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MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	<u>495</u>	Press Mis.
Dated	<u>28-5</u>	18 <u>31</u> .

Not to be folded or roughly handled

26.2.42

12th March 1881.

To

THE CHIEF SECRETARY TO GOVERNMENT,

FORT ST. GEORGE.

SIR,

I RESPECTFULLY beg to lay before Government, for their favourable consideration and orders, the following circumstances, in the sanguine hope that justice will not be denied me.

2. I, until recently, held the appointment of Assistant Commissioner of Salt Revenue in the South Canara District, and on the 19th June 1880, I submitted, through the Commissioner of Salt Revenue, an application (under the 55 years' Order) for permission to retire on a pension from the 8th October last, and this application was forwarded by the Commissioner with his letter, No. 4771, of the 23rd July, to the Board of Revenue, who submitted it for the favourable consideration of Government with their Proceedings, Miscellaneous No. 8484, of the 6th August, and Government were pleased, in their Proceedings of the 22nd December 1880, No. 1238, P. D., to grant me a Superannuation Pension of Rupees 157-12-5 per mensem, from the 2nd November last, (the date of my relief,) in consideration of my qualifying superior service of 22 years, 4 months and 7 days. Government were further pleased to order, that the Salt Commissioner's recommendation for the grant of a pension equal to one-half of my emoluments for the last 5 years, is under consideration.

3. Government have thus been pleased to disallow, (under Section 43 (a) of the Pension Rules now in force,) the period of my service in the Stamp Department, namely 8 years and 6 months, (4 months and 11 days as acting, and 8 years 1 month and 19 days as permanent, Daroga,) and to grant me a pension presumably equal to one-third of my emoluments for the last 5 years of my service. I would, however, very respectfully beg to state that I was in the receipt of Rupees 500 a month from the 8th October 1875 up to the 1st November 1880, the date of retirement, a period of 5 years and 24 days, so that one-third of my emoluments amounts to Rupees 166-10-8, and not to Rupees 157-12-5, the amount of pension now granted me.

4. My total period of service amounts to 32 years, 6 months and 17 days, as detailed in the List of my Services, forming Enclosure D. to this letter. Deducting therefrom 1 year, 4 months and 18 days, passed in my two first acting appointments, and 5 months and 6 days, the period I was on leave on Private affairs (in 1853) and Medical Certificate (in 1862,) or a total period of 1 year, 9 months and 24 days, my net service amounts to 30 years, 8 months and 23 days. This period of service entitles me to a Good Service Pension of one-half the average of my emoluments for the last 5 years, namely, Rupees 250 per mensem, but for the circumstance that my service in the Stamp Department does not, under the present Rules, count towards pension. It is, indeed, a matter of deep regret and disappointment to me to find that, in my declining age, I am deprived of more than one-fourth of my total period of service, by a

Rule which was unknown at the time I was transferred, unasked, to the Stamp Department.

5. I would most respectfully beg leave to reproduce here portions of my letter, No. 148, of the 19th June last, to the address of the Salt Commissioner, in full illustration of my case, and to earnestly solicit the favourable consideration of Government to the circumstances under which I was transferred from a Department, service in which qualifies for pension, to one in which service does not, under the existing rules, qualify.

6. 'From what follows it will be evident that this state of things was not brought about through any action on my part. In July 1851, a serious defalcation in the Stamp Department was discovered, and both the Hazur Daroga and Vendor were suspended from office. The latter was subsequently sentenced by the Sessions Court to 7 years' rigorous imprisonment, and his property confiscated. The late Mr. Francis N. Maltby, who was then the Collector of the District, without previously consulting my wishes, directed me, on the 16th of that month, (Canarese Order No. 1,) to conduct the duties of Daroga up to the end of the month, and on the 31st, he again directed me (Canarese Order No. 8) to continue to conduct the duties until further orders. On the 9th of the following month (August 1851,) I was appointed Acting Daroga by the same gentleman (Canarese Order No. 18,) and required to furnish security to the amount of 8,000 Rupees, to entitle me to confirmation in the appointment.'

7. 'At this time I held the post of Clerk on Rupees 50* on the Hazur Tobacco Establishment, (there was a Tobacco monopoly at the time,) and I was selected for the Stamp Darogaship unasked by me. This will be proved by a perusal of the Order No. 18† mentioned above, and which I beg to enclose in original, with an English translation. It is therein stated, "you have been nominated to the said post of Daroga, with a view to your receiving increased pay, therefore, in addition to your diligently conducting the duties of that office, you are required to render all possible assistance in the English branch of the Kacheri." The fees of Daroga at the time amounted to about 100 Rupees, whilst, as mentioned above, I was on receipt of but 50 Rupees a month, as clerk. On the 20th December following, I was confirmed in the appointment by Canarese Order No. 47,† on furnishing the required security.'

8. 'The duties of Stamp Daroga were, at the time, very light, so that my predecessor attended office only occasionally. I, on the contrary, attended and quitted the office daily at regular hours, in common with the other subordinates, as I had to render aid to the English branch of the office. In proof of my having thus worked, I beg to enclose a verified copy of a letter‡ addressed on the 16th June 1856 by Mr. William Fisher, who was then the Collector of the District, to the then Superintendent of Stamps. It will be evident from this letter that, although I was remunerated by Commission for the performance of the duties of one appointment, I also performed the duties of another appointment at the same time and in addition thereto. This fact will, no doubt, be in the memory of some of my then office-mates, who are still alive. A reference to the English records of the Collector's office of that period (1851 to 1859) will also fully bear out my statement, as a number of papers (particularly those connected with Public Works) will be found in my hand-writing.'

9. 'At the time I was selected to fill the post of Stamp Daroga, the present Pension Rules were not in force, and I had, therefore, no reason to suppose that my service in that Department would not count towards pension. On the contrary, I acted upon the belief that it would count, otherwise I would have declined accepting the appointment, or, at least, protested against the order of my

'superior, the Collector. I have every reason to believe that Mr. F. N. Maltby himself was under the same impression at the time; for had it been otherwise, that conscientious gentleman would not have selected me, unasked, for the appointment, in preference to many others who had, I believe, applied to him. It would be very uncharitable and ungrateful (on my part) to interpret the generous and conscientious action of that gentleman in any other light.'

10. 'I beg also to forward a verified copy* of G. O., dated 6th December 1872, No. 826, Pension Department, passed on the application for a pension in lieu of a gratuity made on

behalf of the late A. Santappa, who for some time held the post of Stamp Vendor, and last held that of Taluk Sarishtadar of Uppinangadi, in this District. He, as well as Venketaramaniya, alluded to in para. 6 of the G. O., served under me as Stamp Vendors. Both were allowed to count towards pension their services prior to their entertainment in the Stamp Department, in addition to their subsequent services in other Departments. They, however, only performed the legitimate duties of Vendor, and did not, like myself, perform the duties of any other Department in addition to those of Vendor.'

11. 'It will be seen from the G. O. that the Government of that day accepted the representations made by A. Santappa as to his not having had any reason to suppose when he entered the Stamp Department, that his services therein would not count towards pension, and this induces me to believe that, if you should be pleased to submit my case for the favourable consideration of Government supported by your kind recommendation, justice will not be denied me in my declining years. It is really a great hardship for a public servant like myself, who has served the Government conscientiously and faithfully for upwards of 32 years, to find himself, towards the close of his life, deprived of a portion of that pension which that Government has so generously granted as a reward for such services, through no fault of his own, but merely by retrospective effect being given to a rule which was unknown and unforeseen at the time he entered and served in a certain department of the State. The difference of pension in my case will be no less than Rupees 83-5-4 per mensem,—that is, the difference between one-half and one-third, the average salary of the last five years of my service,—and which I can ill afford to lose.'

12. I would very respectfully solicit the favourable consideration of Government to the fact of my having performed, in addition to my own legitimate duties, other Revenue and Magisterial duties for considerable periods, from the date I had the honour of being appointed to the responsible post of Deputy Collector and Magistrate. These several duties are detailed in my List of Services, (Enclosure D,) and the manner in which I invariably discharged these additional duties and my past good character, are recorded in the Enclosures E, F, G, H, and I. to this letter, which I respectfully commend to the favourable consideration of Government.

13. I would also very respectfully beg to bring to the favourable notice of Government the fact of my not having availed myself of a single day's privilege leave,—an indulgence held out to all branches of the Service,—during my whole period of service of upwards of 32 years, in proof of my having devoted my whole time and energy to the interests of the Public Service. As detailed in my List of Services (Enclosure D,) I but twice availed myself of leave during my whole period of service, namely in 1853 and in 1862. On the first occasion I applied for and obtained two months' leave on private affairs, but rejoined within a month and a half. On the second occasion, I was compelled to apply for leave on medical certificate after struggling for several months with an attack of jungle fever, which I, in common with a great number of the subordinates of the Collector's Office, contracted at Sirsi, the Head Quarters Station, in 1861. The state of matters was such at the time, that Government were pleased to sanction the re-transfer of the Collector's Office to Honore, on the re-

commendation of the then Collector, Mr. W. Fisher. Had it not been for this unfortunate and unavoidable circumstance, I would not have absented myself from my duties at the time.

14. In conclusion, I most respectfully and earnestly beg that Government will be pleased to take all the above circumstances, as well as the recommendation of the Salt Commissioner, (Letter No. 4771, dated 23rd July 1880 now before Government,) into deliberate and favourable consideration, and grant me a pension equal to one-half of my emoluments of the last 5 years of my service, namely, Rupees 250 per mensem, or re-appointment me to my late post and permit me to remain in the service for a further period of 2 years and 8 months, in consideration of my still being physically fit for active service, with a view to my completing 25 years' service, so as to entitle me to that scale of pension under the present Rules; for which act of justice, I shall always remain grateful.

15. The original Canarese Orders, of which Enclosures A. and a, b and c are English translations, are also, I believe, before Government.

I have the honour to subscribe myself,

Sir,

Your most obedient and humble Servant,

Retired Assist. Commr. of Salt Revenue.

ENCLOSURE A.

Translation of Hazur Revenue Order, No. 18, issued by F. N. MALTBY, Esq., Collector of Canara, under date the 9th August 1261 fasli (A. D. 1851.)

Revenue.

L. S.

No. 18.

From

F. N. MALTBY, Esq.,
Collector of Canara District,

To

JOHN BALL,
Clerk, Hazur Tobacco Establishment (after compliments.)

In the Order No. 8, directing you to conduct the duties of Stamp Daroga consequent on the suspension of Lucas Pacheco, the Stamp Daroga, it was stated that you should conduct those duties until further orders. You are now appointed to act in the said post of Daroga. If, in accordance with the verbal orders given, you procure and furnish competent security to the amount of (8,000) eight thousand rupees, on mortgage of immovable property, within the 13th instant, orders will be issued, on the approval of the security, confirming you in the said appointment. You have been nominated to the said post of Daroga with a view to your receiving increased pay, therefore, in addition to your diligently conducting the duties of that office, you are required to render all possible assistance in the English branch of the Kacheri. Dated the 9th August 1261 fasli, Mangalore.

(Signed) F. N. MALTBY,
Collector.

(Signed in Mahratta characters)
BHUJANGA RAU, Head Sarishtadar.

(True translation.)

JNO. BALL,
Assist. Commissioner.

ENCLOSURE B.

Letter from WILLIAM FISHER, Esq., Collector of Canara, to the SUPERINTENDENT of STAMPS, Fort St. George.

Mangalore, 16th June 1856.

To

F. LUSHINGTON, Esq.,
Superintendent of Stamps, Fort St. George.

SIR,

In reply to your letter of the 11th instant, I have the honour to inform you that the Stamp Daroga of the Hazur Station holds no other appointment in

In R. 556 ff/81

my office in conjunction with that of Stamp Daroga; but, in justice to him, I must say that he is always ready to undertake other work, particularly in the Maramat Department, for which he is well qualified.

I have, &c.

(Signed) W. FISHER,

Collector.

(True copy.)

(Signed) HERBERT BRADLEY,

For Acting Collector.

(True copy of a copy.)

JNO. BALL,

Assist. Commissioner.

ENCLOSURE C.

Proceedings of the Madras Government, Pension Department, dated 6th December 1872, on Petition of AMALADI SANTAPPA, late Sarishtadar of Uppinangadi Taluk, in South Canara District, (and formerly Hazur Stamp Vendor in the same District,) praying that a Pension may be granted him in lieu of a Gratuity.

PROCEEDINGS of the Madras Government, Pension Department, 6th December 1872.

READ again Proceedings of Government, Pension Department, dated 23rd May 1866, No. 195, and 19th December 1870, No. 716.

READ also Petition from A. Santappa, late Sarishtadar of Uppinangadi Taluk, South Canara District.

ORDER thereon, 6th December 1872, No. 826.

In the petition above recorded, Santappa, late Sarishtadar of Uppinangadi Taluk, South Canara, prays that he may be permitted to refund the gratuity, Rs. 720, sanctioned under date 19th December 1871, and that a pension equal to a moiety of his salary may be granted in lieu thereof.

2. The details of petitioner's service are set forth in the margin. His

	Y.	M.	D.
1. In ineligible grades	7	2	13
2. In eligible grades	18	9	26
3. As Stamp Vendor and Gumasta on commission	5	9	28
4. In eligible grades	8	7	0
5. Unemployed	0	5	0
6. Acting Taluk Sarishtadar	0	8	0
7. Taluk Sarishtadar	3	1	0

44 7 7

total service amounted to forty-four years, seven months and seven days; but the period during which he was employed as a Stamp Gumasta, (five years, nine months and twenty-eight days,) was held to constitute a break, entailing forfeiture of past service, of which eighteen years, nine months and twenty-eight days, were passed in eligible grades; his qualifying service was thus reduced to twelve years and four months, for which a gratuity of twelve months' pay was granted.

3. The petitioner now urges that, at the time he accepted the post of Stamp Vendor, his qualifying service in eligible grades amounted to nineteen years; that he would not have accepted the post had he been aware that such acceptance entailed forfeiture of past service; that, as the fees were paid from the Treasury at the close of each month in the same manner as the salaries of Government servants on the permanent establishment, there was nothing to lead him to suppose that he was not on the same footing as the latter, and that to give retrospective effect to a rule which imposes a penalty to which he was not liable at the time, is inequitable.

4. On a reconsideration of all the circumstances of the petitioner's case, the Government are of opinion that there is some force in his representations. Employés in the Stamp Department, although paid from the Revenue realized by Stamp sales, drew a fixed salary, they were not borne on a permanently sanctioned establishment, and it was probably understood at the time that service in the Stamp Department would not qualify for pension; but the fact that the petitioner and others accepted the post of Stamp Vendor after considerable periods of service on the permanent establishment, raises a presumption that they were not alive to the fact that forfeiture of past service was entailed thereby.

5. Further, it does not appear from the records that any express intimation that the penalty in question attached to acceptance of service in the Stamp Department was, at any time, given. The petitioner held the post of Stamp Vendor from the 4th August 1851 to 30th June 1857, and both the Pension Rules of 1835 and those of 1851 are silent on the point. The date on which the rule at present in force and contained in Section 44 (f) of the Pension Code was first promulgated cannot be ascertained. The first of the two Resolutions quoted in the margin of the Draft Code as the basis of the provisions of that Section, viz. Financial Department, No. 1469, 12th March 1869, is rather favourable to the petitioner than otherwise, and the second, viz. Financial Department, No. 2280, 28th July 1869, is not to be found among the records.

6. It appears, therefore, to the Government equitable that petitioner should be permitted to reckon towards pension his qualifying service prior to the date of his transfer to the temporary establishment, in which case, his total qualifying service amounts to thirty-one years, one month and twenty-six days. The same course was followed in the only two cases of a similar nature, which have come before Government, viz. that of Venkataramanaia, and that of Kamu Kurup. The history of the former is set forth in a letter to the Government of India under date 18th June 1866, No. 232, and that of the latter in a communication dated 10th December 1870, No. 500. In both cases the pensions applied for were sanctioned.

7. The Governor in Council accordingly resolves to submit Santappa's case for the favourable consideration of the Government of India, with the view to sanction being accorded to the grant of a pension of Rs. 29-2-0, equal to a moiety of the average salary drawn during the last five years of his service, on the refund of the gratuity, Rs. 720, already paid.

(True Extract.)

(Signed) C. A. GALTON,

Actg. Under Secy. to Government.

(True copy.)

(Signed) HERBERT BRADLEY,

For Acting Collector.

(True copy of a copy.)

JNO. BALL,

Assist. Commissioner.

ENCLOSURE D.

List of Services of Mr. JOHN BALL, Assistant Commissioner of Salt Revenue, South Canara.

	Y.	M.	D.
1. Clerk (on Rs. 15) on the Extra Hazur Establishment of the Principal Collector of Sholapoor (Bombay Presidency) from 16th August up to 30th November 1839	0	3	16
2. Clerk (on Rs. 20) on the Permanent Hazur Establishment of ditto from 1st December 1839 up to 30th April 1840	0	5	0
3. Clerk (on Rs. 35) in the Ordnance Department, Sholapoor, from 1st May 1840 up to 31st October 1841...	1	6	0
Total...	2	2	16

[Without Government employ from 1st November 1841 up to 15th April 1848.]

IN THE MADRAS PRESIDENCY.

1. Acting Jailor of Mangalore (on Rs. 20) from 16th April up to 31st December 1848	0	8	15
2. Acting 2nd Clerk (on Rs. 35) in the Subordinate Court of Mangalore, from 1st January up to 3rd September 1849	0	8	3
3. Clerk (on Rs. 50) on the Collector's Hazur Tobacco Establishment of Canara, from 4th September 1849 up to 8th August 1851—as per Hazur Revenue Order, No. 52, dated 6th September 1259 fasli. (Vide English translation thereof marked a accompanying.)	1	11	5
4. Acting Stamp Daroga of Canara, from 9th August up to 19th December 1851, as per Hazur Revenue Order, No. 18, dated 9th August 1261 fasli. (Vide English translation thereof—forming Enclosure A.)	0	4	11
5. Stamp Daroga of Canara, from 20th December 1851 up to 8th February 1860, and performing duties of Hazur Clerk in addition—as per Hazur Revenue Order, No. 47, dated 20th December 1261 fasli (Vide English translation thereof marked b accompanying.)	8	1	19
(Leave on Private affairs, from 17th March up to 1st May 1853.)			
6. Tahasildar of Bantwal Taluk (on Rs. 130) in South Canara, from 9th February up to 18th April 1860—as per Hazur Revenue Order M., No. 156, dated 9th February 1269 fasli. (Vide English translation thereof, marked c accompanying.)	0	2	10
[Preparatory leave and joining time from 19th up to 29th April 1860.]	0	0	11
7. Deputy Collector and Magistrate of the 4th Class (Rs. 250) from 30th April 1860 up to 30th August 1869. (Vide F. S. G. Gazette, 11th April 1860, p. 801, and 11th May 1860, p. 1047.)	9	4	1
[Gazetted to the Salt Department, North Canara, 11th April 1860, and assumed charge on the 30th idem; Gazetted to the Treasury Department, North Canara, F. S. G. Gazette, 10th September 1860, page 461, and to the Salt Department, South Canara, F. S. G. Gazette, 23rd May 1862, page 801, and assumed charge 10th June 1862.]			
In addition to the Salt Department, held Revenue and Magisterial Charge of the 3 Balaghat Taluks of			

Sonda, Yellaphr and Shipa (North Canara) from 22nd June up to 5th July 1860, and of the 3 Payanghat Taluks of Ankola, Honore and Kundapur, from 6th July 1860, the 1st and 3rd Taluks (Ankola and Kundapur) up to 25th September 1860; and the 2nd (Honore) up to 27th January 1861, and although Gazetted to the Treasury Department, held charge of the Salt Department also, until relieved by Mr. Pascoal Gonsalves, on the 26th October 1860.

[Leave on Medical Certificate for 3 months and 21 days, namely from 1st February up to 21st May 1862.]

On expiration of leave, rejoined the North Canara District after its transfer to the Bombay Presidency, and held charge of the Treasury Department from 22nd up to 30th May 1862.

After transfer to South Canara, in addition to the charge of the Salt Department, held Revenue and Magisterial Charge of the Mangalore Taluk from 13th June up to 31st October 1862, and of the Udipy and Kundapur Taluks from 30th April 1863, the former Taluk up to 27th March 1865, and the latter up to 28th February 1866; also held temporary charge of the Kasaragod and Uppinangady Taluks from 13th up to 19th June 1862, from 24th October up to 13th November 1864, and from 1st December 1864 up to 20th January 1865, owing to the illness of the Head Assistant Collector. Held Revenue and Magisterial Charge of the Mangalore Taluk from 1st October up to 31st December 1863, and Revenue Charge only up to 10th March 1869, and Magisterial Charge again from 24th August up to 12th December 1869.

8. Deputy Collector and Magistrate of the 3rd Class (Rs. 350) from 31st August 1869 up to 7th October 1875. (Vide F. S. G. Gazette, 31st August 1869, page 285)

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Appointed Full Power Magistrate (Magistrate of the 1st Class.) Vide F. S. G. Gazette, 21st September 1869, page 386.

Held Charge of the Sea Customs Department in addition to the Salt Department from May 1873 up to May 1874.

9. Acting Deputy Collector and Magistrate of the 2nd Class on full pay (Rs. 500) from 8th October 1875 (Vide F. S. G. Gazette, 12th October 1875, page 1696) up to 21st September 1876

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and confirmed in the appointment from 22nd September 1876 (Vide F. S. G. Gazette, 26th September 1876, page 1352) up to 1st November 1880 (date of retirement.)

4 1 11

[Official designation altered to "Assistant Commissioner of Salt Revenue." Vide F. S. G. Gazette, 10th January 1880, page 32.]

Held charge of Sea Customs Department in addition to the Salt Department from 1st October 1877 up to 1st November 1880.

Total Service..... 32 6 17

JNO. BALL,
Assist. Commissioner.

Sub 556 f/81

ACCOMPANIMENT (a) TO ENCLOSURE D.

Translation of Hazur Revenue Order, No. 52, issued by T. L. BLANE, Esq., Collector of Canara, under date 6th September 1259 fasli (A. D. 1849.)

Revenue.

L. S.

No. 52.

From

THOMAS LAW BLANE, Esq.,
Collector of Canara,

To

JOHN BALL (after compliments.)

You have kindly been appointed writer on the Tobacco Establishment in the Hazur Kacheri from the 4th instant on a salary of Rupees 50 per mensem. You will be careful in the discharge of your duties. Dated 6th September, fasli 1259, Camp Bekal.

(Signed) T. L. BLANE,

Collector.

(True translation.)

JNO. BALL,

Assist. Commissioner.

ACCOMPANIMENT (b) TO ENCLOSURE D.

Translation of Hazur Revenue Order, No. 47, issued by F. N. MALTBY, Esq., Collector of Canara, under date 20th December 1261 fasli (A. D. 1851.)

Revenue.

L. S.

No. 47.

From

F. N. MALTBY, Esq.,
Collector of Canara,

To

JOHN BALL, Esq.,
Hazur Stamp Daroga (after compliments.)

As, in accordance with the Rule that you should furnish security in the sum of Rupees 8,000 for the post of Stamp Daroga, in which you have been appointed to act, a Bond duly executed and registered, furnishing competent security for the said amount, has been received in the Hazur, you are from this date

confirmed in the said post of Daroga. You will examine and take over charge of all the Stamp papers under our seal, as well as those lately received from Madras, and forward a receipt for the same to the Hazur. You will make yourself conversant with the Rules laid down for the conduct of the duties of Daroga, as well as the orders issued before from the Hazur, as also those which may be issued in future, i. e. those enforcing Rules, and act up to them. You will be paid a fee of 2½ per cent. on the value of Stamps sold throughout the District. Dated 20th December, fasli 1261, Mangalore.

(Signed) F. N. MALTBY,

Collector.

(True translation.)

JNO. BALL,

Assist. Commissioner.

ACCOMPANIMENT (c) TO ENCLOSURE D.

Translation of Hazur Revenue Order M., No. 156, issued by W. FISHER, Esq., Collector of South Canara, under date 9th February 1296 fasli (A. D. 1859.)

Revenue.

L. S.

M. No. 156.

From

W. FISHER, Esq.,
Collector of South Canara,

To

JOHN BALL,

Hazur Stamp Daroga (after compliments.)

You have been appointed Tahasildar of Bantwal Taluk from this date. You will hand over charge to the Hazur Treasurer, obtain his receipt as usual, proceed to Bantwal, and there take over charge of the office of Tahasildar, submit a report mentioning the date (on which you took over charge,) and discharge your duties carefully. You will receive a salary of Rupees 130 per mensem, according to the sanctioned scale, from the date of your taking over charge. Dated 9th February, fasli 1269, Mangalore.

P.S.—You will make an entry of this appointment in the Baráward. (Dated idem.)

(Signed) W. FISHER,

Collector.

(True translation.)

JNO. BALL,

Assist. Commissioner.

ENCLOSURE E.

Extract from Letter from WILLIAM FISHER, Esq., Collector of Canara, to the SECRETARY to the BOARD of REVENUE, dated 9th April 1859, No. 56.

Para. 1. With reference to para 1, Extract from Minutes of Consultation, under date 25th March 1859, communicated with Extract from Proceedings of the Board, dated 29th idem, I have the honour to submit the names of the parties entered marginally, as persons qualified, in my opinion, for the post of Deputy Collector.

Para. 6. Mr. J. Ball is a Protestant, and has received a very good education, and his active habits, general acquirements, and good character mark him as likely to be useful, if placed in a position which will afford him the opportunity of exercising the qualifications he possesses. He has not, however, had the training in Revenue and Judicial business, which the others have gone through, but a more regular and extended education fits him for employment in other provinces, whilst their sphere is more circumscribed from want of knowledge of native languages not current on the coast.

(True Extract.)

(Signed) BROOKE LEGGATT,
for Collector.

(True copy.)

JNO. BALL,
Assist. Commissioner.

ENCLOSURE F.

Extract from the Salt Report (Malabar and Canara) of Mr. T. CLARKE, Member of the Board of Revenue, to the SECRETARY to GOVERNMENT, dated 26th February 1864.

Para. 2. On the 17th September, I entered the District of South Canara, and, at Hosdroog, found the Deputy Collector, Mr. John Ball, awaiting me. Mr. Ball accompanied me through the whole of my tour in South Canara, and was of much use in affording me valuable aid and information. Mr. Ball appears quick and intelligent, and to have made himself master of the details of his duty. He bears a high character for integrity, and will, I doubt not, successfully combat against many of the frauds existing in the Government manufacture and sale of salt in his District.

3. I believe the large sales, during the last year, are mainly attributable to Mr. John Ball's activity and zeal, in preventing peculations at the time of manufacture, and in putting a stop to the use of saline earth in the curing of fish.

4. Mr. Ball possesses the great advantage of understanding and being able to speak, in addition to the languages of the District, several of the languages of the country.

Extract from G. O., 1st May 1865, No. 889 A., R. D.

Para. 16. Mr. Clarke speaks in high terms of the Deputy Collector in charge of the Salt, Mr. J. Ball, and attributes the large sales in fasli 1272 mainly to his zeal and activity. The Collector will inform Mr. Ball that the Government appreciate his conduct.

(True Extracts.)

(Signed) BROOKE LEGGATT,
for Collector.

(True copy).

JNO. BALL,
Assist. Commissioner.

ENCLOSURE G.

*South Canara, District Magistrate's Office,
Mangalore, 9th September 1869.*

No. 1196.

From

The DISTRICT MAGISTRATE of SOUTH CANARA,

To

The CHIEF SECRETARY to GOVERNMENT, Judicial Department,
FORT ST. GEORGE.

SIR,

ADVERTING to my letter of the 24th ultimo, No. 1148, and pending the appointment of a Full Power Assistant Magistrate for this District, I have the honour to request that Government will be pleased to confer the full powers of a Magistrate upon Mr. Ball, the Deputy Collector in charge of the Salt Department of this District.

2. The salt in the District being obtained almost entirely by purchase from Bombay and Goa, and very little being manufactured in the District, the duties of the Salt Department are comparatively light, especially during the prevalence of the South-West Monsoon, when the Salt Deputy Collector is confined to Head-quarters for several months in the year, during which, his services can be occasionally availed of for the disposal of Magisterial business; but at present I can do this only to a very limited extent, owing to his being invested with no higher powers than those of a 1st Class Subordinate Magistrate.

3. Mr. Ball is fully qualified to be entrusted with the full powers of a Magistrate; and if the Government accede to my request, care will be taken that

his services are not availed of to such an extent, as to prejudice his more immediate duties.

4. The prescribed Tabular Statement is enclosed, and an early order is respectfully solicited.

I have, &c.

(Signed) H. S. THOMAS,
District Magistrate.

(True copy.)

(Signed) H. A. HAPPELL,
Actg. Collector.

(True copy of a copy.)

JNO. BALL,
Assist. Commissioner.

TABULAR STATEMENT.

Number.	Name of Taluk or Division.	Present Office.	Name in full of the Incumbent.	Total service in Magisterial Department.	Present powers, and how long exercised.	Whether a passed Candidate, and in what language has passed.	Qualifications of the Officer.	Nature of recommendation, under what Section, & grounds thereof.	REMARKS.
1	2	3	4	5	6	7	8	9	10
		Deputy Magistrate of South Canara.	John Ball.	Years. Months. Days. 9 7 0	Has exercised the powers of a Subordinate Magistrate of the 1st Class for the last seven years and nine months.	He dates prior to the days of examinations, but is well conversant with Canarese, Tulu, Hindustani, Tamil, and has a partial knowledge of Malayalam and Konkani.	He is an excellent Magistrate, possessing a sufficient knowledge of Law and the Criminal Codes, together with much patience in inquiring, and an intimate knowledge of native habits, and at the same time commanding the respect of the people.	Full powers of a Magistrate under Section 23 of the Code of Criminal Procedure.	

(Signed) H. S. THOMAS,
District Magistrate.

(True copy.)

(Signed) H. A. HAPPELL,
Actg. Collector.

(True copy of a copy.)

JNO. BALL,
Assist. Commissioner.

ENCLOSURE H.

Proceedings of the Madras Government, Revenue Department, 29th April 1870.

No. 372. READ the following endorsement of the Chief Secretary to Government, dated 9th April 1870.

READ the following letter from the Acting Collector of South Canara, to the Chief Secretary to Government, Fort St. George, dated Mangalore, 29th March 1870, No. 423.

I HAVE the honour to forward the enclosed representation for the favourable consideration of Government.

2. My Salt Deputy Collector, Mr. John Ball, urges that his services have been commended, but that he has nevertheless been superseded.

3. This may have resulted from his having been employed always in one of the most remote Districts of the Presidency, and from his services under the Bombay Government, on the transfer of North Canara thereto, having been overlooked.

4. The high estimation in which I hold his services may be gathered from the enclosed extract from my Jammabandy Report for fasli 1277.* A further year's observation has only established the opinion then formed. In short, he is an able and faithful servant.

5. He has not overstated his case in saying he has, from time to time, been employed in Revenue and Magisterial and in Treasury charges, in addition to his salt duties; and he has ever discharged the same with credit to himself and full satisfaction to his superiors. The testimony recorded* to this effect by my predecessors is annexed for the information of Government.

6. He seeks no immediate preferment, but only to be set in the position to which his seniority alone would point him, with a view to his not being passed over in future. I heartily endorse his request as that of a very deserving public officer.

Transferred to the Secretary to Government, Revenue Department.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 373. ORDER thereon, 29th April 1870, No. 613.

Miscellaneous. The Government observe that Mr. Ball was promoted from the 4th to the 3rd Class of Deputy Collectors so lately as August last.

2. The Acting Collector will be good enough to inform Mr. Ball that his claims for promotion will be duly considered with those of others, and that "seniority" is but one of the several qualifications required to obtain it.

(True Extract.)

(Signed) R. A. DALYELL,
Actg. Under Secy. to Government.

(True copy.)

(Signed) H. A. HAPPELL,
For Acting Collector.

(True copy of a copy.)
JNO. BALL,
Assist. Commissioner.

(** Vide Enclosure I.)

ENCLOSURE I.

Copies of Remarks made by the several Collectors in the Annual Settlement Reports.

Para. 70. "From the Deputy Collectors, Surappaiya and Mr. J. Ball, I have received much aid; particularly from the latter, who, in addition to his own duties, which are light during the Monsoons, has undertaken those of Surappaiya, laid aside for some months by severe illness."

Para. 78. "Messrs. Ball and Gonsalves respectively assumed charge of the Treasury and Salt Departments in September and October last, and their efforts have, I trust, done much for the improvement and efficiency of their several Departments."

Para. 71. "Mr. Ball, the present Deputy Collector of the Salt Department, took up his appointment in the beginning of June. He is an intelligent and zealous public servant."

Mr. G. Lee Morris, Acting Collector of South Canara, for fasli 1272 (1862-63.)

Para. 22. 17.—"The two Deputy Collectors, Messrs. Fernandez and Ball, are zealous public officers."

Para. 13. II.—SALT—"The increase in the collections on account of Salt Revenue amounts to Rs. 27,267, and is due to the increased demand for Home as well as for Inland consumption."

The collections received on account of the former were larger than those for Inland consumption. This increase is attributable to the improved management of the Salt Department, and to the measures adopted to check the use of Salt mud in the District."

* * * * *

Para. 18.—Wastage of Salt.

"Great vigilance has been shown by the Deputy Collector in all instances in which there was any suspicion against the salt servants, the value of excess wastage of salt being recovered in such cases from them at the monopoly prices."

* * * * *

Para. 23. III.—"Mr. Ball, the Salt Deputy Collector, keeps his Department in good order, and has, by his activity and energy, not only reduced the amount of wastage to a very low limit, but also increased the sales generally."

Mr. W. M. Cadell, Collector, for fasli 1274 (1864-65.)

"My connection with the District being but recent, I purposely forbear from making any remarks on the conduct of the other subordinate officers."

Mr. W. M. Cadell, Collector, for fasli 1275 (1865-66.)

"Mr Ball likewise discharges the duties connected with his Department most creditably."

Mr. H. S. Thomas, Acting Collector, for fasli 1276 (1866-67.)

"A man of first rate character, and most anxious to serve the Government well."

"It is not within the province of a Salt Deputy Collector to do much more than his own proper duties; to those Mr. J. Ball has given a business-like and close attention, and whenever it was open to me to avail myself of his aid in other matters, it was always willingly and thoroughly rendered. He is very prompt, as well as thorough in his disposal of work, and has decidedly good abilities. I have also found him a reliable officer, well worthy of any confidence reposed in him. His claims to promotion appear to me to have been somewhat lost sight of."

Mr. H. S. Thomas, Collector, for fasli 1278 (1868-69.)

"The Salt Deputy Collector, Mr. Ball, also merits the repetition of my last year's remarks."

"The Salt Deputy Collector, Mr. Ball, fully supports his claim to the high character I have always held and expressed of him. I have specially represented his case to Government."

Mr. H. S. Thomas, Collector, fasli 1279 (1869-70.)

"Mr. J. Ball, the Deputy Collector in charge of the Salt Department, is an officer of great experience in the District, and has worked well."

Mr. A. McC. Webster, Acting Collector, for fasli 1280 (1870-71.)

"The list of subordinate officers in the District, during fasli 1281, is as follows:—

* * * * *

J. Ball, Esquire, Deputy Collector.

"During the period under report, I have been absent in England, and note, therefore, that the only record concerning any of them is contained in Board's Proceedings, Mis. No. 3994, dated 5th June 1872, and No. 1257, dated 10th July 1872."

Mr. H. S. Thomas, Collector, for fasli 1282 (1872-73.)

"Of the Salt Deputy Collector, Mr. Ball, I have only to repeat my former high estimate."

Mr. A. McC. Webster, Collector, for fasli 1284 (1874-75.)

"Mr. Ball, my Deputy Collector of Salt, has also given me satisfaction."

Mr. A. McC. Webster, Collector, for fasli 1285 (1875-76.)

"Mr. J. L. Fernandez acted as my Treasury Deputy until Mr. Leggatt's return in November. These two officers and Mr. Ball, my Salt Deputy, have given me satisfaction."

Mr. W. H. Comyn, Acting Collector, for fasli 1286 (1876-77.)

"The impression I have derived from the work of the sub-officers, both Covenanted and Uncovenanted, is on the whole, favourable."

Mr. W. H. Comyn, Acting Collector, for fasli 1287 (1877-78.)

"Conduct of subordinate officers, satisfactory."

Mr. W. H. Comyn, Acting Collector, for fasli 1288 (1878-79.)

"The conduct of subordinate officers has continued to be satisfactory."

(True copies.)

JNO. BALL,

Assist. Commissioner.

556

R. D.

MAR 81

19
 11th March 1891.
 Sir, I beg that I may be permitted
 for troubling you. You are aware
 that I have been permitted to retire
 from the Service on a pension.
 Altho' my total length of Service
 amounts to upwards of 32 years,
 yet owing to my having served in the
 Hampshire Regiment - which your
 office will - for 14 years of which I
 was not under the present rules
 cannot benefit pension) Govt. have
 been pleased to grant me a pension
 of less than 1/8th of my average ann.
 amounts for the last 5 years of my
 Service, notwithstanding the strong
 recommendation of Genl. Sir Philip, the
 Saltford, that a pension equal
 to 1/8th may be granted me. This
 recommendation is still pending

final orders. - I have therefore
on the 12th instant addressed Govt
on the subject through the Salt Commr.

In the mean time I respectfully
beg to enclose for your kind informa-
tion and perusal printed copies
of my letter and of its Enclosures,
and earnestly solicit your kind
support to my claim to a pension
equal to $\frac{1}{2}$ of my average salary
during the last 5 years of my
service.

Again apologizing for trouble
I remain Sir,
Yours obedient humble servant,

Geo. B. D. A.

Humble R. Davidson Esq. J.
do do do

Madras

21
#

enclosing a printed copy
of his petition to Government
submitted to Salt Commr.
for transmission to Govt.
prays that as his service for
upwards of $8\frac{1}{2}$ years in the
Stamp Dept^t (service in
which does not account for
pension) is not out of his
free will, he may be granted,
for reasons stated in the
said printed petition, a
pension equal to half of
his salary -

Pension of P. 8/2/81 N 138

Petition | Department.

Rev.

GOVERNMENT OF MADRAS.

PETITION No. 556 OF 1881.

From Mr. John Ball

Occupation Retired Asst. Commr.
of Salt Revenue.

Village

Taluk

District South Canara.

Dated 14th March 1881

Received 16th "

2 Enclosures.

ABSTRACT.

Half-Pension

Revenue Department.

His No. 3841

Proceedings of the Board of Revenue
Dated 11 April 1881.

Read the following letter from
the Commissioner of Salt Revenue to
the Secretary to the Board of Revenue of
24 March 1881 No. 2641.

At the request of Mr. Ball, late
Assistant Commissioner of Salt Revenue,
South Canara District, I have the honor
to enclose a petition with enclosures
for transmission to Government.

2. Mr. Ball appears to be in error
as to the proper amount of the one third
pension granted him. He forgets that
for the period during which he was
acting as 2nd class Deputy Collector, the
rate of pay with reference to which
his pension was calculated was not
his sub-protem full pay of Rs. 500,
but his permanent pay of Rs. 350 per
mensem.

3. The question of his half pension
being still under consideration I need
only

only refer to my former remarks on the Subject - It appears to me that he has made out a very good case for the favourable consideration of Government.

4. I cannot support Mr. Ball's request that he may be re-appointed to the public service in order that he may in any case complete the 25 years service required to entitle him to half pension - Whatever may have been his good qualities when a young man, my experience of his administrative powers since he came under my orders has been anything but favourable - The reason he applied to retire when he did was that I gave him the choice between doing so and being reported for the very bad state in which I found his factories when I inspected them in April last - The papers disposed of in G.O. July 31, 1880 No 904 Q.D. show how careless he was in the administration of the South Canara Customs Department; and all accounts I now receive from the District confirm my opinion of his

his extreme inefficiency.

Submitted for the orders of Government.

(True Copy & Extract)

L. H. B. M.

Secy. Secretary.

7

The Secretary to Government Q.D.
with printed petition & its Enclosures.

x.d. J. H.
M.

31 July 80 No 167-81

To me

Recd: No 1111

Transferred to the Pension Department.

Quarter

Collected 3
25 April 1881

Key to Govt.

Revenue 1881. Department

Proceedings of the Board of Revenue.

No 2004

Pension Department
No 725

Dated 11 April 1881.

Despatched

Received 13

On 2-5-81

Ex 2.

Mis. No. 3841

SUBJECT.

Submitting for orders of Govt.
letter from the Commr of Salt
Revenue together with Petition
from Mr. Ball, late Asst.
Commr. of Salt Revenue, South
Canara Dist, regarding his pension

Pension (1881.) DEPARTMENT.

No 725

From

Secy to Govt:
Revenue Dept:

Mis No. 1111.

Dated

25 April 1881

Recd.

2 May 1881

No.

SUBJECT.

Transferring Prop:
of the Bd of Revenue
Submitting for orders
of Government letter
from the Commissioner
of Salt Revenue together
with Petition from Mr
John Hale, regarding
his pension

With order 495.

N

File

Order 28: May 1881 N. 495

1881 N. 463.-

Recorded with reference to G. O. 124

200

944

To the Board of Revenue

May 23-5-81

Y 13/21/01

Transferred