

1. Number of pages. 10
2. Date of repair. 19.12.54
3. Initials of Referee. JPB
M.R. 1-22,000-16-10-35

MADRAS RECORD OFFICE.

Government of Madras.

Pension

DEPARTMENT.

G.O. No. 273	Press ~~Mis.~~
Dated 21. 3	1952

Not to be folded or roughly handled

EC

1E
21st MARCH 1882, No. 273, PENSION.

PENSION DEPARTMENT.

LETTER—from

THE SECRETARY TO THE GOVERNMENT OF FORT ST. GEORGE.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF FINANCE AND COMMERCE.

SIR,

I am directed to forward the accompanying memorial from one Ruthnam Mudaliar, late Clerk in the Office of the Examiner of Public Works Accounts, and to explain the position briefly as follows.

2. The memorialist, who was thrown out in the late reductions in the Public Works Department, was granted a special bonus* of three months' pay under the terms of the Government of India Resolution, dated 12th February 1880, No. 27-A.E., in addition to the usual gratuity in lieu of notice and a compensation pension† of Rs. 24-2-0 per mensem admissible under the ordinary rules. In order to entitle him, however, to the latter pension of half his average emoluments, it was found necessary to condone a deficiency in his service of one month and seventeen days, which this Government accordingly did without imposing any condition under Section 78-A (2) (b) of the Civil Pension Code, 4th Edition.

3. Subsequently there came up the case of T. Muthusami Mudaliar who, under exactly similar circumstances, wanted six months and fourteen days to bring up his service to twenty-five years entitling him to a half-pay pension. The deficiency not being condonable by this Government, reference‡ was made to the Government of India, who, in their letter dated 25th May 1881, No. 753, granted the increased pension recommended by this Government, which was something less than the half-pay pension actually admissible, subject, however, to the condition of the applicant's refunding immediately in full the special bonus of three months' pay received by him. This latter condition was not proposed by this Government, and it was therefore inferred that the principle of the refund of the special bonus should be made applicable to all those cases where a deficiency in the service had to be condoned, and where the individuals concerned had drawn the special bonus above referred to in addition to the usual gratuity in lieu of notice.

4. A return was accordingly called for from the Examiner of Public Works Accounts from which it was ascertained that there were only five persons who had deficiencies in their service condoned, and had been at the same time granted the special bonus and the gratuity in lieu of notice. Of these, two§ who had drawn it had already been made to refund, the

§ T. Muthusami Mudali.
A. Streenevasaloo Naidoo.

Government of India having stipulated that condition in the one case and this Government in the other,* which came up for disposal subsequently. The Government of India signified their approval of the orders in the latter case in their letter, dated 5th November 1881, No. 4001.

5. Thus there remained only three cases, viz., those of the individuals entered in the margin, to dispose of; and this Government ordered in G.O., No. 1177, dated 8th November 1881, that the special bonuses received by them should also be recovered. The memorialist is one of these three, and, with regard to the other two individuals, it must be further remarked that the deficiency in the service of one of them was condoned, and the condonation of the deficiency in the service of the other confirmed, by the Government of India† unconditionally, apparently because the fact of these persons having received the special bonuses was not to be gathered from the papers.

Mr. W. Rozario.
 „ P. Ruthnam Mudali.
 „ C. Rajagopala Mudali.

† Letters from Government of India, dated 23rd and 25th March 1881, Nos. 1308 and 1338.

6. The memorialist (on appealing against the above order) was informed‡ that his only means of retaining the special bonus was by relinquishing the concession made on his behalf, which would reduce his pension from Rs. 24-2-0 to Rs. 14-1-0.

7. Under these circumstances, it is for the Government of India to decide if the memorialist should be granted his prayer, which concession, if granted, would have to be extended to the other two individuals affected by the Order of this Government, dated 8th November 1881, No. 1177, directing the recovery of the special bonuses received by them.

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

FORT ST. GEORGE,
 21st March 1882,

Secretary to Government.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

READ—the following letter from P. RUTHNAM MUDALIAR, Pensioner, Public Works Department, Madras, to the Chief Secretary to Government, dated Tirvatisvarampett, 8th March 1882:—

I most humbly beg to submit through you a petition of mine to His Excellency the Viceroy and Governor-General of India, Calcutta, and respectfully crave your favorable recommendation thereon.

ENCLOSURE.

Petition from P. RUTHNAM MUDALIAR, late an Accountant, Public Works Department, Madras Establishment, to His Excellency the Viceroy and Governor-General, Fort William, dated Tirvatisvarampett, 8th March 1882.

MOST RESPECTFULLY SHOWETH.—That your humble petitioner was an Accountant in the Office of the Examiner of Public Works Accounts, Madras, on a monthly pay of Rs. 50 per mensem, but was thrown out of employ in consequence of the general reductions of establishment in the Accounts Branch of the Department ordered by the Government of India.

2. That, in consideration of his services as an Accountant, he, as also others similarly situated, was granted, on the representations of the Madras Government, a special bonus of three months' pay—vide Government of India letter, No. 27-A.E., dated 16th February 1880—in lieu of the proportionate pension and a bonus up to a maximum of twelve months' pay admissible under Government of India Finance and Commerce Resolution, No. 2079, dated 31st July 1879.

3. That your humble petitioner had, on date of his services being dispensed with on the afternoon of the 16th January 1880, rendered a qualifying superior service of twenty-four years, ten months, and thirteen days, thus requiring a period of only one month and seventeen days to be condoned to qualify for a pension equal to one-half of his average emoluments.

4. That as the petitioner had, irrespective of his superior qualifying service, also rendered an inferior (and consequently non-qualifying) service of three years, five months, and three days, the Madras Government condoned the very small deficiency of one month and seventeen days, under the powers vested in them by Section 120 (a) of the Civil Pension Code, 5th Edition, and very kindly granted a pension of Rs. 24-2-0 per mensem, equal to one-half of his average emoluments.

5. That now, nearly twenty-two months after the disbursement of the special bonus, your unfortunate petitioner was called upon by this Government, with reference to Government of India letter, No. 753, dated 25th May 1881, to refund the special bonus of Rs. 150 received by him or that the condonation of the deficiency in his qualifying service will be withdrawn, and that consequently a compensation pension, equal to one-third of his average emoluments, will be sanctioned.

6. That agreeably, and in obedience to the orders of the Local Government, your humble petitioner, with great difficulty, refunded the bonus received by him, but requests that your Excellency in Council will, after a careful perusal of the points noticed herein, be good enough to order the refund of the bonus to your petitioner.

7. That your petitioner was an Accountant in the Public Works Department and was, in virtue of his position as such, properly entitled to the concessions sanctioned in Government of India Financial Department Resolution, No. 2079, dated 31st July 1879. In consideration, however, of some peculiar circumstances in the cases of the old régime of the Madras Accountants, the Local Government recommended the grant of a special bonus of three months' pay as in a measure compensating the higher rates of pension and bonus admissible under the Resolutions of the Government of India quoted above.

8. That the recovery from your petitioner of the bonus received by him is really withdrawing the concessions that were supposed to have been granted to him by Government of India without recognizing his position as an Accountant of the Public Works Department, and that those who were similarly situated obtained a proportionate pension and a bonus of twelve months' pay.

9. That the forced retirement of your petitioner at a time when he required a period of only one month and odd to qualify for half pension is, in the opinion of your humble petitioner, quite opposed to the instructions repeatedly issued from the Supreme Government, and that though the reductions were ordered to be carried out for administrative reforms, it is submitted that they should be done with due regards to the personal claims of the individuals concerned.

10. Lastly, your humble petitioner respectfully requests that, in consideration of the very small deficiency in his qualifying service, of the inferior service of three years, five months, and three days he had rendered, of the hard work he did during the famine days, of the sudden abolition of his appointment, and of the comparatively very little advantage offered him by the grant of special bonus, your Excellency in Council will be graciously pleased to order the refund of the bonus and thus protect a large family.

Your petitioner, as in duty bound, shall ever pray.

ORDER—dated 21st March 1882, No. 272, Pension.

Ordered that the memorial be transmitted to the Government of India, and the memorialist informed of its despatch.

(Here enter No. 273, dated 21st March 1882).

(True Extract.)

J. A. DAVIES,
Acting Under Secy. to Govt.

1882.
PENSION DEPARTMENT.

From the Government of
Fort St. George.

Letter, dated 21st March 1882, No. 273.

Bonus. — Forwarding, with remarks, the memorial of P. Ruthnam Mudaliar, late Clerk, Public Works Department, praying that he may be allowed to retain the special bonus of three months' pay received by him.

Memorandum: 14E
This order go in
circulation or despatches.

Grass / 17/1/82

SP

Pension DEPARTMENT.

No. 273.

SE

To

The Secretary to the Government

of India,

P.P.

DEPARTMENT.

Sir,

I am directed to forward the accompanying memorandum from one Putnam Tindal, late clerk in the Office of the Examiner of Public Works Accounts and to explain the position briefly as follows.—

The memorandum was thrown out in the late reductions in the Public Works Department was granted a special bonus of three months' pay under the terms of the Govt of India Resolution dated 12th February 1880 No 27 A.E. in addition to the usual gratuity in lieu of notice and a low pension.

• C. 1030 March 1880 No 267

^{pension}
pensionation of Rs 24.2.0 per
month admissible under
the ordinary rules. In order
to entitle him however to
the latter pension of half
his average emoluments
it was found necessary to
condone a deficiency in
his service of 1 month and
14 days, which this Govt
accordingly did without
imposing any condition,
under § 78A(2)(b) of the Civil
Pension Code 4th Edition.

Subsequently there came
up the case of J. Munthar
= Samu Mirdhar who
under exactly similar
circumstances wanted
6 months and 14 days to
bring up his service to 25
years entitling ^{him} to half-
pay pension. The defi-
ciency not being con-
= siderable by this Govt, refe-
= rence was made to the
Govt of India who in their
letter dated 25th May 1881
No 153 granted the same

* G.O. 18th Dec 1880 No 1215

Letter No 348 dt. 31 March 1881

G.O. 21st Sept 1881
No 949

Increased pension recommended
by this Government which
was something less than
the half-pay pension
actually admissible, subject
however to the condition
of the ^{applicant} refunding in full the Special
bonus of three months' pay
received by him. This latter condition was
not proposed by this
Government, and it
was therefore inferred
that the principle of the
refund of the Special
bonus should be made
applicable to all those
cases where a deficiency
in the service had to be
condoned and where
the individuals concerned
had drawn the Special
bonus above referred
to in addition to the
usual gratuity in lieu
of notice.

A return was ac-
= cordingly called for
from the Examiners of
Public Works Accounts

Subsequently. The Govt of I.

~~SECRET~~

✓ J. Moothoo saw my Gundi
A stream was also heard

signified their approval of these
orders in the letter ^{see}
also in their letter of 5 Nov^r 1881
No 4001.

In W. Rozario
" P. Rutenam bundeli
" C. Rayapfala bundeli

* Letter from G. J. of 23rd & 25th March.
1881 No 1308 & 1338-

Co. O. Peter Deht.
87 6 Jan 7/1882 No 10.

(on appeal) against the decision.
The memorialist was ^{reluctantly} informed that his ~~only~~ ^{only} means of retaining the special bonus was by relinquishing the concession made on his behalf, which ~~will~~ ^{would} reduce his pension from Rs. 24.2 to 16-1-.

Under these circum-
stances it is for the
Govt of India to decide
if the Memorialist should
be granted his prayer;
which concession if granted
will have to be extended
to

the other two individuals
affected by the order of the
Govt of 8th Nov^r 1881 No 1177
directing the recovery of the
Special bonus received
by them.

18/3/82

[Signature]

Fort St George

21st March 1882

Wup 1-4-82

16.5.82

*Return to the
Hon. Secy.*

187

DEPARTMENT.

No.

To

The Secretary to the
Government of
Department.

Dated

187

Don
Pension (1882) DEPARTMENT.

To *The Govt of India*
From *St Lawrence*

No. *233*

21
Dated *March 1882*
1-4-82

SUBJECT.

*Forwarding with remarks
the Memorial of P. Puthan
Mudelliar, late Clerk,
Public Works Depto praying
that he may be allowed
to receive the Special bonus
of 3 months' pay received
by him —*