M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2009	Press / Mis.
234. 235	
Dated 18 — 10 — 1861.	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
18th October 1861.

No. 234. Read the following letter from SAMBASEVO PILLAI, late Police Peishkar of Chengama Perooka of Trevanamala Táluq, attached to the Zillah of South Arcot, to the Secretary to Government, Public Department, dated Madras, 24th September 1861 :—

SIR,

In forwarding herewith the enclosed appeal Petition, I beg the favor of your laying it before His Excellency the Governor in Council for an order directing its transmission to the Secretary of State for India in Council.

No. 235. ORDER THEREON, 18th October 1861, No. 2,009.

Resolved that the Memorial in triplicate enclosed in the foregoing Petition be transmitted to the Secretary of State for India, and that Petitioner be duly informed of its despatch.

(Signed) J. D. SIM,
Secretary to Government.

To

16. 8. 61.

His Excellency Sir William Denison K.C.B.
Governor of Fort Saint George
Madras.

The humble Petition of Sambasiva
Pillay late Police Packkar
of Chengumah Pitka of
Terramalay Palug attached
to the Zillah South Arcot

Respectfully Sheweth

That your Petitioner entered the Government Service in 1829, and has continued for a Period of 31 years discharging the duties entrusted to him faithfully and diligently. For upwards of 12 years the Petitioner was in receipt of 10 Rupees and below, and served during the remainder as Police Packkar of the said Palug, here he was thrown out of employ by the Collector, simply because he had to provide for another man whose situation was affected by the new arrangement, and as the Collector imagined that the Petitioner was incapacitated by his long services of 31 years (while he is still able enough to transact Circar duties efficiently he has recommended to Government on the 28th March 1861 No 10 to grant him either a Gratuity or ½ of his Salary, as pension, that the Civil Auditor having Certified that the Petitioner's period of Service reckoned over only 18 – 11 – & 30 who without saying it to be 19 years in round number, Government have declined to grant him the recommended allowance.

2 – – – – That the Petitioner begs to bring to your Excellency's notice, that if his past services of 31 years

be not wholly taken into account, the Petitioner will have to suffer great injustice and distress.

The Petitioner was not removed from his Peshkarship either for misconduct or for any accusation brought against him, but the Collector with a view to bring in another man has subjected the Petitioner to this miserable Condition; Consequently the Petitioner humbly prays that your benevolent government, for all proper reasons here in under set forth grant to this poor Petitioner a moiety of his Salary as his pension, taking into account his past Services of 31 years.

The Civil Auditor excluding the Petitioner's Services of 12 years and upwards when he was on receipt of 10 Rupees and below, Calculated the period eligible to pension as 20 years minus only one year; here the Petitioner would be humbly and respectfully observe that only the recent orders of Government exclude from the period eligible to pension the Services rendered when on receipt of Salary of 10 Rupees and below, but as Petitioner entered the Government Services long before such orders were passed, he considers that he is justly and without any prejudice to the Government order, entitled to the addition of even such period, which the Civil Auditor has excluded, may the Petitioner therefore begs to be pardoned to observe that if his Salary had been less during those 12 years, his labour and diligence in the Circar duties had not been so during that period on that account.

Under these circumstances the Petitioner humbly begs your benevolent Government that in consideration of his Services of 31 years of which 12 years passed in petty employments, which may be allowed may be allowed to be also reckoned as eligible to pension as it was before the recent orders, the Petitioner may be declared as entitled to his ½ pension; or if in your excellency's opinion there be any objection to grant such boon he may at least be declared as eligible to ⅓ pension as recommended by the Collector; in conclusion the Petitioner begs to observe that the Civil Auditor's Calculation of the Petitioner's period of Services as 19 yrs – 11 mos – & 30 days be taken into account & thereby declared that he is not entitled to ½ pension, he may be restored to his own situation from which he was without any cause removed.

For this mark of benevolence your Petitioner as in duty bound will ever pray.

Madras
9th August 1863

To

The Right Honorable Sir Charles Wood
Secretary of State for India
In Council

The humble Petition of Sambasiva Pillay late Police Peishkar of Chengama Peroocha of Trevanamala Talook attached to the Zillah of South Arcot.

Humbly Sheweth.

That your Excellency's Petitioner served the Government of Madras for thirty one years from 1829, for the first twelve years of which period he held offices whose emoluments varied below rupees ten; he was then promoted to the important office of Police Peishkar on a salary of Rupees forty per mensem, and he continued to discharge faith=fully and diligently the onerous and responsible duties of that office for nineteen years. In march last when the Collector of the District had to make some alterations in his Establishment consequent upon the order of Government for amalgamation of Talugs he dismissed your Excellency's Petitioner, and on the 25th of that month recommended him to Government for a pension either of a moiety or one third of his salary in consideration of his long service and his present incapacity from old age to serve any longer — Your Excellency's petitioner humbly begs leave to observe here that it did not occur to the Collector, nor did your Excellency's Petitioner appear in his eyes old and infirm till the day of amalgamation

No. 2397 of 1861

From Sambasiva Pillay late Police Peishkar of Chengama Division in Trinomalay Taluq South Arcot.

Dated 9th Sept/ Recd 10th Sept

Referring to a letter dated 23rd March 1861 No 10 of the Collector recommending petitioner to a pension of moiety of his salary, praying that for the reasons therein detailed pension may be granted to him as recommended by the Collector.

No 2397 of 1861.

Petitioner is informed that his case, after full consideration, was disposed of by Government in their order No 1163 dated 4th May 1861 and no other order can now be given.

Fort St George 29th August 1861.

By order
[signature]
Actg Dy Secy to Govt.

Copy to Collector of South Arcot
19th October 1861

till that fatal day has dawned.

The Collector's letter of the 25th March to Government was then referred to the Civil Auditor for report, and the Civil Auditor thereupon certified that the Petitioner served the Government for eighteen years, eleven months, and thirty days in offices eligible for pension. The Government then reconsidered the Collector's letter and the Civil Auditor's certificate, and by an order dated 4th May 1861 No 163 adjudged the Petitioner to have no right to the pension recommended by the Collector. On the 9th August last your Excellency's Petitioner also addressed a letter (herewith enclosed) to Government praying for a further consideration of his case and it was returned with an endorsement dated 29th August 1861 referring the Petitioner to its order on the letter of the Collector.

Your Excellency's Petitioner feeling himself aggrieved, now appeals from the order of Government to your Excellency in Council and humbly beg leave to submit amongst other things first, that the recent rule relating to pension under which the Civil Auditor certified is inapplicable to the case of your Excellency's Petitioner who had entered the Service of Government long prior to its promulgation, and secondly that the peculiar circumstances under which he was disconnected with the public Service entitles him to an equitable and liberal consideration at your hands.

Your Excellency's Petitioner entered the public service in 1829, and when once in it he worked with all his heart diligently and faithfully and exclusively devoted all his time and labour to the services of Government encouraged by and relying in the sole consideration of a retiring pension under the then existing rules. The rules which then and for a series of years afterwards regulated pensions entitled all public servants to a pension of one third or one half provided they served Government either twenty or thirty years; and held during the last five years of such periods, situations eligible for pension, and the rules under which the Civil Auditor certified in the case of your Petitioner is of a very recent date and substantially of a very different character, and your Excellency's Petitioner need hardly say any thing further, than submit to your Excellency's unerring judgment as to whether the retrospective application of this recent rule is not a direct and palpable violation of all rules of justice and Equity.

Again the dismissal of the Petitioner is an act of the Collector; no doubt it was upon an occasion when he had to remodel his Establishment which involved the necessity of either abolishing some of the existing offices and create new ones in their stead or as in some cases to give simply a fresh name

or designation to the old places; but the place which your Excellency's Petitioner held at that time was neither abolished nor has it undergone any change either in the nature of its duties or in its name), and the Petitioner feels compelled to confess with all deference to the Collector that he had no conceivable pretence whatever to dismiss the Petitioner except that he set aside all sense of justice and was actuated by the sole idea of providing for a dependent who had unavoidably to be thrown out at the time — The Collector's allegation that the Petitioner is incapacitated for public service is worth nothing, in the absence of a medical Examination and unsupported by medical opinion especially in the truth of the humble declaration of the Petitioner that he is still strong and firm both in mind and body and that he is still perfectly capable of filling that office with efficiency — Your Excellency's Petitioner begs to submit in conclusion that if ever a case deserves on other grounds a better and more liberal consideration at your hands it is in the instance of your Petitioner — He served the Government for twelve years in places not eligible for pension and for nineteen years in pensionable places; under the old rules he is now entitled to a pension of one half and if by the mercy of the Collector he would be allowed to continue in the service for at least a further period of one year the Petitioner will well have become eligible also under the new rules for pension of one third — The Petitioner now humbly entreats your Excellency to imagine the most ingenious hardships to which he has been subjected by the Collector stepping in just at this moment and dismissing the Petitioner without any pretence whatever of misconduct, corruption or inefficiency — Your Excellency clearly sees that the dismissal of the Petitioner is an act of the Collector and it must be admitted that as such it is the act of Government and the Petitioner humbly craves your Excellency to imagine again for one moment the idea of a Government availing itself of the best services of the best days of a man for thirty one long years and then dismissing him without a saving to fall back and without a pension to keep his body and soul together till it pleases God to take him away.

Your Excellency's Petitioner therefore humbly prays that under these circumstances the order of Government appealed from may be cancelled and a fresh order issued to grant to the Petitioner a pension of one half or one third or to restore him to his situation.

In doing this act of justice Petitioner as in duty bound shall Ever pray —

Madras
24th September
1861

Late Police Peishkar of
Chengama Perooka of
Trevanamallee Taluk attached
to the Zillah of South Arcot.

Copy in a Letter to the Secretary of State for India (Octr 18th 1861 No 115.

No 2069

Proceedings of the Madras Government
Under Date the 15th October 1861
Read Petition of Lambrecina Pella

Fort. enter No 1494.

Order thereon

Resolved that the Memorial in Triplicate enclosed in the foregoing Petition be transmitted to the Secretary of State for India, and that Petitioner be duly informed of such Despatch

G. T. G.

Copy inclosed in a Letter to E
Dated 19th Octr 1861 No 115.

Revenue 1861 Dept.
Pro: of Govt for October.

No 2009.

Pro: of the Madras Govt
Dated 18th October 1861.

Ordering the Memorial
of Lambaseva Pillay
late Peishcar in the
Zillah of South Arcot
to be transmitted to the
Secretary of State.

No 234 & 235.