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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. *630* Press
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Dated *25-9-1879*.

Not to be folded or roughly handled

K.V.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

11th September 1879, No. 1,858.

No. 139. READ THE FOLLOWING PAPER :—

Proceedings of the Board of Revenue, dated 9th August 1879, No. 2,281.

Read the following letter from J. F. PRICE, Esq., Collector of the Chingleput District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 11th July 1879, No. 464 :—

I HAVE the honor to forward a verified list of the services of K. Rama Row, Taluk Sheristadar of Ponneri, and to request that the Board will be pleased to move Government to declare, under Rule 2, Section 56, of the Civil Pension Code (Fourth Edition), that, notwithstanding a break of six months, from the 1st September 1857 to 28th February 1858, which has occurred in the services of the above officer, his services previous to reinstatement should count for pension with reference to the Order of Government in Extract Minutes of Consultation, dated 6th February 1858, No. 211, Public Works Department.

2. Rama Row's eligible service up to 1st September 1857 amounts to five years, five months, and twenty-two days. On the date named he was appointed to the post of Sub-Overseer in the Public Works Department, but did not join the office owing to his incompetency from want of professional knowledge. The District Engineer recommended his removal, but Government in their Order quoted above directed his restoration to an appointment in the District Engineer's office, and this order was carried out from the 1st March 1858. For the interval of six months between these dates Rama Row drew no pay, having spent the time in petitioning the Chief Engineer and Government and awaiting their orders. His subsequent eligible service amounted up to 31st October 1878 to twenty years and sixteen days.

3. I reported the above facts to the Accountant-General and requested him to inform me whether, under the circumstances stated, Rama Row was entitled to one-half pension under the rules. As Rama Row was under fifty-five and had not completed thirty years' service, and could therefore only retire on a medical certificate, I sought the above information, so that no question might be raised on the subject after he was once declared unfit for further service.

4. The Accountant-General informed me in reply that, in the event of Government treating the interruption in the service noticed above as "suspension followed by reinstatement" with reference to their Order of the 6th February 1858, Rama Row would be entitled to the benefit of his former services also and would be eligible for half-pension, but that otherwise he would only be entitled to a pension of one-third.

5. I then requested the Accountant-General to inform me whether he would move Government in the matter direct, or whether I should do so through the Board of Revenue, and was informed, with reference to Section 92 of the Civil Pension Code, that the question should not be brought to the notice of Government until Rama Row actually retired from the service.

6. It seems to me that the matter which has now come to notice is one which should have been remedied when Rama Row was reinstated by Government in 1858, and that it is rather hard that its settlement should lie over until he actually retires. There is nothing in the wording of paragraph 2 of Section 56 of the Civil Pension Code, which requires that the determination of such questions should be deferred as

suggested by the Accountant-General. On the contrary it seems reasonable to conclude that such declarations should be made at the time when the reinstatement is ordered, and, if the Board agree in my view of the matter, I request that they will be pleased to recommend to Government to make the declaration proposed.

* Letter to Accountant-General, No. 1,902, dated 5th November 1878.

Accountant-General's reply, dated 11th November 1878, No. I.A.E.-59.

Letter to Accountant-General, dated 20th January 1879, No. 184.

His reply, dated 27th idem, No. I.A.E.-7.

7. I enclose copies of the correspondence* and of the Order of Government directing Rama Row's reinstatement.

8. It is to be observed that Section 56, Rule 2, of the Civil Pension Code, 4th Edition, hardly appears to apply to the case under reference, although the Government

in their Order make use of the expression "restored." Rama Row was, *de facto*, absent without leave, as he, instead of joining the appointment to which he stood posted, remained away and was occupied in petitioning. The difficulty as regards break of service, if break it is to be held, might be got over by declaring that the period of absence should be considered as leave on forfeiture of full pay. This I am of opinion that it is not competent either for the Chief Engineer or me to do, and that the necessary order would have to be passed by Government as they ordered restoration.

ENCLOSURE No. 1.—Copies of Correspondence.

ENCLOSURE No. 2—Service List.

SUBMITTED for the orders of Government.

2. The Board support the Collector's recommendation in paragraph 1.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

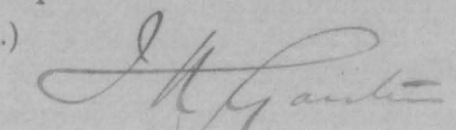
No. 140. ORDER THEREON, 11th September 1879, No. 1,858.

Miscellaneous.

THE Governor in Council is pleased to direct that the service of K. Rama Row prior to his reinstatement shall,

so far as it is qualifying under the rules, count for pension.

(True Extract.)


Acting Secretary to Government.

To the Board of Revenue.
" the Accountant-General.
" the Pension Department.

Exd. G. Freeman.

4 Spare Copies.

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REVENUE.

THE BOARD OF REVENUE,

£0, £0, £0.

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Dated September 11th.

Printed 17th.

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G.O. 11th September 1879, No. 1,858.

SEPTEMBER.
No. 139-140.

Order No. 25-140 19. 1880.

K. Rana Rao, Joint Secretary of Revenue, Chingleput District. Directing that the service of — prior to his reinstatement shall, so far as it is qualifying under the rules, count for pension.

1880