M.R.O. 1—77,000—8-6-37.

(1) Number of pages 16

(2) Date of repair 12-1-40

(3) Initials of the Referencer 4

MADRAS RECORD OFFICE.

Government of Madras.

Finance DEPARTMENT.

G.O. No. 300 Press
Mis.

12-1-123

Dated 13-3- 1872.

9/10

121-123

Not to be folded or roughly handled

12/1/40

FINANCIAL DEPARTMENT.

No. 300.

FROM

THE HON. W. HUDLESTON,
Officiating Chief Secretary to the Government of Fort St. George,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

In reply to your Under Secretary's letter, dated 27th October 1871, No. 4743, I am directed to state that, under Section 17 (explanation 1) of the Civil Pension Code, the appointment held by Mr. O'Hara was a qualifying one, inasmuch as it was subsequently converted into a permanent appointment.

2. The period from 9th January to 8th July 1858, during which Mr. Howell was on medical leave, was excluded from his qualifying service in the statement embodied in paragraph 1, G. O., dated 19th September 1871, No. 476; but, owing to a clerical error, the total period of his qualifying service was understated by one month. It is in reality 25 years, 2 months and 14 days, as shown below:—

	YRS.	M.	D.
Total service in qualifying appointments	25	9	22
Deduct—			
Leave from the 6th August to 13th Sept. 1857 ... 0 1 8			
Do. from 9th January to 7th July 1858 ... ... 0 5 30			
Total deducted service	0	7	8
Total qualifying service ...	25	2	14

3. The period for which Mr. Howell's claim to count his service for pension appeared doubtful was only one month and nineteen days, and, if this period be excluded from his qualifying service, it still exceeds 25 years.

4. I am, therefore, to repeat the recommendation contained in my letter, dated 28th September 1871, No. 490. Mr. Howell's case is now shown to be much stronger than was formerly supposed; and, had it not been for the miscalculation mentioned above, the necessity of a reference to the Supreme Government would have been doubtful.

I have the honour to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
13*th March* 1872.

Officiating Chief Secretary.

Exd. J. H. Burns.

1872.

FINANCIAL DEPARTMENT.

From
The Offg. Chief Secretary to Govt.,
Fort St. George.

To
The Secretary to the Govt. of India,
Financial Department.

Dated 13th March 1872.

Read.

No. 300.

Enclosure.

Furnishing certain explanation and repeating the recommendation contained in the letter from this office, respecting the grant to Mr. J. L. Howell, late First Assistant in the Revenue Settlement Office, of a pension of half pay.

3/

For William

FINANCIAL DEPARTMENT.

No. 1835

The 12 March 1872.

To
The Chief Secretary to the Government of Madras.

No. 1743 dated 27 October 1871

SUBJECT.

Regarding the grant of half pay pension to Mr J L Howell late 1st Assistant in the Revenue Settlement Office —

SIR,

I am directed to invite your attention to this Department's communication noted in the margin, and to request that an early reply may be sent.

I have the honor to be,
SIR,
Your most obedient Servant,

J Bruce

Offg Under Secretary to the Govt. of India.

11/3

Office Supdt. Govt. Printing.—No. 5485 C. F.—14-12-70.—500

Received 12th Dec 1872

From
The Offg Asst to the
Secretary to the Govt
of India
Financial Department

Dated 12th Dec 1872
Rec'd 18th Do

No 5335

Requesting early reply regarding the pension of Mr Howell late Master of Survey School

In reply refer to this Office No

Financial 12th Dec 1872

Audit Department.

No. 488

Fort Saint George,
Accountant General's Office,
10 January 1872.

From
The Accountant General, Madras,

To
The Under Secretary to Government
Pension Department

Sir,

In returning the letter of the Under Secretary to the Government of India in the Financial Department to the address of the Chief Secretary to the Government of Madras No 4743 dated the 27th October, referred to this Office for report under Endorsement of date the 8th November last, the undersigned has the honor to make the following remarks.

The inference to be drawn from the orders of Govt noted in the margin, is that Mr O'Hara's appointment as Master of Survey School on an allowance of Rs 70 per month was not a qualifying one, especially as the first order directs, in para 4, that the allowance should be drawn on Contingent Bills; but in Extract Minutes of Consultation Public Works Dept Nos 1745 & 2068 dated the 27th August & 7th October 1858 respectively the allowance drawn by Mr Howell, as a successor of Mr O'Hara in the School, was converted into a Salary on a permanent footing and raised successively to 100 & 200 Rs a month. It rests therefore with the Government to decide whether, with reference to Note 1 of Sec 1 16 of the Draft Civil Pension Code Mr Howell's service in the Survey School previous to the conversion of his allowance into a Salary may or may not be considered as qualifying.

Extract Minutes of Consultation No 296 dated 28th June 1855 & No 176 A dated 2d April 56 & No 358 d: 2d March 1858 & W. D.

Offg Asst to the
Accountant General

№ 4743

To

The Chief Secretary
to the Government
of Madras

Fin. Depty

Sir,

I am directed to acknowledge the receipt of your Letter № 490 dated the 28th Septr 1871, forwarding a copy of the Proceedings of the Government of Madras granting to Mr. J. L. Howell, late 1st Assistant in the Revenue Settlement Office a Pension of Rs 70 Pay.

2. In reply I am to state that if the appointment on Rs 70 a month of Mr. O'Hara which was conferred on Mr. Howell by Lieut. Winscom is a qualifying one then Mr. Howell's service in it after it was conferred upon him

Fin. 28 Sept. 1871. № 490
" — 19 Oct. Reply — Copy
" 19 Oct. Draft Pension Cert.

Financial Dept.
ACCTT. GENL'S OFFICE, MADRAS.
No.
From
The Accountant General, Madras.
To
№ 4743 of 1871
Dated 10 Oct 1871
Recd. 12
Answd.
No. of answer

(Subject.)

Copy of Proceedings of the Govt. of Madras granting to Mr. J. L. Howell late 1st Assistant in the Revenue Settlement Office a Pension of Rs 70 per mensem.

Returned with the Connection Register & the Connection Register altered into a Salary Register.

Pensions.

№ 0 13 Rawson 13 Oct 1871 Rs 121-13-3

may be considered eligible in the Spirit of Section 16 Rules 1 and 2 of the Draft Civil Pension Code. But there is apparently a mistake in counting as service for Pension the period from 9th January to 8th July 1858 during which Mr. Howell was on Medical leave - and this time being excluded, Mr. Howell's service will fall short of 24½ years, and he will be entitled to a Pension of not more than one-third "average emoluments."

It has been already deducted Vide para 1 of Mem. S.O.

5th Aug. to 13 Sept 57 — 0.2.9
9 Jan to 2nd July 1858 — 0.5.24
0.8.3

I have the honor to be
Sir
Your most obed. Servant

Simla,
The 27 October,
1871.

Lieut. and
Under Secy. to the Govt. of India

Under 20/10

19th September 1871. No. 476. Re

Accountant-General's Office
Recd 9 11 1871
Ansd

Refers to Govt Acct. forwarded by Mr Austen No. 0 Hara's pay
was a qualifying one
H C Stephen
Under Secretary
Forwarded 18/1

Finance 1871 Department

9

From

Under Secretary. Govt. of India

Finance Department

No. 4743.

Dated 27th Oct
Rec'd 3rd Nov 1871.

No. 733.

Commg. certain remarks with reference to the pension to be granted to Mr. J. L. Howell, late 1st Asst. in the Revenue Settlement Office.

Referred!
2/5

Q 613 & Inwards 72 pp 121-123
4/3/72
10748

Disp 19/3/72

11

Financial Department.

No. 300.

To

The Secretary to Government
of India,
Financial Department.

Sir,

In reply to your Under Secy's. letter dated 27th October 1871 No. 4743, I am directed to state that under Section 17 (explanation 1) of the Civil Pension Code, the appointment held by Mr O'Hara was a qualifying one inasmuch as it was subsequently converted into a permanent appointment.

2 The period from 9th January to 8th July 1858 during which Mr Howell was on Medical leave was excluded from his qualifying service in the statement embodied in para 1 G.O. dated 19th Sept. 1871 No. 476, but owing to a clerical error the total period of his qualifying service was understated by

one

one month. It is in reality
25 years 2 months 14 days as
shewn below.

	yrs:-mo:-dys:
Total Service in qualifying appointments	25-9-22
Deduct Leave from the 6th August to 13th Sept. 1857	0—1—8
Do from 9th January to 7th July 1858	0—5—30
Total deducted Service	0 7 8
Total qualifying Service	25 2 14

3. The period for which Mr Howell's claim to count his service for pension appeared doubtful was only one month & nineteen days & if this period be excluded from his qualifying service, it still exceeds 25 years.

4. I am therefore to repeat the recommendation contained in my letter dated 28th Sept. 1871 No. 490. Mr Howell's case is now shewn to be much stronger

stronger than was formerly supposed & had it not been for the miscalculation mentioned above, the necessity of a reference to the Supreme Government would have been doubtful.

I &c.

For Lt Col. Geary
13 March 1872

187 , *Department.*

No.

To
The Secretary to the
Government of
Department

Dated 187

1872.

Financial DEPARTMENT

From
The Chief Secretary to Government,
Fort Saint George.

To
The Secretary to the Govt. of India,
Financial Department.

Dated March 13 1872.

Recd.

No. 300.
Enclosure.

Nos. 121. 123

Furnishing certain explanation respecting and the recommendation contained in the letter from this Office respecting the grant to Mr J. L. Howell late 1st Asst. in the Rev. Settlement Office, of a pension of half pay. ~~transmitted~~.