

ORDINARY, MS.

Public DEPARTMENT.
 G.O., DATED 25-7-90
 No. 538.

When given for copying

[Despatch Abstract.]

Princ. Princ. Dept.
 proceedings stating that
 the mere fact of an ^{officer} ~~applicant~~
 suffering from syphilis or
 other venereal diseases will
 not preclude him from obtain-
 ing a pension.

READ AGAIN ORDER OF GOVERNMENT, DATED
18, No. MISCELLANEOUS.

ENCLOSURES.

CURRENT No. 2104

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

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Gobt. of {1890} Madras.
PENSION.

Issued

Recd.

Encl.

G.O., 7th July 1890, No. 787.



JULY.

Pension.

Granting an invalid pension of Rs. 2-3-2 per mensem to K. Jalaramayya, late amin, Process Service establishment, District Munsif's Court, Cumbum, Kurnool district, and stating that the mere fact of an applicant suffering from syphilis or other venereal diseases will not preclude him from obtaining a pension.

40. 25 July 1904. 538

Communicated to Head
of Dept under the Chief Secy
to Govt.

To Head of Dept
under the Chief Secy
to Govt.
18/7/90.

Despatches
Send the pension
G.O. to H. S. Dept.
under the Chief Secy.
as was done in recent
cases.

READ AGAIN ORDER OF GOVERNMENT, DATED
18, No. MISCELLANEOUS.

ENCLOSURES.

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Reid the pension
go. to Hds. of Depts.
under the Chief Secy.
as was done in recent
cases.

7TH JULY 1890, No. 787, PENSION.

GOVERNMENT OF MADRAS.
PENSION DEPARTMENT.

READ—again G.O., dated 27th March 1889, No. 331.

ABSTRACT.—Declining to grant any retiring allowance to K. Jalaramayya as he was incapacitated for further service on account of his own irregular habits.

READ—also the following paper :—

From C. J. LYALL, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Simla, the 14th May 1890, No. 631.

I am directed to forward, in original, a petition, dated the 22nd ultimo, with enclosures from one Jalaramayya, late a process amin, employed in the District Court of Cumbum in the Kurnool district, Madras, in which he prays that he may either be reinstated in his former appointment or be granted a pension in consideration of his past services.

2. I am, at the same time, to enclose a copy of the letter marginally noted, from No. 4421, dated the 8th November 1884, from the Department of Finance and Commerce, to the Punjab Government, which it will be seen that it has been ruled by the Government of India that the mere fact that an officer has suffered from syphilis, taken by itself, is not sufficient to bring him under the operation of article 498 of the Civil Service Regulations. I am accordingly to suggest that, with the permission of the Governor in Council, the petitioner's claim to pension may be reconsidered in the light of this ruling and such orders passed as may seem fit to His Excellency in Council.

ENCLOSURE.

From J. E. O'CONOR, Esq., Assistant Secretary to the Government of India, Department of Finance and Commerce, to the Secretary to the Government of the Punjab, Financial Department, dated the 8th November 1884, No. 4421.

I am directed to acknowledge the receipt of your letter, dated 2nd October 1884, No. 2464, inquiring in connection with section 109 of the Civil Pension Code whether invalidment at a comparatively early age in consequence of deafness and weakness of the lower limbs caused by syphilis constitutes invalidment for incapacity caused by irregular or intemperate habits within the meaning of the section quoted.

It is stated that, in 1877, a pension was granted by the Punjab Government to an officer suffering from syphilis on a certificate by a Medical officer, who stated that the disease was not due to irregular or intemperate habits. The Medical officer in question held that the word "irregular" is not synonymous with the word "immoral;" that a man may lead a moral life but yet contract syphilis. In these views you state Sir Charles Aitchison does not concur. He is of opinion that irregular habits include immoral habits, that when a comparatively young man is attacked with syphilis the presumption is that the disease was due to immoral habits, and it is for him to satisfy the invaliding committee to the contrary.

In reply, I am to say that the mere fact that an officer has suffered from syphilis is not sufficient to bring him under the operation of section 109 of the Civil Pension Code provided there is nothing against his character in other respects, that, in the event of his retirement being necessitated by such cause, the record of his service, as a whole, should be examined. The presumption may be against the officer, but it should not be accepted as other than a presumption and should be viewed as capable of being completely rebutted by general evidence as to character and conduct.

ORDER—dated 7th July 1890, No. 787, Pension.

In supersession of the Government Order read above and under articles 485 and 518 (b) of the Civil Service Regulations (1st edition), the Right Honorable the Governor in Council is pleased to grant to Kalamraju Jalaramayya, late amin, Process Service establishment, District Munsif's Court, Cumbum, Kurnool district, an invalid pension of Rupees (2-3-2) two, annas three and pies two, per mensem, payable at Márkápúr, from 1st September 1887, in consideration of his qualifying superior service of 11 years, 4 months and 10 days.

2. His absence without leave from 1st to 5th June 1875 has, under article 464 of the regulations, been commuted into leave without allowances.

3. In future, the mere fact that an officer is certified to have suffered from syphilis or other venereal diseases will not be considered sufficient to preclude him from obtaining a pension, provided that there is nothing against his character in other respects. Pension will be refused or granted either in full or otherwise according to the merits of each individual case.

(True Extract.)

Recean

Ag. Under Secretary to Government.

To the Accountant-General, with register
and with copy of the Government of India letter.
„ the District Judge of Kurnool.
„ all Heads of Departments. (*Pub. Dept. for information & communication 4th Sept. 1890*
under 26).

Exd. T. K. Narayana Aiyangar.

800 Copies.

FINANCIAL. } Accountant-General
 Commissioner of Paper Currency

EDUCATIONAL. } Director of Public Instruction
 Commissioner for the Uncovenanted Civil Service Examinations

10
3
17/8/90.

THE DISTRICT MAGISTRATE OF

Anantapur
 North Arcot (Chittoor)
 South Arcot (Cuddalore)
 Bellary
 South Canara (Mangalore)
 Chingleput (Saidápet)
 Coimbatore
 Cuddapah
 Ganjam (Chhatrapur)
 Godavari (Ocanada)
 Kistna (Masulipatam)
 Kurnool
 Madura
 Malabar (Calicut)
 Nilgiris (Ootacamund)
 Nellore
 Salem
 Tanjore
 Tinnevely
 Trichinopoly
 Vizagapatam

DISTRICT AND SESSION JUDGE
 OF

North Arcot (Chittoor)
 South Arcot (Cuddalore)
 Bellary
 South Canara (Mangalore)
 Chingleput
 Coimbatore
 Cuddapah
 Ganjam (Berhampore)
 Godavari (Rajahmundry)
 Kistna (Masulipatam)
 Kurnool
 Madura
 North Malabar (Tellicherry)
 South Malabar (Calicut)
 Nellore
 Nilgiris (Ootacamund)
 Salem
 Tanjore (Tanjore)
 Tinnevely (Palamecottah)
 Trichinopoly
 Vizagapatam

DEPARTMENT.

List showing the distribution of the Proceedings of Government,
dated 25th July 1890. No. 538

	Revenue Department	..	..	..	..
	Public Works Department	..	..	..	..
	Military Department	..	..	..	..
	Local and Municipal Department	..	..	..	..
JUDICIAL.	Honorable the Chief Justice with C. L.	..	..	..	..
	Inspector-General of Police	..	..	..	..
	Do. of Jails	..	..	..	..
	Do. of Registration	..	..	..	..
	Chief Presidency Magistrate	..	..	..	..
	Commissioner of Police	..	..	..	..
	Judges of the Madras Court of Small Causes	..	..	..	..
	Advocate-General	..	..	..	..
	Government Solicitor	..	..	..	..
	Administrator-General	..	..	..	..
PUBLIC.	Sheriff of Madras	..	..	..	..
	Government Pleader	..	..	..	..
	Registrar of Joint Stock Companies	..	..	..	..
	Surgeon-General with the Government of Madras	..	..	..	..
	Sanitary Commissioner	..	..	..	..
	Meteorological Reporter	..	..	..	..
	President, Board of Examiners	..	..	..	..
	Private Secretary to the Right Honorable the Governor	..	..	..	..
	Government Astronomer	..	..	..	..
	Superintendent, Government Central Museum	..	..	..	..
	Chemical Examiner	..	..	..	..
	Superintendent of Stationery	..	..	..	..
	Protector of Emigrants	..	..	..	..
POLITICAL.	Superintendent, Government Press	..	..	..	..
	Tamil Translator to Government	..	..	..	..
	Telugu do. to do.	..	..	..	..
	Malayalum do. to do.	..	..	..	..
	Canarese do. to do.	..	..	..	..
	Hindustani do. to do.	..	..	..	..
	British Consular Agent, Pondicherry	..	..	..	..
	Resident in Travancore and Cochin	..	..	..	..
ECCLESIASTICAL.	Paymaster, Carnatic Stipends	..	..	..	..
	Government Agent at Tanjore	..	..	..	..
	Political Agent at Pudukota	..	..	..	..
	Special Agent, South Arcot	..	..	..	..
	Political Officer, Vellore	..	..	..	..
MARINE.	The Right Reverend the Bishop of Madras	..	..	..	..
	Venerable Archdeacon of Madras	..	..	..	..
	Senior Chaplain of the Church of Scotland	..	..	..	..
	Presidency Port Officer	..	..	..	..
	Chairman, Harbour Trust Board	..	..	..	..

Desp^d.
7/8/90