M.R.O. 1—77,066—8-8-37.

(1) Number of pages 86

(2) Date of repair 16. 9. 61

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 957 Press / Mis.

Dated 17-11- 1879.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

17th November 1879, No. 757.

Gratuity.

Read the following papers:—

From Lieut.-Colonel T. E. TENNANT, Inspector-General of Jails, to the Accountant-General, dated Ootacamund, 15th June 1879, *No.* 2899.

I have the honor to forward the enclosed application (with four enclosures) for gratuity on behalf of the late Jailor, Mr. R. P. Mackertish, of the District Jail at Cuddapah, and to request you will be good enough to cause the same to be verified and submitted to Government for sanction.

2. It appears that the service book of the applicant has been lost.

3. I may here mention, for the information of Government, that the applicant received the medical certificate on the 1st June last and died on the 3rd idem of paralysis induced by softening of the brain.

ENCLOSURE No. 1.

Application for Gratuity.

1. Name of applicant	Mr. Richard Primrose Mackertish.
2. Father's name	Joseph Mackertish.
3. Sect or caste	East Indian.
4. Residence	Cooty Maistry Street, Madras.
5. Present or last employment	Jailor, District Jail, Cuddapah.
6. Date of beginning of service	14th January 1867.
7. Date of end of service	31st May 1877.
	YS. M. D.
8. Length of service including breaks ..	10 7 27
of which superior	10 2 26
non-qualifying and breaks	0 5 0
9. Class of gratuity applied for and cause of application	Gratuity.
	RS. A. P.
10. Average emoluments or pay	72 14 8
12. Proposed gratuity	729 2 8
14. Place of payment	Cuddapah.
15. Date of applicant's birth by Christian Era	20th September 1832.
16. Height	5 feet 8 inches.
18. Date	25th April 1878.

(Signed) M. IYASAWMY.

History of the Service (showing Breaks) of Mr. Richard Primrose Mackertish, late Jailor in the District Jail of Cuddapah.

Establishment.	Appointment.	Pay.	Acting Allowance.	Date of Beginning.	Date of End.	Period reckoned as Service.	Period not reckoned as Service.	Remarks.	How verified.	Remarks by Accountant-General.
		RS.	RS.			YS. M. D.	YS. M. D.			
Collector's Office, Kurnool.	First Compositor ..	50	..	14th June 1867.	17th Aug. 1869.	2 2 4	..	..	..	Services from 14th June 1867 to 26th June 1871 and from 27th June 1871 to 30th April 1873 and those from 1st May 1873 to 31st May 1877 have respectively been verified from the records of the offices of the Collectors of Kurnool and Cuddapah and the Superintendent of the District Jail, Cuddapah, and the verification confirmed partly by the audit registers and partly by the annual returns on record in this office.
	Under suspension for irregular attendance.	..	..	18th Aug. 1869.	23rd Sept. 1869.	..	0 1 6	Drew no pay for this period.	..	
	First Compositor ..	50	..	24th Sept. 1869.	2nd May 1870.	0 7 2	..	..	..	
	Under suspension for irregular attendance.	..	..	3rd May 1870.	2nd June 1870.	..	0 1 0	Drew no pay for this time.	..	
Collector's Office, Cuddapah.	First Compositor ..	50	..	3rd June 1870.	24th June 1871.	1 0 22	..	..	..	
	Do. ..	50	..	25th June 1871.	26th June 1871.	..	0 0 2	On leave without pay.	..	
	Acting Head Compositor.	50	..	27th June 1871.	28th Sept. 1871.	0 3 2	..	On other duty and resigned on the 21st Dec. 1871.	..	
	Acting Head Compositor.	50	..	29th Sept. 1871.	5th Oct. 1871.	..	0 0 7	On sick leave ..	..	
	Acting Head Compositor.	..	..	6th Oct. 1871.	21st Oct. 1871.	..	0 0 16	Stopped away without leave.	..	
	Acting Head Compositor.	..	..	22nd Oct. 1871.	21st Dec. 1871.	0 2 0	..	..	..	
	Head Compositor ..	50	..	22nd Dec. 1871.	30th Apr. 1873.	1 4 9	..	..	..	
District Jail, Cuddapah.	Acting Jailor ..	75	..	1st May 1873.	31st July 1873.	0 3 0	..	..	..	
	Jailor	75	..	1st Aug. 1873.	31st Aug. 1875.	2 1 0	..	..	..	
	Do.	80	..	1st Sept. 1875.	31st Aug. 1876.	1 0 0	..	..	..	
	Do.	85	..	1st Sept. 1876.	31st May 1877.	0 9 0	..	Retired on 1st June 1877.	..	
				Total period of superior service ..		9 8 16	0 3 1			

Remarks by Head of Office.

1. As to character and past conduct of applicant	Good.
2. Explanation of any suspension or degradation	Nil.
3. Regarding any gratuity or pension already received by applicant (see Chapter XX)	Received gratuity in the Accountant-General's Office.
4. Explanation under Section 50, Rule 1, so far as the Head of the Office can give it	Incompetent to hold any appointment (*vide* medical certificate).
5. Any other remarks	Nil.

(Signed) M. IYASAWMY,
Superintendent of Jail, Cuddapah.

Certified that I have carefully examined Mr. Richard Primrose Mackertish, son of Joseph Mackertish, Jailor in the District Jail, Cuddapah. His age is by his own statement forty-four years, and by appearance about forty-eight years. I consider Mr. Richard Primrose Mackertish to be completely and permanently incapacitated for further service of any kind in the department to which he belongs in consequence of paralysis. His incapacity does not appear to me to have been caused by irregular or intemperate habits.

CUDDAPAH,
1st June 1877.

(Signed) M. IYASAWMY,
Zillah Surgeon.

From the Officiating Accountant-General, to the Superintendent of Jail, Cuddapah (through the Inspector-General of Jails), dated Fort St. George, 10th July 1878, No. 17-A.D.K.

Audit Department.

[*Vide* your application for gratuity on behalf of Mr. Richard P. Mackertish, late Jailor, District Jail, Cuddapah.]

The undersigned has the honor to return the application with the request that the numbers 14, 15, and 18 in the first page and numbers 4 and 5 in the third thereof may be filled in and the application retransmitted to this office at an early date.

1. Inquires why explanation was not furnished to this office in respect of the applicant's suspension both from 1st August to 22nd September 1869 and from 3rd May to 2nd June 1870.

2. The date and number of the Government Order under which the applicant once received a gratuity should be given with intimation whether the amount of that gratuity was refunded by him; if so, how and when.

3. Inquires why full pay was stopped for the days specified and marked in pencil in the accompanying list. If it was, as it is belived to be, on account of absence without leave, why those days were not excluded from the total period of the applicant's service.

4. Explanation of the cause of delay in the submission of this application should be furnished, and the name of the proper heir who is entitled to receive the applicant's gratuity should be given.

(Signed) W. DONALD,
Offg. Accountant-General.

From Lieut.-Colonel T. E. TENNANT, Inspector-General of Jails, to the Accountant-General, dated Madras, 14th September 1878, No. 4770.

With reference to your docket, No. 17-A.D.K., dated 10th July last, to the address of the Superintendent of the District Jail at Cuddapah, I have the honor to retransmit the gratuity papers on behalf of the late Mr. R. P. Mackertish together with the information called for in the above reference.

From the Officiating Deputy Accountant-General, to the Superintendent of Jail, Cuddapah (through the Inspector-General of Jails), dated Fort St. George, 11th October 1878, No. 99-A.D.K.

Audit Department.

[Vide your application for gratuity on behalf of Mr. R. P. Mackertish, late Jailor in the District Jail, Cuddapah.]

The undersigned has the honor to point out that the applicant's absence without leave for fifty-three days has not been rejected from the total period of his service as stated in the Superintendent's reply memorandum of the 11th ultimo. The register of application is returned herewith with the request that the Superintendent will be good enough to distinguish in the column provided therein the several periods of his absence that affect his service, a note being made at the same time as to the date and nature of such absence. To facilitate insertion of the same, the original list of the applicant's service rendered in the Collector's Department are retransmitted herewith.

It will be seen from a note in the remark column that the applicant resigned his appointment on the 21st December 1871, although he is shown in the application that he held the appointment of Head Compositor from 21st October 1871 to 30th April 1873. Explanation is requested as to this discrepancy.

(Signed) W. DONALD,
Offg. Dy. Accountant-General.

From H. R. GRIMES, Esq., in charge of the Office of Inspector-General of Jails, to the Accountant-General, dated Coimbatore, 29th November 1878, No. 6318.

In returning the enclosed docket* with enclosures addressed to the Superintendent, District Jail, Cuddapah, I have the honor to forward a memorandum† from that officer affording the information asked for.

* No. 99-A.D K., dated 11th October 1878.
† Dated 26th November 1878.

Memorandum from the Superintendent of Jail, Cuddapah, dated 26th November 1878.

Fifty-three days' service has been deducted from the applicant's total period of service for being absent without leave during that period.

2. The applicant went on privilege leave from 25th to 30th June 1871 with a view to join the Collector's Office, Cuddapah, as Head Compositor; joined on 27th June 1871 on probation up to 21st December 1871; confirmed in that appointment on the 22nd December 1871, which he held up to 30th April 1873. Resigned the appointment of Head Compositor, Collector's Office, Kurnool, on the 21st December 1871.

(Signed) M. IYASAWMY,
Superintendent of Jail.

From the Assistant Accountant-General, to the Collector of Cuddapah, dated Fort St. George, 4th December 1878, No. 144-A.D.K.

Audit Department.

The undersigned has the honor to request that the Collector will be good enough to cause the services of Mr. Richard Primrose Mackertish as First Compositor on pay of Rs. 50 per mensem from 3rd June 1870 to 30th April 1873 to be verified from the records of his office and the result reported to this office together with information on the following points:—

1. Whether the appointment held by the applicant was permanent; if so, whether the services rendered in it counts towards pension or gratuity.

2. Whether the applicant had enjoyed any leave other than casual during the period of his service in Cuddapah, and whether he at any time absented himself without leave; if so, the details of such absence should be given.

3. Whether the applicant had at any time been under suspension; if so, copies of correspondence in connection therewith should be furnished to this office.

4. How his services terminated.

(Signed) W. DONALD,
Assistant Accountant-General.

No. 41.

REPLY.

A list of his services in the Revenue Department, with leave, &c., is herewith forwarded. His appointment as First Compositor is permanent and counting for pension. There is nothing in the records of this office to show how his services finally terminated.

CUDDAPAH,
17th January 1879.

(Signed) H. SOOBBA ROW,
Acting Deputy Collector.

Name of Officer.	Designation of Office.	Salary.	Period of Service in each Office.	Remarks.
R. P. Mackertish.	Acting Head Compositor, Cuddapah Collectorate Press Office.	RS. 50	27th June 1871 to 30th April 1873.	Confirmed in this post from 22nd December 1871. It appears from the pay abstract of October 1871 that seven days' sick leave was granted from 29th September 1871 and that he returned to duty in the forenoon of 22nd October 1871. Full pay from 6th to 21st October 1871 was credited to Government on account of absence without leave. Resigned his post as Head Compositor on the 1st August 1873 after three months' probation as Jailor of Cuddapah.

CUDDAPAH,
17th January 1879.

(Signed) H. SOOBBA ROW,
Acting Deputy Collector.

From the Assistant Accountant-General, to the Collector of Kurnool, dated Fort St. George, 4th December 1878, No. 143-A.D.K.

Audit Department.

The undersigned has the honor to request that the services of Mr. Richard Primrose Mackertish as Compositor in the Collector's Press Establishment on pay of Rs. 50 per mensem from 14th January 1867 to 2nd June 1870 may be verified from the records of the Collector's office and the result reported to this office at an early date with information on the following points:—

1. Whether the appointment held by the applicant was permanent, and, if so, whether the services rendered in it count towards pension or gratuity.

2. Whether the applicant had enjoyed any leave other than casual during the period of his service in Kurnool, and whether he at any time absented himself without leave; if so, the details of such absence should be given.

3. Whether the applicant had been under suspension; if so, copies of correspondence in connection therewith should be furnished to this office.

4. How did his services terminate?

(Signed) W. DONALD,
Assistant Accountant-General.

No. 61.

REPLY.

I have the honor to forward, herewith, a statement of services of Mr. R. P. Mackertish, a former Compositor in this Collectorate Press, as verified from the records of this office.

2. It will be seen from that statement that Mr. Mackertish held the post of a Head Compositor permanently, and that he served in this district from 14th June 1867 to 21st December 1871, on which day he resigned the place. His services count towards pension or gratuity. The leave obtained is given in the statement.

3. He was suspended for two months and six days on two different periods for irregular attendance and absence without leave.

KURNOOL,
18*th February* 1879.

(Signed) N. GOPALAKISTNAMAH,
Deputy Collector.

HISTORY of the Service of Mr. Richard Primrose Mackertish.

Establishment.	Appointment.	Pay.	Acting Allowance.	Date of Beginning.	Date of End.	Period reckoned as Service.	Period not reckoned as Service.	Remarks.
		RS.	RS.			YS. M. D.	YS. M. D.	
Printing Establishment, Kurnool Collectorate.	Head Compositor.	50	..	14th June 1867.	17th Aug. 1869.	2 2 4	..	
				18th Aug. 1869.	23rd Sept. 1869.	..	0 1 6	Suspended.
				24th Sept. 1869.	2nd May 1870.	0 7 9	..	
				3rd May 1870.	2nd June 1870.	..	0 1 0	Suspended.
				3rd June 1870.	24th June 1871.	1 0 21	..	
				25th June 1871.	21st Dec. 1871.	..	0 5 27	Leave on forfeiture of pay. Resigned on the 21st December 1871.
					Total ..	3 10 4	0 8 3	

KURNOOL,
18*th February* 1879.

(Signed) N. GOPALAKISTNAMAH,
Deputy Collector.

From the Assistant to the Accountant-General, to the Collector of Kurnool, dated Fort St. George, 25th February 1879, No. A.D.K.—56.

Audit Department.

[*Vide* your reply, No. 61, dated the 18th instant, to this office objection memorandum, No. A.D.K.—143, dated 4th December 1878, on the application for gratuity on behalf of Mr. R. P. Mackertish, late Head Compositor of the Collector's Press.]

The undersigned has the honor to request that the Collector will be good enough to inform this office the dates from and up to which Mr. Mackertish absented himself without leave, which resulted in suspension from employment on the two occasions, viz., from 18th August to 23rd September 1869 and from 3rd May to 2nd June 1870.

2. It is further requested that copies of correspondence connected with the applicant's suspension on the two occasions referred to above may be forwarded to this office as early as practicable.

3. The Superintendent of the District Jail, Cuddapah, in whose office the applicant was last employed, states that he once received a gratuity of Rs. 250 for the service rendered prior to his re-employment in the Kurnool Collectorate Press. The Collector will report to this office whether Mr. Mackertish has refunded the whole amount in view to his former service being counted towards pension under the provisions of Chapter XX of the Civil Pension Code.

(Signed) H. S. GROVES,
Assistant to Accountant-General.

From the Assistant to the Accountant-General, to the Inspector-General of Jails, dated Fort St. George, 25th February 1879, No. A.D.K—57.

Audit Department.

[*Vide* your application for gratuity on behalf of Mr. R. P. Mackertish, late Jailor, District Jail, Cuddapah.]

The undersigned has the honor to point out that in the register of application the applicant's appointment as Head Compositor in the Collectorate Press, Kurnool, is shown to have commenced from the 14th January 1876, while the Collector of that district certifies that the applicant's services as such can be verified from the records of his office only from the 14th June 1867. The Inspector-General is, therefore, requested to explain the cause of this discrepancy.

2. He is further requested to state how he considered the applicant entitled to any retiring allowance at all, when it is apparent from the accompanying memorandum (to be returned) that he has not refunded the amount of gratuity of Rs. 250 sanctioned to him by Government for the service rendered prior to his re-employment in the Kurnool Collector's Office Press Establishment (*vide* provisions of Chapter XX of the Civil Pension Code, 3rd Edition).

(Signed) H. S. GROVES,
Assistant to Accountant-General.

No. 126.

From the enclosed copy of the applicant's services, furnished by the Deputy Collector of Kurnool (copy of which has already been forwarded to the Accountant-General of Madras), it will be seen that his appointment as Head Compositor in the Collector's Press, Kurnool, dates from the 14th January 1867, and was entered as such in the register of application.

2. When the applicant's gratuity roll was submitted, it was not known at the time, nor could any information be obtained on the subject, as to whether he received a gratuity or otherwise, or of having retained or refunded the same, until it was ascertained from his relatives in September last, and on their statement only it was entered in paragraph 2 of the accompanying memorandum, dated 11th September 1878, that the applicant received a gratuity and did not refund the same.

CUDDAPAH,
28*th March* 1879.

(Signed) M. IYASAWMY,
Superintendent of Jail.

From Lieutenant-Colonel T. E. TENNANT, Inspector-General of Jails, to the Accountant-General, dated Ootacamund, 4th April 1879, No. 1636.

With reference to your memorandum, dated 25th February last, No. A.D.K.—57, I have the honor to return the same with the information therein called for, furnished by the Superintendent of the District Jail at Cuddapah.

MEMORANDUM.

The cause of explanation not being furnished in respect of the applicant's supervision both from 1st to 22nd September 1869, and from 3rd May to 2nd June 1870, was owing to the delay in gathering the information from the Collector's Office, Kurnool, that he was suspended on the abovenamed dates for irregular attendance and absence without leave.

2. The date and number of Government Order under which the applicant once received a gratuity is not known. From information obtained it appears that he received a gratuity of Rs. 250 on the 16th March 1867, and monthly payments of Rs. 50 for April, May, and June 1867, the last payment was made to him from the Accountant-General's Office, Madras, on the 5th June 1867, the amount of gratuity and monthly payments of Rs. 50 for April, May, and June 1867 drawn by him was not refunded.

3. Full pay was stopped from the applicant on account of absenting himself without leave, for which fifty-three days were excluded from the total period of his service.

4. The cause of delay in the submission of the application was owing to the applicant's relations being absent from this place. The proper heir entitled to receive his gratuity is Mr. Lushington Gay Mackertish, the son of the late Mr. R. P. Mackertish.

CUDDAPAH,
11*th September* 1878.

(Signed) M. IYASAWMY,
Superintendent of Jail.

From the Accountant-General, to the Superintendent of the District Jail, Cuddapah, dated Fort St. George, 29th April 1879, No. A.D.K.—149.

Audit Department.

[*Vide* your application for gratuity on behalf of the late Mr. R. P. Mackertish, late Jailor on your establishment.]

The undersigned has the honor to request the Superintendent of District Jail, Cuddapah, will be good enough to inform this office, at his earliest convenience, of the precise date of the applicant's death, in view to the same being communicated to Government.

(Signed) R. C. CHAPMAN,
Offg. Assistant to the Accountant-General,
for *Offg. Accountant-General.*

No. 321.

Mr. R. P. Mackertish, the late Jailor of the District Jail of Cuddapah, died on the third day of June 1877.

(Signed) M. IYASAWMY,
Superintendent of Jail.

REPLY.

Suspended from 18th August to 23rd September 1869 for irregular attendance and absence without leave. Again suspended for one month from 3rd May to 2nd June 1870 for absenting himself for ten days, *i.e.*, from 3rd to 13th May 1870, without leave. Original orders suspending him on the two occasions above mentioned not forthcoming in the records of this office. Extracts from the quarterly returns submitted to Board of public servants suspended are herewith sent.

2. Mr. Mackertish has not refunded the sum of Rs. 250, the amount of gratuity received by him for the service rendered prior to his re-employment in this district.

Kurnool,
1*st May* 1879.

(Signed) N. GOPALAKISTNAMAH,
Deputy Collector.

No. A.D.J.—150.

Certificate and Report of Accountant-General.

Certified that service in superior grades has been duly proved for nine years, eight months, and sixteen days, and that the whole of this service can be reckoned as qualifying, provided Government be pleased to commute under Rule 6, Section 52, of the Civil Pension Code, 4th Edition, the applicant's absence without leave for sixteen days, from 6th to 21st October 1871, into leave without allowances, under Section 10, Supplement F. to the Civil Leave Code. Otherwise his qualifying service can reckon only from the 22nd October 1871, the date on which he rejoined his appointment from absence without leave, and will amount to five years, seven months, and nine days.

2. It will be seen from the Proceedings of Government, No. 101, dated the 8th March 1867, Pension Department, that the applicant had served for a period of eight years, eight months, and six days, prior to 14th June 1867, the date on which he re-entered the Government service in the Collector's Office, Kurnool, and that on his services being dispensed with, in consequence of the abolition of the Printing Establishment in the Accountant-General's Office, he drew a gratuity of Rs. 375. Although according to Section 106 the applicant is not entitled to any retiring allowance for his second period of service, owing to his not having refunded the amount of gratuity drawn for his previous service, yet, under the provisions of Rules 8 and 9 at the end of Chapter XX of the Code, his old service in the Accountant-General's Office may be combined with his new one in Collectors' offices, in which case his whole qualifying service in superior grades will amount to eighteen years, four months, and twenty-two days, entitling him, under ordinary circumstances, to an invalid pension not exceeding Rs. 24-4-10 per mensem, equal to one-third of his average emoluments, under Sections 61 and 68 (*b*) of the Civil Pension Code. But as the applicant did not at the time of his re-employment refund the gratuity drawn for his earlier service, as required by Section 106 of the Code, he should be granted a reduced rate of pension at Rs. 21-8-0 a-month, the amount calculated in accordance with the provisions of Rule 9 at the end of Chapter XX and the scale in Table A, Appendix E, of the Code, taking the applicant's age at the time of retirement from the service to be forty-four years.

3. It will be seen from paragraph 3 of the accompanying letter of the Inspector-General of Jails, No. 2899, dated the 15th June last, and from the reply of the Superintendent of Jail, Cuddapah, to this office memorandum, No. A.D.K.—149, dated the 29th April last, also herewith transmitted, that the applicant died on the 3rd June 1877. Any retiring allowance that may be sanctioned to him should therefore be ordered to be paid to his son, Mr. L. G. Mackertish, agreeably to Rule 2, Section 102, of the Code.

4. The cause of delay in the submission of this application is explained by the Superintendent of Jail, Cuddapah, in his reply to this office, No. A.D.K.—17, dated 10th July 1878, herewith forwarded.

Fort St. George,
30*th May* 1879.

(Signed) R. C. CHAPMAN,
Offg. Assistant to Accountant-General,
for *Accountant-General.*

To the Acting Secretary to Government, Pension Department.

No. 32.

OFFICIAL MEMORANDUM.

Your report, dated 30th May 1879, on the application for a gratuity to Mr. R. P. Mackertish.

The undersigned is directed to inquire why the Acting Accountant-General considers the applicant eligible to a pension for his combined service, though he had not refunded the gratuity received for his earlier service, while Rule 9, page 65, intimates that the gratuity or pension is to be allowed "for the subsequent service."

See also example 3, page 66.

(By Order.)

Ootacamund,
6*th August* 1879.

(Signed) LORNE A. CAMPBELL,
Under Secy. to Govt.

To the Accountant-General.

From A. C. TUPP, Esq., Officiating Accountant-General, to the Acting Secretary to Government, Pension Department, dated Ootacamund, 10*th September* 1879, *No.* 142-*N.*

Treasury Account Department.

With reference to Mr. Under Secretary Campbell's memorandum, No. 32, dated the 6th ultimo, inquiring why this office reported the late Mr. Mackertish as being "eligible to a pension for his combined service although he had not refunded the gratuity received for his earlier service," I have the honor to state that the report in question was erroneous, as suggested in the memorandum under acknowledgment, the opinion expressed therein being wrongly based on the conclusions arrived at in the cases on which the orders of Government noted in the margin were passed.

G.O., No. 503, dated 4th November 1878.
„ „ 13, „ 18th January 1879.
„ „ 347, „ 18th June 1879.

2. These orders, it is now clear, were opposed to Rule 9, Chapter 20, Civil Pension Code, and would doubtless not have been issued but for the erroneous report of this office on Saiad Casim's Case, No. A.D.J.—69, dated 21st September 1878, in the disposal of which this office allowed itself to be guided by the orders of the Government of India in the case of P. Naganna, No. 1385, dated 6th July 1878, which orders were wrongly understood to affirm a general principle in place of being applicable to a special case only.

3. I would now respectfully suggest that the above-quoted orders of Government be modified in accordance with the provisions of Rule 9, as far as the Government think desirable.

4. If such modification be determined on, I request that the papers connected with the cases erroneously reported on may be returned to this office for fresh report.

5. With regard to the case specially adverted to in your memorandum, I beg that His Grace in Council will consider this office report as withdrawn, and permit the case to be reported on afresh in the following terms:—

Mr. Mackertish's earlier service, *i.e.*, prior to his re-employment, amounted to eight years, eight months, and six days, for which a gratuity of Rs. 375 was sanctioned in G.O., No. 101, dated 8th March 1867. Had Mr. Mackertish, on re-employment, refunded the amount of this gratuity, he would have been entitled to an invalid pension of Rs. 24-4-10 per mensem under Section 106, Civil Pension Code. Since, however, the gratuity was not refunded, Mr. Mackertish became entitled for his subsequent service only to a gratuity of Rs. 765, the amount being subject to no deduction, since such gratuity added to the gratuity previously granted does not exceed the present value of the pension that would have been admissible had the gratuity granted prior to re-employment been refunded.

6. In conclusion I beg to express my regret for the errors into which this office has been inadvertently led, as explained above.

Order thereon, 17th November 1879, No. 757.

His Grace the Governor in Council is pleased to grant a gratuity of Rs. 765 in the name of Mr. R. P. Mackertish, late Jailor, District Jail, Cuddapah, for his qualifying superior service of nine years, eight months, and sixteen days, and to make it payable to his son, Mr. L. G. Mackertish.

2. It is evident from Rule 9 at the end of Chapter XX as now arranged in the 4th Edition of the Civil Pension Code that the words "Pension is in any case admissible only for the new service combined with the old" which immediately precede it do not apply to cases in which applicants have not refunded a gratuity as was formerly understood, and that the principle on which the applications disposed of in the orders noted in the margin was erroneous.

3. The cases affected by this misunderstanding appear to have been limited to those cited, and, in consideration of the length of time that has elapsed since the removal of the applicants and of their long service, will not be re-opened.

G.O., Pension Dept., 14th Nov. 1878, No. 503.
,, 18th January 1879, No. 13.
,, 18th June 1879, No. 347.

Years.	Months.	Days.
32	3	8
35	7	9
36	11	10

(True Extract.)

Under Secy. to Govt.

To the Accountant-General.
,, Examiner of Public Works Accounts.
,, Controller of Military Accounts.
,, Inspector-General of Police.
,, Inspector-General of Jails.
,, Collector of Cuddapah.

Exd. J. Wright.

Govt. of 1879 Madras.

PENSION.

To

THE ACCOUNTANT-GENERAL,

&c., &c., &c.

Dated November, 17th.

Issued

Recd. *Encl.*

G.O., *17th November* 1879, *No.* 757.

NOVEMBER.

Gratuity.—An invalid gratuity of Rs. 765 in the name of Mr. R. P. Mackertish, late Jailor, District Jail, Cuddapah, granted, and its payment to his son Mr. L. G. Mackertish, ordered. Certain cases disposed of under an erroneous principle not to be re-opened.

Certified that I have carefully examined Mr. Richard Primrose Mackertish, son of Joseph Mackertish, Jailor in the District Jail Cuddapah. His age is by his own statement 44 years and by appearance, about 48 years. I consider Mr. Richard Primrose Mackertish to be completely and permanently incapacitated for further service of any kind in the Department to which he belongs, in consequence of Paralysis. His incapacity does not appear to me to have been caused by irregular or intemperate habits.

Cuddapah
1st June 1878

(Signed) M Iyasawmy
Zillah Surgeon

(True Copy)

Zillah Surgeon

owing the Services of Mr. R. P. Mackertich late Foreman in the Kurnool District Press

Name	Post	Pay			Time		Period of Service			Remarks
		Rs.	As.	Ps.	From	To	Y	M	D	
P. Mackertich	1st Compositor	50	--	"	14th January 18[illegible]	31st July 1869	2	6	17	one days pay was stopped in Feb. /69 Two days Do. —— Do. in June /69
	under Suspension				1st August 1869	22nd Septr. /69	"	1	22	Drew no pay in August & 22 days in Septr. /69
	1st Compositor	50	--	"	23rd Septr. 1869	2nd May 1870	"	7	10	Rs. 2-8-- Stopped from his pay in Novr. /69
	Under Suspension	"	"	"	3rd May 1870	2nd June 1870	"	1	"	
	1st Compositor	50	--	"	3rd June 187[illegible]	24th June 1871	1	"	22	Rs. 2 fined & 5 Rs. Stopped from his pay for June 1870 Rs. 2-6-9 Stopped in July 1870 Rs. 3-3-7 Stopped in August 1870 Rs. 3 -- -- Stopped in Septr. 1870 Rs. 1-10-8 Do. in Novr. 1870 & Rs. 1-9-10 in November 1871 & as 12-11- in May 1871
	Do.	50	--	"	25th June /71	30th June /71	--	--	6	one privilege leave
	Do.	50	--	"	1st July 1871	20th December /71	..	5	20	on other duty & resigned on the 21st December 1871
							4	11	7	

(Signed) A. Gopaulah
Dy. Collector

(True Copy)

A Ramasawmy
Superintendent of Jail

(Sig'd) [illegible]
Deputy Collector

List shewing the service of R. P. Mackintosh late Head Composi-tor in the Cuddapah District Press ~~Department~~

Name of Officer	Designation of Office	Salary	Period of Service in each Office	Remarks
R. P. Mackintosh	Ag Head Compositor Cuddapah Collectorate Press Office		27th June 1871 to 30th April 1873	Confirmed in this post from 22nd December 1871. It appears from the pay abstract of October 1871 that 7 days sick leave was granted from 29th September 1871 & that he returned to duty in the forenoon of 22nd October 1871. The pay from 6th to 21st October 1871 was credited to Government on account of absence without leave. Resigned his post as Head Compositor on the 1st August 1873 after three months probation as Jailor of Cuddapah.

Cuddapah
May 1877

(Signed) Ire Ramasawmy
Deputy Collector

(True copy)
Supt. of Jail
Cuddapah

List showing the services of Mr R. P. Mackintosh late Jailor of the District Jail Cuddapah

No 3

Name	Rank	Pay	Service		Period of service			Remarks
			From	To	Y	M	D	
Mr R. P. Mackintosh	Jailor	75 - -	1st May 1873	31st August 1875	2	3	"	Confirmed 1st August 1873. Fined Rs 15 on the 8 Jany 1874 for neglect of duty. Fined Rs 2. 6. 8 on the 13 Jany 1875 Fined Rs 2. 8. 0 on the 29 May 1875 for not signing the Registers. Fined one Rupee on the 16 Jany 1876 Fined R[illegible] the 31st [illegible] for mismanagement.
Do	Do	80 - -	1st Sept 1875	31st August 1876	1	"	"	
Do	Do	85 - -	1st Sept 1876	31st May 1877	"	9	"	
				Total	4	"	"	

No 3

(True extract.)

Superintendent of Jail

Cuddapah
31st May 1877

ist Showing the Services of Mr R. P. Macke[illegible]tish, late foreman in the Kurnool District press.

Name	Post	Pay		Time		Period of Service			Remarks
		Rs	As	From	To	Y	M	D	
r R. P. Mackertish	1st Compositor	50	„ „	14th Jan[illegible]ry 1867	31st July 1869	2	6	17.	One days pay was stopped in Feb/69
	Under Suspension			1st Aug[illegible]t 1869	22d Septr /69	„	1	22	Two days Do ——— 2 in June/69 Drew no pay in August & 22 days in Septr /69.
	1st Compositor	50	„ „	23rd Sep[illegible]tr 1869	2d May 1870	„	7	10	Rs 2-8-„ stopped from his pay in Novr /69
	Under Suspension			3rd M[illegible] 1870	2d June 1870	„	1	„	
	1st Compositor	50	„ „	3rd J[illegible]e 1870	24th June 1871	1	„	22	Rs 2 fined, & 5 Rs stopped from his pay for June 18[illegible] Rs 2-6-9 stopped i[illegible] 1870. Rs 3-3-7 stopped in August 1870: Rs 5 saved or stopped in Septr/70. Rs 1-10-8 in Novr 1870 & Rs 1-9-10 in March/71 & as 12-11 in May/71
	——— do ———	50	„ „	25th Ju[illegible] /71	30th June /71	„	„	6	One privilege leave
	——— Do ———		„	1st J[illegible] 1871	20th December /71	„	5	20	On other duty & resigned on the 21st December 1871.
						4	11	7	

350

N. G[illegible]
Dy. Collector

No. 32

270

Sir.

Solicit Genl.

Your report d: 31st May 79 on the ~~pension~~ application for a gratuity to Mr. R P. Mackertich.

The undersigned is directed to enquire whether the Adjutant Genl considers has declared the applicant eligible to a pension for his combined service though he had not refunded the gratuity ~~he~~ received for his earlier service, while ~~[illegible]~~ Rule 29 page 65 intimates that the gratuity or pension is

to be allowed
"for the subsequent
service".
See also Example 3
page 66

Ootacamund
6-Augt/79

N:32

Olu

*copied 2/8/79

RETURN of Public Servants suspended or dismissed from employment in the District of Kurnool during the quarter ending 30th September 1869.

Name.	Office, and date of appointment to it.	Monthly pay.			Whether suspended or dismissed and date.	Offence.	Whole period of employment in the public service.	Remarks and explanation of arrangement for duty in cases of suspension.
1	2	3			4	5	6	7
		Rs.	A.	P.				
Mr. R. P. Mackertich	1st Compositor in the Printing Department	50	"	"	Suspended for one month from 18th August to 17th September 1869	For irregular attendance and absence without leave—	11–2–"	

Kurnool
16th October 1869

(Signed) T. Chase
Collector

(True Copy)

Deputy Collector

RETURN of Public Servants suspended or dismissed from employment in the District of Kurnool during the quarter ending 30th June 1870.

Name.	Office, and date of appointment to it.	Monthly pay.			Whether suspended or dismissed and date.	Offence.	Whole period of employment in the public service.	Remarks and explanation of arrangement for duty in cases of suspension.
1	2	3			4	5	6	7
		Rs.	A.	P.				
	By the Assistant Collector of Kurnool							
Mr A. P. Mackertich	1st Compositor in the Press Office, 14th July 1867	50	-	-	Suspended for one month from 3rd May 1870	Absented himself for 10 days without leave	11 - 9 - 15	An Acting Compositor was appointed to carry out the duty

Kurnool
Collector's Office
July 1870

(Signed) T. Chase
Collector

(True Copy)

Deputy Collector

post from 22

by abstract of

was granted

ned to duty in

from 6th to 21st

account of

the 1st August

of Cuddapah

240

Collector

~~No 6615~~
~~14 Decr 1878~~

To be returned with reply on reverse.

AUDIT DEPARTMENT.

No ADK / 144

Fort Saint George,
Accountant General's Office,
4th December 1878.

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE Collector of Cuddapah

VIDE your Application for ——— on behalf of ———

THE undersigned has the honor to request that the Collr will be good enough to cause the services of Mr Richard Primerose Mackertish as 1st Compositor on Pay of Rs 50 per mensem from 3rd June 70 to 30 Apl 73 to be verified from the records of ~~this~~ his Office and the result reported to this Office together with information on the following points.

1. Whether the appointment held by the applicant was permanent, if so, whether the services rendered in it count towards Pension or Gratuity.

2. Whether the applicant had enjoyed any

R. L. Macker

No 27

D

any leave other than casual during the period of his service in Cuddapah, and whether he at any time absented himself without leave; if so, the details of such absence should be given.

3. Whether the applicant had at any time been under suspension, if so, copies of correspondence in connection therewith should be furnished to this Office —

4. How his services terminated.

Forward

Apptg Acctnt Genl

Accountant General's Office
Recd 20 1 1879
Ansd

No 41

Reply. Cudt

A list of his services in the Revenue Department with leaves &c is herewith forwarded. His appointment as 1st compositor is permanent and counting for pension. There is nothing in the records of this Office to show how his services finally terminated.

Cuddapah Collector's Office
17th January 1879

Ag Collector

8

Name of officer	Designature of office	Salary	Period of Service in each office	Remarks
R. L. Mackertish	Ag Hd Compositor Cuddapah Collectorate Press office	50 " "	27th June 1871 to 30th April 1873.	Confirmed in this post from 22 December 1871. It appears from the Pay abstract of october 1871 that seven days sick leave was gran from 29th September 1871 & that he returned to duty the forenoon of 22d october 1871. full pay from 1st to 21st october 1871 was credited to Government on account of absence without leave. Resigned his post as Hd compositor on the 1st Augu 1873 after three months probation as jailer of Cuddapa

Cuddapah
Collector's office
17th January /79

Ag Collector

Memorandum.

1. 53 days' Service has been deducted from the Applicants' total period of Service, for being absent without leave during that period.

2. The applicant went on previlege leave from 25th to 30th June 187 with a view to join the Collector's Office, Cuddapah as Head Compositor, joined on 27th June 1871 on probation up to 21st December 1871, Confirmed in that appointment on the 22nd December 1871, which he held up to 30th April 1873. Resigned the appointment of Head Compositor Collector's Office, Kurnool on the 21st December 1871.

Cuddapah
26th November 1878

Superintendent of Jail.

H.

5 86

N° 375

No. 6318.

Coimbatore
~~Ootacamund~~,
Office of Inspector General of Jails
29 November 1878

45 10

From

Officer Incharge of
The Inspector General of Jails, Office.

To

The Accountant General
Fort Saint George.

Sir,

Enclosures (6)

No A.D.K
99
Dated 26
November 78

In returning the enclosed Docket* with enclosures addressed to the Supt. District Jail at Cuddappah I have the honor to forward a Memorandum fro that Officer affording the informatio asked for.

I have the honor to be
Sir,
Your most obedient Servan

Accountant General's Office
Recd 4
Ansd 12 1878

Henry Symes.
Incharge of Office of Inspector Ge of Jails.

4 88

47

To be returned with reply on reverse.

14 OCTBER 78

AUDIT DEPARTMENT.

Fort Saint George,
Accountant General's Office,
11th October 1878.

No. ADK/99

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE Superintendent of Jail, Cuddapah (or as amended) thro' the Inspr General of Jails,

VIDE your Application for Gratuity on behalf of Mr R. P. Maitikis, late Jailor in the Distt Jail Cuddapah:

THE undersigned has the honor to point out that the applicant's absence without leave for 53 days has not been rejected from the total period of his service as stated in the Supdt's Reply memo of the 11th ultimo. The Register of application is returned herewith with the request that the Supdt will be good enough to distinguish in the column provided therein, the several periods of his absence that affect his service, a note being made at the same time ~~then~~ as to the date and nature of such absence. To facilitate insertion of the same, the original

Inspr. Genl: of Jails

From
The Inspector General of Jails,

To
The Accountant Genl
Fort Saint George

Dated 29 November 1878.
Received
Answered

No. 6318
Enclosure. 6.

Forwards a Memorandum from the Supdt. Dist. Jail Cuddappa with enclosures of 26 Novemr 78

Lists of the applicant's service rendered in the Collector's Deptt. are retransmitted herewith.

It will be seen from a note in the Remark column that the applicant resigned his appointment on the 21st Decr 71, although he is shewn in the application that he held the appointment of 1st Compositor from 21 Oct. 71 & 30 April 73 — Explanation is requested as to this discrepancy.

Offg Dy Acctt Genl

No 424

ccountant Genl
Fort Saint George
vember 1878
o. 6318
osure. 6
Memorandum
Supdt Dist
Cuddapah
26 Nover 78

No. 4770 3 8 W.D. No 193

Office of Inspr. Genl: of Jails
Madras 14th September 1878

D
D

From Lt. Colonel J. E. Tennant
Inspector General of Jails
Madras

To The Accountant General
Fort Saint George

Sir,

With reference to your Docket No. $\frac{A.D.K.}{17}$ dated 10th July last to the address of the Superintendent of the District jail at Cuddapah I have the honor to retransmit the gratuity papers in behalf of the late Mr. R. P. Mackertish together with the information called for in the above reference. —

Enclosures Two

ACCT GENL OFFICE
RECD 17 9 78

I have the honor to be,
Sir
Your Most Obdt Servt
J. Tennant
Inspr. Genl: of Jails

From
The Inspr Genl: of Jails
Madras
To
The Accountant Genl:
Fort Saint George

Dated 14th } Sepr/78.
Recd: }
No. 4770.

Returns Papers connected with the gratuity of Mr MacKertish late jailor at Cuddapah with the required information —

By G. O. No 101 of 8 March 69
Pen. Gratuity of Rs 375 was sanctd.

Encl No 424

G. O. 8-3-69 No 101

C, No 247
53

No. 2899

OOTACAMUND,
Office of Inspector General of Jails,
15th June 1878.

---

3 A 8

58

To be returned with reply on reverse.

AUDIT DEPARTMENT.

13 JULY 78

No. A. D. P.
17

Fort Saint George,
Accountant General's Office,
10th July 1878.

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE Superintendent of Jail, Cuddapah
thro. the Inspector General of Jails
Ootacamund

VIDE your Application for Gratuity on behalf of Mr Richard P. MacKertish
late Jailer, Distt. Jail Cuddapah.

THE undersigned has the honor to return the application with the request that the numbers 14. 15 and 18 in the 1 Page and numbers 4 and 5 in ~~[illegible]~~ of the 3d thereof may be filled in and the applic. retransmitted to this Office at an early date.

1. Enquires why Explanation was not furnished to this Office in respect of the applicants suspension both from 1 Augt. to 22d Sept. 69 and from 3d May to 2d June 70.

2. The date and No: of Govt. Order under which the applicant once received a Gratuity sh. be ~~[illegible]~~ given with ~~[illegible]~~ intimation whether the amount of that gratuity was refunded by him, if so, how & when —

applicant received the medical certificate on the 1st June last and died on the 3rd idem of Paralysis

3. Enquiries why full Pay was stopped for the days specified and marked in Red in the accompanying List. If it was, as it is believed, due on account of absence ~~[illegible]~~ without leave why those days were not excluded from the total period of the applicant's service.

4. Explanation of the cause of delay in the submission of this application should be furnished, and the name of the proper heir who is entitled to receive the applicant's Gratuity should be ~~mentioned~~ given.

W. Donald
Offg Accountant Genl.

No. 2899

Ootacamund,
Office of Inspector General of Jails,
15th June 1878.

From

The Inspector General of Jails,

To

The Accountant General
Fort St George

Sir.

I have the honor to forward the enclosed application (with four enclosures) for gratuity in behalf of the late Jailer Mr R. P. Mackertich of the District Jail at Cuddapah, and to request you will be good enough to cause the same to be verified and submitted to Government for sanction.

2 It appears that the service book of the applicant has been lost.

3. I may here mention for the information of Government that the applicant received the medical certificate on the 1st June last and died on the 3rd idem of Paralysis

induced by softening of the brain.

I have the honor to be
Sir
Your most obed^t Servant
[illegible]
Inspector General of Jails

Accountant General's Office
Recd 19/6 1878
Ansd

Pension 1879 [illegible]

From No 423
The Inspector General of Jails,

To
The Acctt General
Fort St George

Dated 15
Received 19 June 1878.
Answered

No. 2899/79

Enclosure 1

Forwarding application for gratuity in behalf of the late Jailor District Jail Cuddapah.

[illegible] No. 157

388

55

Certified that I have carefully examined Mr Richard Primrose Mackertish Son of Joseph Mackertish, Jailor in the District Jail Cuddapah. His age is by his own statement 45 years and by appearance, about 48 years. I consider Mr Richard Primrose Mackertish to be completely and permanently incapacita for further Service of any Kind in th Department to which he belongs, in consequence of Paralysis. His incapacity does not appear to me to have been caused by irregular or intemperate h

Cuddapah
1st June 1877

[illegible]
Zillah Surgeon.

No 115
57
B

To be returned with reply on reverse.

AUDIT DEPARTMENT.

No. ADK/143

Fort Saint George,
Accountant General's Office,
4th December 1878.

Regd 524/7-12-78

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE Collector of Kurnool

~~VIDE your Application for~~ ~~on behalf of~~

THE undersigned has the honor to request that the services of Mr. Richard Francisco Mackertich as Compositor in the Collr. Press Estt. on pay of Rs 50 per mensem from 14 Jany 67 to 2d June 70 may be verified from the records of the Collr. Office and the result reported to this Office at an early date with information on the following points —

1. Whether the appt. held by the applicant was permanent and if so, whether the services rendered in it counts towards pension or Gratuity.

2

2. Whether the applicant had enjoyed any leave other than casual during the period of his service in Kurnool, and whether he at any time absented himself without leave; if so, the details of such absence should be given.

3. Whether the applicant had been under suspension if so, copies of correspondence in connection therewith should be furnished to this Office.

4. How did his services terminate?

No 115

D

Apptt. Acctt. General

No 61

1464 of 79

I have the honor to forward herewith a statement of Services of Mr. R. P. MacKertish a former Compositor in this Collectorate press as verified from the records of this Office.

It will be seen from that statement that Mr. MacKertish held the post of a head Compositor permanently & that he served in this District from 14th June 1867 to 21st December 1871 on which day he resigned the place. His services count towards pension or gratuity.

The leave obtained is given in the statement.

He was suspended for two months and 6 days on two different periods for irregular attendance and absence without leave.

Accountant General's Office
Recd 21 2 1879
Ansd —

Dy Collector's Office

Dy Collector

590

History of the Service of Mr. Richard Primrose MacKertish.

Establishment	Appointment	Pay	Acting allowance	Date of beginning	Date of end	Period reckoned as Service	Period not reckoned as Service	Remarks
Printing Estabt Kurnool Collectorate	Head Compositor	50 " "	" — "	14th June 1867	17th August 1869	2 2 4		
				18th August 1869	23rd Septemr 1869	" " "	" 1 6	Suspended
				24 Septemr 1869	2nd May 1870	" 7 9	" " "	
				3rd May 1870	2nd June 1870	" " "	" 1 "	do
				3rd June 1870	24th June 1871	1 " 21	" " "	
				25th June 1871	21st Decr 1871	" " "	" 5 27	Leave on forfeiture of pay. Resigned on the 21st Decr/71.
					Total	3 10 4	" 8 3	

Kurnool
Collectors Office
18th Feby 1879.

Deputy Collector

01-0

To be returned with reply on reverse.

Audit Department. 58

No. A.D.K.
56

76L
5/3.

Fort Saint George,
Accountant General's Office,
25th February 1879,

Asstt. to
From The ACCOUNTANT GENERAL
to the GOVERNMENT of MADRAS,

To The Collector of Kurnool.—

Vide your ~~appli.ation~~ ~~for~~ reply No. 61 ~~on behalf of~~ dated the 18th Instt. to this Office Objection Memorandum No. A.D.K./143 dated 4 Decr. 78 on the Application for Gratuity on behalf of Mr. R. P. Mackintosh late 2nd Compositor of the Collr's Press.

The undersigned has the honor to request that the Collector will be good enough to inform this Office the dates from and up to which Mr. Mackintosh absented himself without leave which resulted in suspension from employment on the two occasions viz. from 18th August to 23rd September 1869 and from 3rd May to 2nd June 1870.

It is further requested that copies of correspondence connected with the applicants' suspension on the two occasions referred to above may be forwarded to this Office as early as practicable.—

The Superintendent of the District Jail Cuddapah in whose office the applicant was last employed states that he once received a Gratuity of Rupees 250 for the service rendered prior to his

Office

Dy Collector

No 320

D

re-employment in the Kurnool Collectorate Press. The Collector will report to this Office whether Mr Mackertish has refunded the whole amount in view to his former service being counted towards Pension under the Provisions of Chapter XX of the Civil Pension Code.-

Asst to Account General

Reply.

Suspended from 18th August to 23rd Sept. 1869 for irregular attendance and absence without leave. Again suspended for one month from 3rd May to 2nd June 1870 for absenting himself for 10 days i.e. from 3rd to 13th May 1870, without leave. Original Orders suspending him on the two occasions above mentioned, not forthcoming in the records of this Office, extracts from the Quarterly returns submitted to Board, of public Servants suspended are herewith sent.

2. Mr. Mackertish has not refunded the sum of Rs 250 being the amount of Gratuity received by him for the service rendered prior to his re-employment in this District.

[illegible]
Recd 3/5 1879
Ansd

Collector's Office
Kurnool
1st May 1879

Dy-Collector

80

To be returned with reply on reverse.

650

AUDIT DEPARTMENT.

No. A.D.K. / 57

Fort Saint George,
Accountant General's Office,
25th February 1879,

FROM THE ACCOUNTANT GENERAL
TO THE GOVERNMENT OF MADRAS,

TO THE Inspector General of Jails.

VIDE *your appli.ation for* Gratuity *on behalf of* Mr R. P. Mackertish, late Jailer District Jail Cuddapah.

THE undersigned has the honor to point out that in the Register of application the applicant's appointment as Head Compositor in the Collectorate Press Kurnool is shewn to have commenced from the 14th January 1867, while the Collector of that District certifies that the applicant's services as such can be verified from the records of his Office only from the 14 June 1867. The Inspector General is therefore requested to explain the cause of this discrepancy.-

He is further requested to state how he considered the applicant entitled to any retiring allowance at all, when it is apparent from the accompanying Memorandum (to be returned) that he has not refunded the amount of Gratuity of Rupees 250 sanctioned to him by Government for the service rendered prior to his re-employment in the Kurnool

Collectors

Collector's Office Press Establishment: Vide Provisions of Chapter XX of the Civil Pension Code 3rd Edition.

Asst to Accountt General

No 126.

C? From the enclosed copy of the Applicant's Services furnished by the Deputy Collector of Kurnool (copy of which has already been forwarded to the Accountant General of Madras), it will be seen that his appointment as Head Compositor in the Collector's Press, Kurnool dates from the 14th January 1867, and was entered as such in the Register of Application.

2. When the Applicant's Gratuity Roll was submitted, it was not known at the time, nor could any information be obtained on the subject, as to whether he received a gratuity or otherwise, or of having retained or refunded the same, until it was ascertained from his relatives in September last and on their statement only it was entered in para 2 of the accompanying memo: dated 11th September 1878, that the applicant received a gratuity and did not refund the same.

Cuddapah
28 March 1879

Superintendent of Jail.

Ref No 424

From
The Acct Genl
Fort St George

No. AD K/57
Dated 25 Feby } 1879
Recd 1 March } 1879

No 2631
1288

D

Ootacamund
No 1636
Office of Inspr Genl of Jails
4 April 1879

From
Lt. Colonel T. E. Tennant.
Inspector General of Jails
Ootacamund

To
The Accountant General
Fort Saint George

Enclosure. 3.

Sir,
With reference to your Memorandum dated 25 February last No AD K/57 I have the honor to return the same with the information therein called for, furnished by the Superintendent of the District Jail at Cuddapah

I have the honor to be
Sir
Your Most Obedt Servt
T. E. Tennant
Inspector General of Jails

Accountant General's Office
Recd 7 4 1879
Ansd

From
The Supt. Jail Kurnool

To
The Acct. Genl.
Fort St. George

Dated 6th Sept 1879

No 1836

Enclosures three

Forwards certain in-formation regarding the services of Mr R.P. Mackertich late Jailor Cuddapah Jail.

A.C. No 424

13

69

Memo

1. The cause of explanation not being furnished in respect of the applicant's suspension both from 1st to 22nd September 1869 and from 3rd May to 2nd June 1870 was owing to the delay in gathering the information from the Collector's Office Kurnool that he was suspended on the above named dates for irregular attendance and absence without leave.

2. The date and No. of Government Order under which the applicant once received a gratuity is not known. From information obtained it appears that he received a gratuity of Rs 250 on the 16th March 1867 and monthly payments of Rs 50 for April, May & June 1867 the last payment was made to him from the Accountant General's Office Madras on the 5th June 1867, the amount of gratuity and monthly payments of Rs 50 for April, May & June 1867 drawn by him was not refunded.

3. Full pay was stopped from the applicant on account of absenting himself without leave for which 53 days were excluded from the total period of his service.

4. The cause of delay in the submission of the application was owing to the applicant's relations being absent from this place. The proper heir entitled to receive the gratuity is Mr. Lushington Guy Mackertich, the son of the late Mr. R.P. Mackertich.

Ewd Joseph
11th Sept 1878

Superintendent of Jail

80 71-0

No. A. D. K. / 149

To be returned with reply on reverse.

AUDIT DEPARTMENT.

Fort Saint George,
Accountant General's Office,
29th April 1879.

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE Supdt. of Distt. Jail, Cuddapah.

VIDE *your Application for* Gratuity *on behalf of* the late Mr R. P. Mackertich, late Jailor in your Distt.

THE undersigned has the honor to request that Supdt. of Distt. Jail Cuddapah will be good enough to inform this Office at his earliest convenience, of the precise date of the applicant's death, in view to the same being communicated to Government.

P. W. Chapman

Offg. Asst. to the Acct. Gl.
for Offg. Accountt. Genl.

No. 321

D

Mr. R. P. Mackertish the late Jailor of the District Jail of Cuddapah, died on the 3rd day of June 1877.

Superintendent of Jail
Cuddapah

Accountant General's Office
Recd 3/5 1879
Ansd

See No. 424

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17 8

Pension Department.

No. 32.

75 0

Official Memorandum

Your report dated 30th May 1879. on the application for a gratuity to Mr. R. P. Mackertish.

The undersigned is directed to inquire why the Ag. Accountant General considers the applicant as eligible to a pension for his combined service though he had not refunded the gratuity received for his earlier service while 9 Page 65 intimates that the gratuity or pension is to be allowed "for the subsequent service".

See also example 3 page 66.

Ootacamund
6 Augt. 1879

(By order)
(Signed) L. H. Campbell
Under Secy

To
The Accountant General.

Treas^y & Acct Dept^t

Ootacamund
Accountt General's Offi
10^th September 1879

75

No. 142 A

From
A. Cotterell Tupp Esq^re
Off^g Accountant General
Madras

To
The Secretary
to Government
Pension Departmen

Sir,

With reference to Mr Under Secreta
Campbell's memo No. 32 dated the 6th ultim
enquiring why this Office reported the late
Mr Mackertish as being "eligible to a pen
"sion for his combined service although h
"had not refunded the gratuity received f
"his earlier service", I have the honor to d
that the report in question was erroneou
as suggested in the memo under acknow
=ledgment, the opinion expressed therein bein
wrongly based on the conclusions arrived
in the cases on which the orders of Gove
=ment noted in the margin were passe

G.O No. 503 dated 4th Nov. 78
" No. 13 dated 18th Jany 79
" No. 347 " 18th June 79

2 These orders, it is now clear, were oppo
to Rule 9 Chapter 20 Civil Pension Code and
would, doubtless, not have been issued
but for the erroneous report of this Office
on Saiad Qasim's case No. $\frac{A.D.J.}{69}$ dated 21st
September 1878, in the disposal of which th
Office allowed itself to be guided by th
orders of the Government of India in
the case of P. Nagamma No. 1385 dated 6th July 1
which orders were wrongly understood to

affi

affirm a general principle in place of being applicable to a special case only.—

3. I would now respectfully suggest that the above quoted orders of Government be modified in accordance with the provisions of Rule 9, as far as the Government think desirable.—

4. If such modification be determined on, I request that the papers connected with the cases erroneously reported on may be returned to this Office for fresh report.—

5. With regard to the case specially adverted to in your memo, I beg that His Grace in Council will consider this Office report as with-drawn, and permit the case to be reported on afresh in the following terms:—

Mr. Mackertish's earlier service, i.e. prior to his reemployment amounted to Years Months days 8 - 8 - 6 for which a gratuity of Rs. 375/- was sanctioned in G.O. No. 101 dated 8th March '87. Had Mr. Mackertish, on re-employment, refunded the amount of this gratuity, he would have been entitled to an invalid pension of Rupees 24:4:10 per mensem under Section 106 Civil Pension Code. Since, however, the gratuity was not refunded Mr. Mackertish became entitled for his subsequent service only to a gratuity of Rs. 765 the amount being subject to no deduction, since such gratuity added to the gratuity previously granted does not exceed the present value of the pension, that would have been admissible had the gratuity granted prior to reemployment been refunded.—

6. In conclusion I beg to express my regret for the errors into which this Office has been inadvertently led as explained above.—

I have the honor to be,
Sir
Your most Obedt. Servt.

A. Cotterell Tupp.

Offg. Accountt. General

Compd.

Salem 1879 Department

No. 1472
No. 831

From The Accountant General Madras

To The Secretary to Government Revenue Department

Dated 10th September 1879
Recd 13th

Expressing regret for the erroneous report on Mr Mackertich's Pension application & suggesting modification in the G.O on the subject.

Recorded

No 423

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2 AP

79

APPLICATION FOR {PENSION / GRATUITY.

1. Name of Applicant. Mr Richard Primrose Mackertich
2. Father's name. Joseph Mackertich.
3. Sect or Caste. East Indian.
4. Residence. Cooly Maistry Street. Madras.
5. Present or last employment. Jailer, District Jail Cuddap
6. Date of beginning of service 14th January 1867
7. Date of end of service 31st May 1877

	Y.	M.	D.
8. Length of service including breaks	10	7	27
of which superior	10	~~4~~ 2	~~19~~ 26
inferior			
non-qualifying and breaks		~~3~~ 5	8

9. Class of {pension / gratuity} applied for, and cause of application.* ... Gratuity
10. [Average] emoluments or pay. Rupees 72 - 14 - 8
11. Proposed pension. Nil.
12. Proposed gratuity. Rupees 729 - 2 . 8 -
13. Date from which to commence.
14. Place of payment. Cuddapah
15. Date ~~Age~~ of applicant birth by Christian Reg as ~~on this date~~. 20th September 1832 - 44 3 10
16. Height. 5 ft 8 inches
17. Marks.
18. Date. 25th April 1878.

SIGNATURE OF THE HEAD OF OFFICE.

* 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.

HISTORY OF THE SERVICE (SHOWING BREAKS) OF Mr Richard Primrose Mackertich, late Jailor in the District Jail of Cuddapah.

Establishment.	Appointment.	Pay.			Acting allowance.	Date of beginning.	Date of end.	Period reckoned as service.			Period not reckoned as service.			Remarks.	How verified.	Remarks by Accountant-General.
		RS.	A.	P.	RS.			Y.	M.	D.	Y.	M.	D.			
Collector's Office Kurnool	1st Compositor	50	"	"		14th January 67	31st July 1869	2	6	18						Services from 14 Jan 1867 to 24 June/1 and from 27 June/71 30 April/73 and thos from 1 May/73 to 3 May/77 have respect been verified from t records of the offices of the Collectors of Kurnool & Cuddap and the Supdt of the District Jail Cuddap and the verification Confirmed partly by the audit Register and partly by the annual returns on record in this office
	Under Suspension for irregular attendance.	"	"	"		1st August 1869	22d Septr/69	"	"	"	"	1	22	Drew no pay for this period		
	1st Compositor	50	"	"		23d Septr/69	2d May 1870	"	7	10						
	Under Suspension for irregular attendance.	"	"	"		3d May 1870	2d June 1870	"	"	"	"	1	"	Drew no pay for this time.		
+ Collector's Office Cuddapah	1st Compositor	50	"	"		3d June 1870	24 June 1871	1	"	22						
	do	50	"	"		25 June 1871	30th June/71	"	"	6			2	One Privilege leave		
	do	50	"	"		+ 1st July 1871	28th Septr/71	"	2	28				On other duty rejoined on the 21st December 71.		
	+ + Head Compositor	50	"	"		29th Septr/71	5 October/71	"	"	7			7	On sick leave.		
	do	"	"	"		6 October/71	21st October/71	"	"	"	"	"	16	Stopped away without leave		
	do	50	"	"		21st October/71	30th April/73	1	6	10						
District Jail Cuddapah	A. Jailor	75	"	"		1st May/73	31st July/73	-	3	"						
	Jailor	75	"	"		1st August/73	31st August/75	2	1	"						
	do	80	"	"		1st September/75	31st August/76	1	"	"						
	do	85	"	"		1st September/76	31st May/77	.	9	"				Retired on 1st June/77		
						Total period of {superior / inferior} service...	....	10	1	11						

2a

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant. Good
2. Explanation of any suspension or degradation. Nil
3. Regarding any gratuity or pension already received by Applicant. See Chapter XX. Received gratuity in the Accountant General Office
4. Explanation under Section ~~45~~ 50, Rule 1, so far as the Head of the Office can give it, Incompetent to hold any appointment (Vide medical certificate)
5. Any other remarks. Nil

Signature.
Superintendent of Jail Cuddapah

No ADJ
150

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 9 years 8 months and 16 days; and that ~~a~~ {~~pension~~ ~~gratuity~~} ~~not exceeding Rs.~~ , ~~is admissible under Section~~ of the Civil Pension Code. The calculations have been duly verified. The whole of this service can be reckoned as qualifying provided Government be pleased to commute under Rule 6 Section 52 of the Civil Pension Code 4 Edition the applicant's absence without leave for 16 days from 6 to 21 Oct 1871 into leave without allowances, under Section 10 Supplement to the Civil Leave Code. Otherwise his qualifying service can reckon only from the 22 Oct 1871, the date on which he rejoined his appointment from absence without leave and will amount to 6 years 7 months & 9 days.

It will be seen from the Proceedings of Government No 101 dated the 8 March 1867, Pension Department that the applicant had served for a period of 8 years 8 months and 6 days, prior to 14 June 1867, the date on which he reentered the Government Service in the Collectors Office Kurnool, and that on his services being dispensed with in consequence of the abolition of the Printing Establishment in the Accountant Generals Office, he drew a gratuity of Rs 375. Although according to Section 106 the applicant is not entitled to any retiring allowance for his second period of service, owing to his not having refunded the amount of gratuity drawn for his previous service, yet under the provisions of rules 8 and 9 at the end of Chapter XX of the Code his old service in the Accountant Generals Office may be combined with his new one in Collectors Offices, in which case his whole qualifying service in superior grades will amount to 18 years 4 months and 22 days entitling him under ordinary circumstances to an invalid pension not exceeding Rs 24-4-10 per mensem equal to one third of his average emoluments under Sections 61 and 68 (b) of the Civil Pension Code. But as the applicant did not at the time of his re-employment refund the gratuity drawn for his earlier service, as required by Section 106 of the Code he should be granted a reduced rate of pension at Rs 21-8-.. a month, the amount calculated in accordance with the provisions of rule 9 at the end of Chapter XX and the scale in table A appendix E of the Code, taking the applicant's age at the time of retirement from the service to be 44 years.

It will be seen from para 3 of the accompanying letter of the Inspector General of Jails No 2899 dated the 15 June last and from the reply of the Superintendent of Jail Cuddapah to this office memo No ADK/149 dated the 29 April last also herewith transmitted, that the applicant died on the 3 June 1877. Any retiring allowance that may be sanctioned to him should therefore be ordered to be paid to his son, Mr L. G. Mackertich agreeably to rule 2 Section 102 of the Code

The cause of delay in the submission of this application is explained by the Superintendent of Jail Cuddapah in his reply to this Office No ADK/17 dated 10 July 1878 herewith forwarded

Fort Saint George
Accountant Genl's Office
30th May 1879

G. O. Chapman
Offg Assist to Acct General
for Accountant General

To,
The Secretary to Government
Pension Department

No 424

No 101

Enc 21

Application for {Pension or Gratuity—	Vide G.O. 17-11-79 No 757 Pension Dept
Date of application.	30th May 1879
Name of applicant.	Mr. R. P. Mackertish
Last appointment.	Jailer District Jail Cuddapah
Class of {pension or gratuity.	
Amount of pension sanctioned.	
Amount of gratuity sanctioned.	
Date of commencement.	
Date of sanction.	

59

G.O. No 757

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19 B

Pension Department

Proceedings of the Madras Government

Read the following papers

From the Inspector General of Jails dated 15 June 1878 No 2899.

—"— Offg. Assist. Accountant General dated 30 May 1879 No. A.G. 150

Official Memo: to the Accountant General dated 6th Augt 1879 No 32

From the Accountant General dated 10th Sept 1879 No 142 N.

C. No 424.
From Acct Genl: d: 10th Sept. 79 No: 142 N.

Order thereon 17th November 1879 No 757.

His Grace the Gov. in Council is pleased to grant a gratuity of Rs 765 in the name of Mr. R. P. Mackertish late Jailor Dist. Jail Cuddapah for his qualifying superior service of 9-8-16 & to make it payable to his son Mr. L. J. Mackertish.

2. It is evident from rule 9 ~~as now arranged~~ at the end of Chapter XX as now arranged in the 4th edition of the Civil Pension

Code that the words "Pension is in any case admissible only for the new service combined with the old" which immediately precede it, do not apply to cases in which applicants have not refunded a gratuity as was formerly understood & that the principle on which the applications were disposed of in the orders noted in the margin was erroneous.

3. The cases affected by this misunderstanding appear to have been limited to those cited & in consideration of the length of time that has elapsed since the removal of the applicants

Note. In rule 7 as it was in the last edition both these portions were included. This misled us & the Insp Genl of Police who reported on the cases disposed of in the 1st & last G.O. of those given below.

G.O. Pens Dep.
14th Nov 78 No. 583
— 18 Jany 79 — 13
18th June 79 — 347.

yrs.	ms.	ds.
32.	3	8
35.	7	9.
36.	11.	10.

& of their long service, need not be reopened.

The men received
Rs a p
(1) 3-13-6 pension
(2) 2-13-6 —
(3) 3-12-0 —
& they have got
(1) Rs 104 gratuity
(2) Rs 30 — do —
(3) 2-10-8 pension

To Acct Genl.
Examr P.W.A.
Controller Mil Acct.
Insp Genl of Police
" Inspector General of Jails
" Collector of Cuddapah

Despd 27-11-79.

85-D

26 cop
16

F.O. (Pens. Dep)
Case of
Mrs. Mackertich

Pension 1879 Deptt
Pension

To
The Accountt Genl.

Dated 17th } Novr 1879.
Despd 27th }

No. 757

Gratuity Am—
ended gratuity of Rs 765 in
the name of Mr R. J. Mackertich
late Jailor District Jail
Cuddapah granted, and its
payment to his son
Mr J. G. Mackertich ordered
Certain Cases disposed of
under an erroneous
principle not to be re-
-opened -