M.R.O. 1—77,006—8-6-37.

(1) Number of pages 58

(2) Date of repair 9-1-42

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 87 Press / Mis.

Dated 31-1- 1881.

Not to be folded or roughly handled

6

No 1503

D

No 179.

District Court of South Arcot.
Cuddalore, 11th October 1880.

From
J. H. Nelson Esquire,
District Judge of South Arcot.

To
The Accountant General,
Madras.

Sir,

With reference to your letter No A.D.P./571 of the 5th Instant, I have the honor to state that:

No 11. First, as Head of the Office I presumed the servants in question, whose ages are 57 & 64 respectively, to be inefficient, and therefore retired them, applying the 55 years' rule to their cases, by analogy, although they were inferior servants.

No 24. Second, the gratuity recommended was calculated according to the amount of the servants' pay for 3 months, and not under Rule 6, Section 76 of the Civil Pension Code, because what was recommended was considered to be not an invalid pension but an invalid gratuity.

No 6 & 18 Third, the omissions pointed out in the applications have been supplied.

Fourth, a copy of the List of the Process service Establishment for 1879 is herewith forwarded.

No 25.

I have the honor to be
Sir
Your most obedient Servant

J. H. Nelson

District Judge

ACCOUNTANT GENERAL'S OFFICE
13 OCT 80
MADRAS

In No 2535

CH 13/

No 6924

No. 194.

District Court of South Arcot,
Cuddalore, 29th October, 1880.

From
J. H. Nelson Esquire,

5/

To be returned with reply

534/545

Recd 23rd Oct 80

Pension DEPARTMENT.

No. $\frac{ADK}{585}$

3/

Fort Saint George,
Accountant General's Office,
20th October 1880

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE District Judge
of South Arcot

SIR,

With reference to my letter No. $\frac{ADK}{571}$ dated 5 October 1880 and your reply thereto No 179 dated 11 October 1880, I have the honor to enquire why you have not obtained and forwarded a medical certificate pronouncing the applicant Shadagopa Naick, unfit for further service. As the applicant is less than 60 years old and cannot under the Rules of the Code be entitled to any Retiring allowance without producing such certificate, (Vide Section 62 of the Civil Pension Code) you are again requested to obtain one, and transmit it to this Office at an early date to enable me to recommend the applicant to Government for the grant of

a

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pension under section 75. Further, I am of opinion that Shadagopa Naik does not come within the class qualified by the terms

Fourth, a copy of the List of the Process service Establishment for 1879 is herewith forwarded.

---

a Gratuity under Rule 2 Section 85 of the Civil Pension Code.

With reference to your reply to query No 24 of my letter above quoted, I have the honor to state that the word "Pension" alluded to therein includes Gratuity (Vide Definition to the word Pension marked (m) in page 2 of the Civil Pension Code) and to enquire whether you have now any objection to the applicants V. Subba Naick and T. Shadagopa Naick being recommended for a reduced Gratuity under Rule 6 Section 76 of the Code.

I have the honor to be
Sir
Your obedient servant

Asst to Acct General
for Acct General

Ind No 2535

A.D.

No 6924

No. 194.

District Court of South Arcot,
Cuddalore, 29th October, 1880.

From
J. H. Nelson Esquire,
District Judge of South Arcot,

To
The Accountant General,
Madras.

Sir,

With reference to your letter* of the 20th Instant No. $\frac{\text{A.D.K}}{585}$ I have the honor to state that "I have not obtained and forwarded a medical certificate pronouncing the applicant Shadagopa Naik, unfit for further service," because upon a careful consideration of the rules in the Civil Pension Code, I have come to the conclusion that such certificate is not called for in Shadagopa Naiks case, under Section 62, inasmuch as not having completed 30 years service he is not qualified, and cannot apply, for an invalid pension under Section 76. Further, I am of opinion that Shadagopa Naik does not come within the class qualified by the terms

*herewith returned.

of Section 61. He is not, so far as I am aware, labouring under any "bodily or mental infirmity," and thereby "incapacitated" for his work. I have retired him because, though not diseased or imbecile, he has grown too old to do the work required of him smartly and efficiently. Lastly, I have no reason to suppose that a medical certificate can be obtained for Shadagopa Naike, if applied for.

2. As regards the word "pension" in Rule 6, Section 76, including a "gratuity" I take it that the definition you refer to (in Section 2(m)) by its express exception forces me to oppose "gratuity" to "pension" in construing Section 76. For that Section, whilst it uses the generic term "pension" in its initial declaration, goes on at once to contradistinguish the species "invalid gratuity", grantable to officers after a service of less than 30 years, from the species "invalid pension", grantable to officers after not less than 30 years' service. Nothing can be clearer, in my humble opinion, than that this contradistinction is used: and that, therefore Rule 6, Section 76 does not make the proviso under Section 70 applicable to the invalid gratuity of an inferior servant.

3. For the same reason I take it that Shadagopa Naik cannot be held to be applying for an invalid "pension"; but must be held to be applying for an "invalid gratuity."

4. Whether he, or V. Subba Naik, or any officer similarly situated, is entitled to such gratuity, of course is a question. I have forwarded these two applications on the chance of their being allowed, but my impression is that for the reasons given in the first paragraph of this letter neither of these men can claim an invalid pension or gratuity as falling within the class designated by Section 61, since neither of them is diseased or imbecile.

5. I have presumed both of them to be inefficient, and retired them accordingly, under the spirit of the 55 years' rule; and having done so, I now suspect

that section 7 operates to prevent either of them getting a pension, of whatever kind.

6. If, however, Government should interpret the rules differently, and allow them invalid gratuities, it will be proper, in my humble opinion, to allow the same unrestricted by Rule 6, section 76.

I have the honor to be
Sir,
your most obedient servant

District Judge.

2/11

No 2535

ACCOUNTANT GENERAL'S
2 NOV 80

~~Report that~~
the absence of Mr C
his retiring allowance
Sanctd — 810

+

9

Name of Officer.	Caste or Race.	Residence.	Father's Name.	Father's Residence.	Date of birth.	Age. Years	Age. Ms.	Age. Days.	Exact height. Feet.	Exact height. Ins.	Personal marks for identification.	Date of Entry.	Signature of Officer.	Signature and designation of the head of the Office.
Shadagopa Naik.	Hindu. Kavarai.	Tirupapuliyoor in Cuddalore Taluq.	Dasi Naidoo	Dead.	March 1823. date not known.	53	10	–	5	4	An ulcer-scar on the right shoulder blade and marks of small-pox on the nose.	11th January 1877	[illegible]	Dt & Sn Judge

THE ENTRIES IN THESE COLUMNS ARE TO BE REATTESTED EVERY FIVE YEARS; EACH ATTESTATION SHOULD BE CAREFULLY RULED OFF THAT THE DATE MAY BE CLEARLY SHOWN.

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature and designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination, *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.
Process-server	Substantive	"	Rs 7 - -	"	16th August 1873				15th June 1880.	Retirement.	Dt. Judge

1 Name of appointment.	2 Nature, i.e., whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.

13

8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature and designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination, *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.

Name of appointment.	2 Nature, i.e., whether substantive or acting, permanent or temporary.	3 Subsequent appointments, if any, if the appointment be acting only.	4 Pay	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature and designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination, e.g., *transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.

SERVICE BOOK

OF

Name.

Caste or Race.

Residence.

FATHER'S Name.

FATHER'S Residence.

Date of birth.

En. No. 2536

No. 5.

No. 1237

District Court of South Arcot

Cuddalore, 3d August 1880.

B

From

The District Judge of

South Arcot.

17/

To

The Chief Secretary to Government,

Madras.

Sir,

Under section 85 of the Civil Pension Code I have the honor to forward for the favorable consideration of Government two applications for gratuity on behalf of Subba Naik and Sadagopa Naik, late Process-servers of my Court.

I have the honor to be

Sir

Your most obedient servant

J. H. Nelson

District Judge

ACCOUNTANT GENERAL'S OFFICE

5 AUG 80

MADRAS

Judl. 1880 Dept.
From No. 2535
The District Judge of South Arcot
To
The Chief Secretary to Government
Madras.
Dated 3rd } August 1880
Recd 24th } Aug
No. 5
Enclosures 4
Forwarding two applications for gratuity on behalf of two Process Servers of this Court.

[illegible] Judge

G.O. No. 87/31

To be returned with reply.

19/

No. A. D. K. 571

{ TREASURY ACCOUNT DEPARTMENT,
{ PENSION VERIFICATION BRANCH,

Fort Saint George,
Accountant-General's Office,
5 October 1880.

FROM

THE ACCOUNTANT GENERAL,
MADRAS,

To

THE District Judge of
South Arcot

SIR,

WITH reference to your application for ~~pension~~ gratuity on behalf of V. Subbanaick and T. Shadagopanaick, late Process Servers of your Court forwarded with your letter No. 5 dated 3rd August 1880. I have the honor to inform you that the final disposal of the application is delayed for want of Nos. 6, 11, 18, 24 & 25.

2. I particularly request that the required information may be supplied without delay, this letter being retransmitted for submission to Government along with the other papers connected with the case.

I have the honor to be,
Sir,
Your obedient Servant,
C. Hall
Offg. Assistant to the *Accountant-General,*
for *Accountant-General.*

---

1. House or country name of the applicant and that of his father.

2. Insertion in the column headed "How verified," on the second page of the application herewith returned, the class of records from which the applicant's services have been verified.

3. Explanation of apparent breaks and degradation opposite to No. 2 on the third page of the application herewith returned.

4. Insertion in detail in the service book herewith returned of the several kinds of leave of absence other than privilege or casual leave enjoyed by the applicant.

5. Insertion in the service book herewith returned of the reason of termination of service on for attestation of the entries thus made by the Head of the Office.

× 6. Insertion of the certificate opposite to No. 5 on the third page of the application that the applicant and Subbanaick is inefficient owing to age or infirmity.

7. Signature of the Applicant/Head of the Office in the appropriate columns of the accompanying service book.

8. Transmission of the true copy of the correspondence in connection with the applicant's suspension/dismissal in and of a Last Pay Certificate.

9. Explanation of the cause of delay of nearly months/years in the submission of the application.

10. Explanation why the applicant was retained in service up to when the medical certificate declaring him to be unfit for further service was dated the

Shadagopa Naik

× 11. Explanation why the applicant was removed from the service before his incapacity for further service was duly established by a certificate. If a certificate has not already been produced a fresh one must now be obtained & forwarded to this office for submission to Govt (vide Sec. 82 of the C. P. Code 4th Edn).

12. Explanation why the medical certificate is post-dated to the extent of days/months, the applicant having ceased to do duty on

13. Information as to whether the applicant applied for his pension/gratuity during his life time; if so, when he applied and when he died.

14. Information as to the name of the applicant's heir entitled to receive the gratuity or the amount of arrears of pension due to him.

15. Revision of the affidavit and contemporary evidence. The evidence should contain information on the following points:—

(a.) Whether the applicant was in *permanent* employ of Government.

(b.) Whether there were any breaks in the continuity of his service and whether he was at any time absent on leave other than privilege; if so, the nature of such breaks and the duration of such leave of absence should, as far as possible, be specified.

16. Information as to whether the appointment of in which the applicant is stated to have been acting from to was *fully vacant*, and whether any person, save the applicant, counted service in it during that period.

17. Information as to whether any endeavours were taken to provide a suitable appointment for the applicant. The amount of saving effected to Government by the abolition of his appointment in the Revision of Establishment should be stated.

18. Insertion of the proper class of gratuity opposite to No. 9 on first page of each of the application & ~~several rates of acting allowance separately from pay.~~ Inferiors should have right under the rules of the Code, entitled to any other class of Pension or gratuity than those of Invalid and Compensation

19. A few more personal marks to facilitate identification.

20. Certificate to the effect that the applicant appeared before a Medical Officer in view to his being examined as to whether he has or has not the normal prospects of life, *vide* Rule 5, Section 105 of the Civil Pension Code.

21. Specific report as to the nature of the investigation made and the conclusion arrived at by the Head of the Office, in respect of the portion of service not verifiable from office records.

22. Information as to whether the applicant's detachment on temporary duty from to was on the understanding that when the temporary duty should cease, he would revert to his substantive appointment. Copy of any departmental order on the subject should also be forwarded.

23. Information as to why the applicant's name does not appear in the Annual Return/Audit Register for on record in this office.

× 24. Information as to why the applicants were recommended each for the grant of a gratuity of Rs. 21 while under proviso to section 70 of the Code they are entitled to only Rs 4-3-2 equal to 3 months pay multiplied by the fraction of $\frac{6}{30}$ (Vide Rule 6 Sec: 76 of the Civil Pension Code 4th Edn).

25. Copy of Nominal List of Process Servers Establishment for the year 1879 as the original is not forthcoming from the records of this office.

AD

21

APPLICATION FOR {~~PENSION.~~ GRATUITY.

1. Name of Applicant.	Tirupadiripuliyur Shadagopa Naik
2. Father's name.	Tirupadiripuliyur Dasi Naik
3. Sect or Caste.	Hindu Kavarai
4. Residence.	Cuddalore
5. Present or last employment.	Process server, District Court, South Arcot
6. Date of beginning service.	16th August 1873
7. Date of end of service.	15th June 1880

	Y.	M.	D.
8. Length of service including breaks	6	10	"
of which superior	"	"	"
inferior	6	10	"
non-qualifying and breaks	"	"	"

9. Class of {~~pension~~ gratuity} applied for, and cause of application* ...	Invalid Superannuation Gratuity
10. [Average] emoluments or pay.	7 — " — "
11. Proposed pension.	" — " — "
12. Proposed gratuity.	21 — " — "
13. Date from which Pension to commence.	" — "
14. Place of payment.	Cuddalore
15. Date ~~Age~~ of Applicant ~~on this date.~~ birth by Christian era	March 1823
16. Height.	5 feet 4 inches
17. Marks.	The scar of an ulcer on the right shoulder blade and marks of Small pox on the nose.
18. Date.	3d August 1880.

* 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.

District Judge.
SIGNATURE OF THE HEAD OF OFFICE.

2/5

HISTORY OF THE SERVICE (SHOWING BREAKS) OF Shadagopa Naik.

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.			
District Court of South Arcot	Process Server	7	"	"	"	16th August 1873	15th June 1880	6	10	-	-	-	-	The applicant took no leave of any kind during the whole period of his service	Verified by the Court Records	Verified from the records of the District Court South Arcot & the verification of service confirmed by reference to the Annual return on record in this office
Total period of {superior / inferior} service ...							...	6	10							

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant. Good.

2. Explanation of any suspension or degradation. None.

3. Regarding any gratuity or pension already received by Applicant. See Chapter XX. None

4. Explanation under Section ~~47~~ 59, Rule 1, so far as the Head of the Office can give it. None.

5. Any other remarks. Inefficient from age & infirmity.

6. Specific opinion of Head of office whether the service claimed is established and should be admitted or not. (See Rule 5 under section 84) } The service claimed is established by the Court Records and should therefore be admitted.

District Judge
SIGNATURE.

CERTIFICATE AND REPORT OF ACCOUNTANT-GENERAL.

Recd Dept
1337

Certified that qualifying service in Inferior Grades has been duly proved for 6 years and 10 months but that no retiring allowance would seem to be admissible as the applicant's incapacity for further service, in consequence of which he is stated to have been removed from the service on the 16th June /80, was not duly established by a Medical Certificate as required by Sections 61 and 62 of the Civil Pension Code.

The District Judge appears to have removed the applicant from service on the consideration that he would be entitled to a Superannuation Gratuity as he was more than 55 years of age. This Office pointed out to the District Judge that the discretionary power allowed to Heads of Offices in retiring Officers from public Service on the score of attainment of 55 years of age, was to be exercised only in the case of superior Servants, and that in the case of inferior Servants the retirement should be based upon Medical Certificate, unless the age of the persons concerned was upwards of 60 years. The District Judge was accordingly requested to obtain and forward a Medical Certificate on behalf of the applicant whose age was only 57 years. That Officer, however, declines to comply with this request and considers that he was justified in retiring the applicant without a Medical Certificate under the spirit of the 55 years rule.

This Office has only to report that under existing rules the applicant may not be granted a Gratuity until he can produce a Certificate of incapacity signed by a Medical Officer, in which case subject to approval of the Certificate by Government, he is entitled to a Gratuity equal to 3 months' pay multiplied by the fraction $\frac{6}{30}$ in accordance with the proviso under Section 50 of the Code.

Fort Saint George,
Accountant Genl's Office,
19th November 1880 } To
The Under Secretary to Government
Pension Depart.

off.

Pension 1880 14 Septr

No. 2536

APPLICATION FOR {PENSION ~~OR~~ GRATUITY—

Date of Application. 3rd August 1880

Name of Applicant. S. Shadagopa Naik

Last Appointment. Process Server Distt Court S. Arcot.

Class of {pension or gratuity

Amount of pension sanctioned.

Amount of gratuity sanctioned.

Date of commencement.

Date of sanction.

Wikord 87

25

APPLICATION FOR {PENSION. GRATUITY.

1. Name of Applicant. New Town Rungaya Naick

2. Father's name. Tillai Govinda Naick

3. Sect or Caste. Vunnia

4. Residence. shewing village or Pergunah } New Town, Cuddalore

5. Present or last employment. Process service Peon, District Munsiff's Court of Cuddalore

6. Date of beginning service. 16th August 1873

7. Date of end of service. 7th August 1880

	Y.	M.	D.
8. Length of service including breaks	6	11	23
of which superior	"	"	"
inferior	6	11	23
non-qualifying and breaks	"	"	"

9. Class of {pension gratuity} applied for, and cause of application* ... Invalid gratuity Superannuation

10. [~~Average~~] emoluments or pay. Rupees 6 " "

11. Proposed pension. "

12. Proposed gratuity. Rupees (18 " ") eighteen

13. Date from which to commence. "

14. Place of payment. Huzur Treasury, South Arcot

15. ~~Age~~ Date of Applicant ~~on this date~~ birth by christian era } 1822

16. Height. 5 feet one inch

17. Marks. A scar on the right leg, and in the middle of the forehead, and a small mole right under each of the ears

18. Date. 14th September 1880.

* 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.

C. Usumbobah
District Munsiff.

J. H. Nelson
Dt. Judge
SIGNATURE OF THE HEAD OF OFFICE.

HISTORY OF THE SERVICE (SHOWING BREAKS) OF New Town Pungaya Naidu

stablishment.	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.			
trict Mun 's Court uddalore	Process Ser: vice Peon	6	"	"	"	1st August 1873	7th August 1880	6	11	~~23~~ 22	"	"	"	—	Verified from the records of this Court	Verified from the records of the District Munsif's Court Cuddalore and the verification Confirmed partly by reference to the Audit Registers and partly to the Annual returns on record in this Office.
					Total period of {superior / inferior} service ...		...	6	11	~~23~~ 22	"	"	"			

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant. Character & Conduct good.

2. Explanation of any suspension or degradation. None

3. Regarding any gratuity or pension already received by Applicant. See Chapter XX. None

4. Explanation under Section ~~47~~ 59, Rule 1, so far as the Head of the Office can give it. None

5. Any other remarks. None

6. specific opinion of head of office whether the service claimed is established & should be admitted } Service Established by the Court records & should be admitted.

Cunnoobah.
District Munsiff

J. H. Nelson
Dt. Judge
SIGNATURE.

CERTIFICATE AND REPORT OF ACCOUNTANT-GENERAL.

4
No. ADJ
1358

CERTIFIED that (~~subject to the remarks below recorded~~) qualifying service in {inferior / ~~superior~~} grades has been duly proved for 6 years 11 months and 22 days; but ~~and~~ that a retiring {~~pension~~ / gratuity} allowance ~~not exceeding Rs.~~ would seem to be, admissible ~~under Section~~ — ~~of the Civil Pension Code. The calculations have been duly verified~~ as the applicant's incapacity for further service in consequence of which he is stated to have been removed from the service, was not established by a Medical Certificate as required by Section 61 of the Civil Pension Code.

The District Judge appears to have removed the applicant on the ground that he would be entitled to a Superannuation Gratuity as he was more than 55 years of age. This office pointed out to him that the discretionary power allowed to Heads of Offices in retiring Officers on the score of attainment of 55 years of age was to be exercised only in the Case of Superior Servants and that in the Case of Inferior Servants the retirement should be enforced only on Medical Certificate unless their age was upwards of 60 years. The District Judge was accordingly requested to obtain and forward a Medical Certificate on behalf of the applicant whose age was only 58 years. That officer however declined to comply with this request and considers that he was justified in retiring the applicant without a Medical Certificate under the spirit of the 55 years rule. This office has only to report that the applicant may not be granted any Gratuity until he can produce a Certificate of incapacity signed by a Medical Officer in which case he would subject to approval of the Certificate by Government, be entitled to a gratuity equal to 3 months' pay multiplied by the fraction 6/30 ths in accordance with the proviso under Section 70 of the Code.

Fort Saint George
Acctt. Genl's Office
30th November 1880

W. S. Lloyd
Offg. Asst. Accountant General
for Accountant General

To
The Under Secretary to Government
Pension Department

T.S.

29

APPLICATION FOR {PENSION. GRATUITY.

1. Name of Applicant. Cuddalore Narayana Naick

2. Father's name. Andiappa Subadar

3. Sect or Caste. Vunnia

4. Residence. Old Town, Cuddalore

5. Present or last employment. Process service Peon, District Munsiff's Court, Cuddalore

6. Date of beginning service. 16th August 1873

7. Date of end of service. 7th August 1880

	Y.	M.	D.
8. Length of service including breaks	6	11	23
of which superior	"	"	"
inferior	6	11	23
non-qualifying and breaks	"	"	"

9. Class of {pension gratuity} applied for, and cause of application* ... Invalid gratuity

10. [Average] emoluments or pay. Rupees (6 " ") six

11. Proposed pension. "

12. Proposed gratuity. Rupees (18 " ") eighteen.

13. Date from which to commence. "

14. Place of payment. Huzur Treasury, South Arcot

15. Date birth ~~Age~~ of Applicant ~~on this date.~~
by christian era - 1822

16. Height. 5 feet 5 inches

17. Marks. A mole on the left hand & a small mole and a scar on the left cheek and a large scar over the head

18. Date. 14th September 1880.

* 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.

District Munsiff.

District Judge

SIGNATURE OF THE HEAD OF OFFICE.

No 2615

APPLICATION FOR {~~PENSION OR~~ GRATUITY—

Date of Application. 14th September 1880

Name of Applicant. N. Rungaya Naick

Last Appointment. Process Serving Peon District Munsif's Court Cuddalore

Class of {pension or gratuity

Amount of pension sanctioned.

Amount of gratuity sanctioned.

Date of commencement.

Date of sanction.

Vide order 87

2298

HISTORY OF THE SERVICE (SHOWING BREAKS) OF Cuddalore Narayana Naick

Establishment.	Appointment.	Pay. RS.	A.	P.	Acting Allowance. RS.	Date of Beginning.	Date of End.	Period reckoned as Service. Y.	M.	D.	Period not reckoned as Service. Y.	M.	D.	Remarks.	How verified.	Remarks by Accountant-General.
District Munsiff's Court of Cuddalore	Process service Peon	6	"	"	"	16th August 73	20th June 75	1	10	5	"	"	"		Verified from the records of the Court	Verified from the records of the Dist. Munsif's Court Cuddalore and the verification confirmed partly by reference to the Audit Registers and partly to the Annual Returns on record in this Office.
Leave on forfeiture		"	"	"	"	21st June 75	30th June 75	"	"	10	"	"	"			
District Munsiff's Court of Cuddalore	Process service Peon	6	"	"	"	1st July 1875	17th August 79	4	1	17	"	"	"			
Leave on forfeiture		"	"	"	"	18th August 79	16th September 79	"	~~1~~	29	"	"	"			
District Munsiff's Court of Cuddalore	Process service Peon	6	"	"	"	17th September 79	7th August 1880	"	10	21	"	"	"			
Total period of {~~superior~~ inferior} service ...							...	6	11	22	"	"	"			

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant. Character & Conduct Good.

2. Explanation of any suspension or degradation. None

3. Regarding any gratuity or pension already received by Applicant. See Chapter XX. None

4. Explanation under Section 47, Rule 1, so far as the Head of the Office can give it. None

5. Any other remarks. None

6. Specific opinion of head of office as to whether the service claimed is established and should be admitted } Established by the Court Records & should be admitted

District Munsiff

J H Nelson
District Judge
SIGNATURE.

CERTIFICATE AND REPORT OF ACCOUNTANT-GENERAL.

31

No. ADJ 1357

CERTIFIED that (~~subject to the remarks below recorded~~) qualifying service in {inferior ~~superior~~} grades has been duly proved for 6 years 11 months and 22 days; ~~and~~ but that ~~a~~ no retiring {pension gratuity} allowance ~~not exceeding Rs.~~ would seem to be, ~~is~~ admissible ~~under Section~~ as the applicant's incapacity for further service in consequence of which he is stated to have been removed from the service, was not established by a Medical Certificate as required by Section 61 of the Civil Pension Code. ~~of the Civil Pension Code.~~ The ~~calculations have been duly verified~~

The District Judge appears to have removed the applicant on the ground that he would be entitled to a Superannuation Gratuity as he was more than 55 years of age. This Office pointed out to him that the discretionary power allowed to Heads of Offices in retiring Officers on the score of attainment of 55 years of age was to be exercised only in the case of Superior Servants and that in the case of Inferior Servants the retirement should be enforced only on Medical Certificate unless their age was upwards of 60 years. The District Judge was accordingly requested to obtain and forward a Medical Certificate on behalf of the applicant, whose age was only 58 years. That officer however declined to comply with this request and considers that he was justified in retiring the applicant without a Medical Certificate under the spirit of the 55 years [illegible] that the applicant [illegible] gratuity until he can produce a certificate of incapacity signed by a Medical officer in which case he would subject to approval of the certificate by Government, be entitled to a gratuity equal to 3 months Pay multiplied by the fraction $\frac{6}{30}$th in accordance with the proviso under Section 70 of the Code.

Fort Saint George
Accountant General's Office
30th November 1880

Offg. Asst. Accountant General

To be returned with reply

58/337

33/

Recd. 4th Novr. 80

No. A. D. K.
597

TREASURY ACCOUNT DEPARTMENT,
PENSION VERIFICATION BRANCH,

Fort Saint George,
Accountant-General's Office,
~~October~~ 1880.
2d November 1880

FROM

THE ACCOUNTANT GENERAL,
MADRAS,

TO

THE District Judge,
South Arcot.

SIR,

WITH reference to your application for ~~pension~~ gratuity on behalf of C. Narayana Naick and N Rangayya Naick late Process Service Peons, District Munsiff's Court, Cuddalore forwarded with your letter No. 9 dated 25th September 1880 I have the honor to inform you that the final disposal of the application is delayed for want of Nos. 7. 8. 11, 18, 19, 24 and 25

2. I particularly request that the required information may be supplied without delay, this letter being retransmitted for submission to Government along with the other papers connected with the case.

I have the honor to be,
Sir,
Your obedient Servant,

~~Assistant to the Accountant-General,~~
for Accountant-General.

---

1. House or country name of the applicant and that of his father.

2. Insertion in the column headed "How verified," on the second page of the application herewith returned, the class of records from which the applicant's services have been verified.

3. Explanation of apparent breaks and degradation opposite to No. 2 on the third page of the application herewith returned.

4. Insertion in detail in the service book herewith returned of the several kinds of leave of absence other than privilege or casual leave enjoyed by the applicant.

5. Insertion in the service book herewith returned of the reason of termination of service on and for attestation of the entries thus made by the Head of the Office.

6. Insertion of the certificate opposite to No. 5 on the third page of the application that the applicant is inefficient owing to age or infirmity.

7. Judge's Signature ~~of the~~ Applicant/~~Head of the Office~~ in the places marked with pencil in ~~appropriate columns of~~ the accompanying service books and applications ~~for 1879~~

8. Transmission of the ~~true~~ copy of the Rous list of the Process servers Estt. of the District Munsif's Court, Cuddalore for 1879 as the original is not forthcoming from the records of this office ~~correspondence in connection with the applicant's~~ ~~suspension~~/~~dismissal~~ ~~in~~ ~~and of a Last Pay Certificate.~~

9. Explanation of the cause of delay of nearly months/years in the submission of the application.

10. Explanation why the applicant was retained in service up to when the medical certificate declaring him to be unfit for further service was dated the

*(Section 62 and rule 2 to Section 85 of the C. P. Code 4th Edition)

11. Explanation why the applicant ~~was~~ were removed from the service before ~~his~~ their incapacity for further service was duly established by ~~a~~ certificates. If certificates have not already been produced fresh ones must now be obtained and forwarded to this Office for submission to [illegible]

12. Explanation why the medical certificate is post-dated to the extent of days/months, the applicant having ceased to do duty on

13. Information as to whether the applicant applied for his pension/gratuity during his life time; if so, when he applied and when he died.

14. Information as to the name of the applicant's heir entitled to receive the gratuity or the amount of arrears of pension due to him.

15. Revision of the affidavit and contemporary evidence. The evidence should contain information on the following points:—

(a.) Whether the applicant was in *permanent* employ of Government.

(b.) Whether there were any breaks in the continuity of his service and whether he was at any time absent on leave other than privilege; if so, the nature of such breaks and the duration of such leave of absence should, as far as possible, be specified.

16. Information as to whether the appointment of in which the applicant is stated to have been acting from to was *fully vacant*, and whether any person, save the applicant, counted service in it during that period.

17. Information as to whether any endeavours were taken to provide a suitable appointment for the applicant. The amount of saving effected to Government by the abolition of his appointment in the Revision of Establishment should be stated.

18. Insertion of the proper class of gratuity opposite to No 9 on 1st page of each of the applications. The applts are entitled only to invalid gratuity under the rules of the Code several rates of acting allowance separately from pay.

19. A few more personal marks to facilitate identification in the two applications

20. Certificate to the effect that the applicant appeared before a Medical Officer in view to his being examined as to whether he has or has not the normal prospects of life, *vide* Rule 5, Section 105 of the Civil Pension Code.

21. Specific report as to the nature of the investigation made and the conclusion arrived at by the Head of the Office, in respect of the portion of service not verifiable from office records.

22. Information as to whether the applicant's detachment on temporary duty from to was on the understanding that when the temporary duty should cease, he would revert to his substantive appointment. Copy of any departmental order on the subject should also be forwarded.

23. Information as to why the applicant's name does not appear in the Annual Return/Audit Register for on record in this office.

24. Information as to why the applicants were recommended each ~~of the~~ for the grant of a gratuity of Rs 18 while under proviso to sec 70 of the C. P. Code they are entitled to only Rs 3-9-7 equal to 3 months pay multiplied by the fraction of $\frac{6}{30}$ (vide Rule 6 Sec: 76 of the C. P. Code and also definition (m) under section 2 of the Code. If you have no objection to the applicants being recommended for the reduced amount of gratuity please alter the entries opposite to No 12 on the 1st page of each of the applications

25. Information as to why the applicant, New Town Rangayya Naick's name is not traceable in any of the Annual Returns from 1875 to 1878 on record in this Office. The name of one Rangan appears in all of them. Information is requested as to whether these two names are identical indicating one and the same person.

Offg Acct Genl

No 2615

AB

No 1579

35

No 207.

District Court of South Arcot
Cuddalore, 12th November 1880

From

The District Judge of
South Arcot

To

The Accountant-General,
Madras.

Sir,

With reference to your letter of the 2d Instant, No $\frac{A.D.K.}{597}$, I have the honor to state that

No 7 First, I have signed the service Books and applications in the several places pointed out.

No 8 Second, a copy of the list of process servers on the establishment of the Cuddalore Munsif's Court for 1879 is herewith sent.

No 11 Third, I have not obtained Medical Certificates in the 2 cases now in question for the reasons stated at large in my letter of the 29th Ultimo, No 194.

No 18 Fourth, the proper class of gratuity to which the applicants are entitled has been entered in the applications.

No 19. Fifth, a few more personal marks have also been inserted in the applications.

Sixth, with regard to the objection that the gratuity to which the applicants are entitled should be reduced under the Proviso to section 70 I have the honor to refer you to my letter above quoted wherein I have expressed my opinion that officers such as the present applicants are not entitled to any gratuity, but that if Government allow it to them, the same should be given unrestricted by Rule 6, section 76. No 24.

Seventh, the applicant Rangaiya Naik is also called Rangan as entered in the annual Returns. The two names therefore refer to one and the same individual. No 25

Your letter under reply and the papers which accompanied it are herewith returned.

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

Sd/ " " J H Nelson
District Judge

ACCOUNTANT GENERAL'S OFFICE
15 NOV 80
MADRAS

In N° 2615

			FATHER'S		THE ENTRIES IN THESE COLUMNS ARE TO BE REATTESTED EVERY FIVE YEARS ; EACH ATTESTATION SHOULD BE CAREFULLY RULED OFF THAT THE DATE MAY BE CLEARLY SHOWN.									
Name of Officer.	Caste or Race.	Residence.	Name.	Residence.	Date of birth.	Age.			Exact height.		Personal marks for identification.	Date of Entry.	Signature of Officer.	Signature and designation of the head of the Office.
						Years	Ms.	Days.	Feet.	Ins.				
Rungaya Naick	Kumma	New Town	Yella Covinda Naick	Tiruvady	Born about the year 1822	54	0	0	5	1	A scar on the right leg and in the middle of the forehead and a small mole right under each of the ears.	18th December 1876		[illegible] District Moonsiff J H Nelson Dt. Judge

× was a Batta Peon under the old system from 1st May 1846 to 15th August 1878.

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature and designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination, *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.
Process Peon in the District Moonsiff's Court of Cuddalore	Permanent		[illegible]		× 16th August 1878 vide [illegible] dated 1st August 1878	[illegible]		District Munsiff	9th August 1880	41 Retired	District Moonsiff

1	2	3	4	5	6	7	8	9	10	11	12
Name of appointment.	Nature of appointment, whether substantive or acting, permanent or temporary.	Substantive appointment of [illegible] appointment, if acting only.	Pay.	Acting allowance.	Date of appointment.	Signature of Officer.	Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	Signature and designation of immediate head of the Office.	Date of termination of appointment.	Reason of termination, *e.g., transfer, promotion, return of permanent incumbent.*	Signature and designation of immediate head of the Office.
											43

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature and designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination, *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.

SEPCE BOOK

OF

Name.

Caste or Race

Residence.

FATHER'S Name.

Resider

Date of bir

Name of Officer.	Caste or Race.	Residence.	FATHER'S Name.	FATHER'S Residence.	Date of birth.	Age. Years	Age. Ms.	Age. Days.	Exact Height. Feet.	Exact Height. In.	Personal marks for identification.	Date of Entry.	Signature of Officer.	Signature and designation of the head of the Office
Narayana Naick	Vunnea caste	Old Town, Cuddalore	Andiappa Subadar	Old Town, Cuddalore	Born about the year 1822	58	"	"	5	5	A mole on the left hand & a small mole and a scar on the left cheek, and a large scar over the head. C.N.	4th September 1880	[illegible]	C. Arundell District Munsiff J W Nelson Dt. Judge

THE ENTRIES IN THESE COLUMNS ARE TO BE REATTESTED EVERY FIVE YEARS; EACH ATTESTATION SHOULD BE CAREFULLY RULED OFF THE DATE MAY BE CLEARLY SHOWN.

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e.g.*, *transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.
Process Server Peon, District Munsiff's Court of Cuddalore	Substantive	-	6 - -	-	16th August 73			CV.	7th August 1880	Retired	District Munsiff
		Leave on forfeiture for 10 days from 21st to 30th June 75 Leave on forfeiture for one month from 18th August 1879 to 16th September 1879 CV.									

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.

8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e. g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.

2536. 2614. 2615

Pension Department.

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PROCEEDINGS *of the* MADRAS GOVERNMENT.

Read the following letter

From the District Judge of South Arcot.
Of 3 August and 14th September 1880
" the Acctt General Of 19th & 30th November 1880 - Nos. $\frac{ADG}{1337, 1357 \& 1358}$

Order thereon 31st January 1881 No 87

No retiring allowance is at present admissible in any of these cases, as the applicants who were less than 60 years of age when removed from the service have not been certified by a medical officer to be unfit for further service.

2. The District Judge of South Arcot will at once cause the applicants to appear before the Civil Surgeon at that

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SERVICE BOOK

OF

Name. — G. ~~[illegible]~~ Narrayappa Naick

Caste or Race. ~~[illegible] Brahmin~~ European

Residence. ~~[illegible]~~ Old Town, Cuddalore

Father's Name. ~~[illegible]~~ Andiappa Subadar

Father's Residence. Old Town, Cuddalore

Date of birth. Born about the year 1822.

In No 2614

that officer is unable to grant them Certificates of ~~incompetency~~ capacity in the usual form, the District Judge will explain in detail his reasons for dismissing them for inefficiency

Note

Mr. Nelson w'd. argue instead of accepting the accepted ruling. The letter was not dealing with any new substantive question but with the simplest rules of every day practice which he knows [illegible] [illegible]

To. The Accountt Genl.
– " – District Judge
" ~~Collr.~~ of S. Arcot

Desp'd 9-2-81

[illegible]

Govt. of {188/} Madras.

To [illegible]

Dated 31 Jany 188/. No. 87
Recd. 9 Feby

Nos.

Declining to grant any retiring allowance in the cases of Process servers of S. Arcot District, under 55 years of age, whose unfitness for service was not certified to and directing the District Judge to get them examined immediately by the District Surgeon.

Ans 26-1-81
Rec 31-1-81

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