1876

18510

No. 203.

33

Calicut, 25th October 1876.

From,
J. Wigram Esqr.
Offg District Judge of
South Malabar.

To,
The Accountant General.
Madras.

Sir,

Under Section 74 of the Civil Pension Code I have the honor to forward the application for pension of Mr John D'Silva the Subordinate Judge at Cochin and to state that that the entries therein have been verified by the records of this Court and the Subordinate Court of Calicut with the exception of the 3rd & 4th entries on the pay bill for the year 1837 is not forthcoming. The only discrepancy I have observed is that the applicant appears

Rec. 20.11.76

3

To be returned with reply on reverse.

AUDIT DEPARTMENT.

Fort Saint George,
Accountant General's Office,
18th November 1876.

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE Officiating District Judge. South Malabar

VIDE *your Application for* Pension *on behalf of* Mr John D'Silva

THE undersigned has the honor to request information on the following points.

1. What is the date of Applicant's birth by Christian era -
2. Whether Mr Pereira was confirmed in his apptt: of Dist: Moonsiff of Palghat on his passing the Test; with retrospective effect - & when died he passed the Test.
3. Whether the applicant had a lien on his apptt pending disposal of the Sub Court Calicut while acting in the Zillah Court -

Moung Hla Thing

Asst to the Auditor Genl

appears from the pay bills to have been acting Sheristedar of the Zillah Court throughout, tho drawing the full salary (Rs 100).

Nine testimonials are herewith sent, of which the copies have been compared and found to be correct.

I have the honor to be,

Sir,

Your most Obd. Servant,

Indigrace

Offg District Judge.

20 Nov

Accountant General's Office
Recd 27
Ansd 10.1876

Pension
~~Revenue~~ Department.

Pension Dept

No. 918

From

Dated 187 .

FOR ORDERS.

W. D'Silva late Sub-Judge, Cochin, applies for a special Pension of Rs 333-5-4 or 2/3 Salary, ~~under~~ instead of Rs 250, to which he is entitled under the Rules.—

Mr. D'Silva was ordered to retire in August-76 — as he had already attained the age of 62, & it was not thought desirable in the public interest to retain him longer in the Service. Mr. D'Silva petitioned Govt. against this order, and at the same time requested, if his further retention could not be ~~complied~~ granted, — that he might be granted a special Pension. The latter request was ordered to be considered if the Pension Dept.

It is however submitted

No special reason

Govt. 21st Sept. 76. 1930

that there is nothing special in the case to warrant the making of an application to the Govt of India.

W. D'Silva has already been treated liberally in having been allowed to continue in the service of Govt. ~~7 years~~ after he attained the age of 55 years

W
17.1.97

FOR ORDERS.

Ob. 51 Ad.

C: 19/1/77 C: 29/1/77
R 20/1/77

Pension Department. 39

PROCEEDINGS of the MADRAS GOVERNMENT.

Rendaging Proc. of Govt. Judicial Department dated 21st September 1876 No. 1930. –

READ also the following ~~letter~~ Papers

From the Offg. District Judge, South Malabar dated 11th November 1876 – " – Accountant General dated 19th December 1876 No. 629

Order thereon 8th February 1877 No. 51.

Application is made for a special pension of Rs. 333-5-4 or 25% on behalf of Mr. D'Silva late Sub Judge, Cochin whose superior service amounts to 39 yrs 1 month and 18 days with reference to para 2 of G.O. dated 21st September 1876 No. 1930 Judicial Department.

On the perusal of the applicants pension papers the Government see no special reason whatever in this case to warrant an application to the Govt. of India for special pension. Mr. D'Silva has already been treated liberally in having been allowed to

continue

continue in the service of Govt
7 years after he attained
the age of 55 years.—

3 Under these circumstances,
the Governor in Council is
~~not prepared~~ resolves to grant more
than half pension Rs. (250)
Two hundred and fifty
per mensem to Mr. John
D'Silva to which he is
entitled under Sections 56,
57 (c) & 60 of the Civil Pension
Code (3rd Edition) payable
from the 27th October 1876.—

1/2-7

41

To the Accountant General with Regr
— " — Offg District Judge of South Malabar
— " — Resident of Travancore
&c.

desp
21-2-77

Rec: 9 October 1876 No. 60

Govt of {1877} Madras.

Pension

To The Accountant Genl.

Dated 8th Febry

Recd. 1877, No. 51

Nos.

Granting a pension of Rs. 250 per mensem to Wm John D'Silva late Subordinate Judge at Cochin.