M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1590 Press
~~Mis.~~

22-23

Dated November 22, 1859.

Not to be folded or roughly handled

No. 22. Read the following Proceedings of the Madras Government in the Public Department.

Read the following.

Extract Minutes Consultation in the Revenue Department.	(Here enter 30th March, No. 437 of 1859.)

Read also the following papers.

From Collector of Salem.	(Here enter 18th August 1857.)
From Civil Auditor.	(Here enter 28th August 1857.)
Extract Minutes Consultation in the Public (separate) Department.	(Here enter 9th Sep. No. 247 of 1857.)
From Officiating Collector of Salem.	(Here enter 13th October 1859.

ORDER THEREON, dated 16th November No. 363 of 1859.

1. In 1857 Bhém Ráo was refused pension, he being unable to show sufficient length of "continuous" service. Considering that he had been thrice dismissed, and that there was in the Collector's opinion the strogest ground for believing that, in a recent case of alleged forgery on which Bhém Ráo had been committed to the Criminal Court for trial, he had been actuated by motives of enmity, the Government, on the recommendation of the Collector, awarded a gratuity of only 182 Rupees, being half the amount allowed by Section II. of the gratuity rules.

Manual Chapter III. para. 160.

2. The case was appealed Home, and has been returned to this Government with a view to Petitioner's claim to pension being re-considered.

3. It seems clear from the copies of the orders 1841, now furnished by the Acting Collector, that the word "dismissal" as applied to the later of those orders was, as remarked in the despatch under reference, a misnomer. The then Collector merely withheld his confirmation to Petitioner's appointment as Tahsildar, and placed him, *in the same month*, in a subordinate position as Acting táluq Sheristadar. It is reasonable, therefore, to suppose that the offence was not considered considerable, or that the explanations given were accepted as satisfactory.

4. The 2nd break in Bhém Ráo's service was for a period of 2 years and 2 months, between 1828 and 1830, the cause of dismissal on that occasion being departure from the District without leave. The offence itself was not a very serious one, but the rules are explicit in declaring that a break exceeding *one* year whether occasioned by misconduct *or other cause*, renders all previous service inadmissible in reckoning for pension.

Civil Auditor's Manual Chapter III. para. 116.

5. Dating, then, from 1830, the year in which he was re-employed after dismissal, petitioner can show 27 years continuous service, and for this the rules allow a pension equal to one-third of the average salary for the last five years.

6. Strictly speaking, to entitle a servant to pension, his character, conduct and past services must be favorably certified. This condition has not been complied with in the present case, but looking to Petitioner's length of service, upwards of 35 years, the Government will not object to relax the rule so far as to grant a pension calculated in the ordinary way for the 27 years shown to have been continuous.

Manual Chapter III. para. 155.

7. Petitioner will, of course, refund the gratuity granted him in 1857.

8. Resolved accordingly that a pension of* Rupees 24-12-0 per mensem be made payable to Bhém Ráo from the Salem Treasury, the same to take effect from the date on which he ceased to be employed.

*$\frac{1}{3}$rd of Rupees 74-9-7.

No. 23. ORDER THEREON, 22d November 1859, No. 1590.

Ordered to be communicated to the Board of Revenue for information.

(Signed W. C. SIM.
Acting Deputy Secretary to Government.

had been actuated by motives of enmity, the Government, on the recommendation of the Collector, awarded a Gratuity of only 182 Rupees, being 1/2 the amount allowed by Sec. II of the Gratuity Rules. — Manual Ch. III para 160. —

3. The case was appealed Home, and has been returned to this Government with a view to Petitioners claim to Pension being reconsidered. —

4. It seems clear from the copies of the orders 1861, now furnished by the Acting Collector, that the word "dismissal" as applied to the later of those orders was, as remarked in the Despatch under reference, a misnomer. The then Collector merely withheld his confirmation to Petitioner's appointment as Tahsildar, and placed him, in the same month, in a Subordinate position as Acting Taluq Sheristadar. It is reasonable, therefore, to suppose that the offence was not considered considerable, or that the explanations given were accepted as satisfactory.

5 The 2nd a break in Bhm Rao's service

Civ: Auditors Manual Chap. III para 116.

service was for a period of 2 years and 2 months, between 1828 and 1830, the cause of dismissal on that occasion being Departure from the District without leave. The offence itself was not a very serious one, but the rules are explicit in declaring that a break exceeding one year whether occasioned by misconduct or other cause, renders all previous service inadmissible in reckoning for pension.

6 Dating, then, from 1830, the year in which he was re-employed after dismissal, Petitioner can show 27 years continuous service, and for this the rules allow a pension equal to 1/3rd of the average salary for the last five years. —

7. Strictly speaking, to entitle a Servant to pension, his character, conduct and past services must be favorably certified. — Manual. Chap. III para. 155. This condition has not been complied with in the present case, but looking to Petitioner's length of Service - upwards of 35 years - the Government will not object to relax the rule

to

Separate Public Department

Proceedings of the Madras Government

Read the following

Ex: Inm: Cons: in the Revenue Department. } Here Enter 30th March No. 437 of 1859.

Read also the following Papers.

From Collector of Salem. Here Enter 18th August 1857

From Civil Auditor. " 28th " " "

Ex: Inm: Cons: in the Public (Separate) Departt. } " 9th September No. 247 of 1857

From Officiating Collector of Salem } " 13th October 1857

Order thereon Dated 16th November No. 363 of 1859.

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1. In 1857 Bheem Rao was refused Pension, he being unable to show sufficient length of "continuous" service. Considering that he had been thrice dismissed, and that there was in the Collector's opinion the strongest ground for believing that, in a recent case of alleged forgery which Bheem Rao had committed to the Criminal Court for trial, he had

so far as to grant a Pension calculated in the ordinary way for the 27 years shown to have been continuous.

8. Petitioner will, of course, refund the Gratuity granted him in 1857.

9. Resolved accordingly that a Pension of Rs. 24 — 12 — 0 per mensem be made payable to Bhim Rao from the Salem Treasury, the same to take effect from the date on which he ceased to be employed. 1/3 of Rs. 74-9-7.

True Extract

C. Saunders

Dy Secy to Govt

To

The Revenue Department

Cons: 1st April 59 No. 93

Revenue 1859 Dept.
Pro: of Govt. 30 Octr.

No. 2110

Proceedings of the Madras Govt in the Public Department

Dated 16th
Recd 17th } November 1859

Granting a Pension of Rs. 24-12-0 per Annum to Bhíwa Rão a Jahsíldár in Salem.

No. 1590 - 22d. November

Write an order

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No. 22 & 23

No. 1590.

Ordered to be communicated to the Board of Revenue for information.

Fort St. Geo. — 22nd November 1859 } J. Hill.

6 Copies. Board of Revr. Disp. 24th