

(1) Number of pages 14

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(3) Initials of the Referencer CA

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 801

~~P.~~
Mis.

Dated 31 8

1881 .

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

29th July 1881, No. 670.

Pensions.

Read the following paper:—

From S. JACOB, Esq., Officiating Under Secretary to the Government of India, Department of Finance and Commerce, to the Secretary to the Government of Fort St. George, Pension Department, dated Simla, 11th July 1881, No. 1624.

I am directed to acknowledge the receipt of your endorsement,* No. 529, dated 7th June 1881, forwarding Proceedings of the Government of Madras, in which that Government has condoned an interruption of one year, eleven months and sixteen days in the service of Pereapaliem Sambasiva Moodelliar, late Toll Superintendent of Buckingham Canal, which was caused by his dismissal from the service of Government in the year 1870, and granted him a compensation pension of Rs. 50 a-month.

2. The concession referred to has apparently been made under the provisions of Section 98 of the Civil Pension Code; but I am to point out that under clause (b) of that section, the Government of Madras was not authorized to condone an interruption in service exceeding twelve months in duration. The Government of India alone could under the rules have made the concession, and I am to observe that if the case had been referred for the previous orders of this Government, as it should have been, the Governor-General in Council would not, considering the cause of dismissal, have felt himself justified in sanctioning the condonation.

3. His Excellency in Council will not in the present instance interfere with the orders already passed by the Government of Madras, but he requests that in future all cases which under rule can be disposed of by the Government of India alone may be duly submitted for previous orders, and not disposed of by the Local Government subject to the approval of the Government of India.

Copy forwarded to the Accountant-General, Madras.

ORDER THEREON, 29th July 1881, No. 670.

Recorded.

(True Extract.)

Acting Under Secy. to Govt.

To the Accountant-General.

Exd. A. F. Goodall.

Govt. of (1881) Madras.

PENSION.

Dated July, 29th.

Issued

Recd.

Encl.

G.O., 29th July 1881, No. 670.

JULY.

Pensions.—Recording letter from the Government of India stating that the Madras Government was not authorized to condone the interruption of one year, eleven months and sixteen days caused by dismissal in the service of P. Sambasiva Moodelliar, and requesting that in future previous orders of the Government of India may be obtained in all cases which under rule can be disposed by that Government *abuc.*

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

7th June 1881, No. 528.

Pensions.

Read the following papers :—

From the Officiating Examiner of Public Works Accounts, dated 8th September 1880, No. 97 W.
Endorsement of the Public Works Department, dated 11th September 1880, No. 2084.
Endorsement of the Pension Department, dated 15th October 1880.
From the Examiner of Public Works Accounts, dated 23rd April 1881, No. 69-X.

ORDER THEREON, 7th June 1881, No. 528.

The applicant Pereapaliem Sambasiva Moodelliar, late Toll Superintendent of Buckingham Canal, was originally entertained as Quit-rent Amildar, on Rs. 8-12-0 per mensem, in the Madras Collector's Office on the 1st October 1849. After rising to the grade of Tahsildar he was first suspended from duty and subsequently dismissed from the service in June 1870 for negligence and unfitness to hold the responsible post of Tahsildar. A break then occurred in his service of one year, eleven months, and sixteen days from 19th October 1869 to 4th October 1871. But during this break he held the acting appointment of Toll Superintendent in Cochrane's Canal from 21st September 1870 to 4th October 1871, a period of one year and fourteen days. On the 5th October 1871 he was confirmed in this post, and continued in the Government service till 7th July 1879. The Cochrane's Canal Establishment on which he was employed, and which was under the supervision of the Collector in the Revenue Department till 7th July 1879, was a permanent Government Establishment, and as

* *Vide* Pension G.O., 24th January 1873, No. 58. such the service rendered in it qualifies*
+ *Vide* Public Works G.O., 8th July 1879, No. 1801-A. for pension. The establishment was subsequently transferred† to the Public Works Department. After a further service as Toll Superintendent on the

Buckingham Canal of eight months and twenty-three days he was thrown out of employ by revision of establishment.

2. Sambasiva Moodelly's total service amounts to upwards of twenty-seven years, but owing to his dismissal in 1870 only eight years, five months, and twenty-six days qualify. He is thus merely entitled to a gratuity of Rs. 800, or eight months' pay, but even this sum he is not entitled to receive because he has been certified by the Medical Committee as not possessing the normal prospects of life, and a pension not exceeding Rs. 6-10-10 per mensem in lieu of the gratuity is all that is allowable.

3. It appears, however, that, except on the single occasion which led to his dismissal in 1870, the applicant's service was uniformly satisfactory, and it will be observed from the Government Orders quoted in the margin that P. Sambasiva

Moodelly though dismissed was not declared ineligible for future employment.

4. Under these circumstances the Government are disposed to overlook the break in the applicant's service, and to permit him to count as qualifying service the period prior to 19th October 1869, and, in consideration of his having been certified

not to have the normal prospects of life, the Honorable the Governor in Council is pleased to grant to P. Sambasiva Moodelliar a compensation pension of Rs. (50) fifty per mensem, payable at Madras from the 1st April 1880, in consideration of his qualifying superior service of twenty-seven years, eight months, and fifteen days.

5. With reference to paragraph 2 of the Examiner's letter, dated 8th September 1880, No. 97 W., the Government have already decided, in the case of Goday Venkatapathy* Naidoo, that service of Toll Superintendent, Cochrane's Canal, on the establishment of the Collector of Chingleput, is reckoned permanent.†

* Pension G.O., 24th January 1873, No. 58.

† See also Financial Proceedings, 19th May 1868, No. 252.

6. These Proceedings will be communicated to the Government of India.

(True Extract.)

E. N. OVERBURY,
Acting Under Secy. to Govt.

To the Accountant-General, with Register.
,, Examiner of Public Works Accounts.
,, Public Works Department.

Govt. of (1881) Madras.

PENSION.

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

Dated June, 7th.

Issued

Recd.

Encl.

G.O., 7th June 1881, No. 528.

JUNE.

Pensions.—The break in the service of P. Sambasiva Moodelliar, late Toll Superintendent, Buckingham Canal, overlooked for reasons stated, and a pension of Rs. 50 per mensem granted to him. Copy of the Proceedings forwarded to the Government of India.

82990 of 81
Pension Department

Memorandum for Orders

The break in the service of P. Sambasiva Moodelliar is, as the Accountant General says, one year eleven months and sixteen days, but during the break, the applicant held, for a period of one year and fourteen days, an *Ad* appointment, in which ~~appointment~~ he was subsequently confirmed, so that the period during which he was without employ was only eleven months and two days.

~~Forwarded~~ A copy of the G.O. with the original papers has been forwarded for

Break in the
service admitted
accordingly in
his case.

for the information of
the Gov^t of India - It is
not known whether any
orders will be passed
by them on the case -
certain cases are put
up in which the
Gov^t have condoned
breaks of upwards of
a year -

Submitted that the
Accountant General's
action may be approved
pending return of the
original papers sent to
Gov^t of India or pay-
ment may be made in
full to the Pensioner as
was done in certain other
cases which are put up -

27th. Ell

Pension Memo for
orders.

Pension DEPARTMENT.

No. $\frac{148}{130}$

Fort Saint George,
Accountant-General's Office,
22nd June 1881.

From

A. F. Clogston Esq.
Offg. ACCOUNTANT-GENERAL
TO THE GOVERNMENT OF MADRAS,

To

THE

Secretary to Government,
Pension Department,

SIR,

With reference to Proceedings of Government No 528 dated the 7 June 1881 sanctioning the grant of a compensation pension of Rs 50 per mensem to Perasapham Sambasiva Mudaliar late Toll Superintendent of the Buckingham Canal, I have the honor to point out that under Section 92 (b) of the Civil Pension Code the power of a Local Government to condone interruptions in service in cases where the pension is not wholly chargeable to Provincial Revenue is limited to interruptions not exceeding 12 months in all. In the case of D. Sambasiva Mudali, about two thirds of the pension

is

M26-7-81
R27-7-81

is chargeable to Imperial Re-
venues while the period of in-
terruption in Service which Go-
vernment has condoned amounts
to 1 year 11 months and 16 days.

Under the circumstances,
I have passed to P. Sambasiva
Mudali that portion of his
pension of Rs 50 which is charge-
able to Provincial Revenues, but
I presume that Government
would desire me to await the
sanction of the Government of
India before paying the balance
which is chargeable to Imperial
Revenues.

I have the honor to be

Sir
Your Obedient Servant

H. Maestren

Offg. Account. Genl

To Pers. Dept. of the
St. No 528 + 329

Pers. 1881 Department.

No 990

From

The Accountant General
Madras.

To

The Secretary
to Government
Persian Dept.

No. 118
130

Dated
Recd 23rd June 87

No. 118
130

States that he awaits
the Orders of the Govt of
India for the payment
of the portion of P. Sam-
basiva Mudaliar's pen-
sion which is charged
= to Imperial Revenues.

order thereon 31-10-81 A 801

Revised with reference

by G. O. 19th July 1881. No. 670.

communicating contents of the Govt. of
India to the Commissioner

To the Accountant General
23/8/81
328-81