

*Proceedings of the Madras Government, Revenue Department,
17th May 1871.*

Read the following papers:—

No. 242. Proceedings of the Board of Revenue, dated 18th April 1871,
No. 1,608.

Read the following letter from the Officiating Collector of Tanjore, to the Acting
Secretary to the Board of Revenue, dated Vallam, 24th March 1871,
No. 96.

WITH reference to the Board's Circular Memorandum, dated 2nd December 1870, No. 1,477, I have the honour to state that the only official of the Uncovenanted Service in this district, who will be affected by the Resolution of the Government of India therein referred to, is my 3rd Vernacular Clerk, named Seshiengar.

2. This servant, who was detached for employment as Manager in the Kapistalam Estate under the management of the Court of Wards, offers to make over to Government 6 per cent. of the salary which he has drawn from the said estate, in order that his service rendered in that employment may count for pension. The Resolution, however, contemplates only such cases in which officers should have been *detached under the authority of Government* for employment under the Court of Wards, but though no such authority was obtained in the case of Seshiengar, yet taking into consideration the facts that his service under Government amounts to upwards of 28 years, and that he was appointed to the estate by my predecessor without prejudice to his permanent appointment, I beg that the Board will be pleased to obtain the sanction of Government for collecting from Seshiengar the percentage due by him for the period he was employed in that estate, so as to admit of the same being reckoned towards pension.

SUBMITTED for the favourable consideration of Government.

REFERRED to the Acting Accountant-General for his remarks.

(Signed) F. BRANDT,
Under-Secretary to Government.

28th April 1871.

No. 243. From the Acting Accountant-General, Madras, to the Acting
Secretary to Government, Revenue Department, dated Fort Saint George,
3rd May 1871, No. 35.

In returning the Proceedings of the Board of Revenue, dated the 13th April last, No. 1,608, referred to me for my remarks, I have the honour to state, for the information of His Excellency in Council, that it rests entirely with the Government to decide whether or not the Financial Resolution of the Government of India, No. 2,967, dated the 9th November 1870, can be allowed to have retrospective effect, but that, in my opinion, the phrases "in future" and "at the time the

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salary is drawn," which are used in the Resolution, give the orders a prospective meaning. The Resolution also presumes that Uncovenanted Servants employed under the Court of Wards have been detached *under the authority of Government*, but in Seshiengar's case such authority does not appear to have been obtained previous to his employment as Manager of the Kapistalam Estate.

2. I take this opportunity to observe that this Government, so far back as the 23rd May 1863, ruled, under No. 893, that Government servants should not in future be employed in the estates of minors without losing the privilege of counting such service towards pension; and I presume that this ruling was made with reference to the desire expressed by the Government of India, in its letter to the Government of the North-Western Provinces, No. 1,653, dated 23rd April 1863, which was communicated to this Government, that Government servants should not in future be appointed to the management of such estates if it could be avoided. In that letter, however, service in estates under the Court of Wards is permitted to be reckoned towards pension in cases in which persons selected for such service were previously in permanent Government employ, and Seshiengar appears to have been so.

No. 244. ORDER THEREON, 17th May 1871, No. 877.

Miscellaneous.

Civil Auditor's Manual, Chapter III., paragraph 121.

"of Wards, the period during which he has been so employed is allowed to count as service towards pension." But in 1863, in consequence of an order of the Supreme Government passed on a reference from the North-West Provinces, it was declared that "Government servants will not in future be employed in the estates of minors without losing the privilege of counting such service towards pension."

2. The Government of India has now ruled that in *future* such service may be reckoned towards pension in cases where the servant has been detached *under the authority of Government*; provided also that six per cent. of the salary paid for the service be made over to the Government.

3. The Government concur with the Accountant-General that the terms of this last ruling are not retrospective; and as Seshiengar, the Manager of the Kapistalam Estate in Tanjore, was placed there by the Collector without any special reference about him to the Government, he would not be advantaged, even if the ruling were held not to be prospective only. He is not in the list of those servants who were employed under the Court of Wards in 1863, nor does he plead ignorance of the order in that year. It is clear, therefore, that he left the Government service

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with a full knowledge of his consequent disqualification for counting towards pension the period subsequent to his employment on the Kapistalam Estate.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Acting Secretary to Government.

To the Board of Revenue.
,, the Accountant-General.

Exd. F. R. Bantleman.

13. C. O. No. 23 December 1870 to 1871

Rev- 1871. Oct 1
Board of Revenue,
MADRAS. No 1303.

PROCEEDINGS, 18TH APRIL 1871, No. 1,608.

Dated 24th April 1871

Encl.

Received. 25th

Rev- 14th April 1871

Sd/- 877- 14 April 1871

APRIL.

No. 1,608.

Vernacular Clerk Seethingar—of Tanjore Collector's Office.—Letter from Collector, requesting sanction to collect from, 6 per cent of salary which he drew from Kapistalam estate while he was employed as its Manager, in order that his service in that employment may count for pension, submitted for favorable consideration of Government.



Wm- W.

Under Secy. of Govt.

20th April 1871.

No. 242

14th April 1871

REVENUE.

1871-72

11/25/71

Financial Dept
9th Nov/70

Civil Auditor's Manual
Chap III - Para 121

R. L. 23rd May
No 893

For Orders

17th May/71
Bds Pro. 18th April/71
No 1608

877

into acc'tant's Report.

The old Rule in his Presidency was that; "in all cases in which a Public servant already in the permanent Estate, is employed by the Colln, as agent to the CE of Wards, he period during which he has been so employed, is allowed to count as service towards Pension." But in 1863, in consequence of an order of the Supreme Court passed on a reference from the N. W. Provinces, it was declared that "Govt servants will not in future be employed in the Estates of Minors without losing the privilege of counting such service towards pension."

2. The Govt of India has now ruled that in future such service may be reckoned towards pension in cases where the servant has been debauched under the authority of Govt; provided also that before

of the salary paid for the service
he made over to the Govt.

3. I presume the Govt. will come
into the Act. That the terms
of his last Puling are not retro-
spective; and as Seshienyar, the
Manager of the Kapisthabana estate
in Tanjore was placed there by the Coll.
without any special reference about
him to the Govt., he was not to be
advantaged, even if the Puling
were held not to be prospective only.
He is not in the list of those
servants who were employed under
the Coll. of Wards in 1868; nor does
he plead ignorance of the Order in
that year. It is clear therefore that
he left the Govt. service with a full
knowledge of his ~~position~~ ^{position} and consequent
disqualification for Pension, ^{counting towards}
the period subsequent
to his employ^{ment} on the
Kapisthabana estate.

Yes. he cannot
be shown. His period
but he retains
the benefit of his
pension 28 1/2 per cent
could not be varied
of the.

N. S. S. S.

sent to Mr. Dine. Decr 1871
as per W. J. S.

Mean

Percentage of total
of certain individuals
individual to be col-
lected in order to
be taken down and
shown in a

Class.

Desp. has
much
by