1. Number of Pages. 1 – 4
2. Date of Repair. 9-1-38
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M.R.O. 1—82,400—28-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 509 Press Mis.

Dated 2 – 6 – 1882

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 19th April 1882, No. 1066.

Read—again the following Proceedings of the Board of Revenue, dated 10th January 1882, Mis. No. 139.

Read—the following letter from D. BUICK, Esq., Acting Collector of Tanjore, to the Secretary to the Board of Revenue, dated 20th December 1881, No. 7248:—

One Sitaram Pillay, who was Salt Superintendent of Nidavassal on Rs. 60 per mensem, was appointed Superintendent of Chattrams in March 1864 on Rs. 140, paid from the late Rajah's Chattram Endowment Funds, and continued in that appointment till April 1880, when he retired on the ground of old age and infirmity. He has put in an application for pension with a statement of his services, from which it appears that, prior to his being Chattram Superintendent, he held various appointments in the Imperial Establishment; the total period of service extends to $43\frac{1}{2}$ years, of which $12\frac{1}{2}$ years are qualifying. The services paid from Chattram Funds being non-qualifying, and the whole qualifying service being only $12\frac{1}{2}$ years, he is entitled to a gratuity only calculated on the pay he was getting before his transfer to Chattram service. From the copy of the order of transfer (enclosed), it does not appear why he was transferred from qualifying to non-qualifying appointment. Probably the fact that Chattram service was non-pensionable was not considered at the time. I beg to be informed whether his past service of $12\frac{1}{2}$ years can be counted for gratuity with reference to Section 96, Clause (*e*), of the Pension Code, 5th Edition.

2. The transfer was made by Mr. Cadell, who doubtless was authorized to make it.

ENCLOSURE.

Extract from the Diary of Orders issued to Officers by the Collector of Tanjore.

From W. M. CADELL, Esq., Collector of Tanjore, to the Salt Superintendent of Nidavassal, dated 3rd March 1864.

As you are hereby appointed to act as Chattram Superintendent on Rs. 140 per mensem, you should take charge of the office from the acting incumbent Vythinathier and discharge the duties properly. Your name should be entered in the Establishment List from the current month. The charge of the Salt Superintendent's office should be handed over to the Assistant Salt Superintendent of Keelaiyur.

Reference on the above.

Referred for the remarks of the Accountant-General.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Secretary.

To the Accountant-General, with one enclosure in original to be returned.

Copy to the Collector of Tanjore.

Read—also the following letter from H. F. CLOGSTOUN, Esq., Officiating Accountant-General to the Government of Madras, to the Secretary to the Board of Revenue, dated Fort St. George, 21st March 1882, No. 567-I.A.E.

With reference to the Board's Proceedings, No. 139, dated the 10th January 1882, referring to me for remarks a letter from the Collector of Tanjore, No. 7248, dated the 20th December 1881, enquiring whether the case of Sitaram Pillay as detailed therein should be viewed as one to which the provisions of Exception (*e*), Section 96, of the Civil Pension Code, may be applied, I have the honor to state that there are two points in this case for consideration :—

1*st*.—Whether, assuming that the transfer to non-qualifying service was made by competent authority and on grounds of public exigency (as supposed by the Collector but not established by evidence), Sitaram Pillay is entitled to the benefits of Section 96 (*e*), Civil Pension Code, with regard to his employment during 17 years in non-qualifying service, considering that he retained no lien on his former appointment and apparently had no intention of ever returning to it.

2*nd*.—Whether any pension or gratuity is due for the period of qualifying service, considering that Sitaram Pillay was superannuated when employed in non-qualifying service.

These are both questions of some nicety, and there is, as far as I am aware, no precedent that would assist in deciding them. Taking, however, Exception (*e*), Section 96, of the Code, as it stands, I am of opinion that Sitaram Pillay cannot now be deprived of the pension to which he would have been entitled had he retired from service 17 years earlier on medical certificate,—assuming, of course, that Government consider the transfer to have been made by competent authority and on grounds of public exigency.

Resolution—dated 19th April 1882, No. 1066.

The question will be submitted for the orders of Government.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Collector of Tanjore.
" " Accountant-General.

ORDER—dated 10th May 1882, No. 482, Revenue.

Miscellaneous.

An application in due form for the retiring allowance claimed should be submitted through the Accountant-General to Government in the Pension Department, when the questions raised will be decided if necessary.

(True Extract.)

Acting Secretary to Government.

To the Board of Revenue.
" the Accountant-General.
" the Pension Department.

Exd. A. Grubert.

80 Copies.

Pension 1882 Sept.

Govt. of {1882} Madras.

REVENUE.

No. 586

Order, dated 10th May 1882, No. 482.

Retiring Allowance — claimed by Sitaram Pillay for his services in Imperial Department prior to transfer as Superintendent of Chattrams in Tanjore. Application in due form for — directed to be submitted through Accountant-General to Pension Department.

Order thereon 2d June 1882 - V-569

Recorded.

29/5/82