

(1) Number of pages 10

(2) Date of repair _____

(3) Initials of the Referencer 4

MADRAS RECORD OFFICE.

Government of Madras.

Revision DEPARTMENT.

G.O. No.

36Press
Mis.

Dated

28-1-18 78.Not to be folded or roughly handled

PENSION DEPARTMENT.

Pension.

No. 36.

FROM

C. G. MASTER, Esq.,

Secretary to the Government of Fort St. George,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,

FINANCIAL DEPARTMENT.

SIR,

With reference to Section 5, Civil Pension Code, I am directed by His Grace the Governor in Council to inquire whether the change of rule in 1863 noted in the margin was intended to operate retrospectively.

Extract from the Proceedings of the Government of India in the Financial Department, dated 8th June 1863, No. 2425.

I have the honor to be,
Sir,

Your most obedient servant,

FORT ST. GEORGE,
28th January 1878.

Secretary to Government.

Exd. T. O'Connor.

1878.
PENSION DEPARTMENT.

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

Dated 28th January 1878.

Issued

Recd.

No. 36

Enclosure.

Pension.—Inquiring with reference to Section 5 of the Civil Pension Code, whether the change of rule in 1863 was intended to operate retrospectively.

Pension DEPARTMENT.

No. 36

First four years

Gratuity application of
Beyonda Seethiah Naidoo

The applicant entered
the public service
in March 59
being then just
eighteen years of
age. At that time
service before the
age of sixteen years
did not qualify
for pension but
the applicant being
eighteen was entitled
to believe that
his service would

Vide G. O. 23^d January 1878
No. 30

at once begin to
reckon for pension.

In 1873 the rule
was altered & it
was settled that
service before the
age of 22 should
not count for
pension. And as
a public servant
application for
a retiring allowance
is decided by the
rules in force
when he leaves
the service the
present applicant
has to lose the

first four years
plus service.

He is now invalided
but having only
served altogether
18-3-18 of which
ten months & 18
days were spent
on leave his
qualifying service
is reduced to 13 yrs
& 5 mos & he cannot
get the pension for
15 years service
which would be
allowed to another
who was 22 years
of age when he
entered the
service.

Pension Dep.
For orders

The applicant was
a Deputy Surveyor
Res. Survey this
character is
described as "fairly
good"

He is now entitled
to a gratuity of Rs 300.
Is this considered
sufficient - or should
the Govt of India be
asked to treat the
case specially?

See

For orders - the rule
as to age is of universal
application, and simi-
lar instances of quasi
hardship may not be of
infrequent occurrence.
It is not shown that the
"chronic dyspepsia" which
brought retirement in this
case resulted from any particular exposure

No doubt there is
room for disappointment
but - the Rules are
clear & reasonable
I must rule the case
There is no special
reason & by established
treatment

I see no reason for
making the case specially
not good for granting but
as per from G.O. 11/178
the change of rule in 63, 64
intended to operate
retrospectively. L.H.

In particular exposure



Pension DEPARTMENT.

No. 36

To

The Secretary to the Government
of India,

File DEPARTMENT.

Sir,

I am directed by
His Grace the Governor
in Council to ascertain
whether the change of
rule in 1863 noted in the
margin was intended
to operate retrospectively.

Extract from the Proc. of the Govt
of India in the Public Department dated
18th June 1863 No. 2425 -

Fort St. George
28th January 1878

Yours
very
obedient
servant

Recd. Am. 23rd May 1878 4:30

Pension

Am. 1878

DEPARTMENT

28th May 1878

No. 36.

To

The Secretary to the
Government of
Financial Department.

Dated 28th May 1878.

Recd.

2134 479 2572/501020

Conforming with reference
to Section 8 of the Civil Service
Act, whether the change of
rule in 1863 was intended to
operate retrospectively.

Best