(1) Number of pages 2 sheets

(2) Date of repair 16.11.81

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / B.P. No.	5456.	Press. / Mis.
Dated	14-9-1977	197 .

Not to be folded or roughly handled.

Archives I—10,006—19-4-79.

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

3rd September 1877, No. 479.

Pension and Gratuities.

Read the following papers:—

Petition from B. RAMAPPAH, late Head Gumastah of the Udipi District Munsif's Court, South Canara, dated 18th May 1877.

From J. W. BEST, Esq., Acting District Judge, South Canara, to the Chief Secretary to Government, Fort St. George, dated Mangalore, 17th July 1877, *No.* 12.

I have the honor to submit the report called for by endorsement No. 1514 of 1877, on the petition (herewith returned) of Bantwal Ramappah, late Head Gumastah of the Udipi Munsif's Court, and also to enclose translation of petitioner's *application referred to in Enclosure A of the petition.

* Marked F.

2. Petitioner was formerly Head Gumastah of the Mangalore District Munsif's Court, and is the same B. Ramappah of whom mention is made in paragraph 9 of my letter, No. 10, dated 12th September 1876, in which I reported, for the information of Government, the result of the trial of Gumastah Bijur Manjunathaya for tampering with Stamps (vide Proceedings Madras Government, Judicial Department, 30th September 1876, No. 2005).

3. In his Itillah, No. 147, dated 31st August 1875, the Mangalore Munsif, while bringing to notice that petitioner as Head Gumastah had failed to keep the register of applications for copies and to cancel stamps, &c., (as it was his duty to have done) remarked "his failures noticed above may, in justice to him, be said to be the result of overwork. He has too much work for a man of his age and state of health to do without much difficulty."

4. I resolved, therefore, to transfer petitioner on probation to Udipi, where the duties of the Head Gumastah are not so onerous as they are in the Mangalore Munsif's Court.

5. On the 29th August 1876, the District Munsif of Udipi reported on the fitness of petitioner in the following words:—

"I find him weak in mind and memory, and he is, in my opinion, unfit for this Court."

6. On receipt of this report I was about to reduce petitioner from Head to Second Gumastah; but before passing the order thus degrading him, I received the Udipi Munsif's Itillah No. 100 (copy of which is Exhibit A in the petition now under report) and its enclosed petition,† *also dated 29th August* 1876 (translation of it is herewith submitted as ordered), in which petitioner requested that he might be appointed a Vakil in the District or Sub-Court.

† Marked F.

7. Though in this petition petitioner does not expressly ask to be permitted to retire, there can be no doubt, I think, that his meaning was that he might be allowed to resign his appointment, for *unless he did resign* it he *could not have been appointed a Vakil*. I certainly understood his application to mean that rather than reduce him to an appointment lower than that of Head Gumastah for which the Munsif had *on that very day* reported him to be unfit. I should allow him to resign his then appointment

and appoint him a Vakil (for which he was qualified under the old rules), and it was on this understanding that I passed my Order, dated 4th September 1876, which is as follows: "Head Gumastah Ramappah is allowed to resign his appointment and will be granted a Sannad to practise as a Vakil in the Sub-Court."

8. Petitioner states that after this order was passed he presented a petition to me "praying to be granted a Sannad of Vakilship for the District Court * * * *and also to be recommended for such pension as he may be entitled to*," and adds "the District Judge acceded to one of your petitioner's requests and granted him a Sannad for the District Court, and as to the other passed no order." I enclose a copy of the petition* which is dated 5th November 1876. The request therein contained that petitioner might be granted a pension, escaped my notice. But even had it been otherwise, it appears to me that I could not have passed thereon any other order than that which was passed by me on his subsequent application, viz., that as he had resigned his appointment "not on a medical certificate, but in order that he might practice as a Vakil," he is not entitled to pension.

* Marked G.

9. I shall however be very glad to find that I have misunderstood the rule on the subject, as petitioner's case appears to be a hard one, for there is reason to believe that *had he but thought of it in time* he might have obtained a medical certificate declaring him unfit for further service.

ORDER THEREON, 3rd September 1877, No. 479.

The Acting District Judge will take the necessary steps for the submission to Government of petitioner's claim to pension, and with this view will cause the petitioner to appear before the medical officer of the district.

2. The Government take this occasion to impress upon [redacted] and other officers that they are not at liberty to refuse their subordinates for pension or gratuity to Government [redacted] although *prima facie* no pension or gratuity is admissible under the rules. The Government reserve to themselves wholly the right to reject such applications.

3. The petitioner is referred to the Acting District Judge, who has received orders.

(True Extract.)

Actg. Under Secy. to Govt.

To the Accountant-General.
" District Judge of South Canara.
" Revenue Department.
" Military do.
" Public Works do.
" Petitioner.
To all Heads of Departments.

Exd. W. H. French.

100 spare Copies

5458
2

7-11-93.

Revenue Department

No. 4003 ✓

Govt. of {1877} Madras

PENSION.

THE ACCOUNTANT-GENERAL,
&c., &c., &c.

Dated September, 3rd.

Issued

Recd. 13 do do Encl.

G.O., 3rd September 1877, No. 479.

SEPTEMBER.

Recd. 14-9-77 No. 5456.

Pension and Gratuities.—Requesting submission of an application for pension on behalf of Rama Ramappah, late Head Gumastah of the District Munsif's Court, South Canara, and directing all Heads of Departments that they are not at liberty to refuse to submit such applications by their subordinates for pension or gratuity.

With Order

No. 5456

Commr. to the Board of Rev- Settlt- Survey & Forest Depts for information and guidance

14: Sept 77

6. S. R. of Commrs (17-9-77)
13. Dir. of Rev: Settlement
12. Ditto of Rev: Survey
13. Comr. of Forests