Sectt. I (i)-I—10,006—7-10-70.

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(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. 1188 Press
~~B.P. No.~~ ~~Mis.~~

Dated 22.3.1877 197 .

Not to be folded or roughly handled

8

Proceedings of the Madras Government, Revenue Department,
22nd May 1877.

No. 720. Read the following Proceedings of the Board of Revenue, dated 1st March 1877, No. 984:—

Read the following letter from WIGAN, Esq., Collector of Malabar, to H. E. STOKES, Esq., Secretary to the Board of Revenue, dated Vythery, 7th February 1877, No. 23:—

I HAVE the honor to forward, for the favorable consideration of the Board, a copy of a petition, dated 29th December [illegible] from M. Krishna Nayar, Head Gumastah of the Wynaad Taluq, praying that he may be allowed to count for service the time during which he was kept out of employment, and also that he may be granted an allowance for such period.

2. The particulars of his case are briefly as follow:—He was believed to have been suffering from leprosy, and the Deputy Collector of Wynaad, therefore, directed his removal from office from October 1874. On his preferring an appeal to the Board of Revenue, they were of opinion that he should be pensioned (*vide* Board's Proceedings, dated 30th July 1875, Miscellaneous No. 5,874), a view in which the Government then appear to have coincided.

3. Petitioner seems to have moved the Government a second time, when it was found that his summary removal from the service was a harsh proceeding, and he was therefore restored to his office, but was permitted to rejoin until after the expiration of six months (for which period he was granted leave) if he could, towards the close of that time, obtain a certificate similar to the one already issued by the Zillah Surgeon stating that the disease, as manifested in him, is not real leprosy. *Vide* G.O., dated 3rd April 1876, No. 464.

Such a certificate petitioner obtained early in September last. He was therefore reinstated in his appointment on the 3rd October 1876, *i.e.*, as soon as his six months' leave had run out.

ENCLOSURE No. —Petition.

SUBMITTED for the orders of Government.

2. The petitioner was out of employment from the 1st October 1874 to 3rd October 1876, and he now requests that this period 18 months and 2 days may be allowed to count as service under Government and the remaining 6 months may be regarded as sick leave. He also requests that an allowance may be granted to him for the period of his absence from duty. Under Section 48A of the Pension Code the Government of India may condone a break in the continuity of service not exceeding 12 months, but in this case the break exceeds that limit; if regarded as sick leave, it will not count towards pension. The case is an exceptional one, and, as the break is not due to any fault on the part of petitioner, he is entitled to consideration. It would appear that a special reference to the Government of India is necessary in regard to the break; as regards an allowance during the period in question half pay might be granted.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Sub-Secretary.

Proceedings of the Madras Gvnment, Revenue Department,
22nd July 1877.

No. 721. ORDER THEREON, 2 h 1877, No. 1,188.

Miscellaneous.

THE section of the Pension Code noted by the Board is clearly inappli- to the petitioner's case.* He as compelled to retire on insufficient ounds, and the order was inadver- ntly approved by Government. ent of India seems called for. d he was out of employ, viz., from the lowance equal to one-third the pay the post he was compelled to relin- ish,† the equivalent of the pension would have drawn had he then nsented to accept pension. From the e he will draw a moiety of the salary

* His removal from the public servic neither "on account of misconduct inefficiency."

2. No special reference to th

3. The petitioner will draw 1st October 1874 to the 5th April 1

† G.O., 1st May 1868, No. 1,194.
,, 16th ,, 1874, ,, 856,
,, 16th Aug. 1870, ,, 1,272.

date of his restoration to his joinin of the office.

4. The amount will be met fr gs—Revenue.

(T act.)

D. F. CARMICHAEL,
Offg. Chief Secretary.

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

Exd. A. F. Goodall.

Govt. of 1877 Madras.

REVENUE.

To

The BOARD OF REVENUE,

&c., &c., &c.

Dated March, 22nd.

Read.

G.O., 22nd March 1877, No. 1,188.

M. Krishna Nayar, Head Gumastah of Wynaad Taluq, Malabar District.—Authorizing petitioner — to draw for the period he was out of employ an allowance equal to one-third the pay of the post he was compelled to relinquish on preferring thathe will drew a moiety of salary on his joining his office from date of restoration to his joining his office.

No. 934.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st March 1877.

Read the following letter from W. LOGAN, Esq., Collector of Malabar, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Vythery, 7th February 1877, No. 23:—

I HAVE the honor to forward, for the favorable consideration of the Board, copy of a petition, dated 29th December last, from M. Krishna Nayar, Head Gumastah of the Wynaad Taluq, praying that he may be allowed to count for service the time during which he was kept out of employment, and also that he may be granted an allowance for such period.

2. The particulars of his case are briefly as follow:—He was believed to have been suffering from leprosy, and the Deputy Collector of Wynnad, therefore, directed his removal from office from 1st October 1874. On his preferring an appeal to the Board of Revenue, they were of opinion that he should be pensioned (*vide* Board's Proceedings, dated 30th June 1875, Miscellaneous No. 5,874), a view in which the Government then appear to have coincided.

3. Petitioner seems to have moved the Government a second time, when it was found that his summary removal from the service was a harsh proceeding, and he was therefore restored to his office, but not permitted to rejoin until after the expiration of six months (for which period he was granted leave) if he could, towards the close of that time, obtain a certificate similar to the one already issued by the Zillah Surgeon stating that the disease, as manifested in him, is not real leprosy. *Vide* G.O., dated 3rd April 1876, No. 464.

Such a certificate petitioner obtained early in September last. He was therefore reinstated in his appointment on the 3rd October 1876, i.e., as soon as his six months' leave had run out.

ENCLOSURE No. 1—Petition.

SUBMITTED for the orders of Government.

2. The petitioner was out of employment from the 1st October 1874 to 3rd October 1876, and he now requests that of his period 18 months and 2 days may be allowed to count as service under Government and the remaining 6 months may be regarded as sick leave. He also requests that an allowance may be granted to him for the period of his absence from duy. Under Section 48A of the Pension Code the Government of India may condone a break in the continuity of service not exceeding 12 months, but in this case he break exceeds that limit; if regarded as sick leave, it will not count towards pension. The case is an exceptional one, and, as the break is not due to any fault on the part of petitioner, he is entitled to consideration. It would appear that a special reference to the Government of India is necessary in regard to the break; as regards an allowance during the period in question half pay might be granted.

(A true Copy and Extract.)

Sub-Secretary.

To the Secretary to Government, Revenue Department,
with one enclosure to be returned.

Copy to the Collector of Malabar.

Exd. T. D. Ryan.

Mar 1877.

Board of Revenue.

MADRAS.

PROCEEDINGS, 1st MARCH 1877, No. 934.

Encl. [illegible]

Received 6 March

MARCH.

No. 934.

Petition — from M. Krishna Nayar, Hea
Gumastah of Ayynaat Taluq, Malabar Distric
praying that he may be allowed to count fi
service the time during which he was kept o
of employment, and that he may be granted
allowance for such period.—Submitting to Go
ernment, with Board's views, letter from Co
lector forwarding —.

No 1188 of 2-3-77. 1188/v

Bd Proceedings 1st March 77 No 934

Order

1. The Petition of the Peon is
granted & the Bd is clearly
inapplicable to the Plff's
case — he was compelled
to retire on abscission
grounds, & the order was
incorrectly approved &
Govt.

2. No special reference to the
Govt. of India was called
for ~~in this~~ case.

3. The Plff will draw
for the period he was
out of employ, viz. from
the 1st Oct 1874 to the 3rd Oct
1876, an allowance
equal to one third the
pay of the post he was
compelled to vacate with
the consent of the Public
he would have drawn
had he been retained to

x his removal from the public
Service was not for "misconduct or for misdoings"

Govt. Nos. 1468 — 1,154
" 30 16th Sept 1874 No 166 78.
— 16th Sept 1876 — 1,272

to accept pension -
from the date of his
resignation & restoration
to his joining his office
he will draw a
moiety of the salary of
the office -
4. The amount will be
met from Savings -
Revenue -

[illegible]
12.3.77

14 To the Hon'ble of Revenue 23-3-77 with reference
6 " Asst Secretary

Bs Rowedny:

1st March 77 - 934

Petition from the Revd. A. Nayar, Head Gumastah, Nyanad Taluq - to be allowed to count for service the time he was kept out of employment

920-21

C 14/3/77 . R 22/3/77 -