

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2953

Press
Mis.

206.209

Dated 11—12—1867.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
11th December 1867.*

Read again Petition No. 2,369 of 1867 from KELLOO KARUP, first Gomastah, Calicut Talook, Malabar, dated 23rd September 1867.

Read also the following :—

No. 206. Proceedings of the Board of Revenue, dated 6th September 1866, No. 6,354.

Read the following letter from the Collector of Malabar, to the Secretary to the Board of Revenue, dated Calicut, 20th August 1866, No. 248.

1. The Board having, in their Miscellaneous Circular, No. LXI of 1865, called for a list of Uncovenanted Servants on my Establishment who were incapacitated by age from performing their duties, I submitted a list on the 26th August 1865, in the preparation of which I was chiefly guided by the age and length of service of the persons mentioned. The Board in their Proceedings, dated the 1st September 1865, No. 5,400, directed me to call upon these persons to submit their application for pension. Kelloo Karup, late Head Gomastah of the Calicut talook, was one of the number. He was required to vacate his post. But the Civil

The letter is enclosed for the Board's information. Surgeon, on being asked to grant a medical certificate, writes to say that the man can neither mentally nor physically be said to be unfit for further public service.

2. The Accountant General has since objected to the grant of pension to this individual on the score of no medical certificate being produced by him.

3. The man's services extend over thirty-four years nearly, of which twenty-nine years and six months are eligible for pension. He is sixty-two years' old.

4. His case appears to be peculiarly hard; six months longer services would have, under the rules, exempted him from the necessity of producing a medical certificate. He has been out of employ for nearly eight months.

5. Under these circumstances, I have the honor to request that the Board may recommend this as a special case to Government, and grant him pension without the requisite medical certificate, or authorize his re-employment in view to his continuing in the service to complete his thirty years. He is desirous to re-enter the service.

ENCLOSURE No. 1.—Letter.

The Board observe that, in the Orders to which the Collector refers, there was nothing which authorized him to remove Kelloo Karup from office until a medical certificate was obtained by him. The proper course of procedure is clearly laid down in the Order of Government, dated 11th December 1862, No. 392, communicated to all Collectors with the Board's Circular, dated 16th December 1862, and Kelloo Karup cannot be allowed to suffer because the Collector failed to follow it. He should at once be restored to his post.

*Proceedings of the Madras Government, Revenue Department,
11th December 1867.*

No. 207. Proceedings of the Board of Revenue, dated 29th August 1867, No. 5,601.

Read the following letter from the Collector of Malabar, to the Secretary to the Board of Revenue, dated Calicut, 8th August 1867, No. 180.

1. Adverting to Petition No. 1,899 of 1867, (herewith returned,) forwarded to me for report on the 18th July last, I have the honor to state, petitioner, who is Head Gomastah of the Calicut talook, was, in November 1865, directed to vacate his post in view to his being pensioned, and was subsequently restored to his office under orders from the Board, dated 6th September 1866, No. 6,354, on my letter, dated 20th August 1866, No. 248. In that letter I have explained the circumstances under which Kelloo Karup was thrown out of employ. It was through no fault of his own; nor did he apply of his own accord to be pensioned. He is, therefore,

* From 16th November 1865 to 31st August 1866. entitled to some pay for the period* during which he was without employ.

But his pay during the interval was drawn by the person then appointed to succeed him. I would, under the peculiar circumstances of the case, recommend that an amount equal to that to which he would have been entitled had he been pensioned should be paid to him for the period, namely, nine months and fifteen days. The amount of pension then recommended to be granted to him was

Vide application for pension submitted from this Office to the Accountant General, dated 25th June 1866.

Rupees 9-15-10 a month; and this for nine months and fifteen days would come to Rupees 94-14-5. I beg that

sanction may be accorded for the payment of this amount to petitioner.

ENCLOSURE No. 1.—Petition.

The following Endorsement will be passed on Petition No. 1,899 of 1867:—

“The Board admit that petitioner’s case is a hard one, but a portion of the salary of his office during the time he was out of employ is available, and there are no sufficient grounds to recommend that a special grant should be made in his favor.

“He has now been drawing full pay for nearly twelve months, and the difference between this sum, and the amount which he would have drawn as pension, if he had been compelled to retire, when reported by the Collector to be incapacitated for work by age, compensates him in some degree for the loss of which he complains.”

No. 208. From the Sub-Secretary to the Board of Revenue, to the Secretary to Government, Revenue Department, Fort St. George, dated Madras, 20th November 1867, No. 7,568.

1. With reference to the endorsement of Government on Petition No. 2,369 of 1867, I am directed to forward copy of Board’s Proceedings, dated 29th August 1867, No. 5,601, and 6th September 1866, No. 6,354.

2. On the 26th August 1865, the Collector of Malabar reported that the petitioner, who was then Head Gomastah of the Calicut talook, was incapacitated by age

*Proceedings of the Madras Government, Revenue Department,
11th December 1867.*

from performing his duties, and in November 1865 he directed petitioner to vacate his post and apply for pension, and when petitioner did so, appointed a successor on full pay. As the Civil Surgeon refused to grant petitioner the requisite certificate, and his service qualifying for pension only amounted to 29½ years, his claim to pension was rejected under the rules.

3. These circumstances having been reported to the Board in August 1866, they directed that petitioner should be restored to his post, and he was accordingly reinstated.

4. No* funds are available out of which any allowance can be paid for the time petitioner was out of employ, but as the Board have remarked in their endorsement on Petition No. 1,899 of 1867, the fact that petitioner has drawn full pay since he was restored to office compensates him in some degree for the loss of which he complains.

No. 209. ORDER THEREON, 11th December 1867, No. 2,953.

Miscellaneous.

1. The Government consider that the petitioner Kelloo Karup, first Gomastah in the Calicut talook, is entitled to receive the amount of pension to which he would have been entitled had the grounds on which the Collector removed him from his post been supported by medical certificate on subsequent examination, which they were not.

2. The rate of pension to which the Gomastah would have been entitled had the Collector’s recommendation been accepted, is Rupees 9-12-0 per mensem. The Government resolve, therefore, to authorize payment of this amount for the nine and a half months during which Kelloo Karup was unemployed.

(True Extract.)

(Signed) W. HUDLESTON,

Secretary to Government.

To the Accountant General.
„ the Board of Revenue.
„ the Petition Department.

Exd. S. T. Augustin.

For Orders

Govt. Petition No. 2369 of 1867
Pro. B. O. R. 29th Aug. /67 No 5, 601
Letter from Sub Secy. B. O. R. No 7, 568

In August /65 Mr. Ballard reported to the B. O. that Pet. who was Head Gunmaster of the Calicut Taluk was incapacitated by age for further service. The B. O. thereupon directed that Pet. should be called upon to apply for a pension.

Mr. Ballard without waiting until Pet. had obtained a medical certificate called upon him to resign, & at once appointed another man in his room on full pay.

The Civil Surgeon refused to grant a medical certificate on the ground that Pet. was neither mentally nor physically

This was another

of the

unfit for further service & the Account-
ant-General objected to the grant of
pension without such certificate. The
Pet^r had when turned out served 34
years, 29½ of which counted as ser-
vice for pension, so that if Mr Bal-
lard had only waited 6 months the
medical certificate would have been
unnecessary.

The rejection of the claim to pension Pro. B.O.R. 8th Sept.
was reported to the B^d. who directed that No. 6,357
Pet^r should be re-mitted.

Pet^r was thus through no fault of
his own deprived of his office & emolu-
ments for a period of 9½ months viz
from 16th Nov. /65 to 31st Aug^r /66.

The pension for which application
was made was £ 9-15-10 a month. Mr
Ballard recommends that the amount of
this for 9½ months viz. £ 94-14-5 be grant-
ed to Pet^r.

acc. to Pension
mills he has
R. 12
Wt only 9 7½

Pet^r's pay as Head Gunmaster of the
Calicut Salug is £ 20 per mensem, so
that his real loss was £ 190.

The B^d. consider Pet^r's case a hard
one, state that there are no funds avail-
able out of which any allowance can
be paid for the time he was out of employ
but think that his having drawn full pay
since he was restored to office compensates
him in some degree for the loss of which
he complains.

Pet^r asks for his salary for 9½ months,
as it remains for Govt. to say if they approve
the decision & order of the B^d. or consider
that Pet^r is entitled to any sum, what
compensation for his loss of pay.

J.H.W.
I think the Government at
least receive the amt. of pension
to B. & W. have been entitled
had the grounds on W. the Govt.
improperly removed him from
his post. have supported by the

Subsequent Medical Exam?
Which they were not.

In the first place may
be required to state
whether there are funds
from B? such charge
could be met. Savings
on estate? W. I think
be a legitimate source
or go on foreign if that is
a distinct lead. [B]

W. I think
disposal of the
matter in the
supplied by Mr. [unclear]
W. I think

Memos. for orders.

Petition.

Rev.

Revenue H.
Petition Department.

2953.

PROCEEDINGS of the MADRAS GOVERNMENT.

11th Decemr 1867

Read the following letter again Peti.

tion No. 2369 of 1867 from Kelloo
Karup 1st Gornastah Calicut
Talug Malabar dated 23rd Septem
ber 1867.

Read also letter from the
Sub Secretary to the Board of
Revenue.

(Huculer 20th Novr 1867 No. 7568.)

Order thereon December 1867.

N

The Government consider that
the Petitioner Kelloo Karup, first
Gornastah, in the Calicut Talug,
is entitled to receive the amount
of pension to which he would have
been entitled had the grounds on
which the collector ~~removed~~
removed him from his post been
supported by Medical certificate
on subsequent examination, which
they were not.

2. The rate of pension to which
the Gornastah would have been
entitled had the collector's recom-
mendation been accepted, being 12

Pro. of the Board of Revenue d/29th Aug. No. 5601.

W. I think
would omit
the word
"improperly" N

Circ. 1000/7 R. 2. Decr 1867 No. 7568.

per Mensur. The Government
resolve therefore to authorize
payment of the amount for
the 9 1/2 months during which
Killoo Harup was unemployed
and the Accountant General
will be requested to state whether
there are funds from which
this charge (Rs 92.12-0) can be
met. It is suggested that in
savings on Establishments or
savings on pensions (if the
latter is a distinct head) would
be a legitimate source from
which the charge might be
met.

77.

I must stop here
there are some 2 or
3 savings from which
the charge can be
met.

by A

6 To the Acct. General - Dept. 12
11 - Board of Revenue
- Endorsement of the Petitioner
1 Copy - Petitioner Dept. 12

Recd

Recd 1867. Department.

No. 2953

PROCEEDINGS OF GOVERNMENT.

Dated 11th Decr 1867

For Board of Revenue
of 16th June 1868 & No 1339-

No: 206 @ 209.

Disputed