M.R.O. 1—77,003—8-6-37.

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Finance DEPARTMENT.

G.O. No.	Press Mis.
Dated	18 .

61-63 617

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 31*st January* 1866.

Read the following papers :—

No. 61. From the Secretary to the Government of India, to the Secretary to the Government of Fort Saint George ; dated Fort William, 19th January 1866, No. 214.

I am directed to acknowledge the receipt of your letter, No. 524, dated 10th November 1865, submitting the case of Mr. E. Cullin, Principal Sudder Ameen of Cochin, who has memorialized the Government of Madras on the subject of the removal of the defects in his title to a half-pay pension.

2. The requests contained in the Memorial are :—

1*st.*—That the period of service passed in the Army should be allowed to reckon towards pension under the Civil Rules ; and,

2*nd.*—That the term of employment as Assistant to the Master Attendant, in the Emigration Agency Department, the salary of which office was paid from an Emigration Fund, should be regarded as employment under Government qualifying for pension.

3. In reply, I am directed to state that the first of these requests is totally inadmissible. It has been repeatedly ruled that service performed during the currency of a Military Contract, cannot be allowed to count towards pension from the Civil Department, and deviations from this are not to be permitted.

4. With regard to the other request, considering the circumstances attending Mr. Cullin's acceptance of office in the Emigration Agency Department, he has apparently a fair claim to retain the benefits of his previous service in the Military Secretariat, and as his subsequent loss of employment was caused by abolition of appointment, the claim is not invalidated by the break in service. It would seem, therefore, that without any reference to the second request preferred in the Memorial, Mr. Cullin has earned a title to a half-pay pension by his service of 7 years in the Military Secretariat and of 20 years in the present appointment, and this pension may accordingly be authorized at the proper time by the Madras Government.

No. 62. From the Secretary to the Government of India, to the Secretary to the Government of Fort Saint George ; dated Fort William, 19th January 1866, No. 215.

In connection with the Memorial of Mr. Cullin, the Principal Sudder Ameen of Cochin, the attention of the Government of India has been drawn to an Order of the Madras Government, No. 352, dated 12th May 1862, directing that the rule disallowing Military service in the computation for pension from the Civil Department should be applied with effect only from the 1st July 1860.

2. I am instructed to state that this limitation has not been authorized by the Government of India, and is opposed to Rule as well as to the practice in other Presidencies. I am accordingly to request that, with the permission of His Excellency the Governor in Council, the mistake may be rectified, and to refer you to the observations on the subject contained in paragraph 3 of my letter, No. 214, of this day's date.

Copy to the Accountant General, Madras, for information.

No. 63. ORDER THEREON, 31st January 1866, No. 53.

Communicated to Mr. Cullin.

2. The Governor in Council will be prepared to grant Mr. Cullin a pension equal to half his salary for the last five years, on receiving an application in the prescribed form.

(True Extract),

Chief Secretary.

To Mr. E. Cullin, Principal Sudder Ameen, Cochin.
To the Pension Department.
„ Examiner of Claims.
„ Military Department.
„ Civil Judge of Calicut.

Exd. J. H. Burns,

Army Department the Salary of which Office was

№ 214

To,

The Secretary to the Government of

Madras

Financial Department

Sir,

I am directed to acknowledge the receipt of your letter № 524 dated 16th November 1865, submitting the case of Mr. C. Cullin, Principal Sudder Ameen of Cochin, who has memorialised the Government of Madras on the subject of the removal of the defects in his title to a half pay pension

2d. The requests contained in the Memorial are

1st That the periods of service passed in the Army should be allowed to reckon towards pension under the Civil Rules and

2d. That the term of employment as a Pleader to the Master Attendant in the Emigration Agency Department (the salary of which Office was

was paid from an Emigration Fund should be regarded as employment under Government qualifying for pension.

3d. In reply I am directed to state that the first of these requests is totally inadmissible. It has been repeatedly ruled that service performed during the Arrears of a Military Contract cannot be allowed to count towards pension from the Civil Department, and deviations from this are not to be permitted.

4th With regard to the other request consi-dering the circumstances attending Mr Cullin's acceptance of Office in the Emigration Agency Department he has apparently a fair claim to retain the benefits of his previous service in the Military Secretariat, and as his subsequent loss of employment was caused by abolition of appointment, the claim is not invalidated by the break in Service. It would seem therefore that without any reference to the second request preferred in the Memorial Mr Cullin has earned a title to a half pay pension

pension by his service of 7 years in the Military Secretariat and of 20 years in the present appointment, and this pension may accordingly be authorized at the proper time by the Madras Government.

Fort William
The 19th January
1866

I have the honor to be,
Sir,
Your most obedient Servant
Ed. W Cunningham
Secretary to the Govt of India
To the Accountant General Madras

E A C
18/1

No 215

To

The Secretary to the Government
of Madras

Fin[l] Depart[t] Sir,

In connection with the
Memorial of Mr. Cullin, the Principal Sudder
Ameen of Cochin, the attention of the Govern-
ment of India has been drawn to an Order of the
Madras Government No 352 dated 12th May 1862
directing that the rule disallowing Military Service
in the Computation for pension from the Civil
Department shall be applied with effect only
from the 1st July 1860.

2nd. I am instructed to state that the limi-
-tation has not been authorized by the Government of
India & is opposed to Rule as well as to the
practice in other Presidencies. I am accordin-
-gly to request that with the permission of His
Excellency the Governor in Council the mistake
may

Financial 1863 Dept
From
Secy to Govt of India
Fin[l] Dept
No 214
Dated 29th May
Rec'd 31st "

No 43.
Copy of the order
passed on the above
letter of Mr Cullen,
Principal Sudder Ameen
of Cochin, in reference
to his claim to that
pension

Cir: 10th Nov 65 - 17 - 18

61.

may be rectified, and to refer you to the observations on the subject contained in para: 3 of my Letter No 214 of this days date

I have the Honor to be
Sir,
Your most obedient Servant

Fort William
The 19th January
1866

Ed. H. Lushington
Secy to the Govt of India

To the Accountant General
Madras for information

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
letters from the Secretary to
the Government of India.
Fin! Depatch.
Recd enter 19th Jany 1866 Nos 214 & 215.

Order thereon No 53 dated 31st Jany 66.

Communicated to
Mr Cullin.
2. The Governor in
Council will be prepared
to grant Mr Cullin a
pension equal to half
his Salary for the last
five years on receiving an
application in the prescribed
form.

To Wm E. Cullin — P.S. Ameer, Cochin desp. 31/1
Pension Deptt
Examiner of Claims
Mily Department
Asst Judge of Calicut
desp. 31/1

Rec'd 12th May 66 — 38-40
Do Nov 65 — 17-18

Ltd 6 July 1866

Fin! 52
of 63

Financial 1866 Cons
Fin! Secy to Govt of India
Copy & Extract of Letter
Fort St George
Dated 19th January 1866
Rec'd 15th Feby
Ans. 5th March
No 214.

Fin! 359
Fin! 99 1/66

Subject.

Request that the order of the
Govt fixing effect & the said
Allowance may be communicated to
Comptr Civil Accounts, Mad
Examr of Claims, Mily Dept, Asst Judge
Calicut & Cochin, may be
Extract & such reference
=ing to "Public Consultation
=dated =.—

Fin. 1866. Department

No. 53.

PROCEEDINGS OF GOVERNMENT.

Dated 31 January 1866

Fin 1866 Dept No 53 Proceedings of Govt Dated 31 January 1866