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MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	352	Press Mis.
Dated	12.5-	18 62.

B.m. 38.40 8/9

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Financial Department,
12th May 1862.*

Read the following papers:—

No. 38. Proceedings of Government in the Military Department, dated 3rd April 1862, No. 1,230.)

Referring with certain remarks papers (relative to the 12½ years of Military service of Mr. J. Mills under Government being counted as effective service towards future pension) with advertence to the 2nd paragraph of the report of the Controller Military Finance stating that as Mr. Mills has not served in any Civil Department in the Military branch his case must be governed by the rule and practice of the Civil branch of the service.

(Vide Proceedings Military Department, dated 3rd April 1862, Nos. 49-51.)

No. 39. From W. ROBINSON, Esq., Inspector General of Madras Police; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 26th April 1862, No. 878.

General Department.

Several men from the Queen's service and others have taken their discharge with a view to entering the Police service.

2. I have the honor to request that I may be informed whether such Officers would be permitted to count previous Military service towards their Uncovenanted Service Pension.

3. I beg to recommend that this boon be conceded.

4. I believe that it may be a novel one, but I think it is reasonable. They are continuing to serve Her Majesty and the Indian Government in a manner no less useful than if they remained in the Military branch.

No. 40. ORDER THEREON, 12th May 1862, No. 352.

* Dated 16th June 1860, A. P. 2. It appears from the report* of the Military Auditor General recorded in Proceedings in the Military Department, dated 6th July 1860, No. 2,455, "that hitherto men transferred from "the Military to the Civil Department have been allowed to reckon their Military service towards Civil pension," and in reference to the Rule then about to be established, disallowing such service as qualifying for pension under the Uncovenanted Service Rules, that Officer submitted his opinion that it should have effect *prospectively* only. This seems to have been the opinion also of the Committee for the examination of the revised Pay Code.

Order 6th July 1860, No. 2,455, Military Department. 2. In this opinion the Government expressed their concurrence.

3. Subsequently, the Government in the Public Works Department remarked that Mr. Mills, whose case had been specially brought under the notice of the Right Honorable the Secretary of State for India and disposed of in his Financial Despatch of the 8th November 1860, No. 71, was fairly entitled to the benefit of the decision passed in their Military Proceedings above quoted, on the ground that he had been employed in the

Public Despatch, 15th June, No. 57 of 1860. Vide letter from the Chief Engineer, 27th February 1862, No. 1,064 and Order thereon Public Works Department.

Central Office for upwards of 3½ years prior to the issue of the orders declaring that Military service would not be allowed to reckon towards Civil pension.

4. The Controller of Military Finance, to whom the application in Mr. Mills' behalf was referred, considers the Order of the 6th July 1860, to be only applicable to persons employed in the Military branch of the Service, in Civil Departments, who retired from the

Report, dated 11th March 1862.

Proceedings of the Madras Government, Financial Department,
12th May 1862.

Army and accepted such employment prior to that date, and the Government in the Military Department remark that they see no reason why Military service should not also be allowed to count for pension under the Uncovenanted Service Rules in the case of ex-Military men in the Civil branch of the service, whose connection with the Army likewise ceased and Civil employment commenced before July 1860

5. This, no doubt, is the most equitable view, and will accordingly be adopted in justice to a deserving class of public servants who had previously to the above date quitted the Army and obtained employment in the Civil Department in the full belief that they would not thereby forfeit the benefit of their Military service.

6. Beyond this the Government are not prepared to go, in reference to the late decision of the Right Honorable the Secretary of State for India noted in the margin, a copy of which and of the application on which it was passed will be furnished to the Inspector General of Madras Police with reference to the enquiry contained in paragraph 2 of his letter of the 26th April above recorded.

(Signed) A. J. ARBUTHNOT,
Acting Chief Secretary.

Exd. T. O'Connor.

General Department
No 878

Chief Office of the Inspector
General of Madras Police,
Madras, 26th April 1862

From, W. Robinson Esq^r
To, Inspector General of M Police
J. Pycroft Esq^r
Chief Secretary to Government,
Fort Saint George

Sir, Several men from the Queen's Service and others have taken their discharge with a view to entering the Police Service:-

2 I have the honor to request that I may be informed whether such Officers would be permitted to count previous Military Service towards their Uncovenanted Service Pension.

3 I beg to recommend that this be conceded.

4 I believe that it may be a novel one, but I think it is reasonable - They are continuing to serve Her Majesty and the Indian Government in a manner no less useful than if

22 May 1862

Financial
24th Feb 1862
From
W. Robinson Esq
Chief Engineer of the Public
Works Department
Dated 26th April 1862
Recd 28th April 1862
No. 375
No. 878
Recommend that
men taking discharge
from the Queen's Army
be allowed to reckon
their civil service
towards their unco-
venanted service Pension

if they remained in the military branch -
I have the honor to be,
Sir,
Yours most Obedt Servt
W. Robinson
Chief Engineer of the Public
Works Department

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

From the Chief Engineer, Chepauk, 27th February 1862, No. 10,964; to the Secretary to Government, Public Works Department, Fort Saint George.

In May 1860, Mr. J. Mills, then Manager and now Senior Uncovenanted Assistant in the Central Office Public Works, submitted a Memorial praying that the 12½ years of his Military Service under Government should be counted as effective service towards any future Pension he may become entitled to under the Uncovenanted Service Regulations, and in January following, I was informed that the Right Honorable the Secretary of State for India had declined to comply with Mr. Mills' request.

2. Since then I have received an Extract from the Proceedings of Government in the Military Department No. 2455, dated 6th July 1860, wherein it is ruled that the operation of the provision of Section XIII, paragraph 68, of the revised Pay Code, relative to men transferred from the Military to the Civil Department, not being allowed to reckon their Military Service towards Civil Pension, should only have a prospective effect, and as Mr. Mills was employed in the Central Office for upwards of 3½ years previous to the issue of these orders, I have the honor to strongly recommend that he be admitted to the benefit of the above decision, for it is evident that at the time his Memorial was disposed of by the Secretary of State, the decision of Government just quoted, could not have been known by the Home Authorities, or, if known, must have been overlooked by them.

3. The chief portion of Mr. Mills' Military Service was passed in a Civil capacity in the Public Works Department, and I therefore consider him as peculiarly deserving of the indulgence which he has solicited.

Military Service.....	12½ years.
Service as an Overseer in the Public Works Department.	8½ "

Referred to the Military Department for disposal.—It would seem that Mr. Mills is fairly entitled to the benefit of the decision passed by Government in their Military Proceedings of the 6th July 1860, No. 2455, independently of the circumstance urged in his favor in paragraph 3.

(Signed) W. H. HORSLEY, Lieut.-Colonel,
Secy. to Govt. Public Works Dept.

No. 2468, dated 25th July 1857, and No. 2455, dated 6th July 1860.

Referred to the Controller of Military Finance for report, with reference to Proceedings of Government as per margin.

3rd March 1862.

Report from the Controller of Military Finance, Fort Saint George, 11th March 1862, D.

In returning the letter* from the Chief Engineer Public Works Department, referred for my report on the 3rd March 1862, I have the honor to observe, that the Order of Government No. 2455, dated 6th July 1860, to which Lieutenant Colonel Horsley alludes in the 2nd paragraph of his letter, applied solely to the few cases (perhaps three or four) of Uncovenanted Servants employed in the Military branch of the Service, in Civil Departments, and referred to in paragraph 3 of the Military Auditor General's Report to Government, 18th July 1857, who, in accordance with former practice in this Presidency, are considered entitled to reckon time passed in the Army towards a Superannuation Pension.

2. Mr. Mills' claim to the benefit of this decision must depend entirely upon the nature of his employment, and as he has not served in any Civil Department in the Military branch, his case must be governed by the rule and practice of the *Civil* branch of the Service; if in this branch, Military Service has been allowed to reckon towards Civil Pension, Mr. Mills would appear entitled to the privilege he claims, but not otherwise.

3. Under any circumstances it appears to me, that to entitle an Uncovenanted Servant to Pension for combined Military and Civil Service, he should have served at least half *his time* in the Civil Department *after discharge from the Army*.

ORDER, No. 1230, 3rd April 1862.

Assuming the Controller of Military Finance to be correct in considering the Order of Government dated 6th July 1860, No. 2455, to be only applicable to persons employed in the Military branch of the Service, in Civil Departments, who retired from the Army and accepted such employment prior to that date, the Governor in Council sees no reason why Military Service should not also be allowed to count for Pension under the Uncovenanted Service Rules in the case of Ex-Military men in the Civil branch of the Service, whose connection with the Army likewise ceased and Civil employment commenced before July 1860.

2. With these remarks, the papers will be referred to the Public Department, with advertence to the second paragraph of the Controller's Report.

(True Extract.)

St. Michael
Secretary to Government.

To the Public Works Department.

„ Public Department. *With 6 spare copies*

„ Controller of Military Finance.

„ Adjutant General, for information.

Exd. A. A. DeMonte.

Financial
Public Department

Proceedings of the Madras Govt

Read the following
papers:

No. of Govt in the Public Dept (Dated 5 April 1862 No 1230)

From the Inspector General of Police - (10th April 1862)

Order thereon 12 May 1862 No 352

It appears from the report of the Military Auditor General recorded in Proceedings in the Military Department dated 10 July 1860 No 2450 "that hitherto men transferred from the Military to the Civil Department have been allowed to reckon their Military service towards Civil pension" and in reference to the Rule then about to be established disallowing such

* Dated 10 June 1860. A p. 2.

No: 352 May/61 No 3-4.

Financial
Public 1862 Dept

No 352
From: of Govt in the
Public 84/1230.

No 352
From: of Govt in the
Public 84/1230.

No 352
From: of Govt in the
Public 84/1230.

Referring with certain
Memoranda to the
124 years of Public
of No 1. Public under Govt being
considered as a specific service being
in some position with a pension
by the 2nd Part of the Report of the
Public. In Jan 1862 that as
but Public has not served in any
Civil 84 in the Public branch
his case must be governed by
the rule & practice of the Govt
much of the service -

No 352
May/61

last service as qualify-
ing for pension under
the Envoynanted Service
Rules, that Officer sub-
mitted his opinion that
it should have effect pro-
spectively only. This seems
to have been the opinion
also of the Committee for
the examination of the re-
vised Pay Code.

2. In this opinion

Order 6th July, 1860. No 2455. High. the Government expressed
their concurrence, and

3. Subsequently, the Gov^t ~~they considered~~ that Mr. Hill
in the Pub. Works Dept. had ^{had been}
whose case ~~was~~ specially
brought under the notice

Public Despatch. 15th June
No 57 of 1860.
of the R. S. the Secretary
of State for India and dis-
posed of in his Financial
Despatch of the 8th November

vide letter from the Chief C. 1860. No 7, was fairly an-
gular. 24th Feb 1862. No 10964. titled to the benefit of
and Order thereon. Pub. Works
the decision passed in
their Military Proceedings
above quoted, on the
ground that he had been
employed in the Central
Office for upwards of 3 1/2
years

Report dated 11th March, 1862.

Pro. dated 3rd April 1862. No 1230.

11
years prior to the issue
of the order declaring that
Military Service should
not be allowed to rank
on towards Civil pension.

4. The Controller of
Military Finance, to whom
the application in Mr
Hill's behalf was refer-
red, considers the Order
of the 6th July, 1860. to be only
applicable to persons em-
ployed in the Military
Branch of the Service, in
Civil Departments, who
retired from the Army, &
accepted such employ-
ment prior to that date
and the Gov^t in the mili-
tary Department remark
that they see no reason
why Military Service should
not also be allowed to
count for pension under
the Envoynanted Service
Rules in the case of ex-
military man in the Civil
branch of the Service,
whose connection with
the Army likewise ceased
and

and Civil employment
commenced before July
1860.

5. This, no doubt, is
the most equitable ^{will accordingly}
and ~~should be~~ adopted
in justice to a deserving
class of public servants
who had previously to
the above date quitted
the Army and obtained
employment in the Civil
Department ^{fully} in the belief
that they would not thereby
forfeit the benefit of their
military services.

6. Beyond this the
Govt are not prepared
to go, in reference to
the late ^{decision} ~~order~~ of the R. H.

Financial Despatch dated the Secretary of State for India
8 November, 1860. No. 4. p. 8.

noted in the margin,
a copy of which and of
the application on which
it was passed will
be furnished to the
Inspector General of M.
Police with reference
to

13
to the enquiry contain-
ed in para 2 of his let-
ter of the 26th April above
recorded.

JO

38^c. Passport. Letter
and order

To the Military Secy
" Civil Commissioner
" Inspector General
" of M. Police.
With the papers referred
to in para 6.

Desps 14th

Desps 15th
Pub. Works Dept.

Swil 1862 Sept

No 352.

Proceedings of Court

21st May 1862

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