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*Proceedings of the Madras Government, Revenue Department,
21st January 1873.*

No. 153. Read the following Endorsement of the Private Secretary to His Excellency the Governor, dated Guindy Park, 7th December 1872:—

Read the following petition of S. APPASAWMY MOODALLY, pensioned Tahsildar of Virdachalam Taluq, South Arcot, to His Excellency the Right Honourable Lord VERE HENRY HOBART, Governor in Council, Fort St. George, dated Madras, 5th December 1872:—

MOST HUMBLY SHEWETH,

WITH sentiment of deep respect I beg very respectfully to state that I am a pensioned Tahsildar of South Arcot. The object of my submitting this is to appeal to your Lordship against an order passed by the Board of Revenue rejecting my legitimate claim for the balance of my pay for the period I was under suspension from December 1867 to June 1868, pending an inquiry. The enclosed, which I received on the 23rd ultimo, from the present Collector is the copy of the Board's order.

2. The Board say that they do not admit the propriety of the reason given by me to explain my backwardness in demanding my pay.

3. I beg very respectfully to state that the cause of such backwardness has been distinctly explained by Mr. A. Lister, the Sub-Collector, in his remarks in my Pension Register submitted to Government; a reference to the Register, which is on the record of the Government Office, will, I humbly believe, convince your Lordship the truth of my assertion. Had such backwardness been really attributable to any negligence on my part, the present Collector, Mr. H. E. Sullivan, and the Sub-Collector, Mr. A. Lister, would not have recommended the matter both to Government and the Board.

4. Moreover, I venture respectfully to state when I was to apply for the balance of my pay, amounting to Rs. 800 and odd, I heard that Mr. C. W. Reade, the then Collector, had declined to recommend about the arrears of pay due to one Mr. Dique, a Tahsildar, who was likewise suspended; this having led me to apprehend that I would meet with a similar fate in case of my applying, I deferred doing so. If there was not such an unfortunate impediment, it cannot be expected that I would have been so blind as to neglect to demand the balance.

5. Hearing on the eve of my retirement from the public service, which took place in February 1872, that Mr. Dique had, by direct application to the Board, obtained the arrears of his pay, I sent in my application to the Sub-Collector, my immediate superior, who, when he recommended for my pension, recommended also about my balance. This recommendation was submitted to Government who, sanctioning my pension, directed the Collector to address the Board on the subject of the balance of my pay; he did accordingly.

6. I humbly presume that the backwardness alluded to in the Board's order will in no way be a bar to my legitimate right of getting the balance, simply from the fact of no early demand was made. I beg leave respectfully to state that I am not aware of any provision or rule by which a definite period is prescribed in order to demand the balance.

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Proceedings of the Madras Government, Revenue Department,
21st January 1873.

7. Under these circumstances, I beg respectfully and earnestly to entreat that your Lordship will be pleased to take my case into your Lordship's favourable consideration and judgment, and thereby afford me redress.

For which act of goodness your petitioner, on duty bound, shall ever pray.

TRANSFERRED to the Secretary to Government, Revenue Department.

(By Order.)

(Signed) J. C. LOCH,
Private Secretary.

No. 154. ORDER THEREON, 21st January 1873, No. 76.

Miscellaneous.

UNDER the circumstances of the case the Government resolve to sanction the disbursement of the amount which the petitioner would have been entitled to if he had preferred his claim at the time of his reinstatement.

(True Extract.)

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

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

Ed. F. R. Bantleman.

Re 238 No. by
Tahsil.
1868

Revenue Department
Miscellaneous No. 5622

Proceedings of the Board of Revenue
Dated 15th August 1872.

Read letter from the collector of South Arcot, dated 31st July 1872 No. 238, submitting for orders the claim of Appasawmy Moodelair for the balance of pay due to him from the time he was under suspension from December 1867 to June 1868.

The Board do not admit the propriety of the reason given by the Tahsildar to explain his backwardness in demanding his pay for the period he was under suspension.

(True Extract)

(Signed) J. Grose
Secretary

(True copy)

G. Mullins
Ag. collector

To.

Appasawmy Moodelair
Pensioned Tahsildar

Let No. 2414 of 72

Don't imagine

Transferred to the
Secretary to Govern-
ment Revenue
Department.

/ By order/
Wm. R. ...
Private Secretary

Govt House
Albany N.Y. 3
4th Dec/72 3

for the period he was
under suspension from
December 1867 to June 1868
pending an enquiry; that
the Board say that they
do not admit the propri-
ety of the reason given
by the petitioner to explain
his backwardness in de-
manding his pay; that
the cause of such back-
wardness has been distinct-
ly explained by Mr.
Lister the Sub Collector
in his remarks in the
pension Register of the
petr submitted to Govt;
that both the Sub Collr
and the Collr earnestly
recommended to Govt
for the sanction of petr
pension & his arrears of
pay

Government of Madras,
Revenue DEPARTMENT.

N^o 130.

Petition No. ~~2414~~ of 1872.

From S. Appasawmy Mudali
No. 153-154

Occupation. pensioned Tahildar

SC No 76 - 21 January 1873
Village.

Talook. Virudachalam

District. South Arcot

Dated 5th } December 1872
Received 10th }

17th Jan
Enclosures 8
Add to Petr. Def.

Abstract.

Appeals against the
order of the Board of
Revenue rejecting his
legitimate claim for
the balance of his pay,
amounting to Rs 800 & odd,
for

pay; that the Govt in
granting the pension, direct-
ed the Collector to address
the Board on the subject
of the arrears of pay; which
he did.

Submitting that
no definite period is
prescribed in order to de-
mand the balance of pay;
prays for redress.

REVENUE BOARD OFFICE,
Madras,
Dated 19 December 1872.

No. 1642

OFFICIAL MEMORANDUM.

With reference to Memorandum
dated 14 December 1872 at 130^{P.D.} the
undersigned has the honor to forward
to the Under Secretary to Government
Copy of the letter with its Enclosure
from the Officer of South Arcot,
dated 31st July 1872, disposed of
in Board's Proceedings 15 August
1872 Miscellaneous at 5622.

(By order)

H. E. Stokes

Acting Secretary

The Under Secretary to Government
Revenue Department
with Copy of letter dated 31st July 1872
at 238
and its Enclosure

C. S. Srinivasaguru

South Arcot

No 238.

Collector's Office
Madras
31st July 1872.

From

H. E. Sullivan Esquire.

Acting Collector of South Arcot.

To

J. G. Esquire

Secretary to the Board of Revenue,
Madras.

Sir,

I have the honor to state that
Appasami Mudaliyar late
Tahsildar of Tirunelveli requests
payment of the $\frac{3}{4}$ of salary due to him
during the time he was under suspension
when he was Tahsildar of Eluvassore.

2. He was suspended on the 7th December
1867 on a charge of bribery and other corrupt
practices connected with the imposition
of excessive tax, and was reinstated under

* Board's Pro.
of 14th December
1867. No 8058.

the Board's Order quoted in the margin
on the 1st June 1868. During the time he
was under suspension, Subsistence &
allowance at $\frac{1}{4}$ of his salary was paid to
him under the Rules. He now claims
the balance, threefourths of his salary,
on the strength of Para 3 of the Resolution
of the Board already quoted, in which
the

Recd 13/7/73

Admission 18/7/73

OFFICIAL MEMORANDUM.

From

The Sub-Secretary to the

Board of Revenue,

To

The Collector of

South Arcot.

Dated 19th December 1872
Received 21st Dec 1872

Recd 2-

No.

Forwarding copy of
letter, dated 11th from the
Collector of South Arcot
dated 31st July 1872 to the
Board of Revenue,
Madras, in which
reference is made to
the Board's Pro.
of 14th December
1867. No 8058.

And as the Acting Sub-Collector is
apparently satisfied with the expla-
nation, I request that Appasaamy
Mudaliar's claim, though preferred
after this long lapse of time, may
be treated as a special case and
that the balance of Rs. 870-15-6
may be ordered to be disbursed
to him, the difference between the
sum available and that payable
to Appasaamy Mudaliar being
sanctioned as an additional charge
on the State.

I have to
be, H. E. Sullivan
Acting Collector

(Enclosure),

H. E. Stokes
Acting Sub-Secretary

L. S. S. S.
C. P. D. N. S. S. S.

Extract from the Remarks of the
Acting Sub-Master on the statements
of Service of Appasamy Mudaliar

On the 7th December 1867 Applicant
was suspended by the Master
and reinstated on 21st May 1868
by Lukie. (Copy sent herewith) to
Do. The Master's report is embodied
in Board's Proceedings No 2477 of the
3rd April 1868. The only point to be noticed
is that Appasamy Mudali received
only $\frac{1}{4}$ of his pay while under suspension,
and did not apply for the balance
after reinstatement. Under Section 43
the time passed under suspension
pending enquiry is not reckoned as
service as the officer is reinstated
with forfeiture of any part of his allowance.
In para 3 of their Proceedings the Board
expressed an opinion that the evidence
produced before them did not warrant
the infliction of any penalty. Had
Appasamy Mudali applied for the
balance of his pay it would unquestionably
have been granted. Applicant says
that he did not do so for fear

Nov 13/73.

Enclosure in
M. Memo. 11642
dated 19th December 1872
to the Master Secretary
to Government. Do.

Copy of letter
from the Master
of South Coast, Do.
31st Dec 1872. No 238
submitting for orders
the claim of Appasamy
Mudaliar to be paid
of Rs 2000 from the
balance of pay due
to him for the period
he was under
suspension.

No. 153-154

of offending the Collector. This is
probable as another Subildar
under similar circumstances had
to apply direct to the Board. Although
the Board's Proceedings are dated
3rd April and the Subildar's reinstatement
is dated 21st May, no Enquiry took
place in the meantime. Appasamy
Monsell was not reinstated with
forfeiture of any part of his allowance;
he was reinstated fully and honorably,
but as a matter of fact he lost some
of his allowances, it is submitted
that his application for pension
should be dealt with as if he had
applied for, and received the balance
of his pay; an application for this
balance of pay is sent with his
pension roll with a strong recommenda-
-tion that it should be granted
as this change is the only thing
detrimental to his character which
was brought forward in a service
of 28 years as far as known from
records.

(True copy!)

(Fair copy)

J. E. Stohr

Acting Secy

Chas. D. Vinayafnu.

Petition

No 2414 of 1872 of 5th December 1872
 Recd 10th _____

From J. Appasami Madalar
 pensioned Soldier of Inducholai
 South India District

Appeals against the order of
 the Board of Revenue respecting his
 legitimate claim for the balance of his
 pay, amounting to Rs 800 & odd
 for the period he was under suspension
 from December 1867 to June 1868
 pending an enquiry; that the Board
 say that they do not admit the
 propriety of the reason given by
 the petitioner to explain his back-
 wardness in demanding his pay;
 that the cause of such backward-
 ness has been distinctly explained
 by Mr Lister the Sub Collector in
 his remarks in the pension Register
 of the petitioner submitted to Govt
 that both the Sub Collector & the Collector
 earnestly recommended to Govt for
 the

Dec-13/73
 Encl
 Offl. Memo No 1642
 of 19th December 1872
 Mr. G. S. S. S.
 to Government 1873

Copy of Encl
 Mr. Lister from the
 Collector of S. C. District
 of 31st Dec 1872 of 238.
 being with Mr. Lister
 the names of the
 appeal to Collector as
 the statement of
 demand of
 Appasami Madalar

No 153-152

for the sanction of petitioner's pension & his arrears of pay; that the Govt in granting the pension, directed the Collr to address the Board on the subject of the arrears of pay; which he did.

Submitting that no definite period is prescribed in order to demand the balance of pay; prays for redress.

Memo: for orders

Petitioner was Jalsiddas of Viradachellum in South Arcot and in Decemr 1867 was suspended by the Collr. - In May 1868 he was honourably reinstated, and the question to be decided is whether he should now recover Rs 870 the amount of pay stopped during period of suspension. Under ordinary Circumstances he is entitled to it, and if he had applied at the time he would undoubtedly have got it. He did not do so however until he retired in February 1872, when the claim was submitted along with his application for pension - The reason assigned for the delay was that he feared that he would offend the Collector if he applied. The Board of Pension declined to admit the propriety

This may be held
good in the case of

property of this reason and did
not support the application.

H.

in London
but we know
how reluctant
Notions are to
afford these in
favor. I would
not wish to hold
the money on the
account.

L.D.S.

Order #76.

Under the circumstances
of the case the Government
resolves to sanction the dis-
bursement of the amount
which the petitioner would have been
entitled to if he had preferred his
claim at the time of
his re-instatement.

14 To the Board of Accounts & 22 for
6. The Accountant General
1. The Betheam Dept.

22 14/1/73
22 15/1/73
2101204/73.