M.R.C. 1—39,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No.	287	Press / Mis.
63-66		
Dated	8-3-1860	

Not to be folded or roughly handled

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Read the following papers:—

No. 63. To His Excellency Sir CHARLES E. TREVELYAN, K. C. B., *Governor of Madras.*

The Memorial of Edward Cullin, Principal Sadr Amín, Joint Magistrate, Registrar of Shipping, &c., at Cochin.

Humbly Sheweth,

That he landed in India as a Gunner in the Honorable Company's Artillery in June 1825. That he has served the Government from that date to the present in the various capacities entered in the margin, and that during the whole of that long term of service he has had only once leave of absence, and that was for three weeks, upwards of thirty years ago when he was in the Army.

Served in the Army as Gunner, Non-Commissioned and Warrant Officer until May 1835.
Left the Army in May 1835 *and on the same day was appointed* 1st *Uncovenanted Assistant in the Military Department of the Secretariat of the Government. Served between seven and eight years as* 1st *Assistant in the Secretariat.*
Was appointed by the Government Deputy Emigration Agent. Held that office for one year when the office was abolished by the Supreme Government.
Was appointed Acting Police Magistrate at Madras. Held that office for eighteen months.
Was appointed Acting Secretary to the Marine Board at Madras. Held that office for a very short time, when the situation of Principal Sadr Amín and Joint Magistrate of Cochin becoming vacant, was appointed in November 1845, *to that situation, which he has continued to hold to the present day.*

Your Memorialist has held his present office at Cochin for upwards of fourteen years without having been once absent from his duty, until the present occasion.

Your Memorialist in January 1859 applied for three months' accumulated privilege leave. His application was acceeded to, and Mr. F. Green, Police Fiscal* of Cochin was appointed to act for him. Your Memorialist ascertained that Mr. Green would be entitled by Regulation to receive during your Memorialist's absence half of your Memorialist's pay. Your Memorialist accordingly found himself in this position that he must either lose half his pay, which he could not afford to lose, or place himself under a pecuniary obligation to the Head Officer of Police serving under him.

* *The Dutch designation of "Fiscal" has been retained, the duties are identical with those of Thasildar.*

Your Memorialist felt that it would be incompatible with his independence to place himself under a heavy pecuniary obligation to his subordinate Police Officer, and adopted the only alternative open to him, had his leave cancelled.

In December 1859, your Memorialist, after so long a residence in a debilitating climate, felt himself so prostrate in mind and body, that rest from work and a change of climate became matters of necessity. He felt he could hold out no longer, therefore applied for leave of absence.

Your Memorialist is now at Ootacamund on privilege leave for three months from the 15th January 1860. Mr. DeSilva, Moonsiff of Calicut, has been appointed to act for him as Principal Sadr Amín of Cochin.

On Mr. DeSilva assuming charge of your Memorialist's Office, he informed your Memorialist, in reply to a question put to him by your Memorialist, that he was entitled to receive one-half of your Memorialist's salary, amounting to Rupees 250 per mensem, besides travelling allowance from Calicut to Cochin and back to Calicut, distance between the two places about 100 miles, at 4 Annas per mile. Your Memorialist of course did not dispute the point, and your Memorialist has the certain prospect before him of losing 800 Rupees by his present visit to the Hills, and, as already shewn, the only leave of absence he has had during the last thirty years.

Half pay for three months at 250 Rupees per month.....	*Rupees*	750
Travelling allowance to Mr. DeSilva coming from and returning to Calicut at 4 Annas a mile (200 miles.).....	,,	50
Rupees...		800

Your Memorialist earnestly but respectfully prays that the case may receive your Excellency's favorable consideration.

Your Memorialist is aware that rule and, probably, general practice are against a concession being made in his favor, but he respectfully submits that his case is a very peculiar one, and he trusts he may be permitted, as a special case, to draw his full pay from the Government Treasury during his absence, and that he may be relieved from the charge of Mr. DeSilva's travelling allowance.

Your Memorialist begs repectfully to apologise for the length of this paper, and to

UTAKAMUND,
18th February 1860.

Remain, &c.,

(Signed) E. CULLIN.

No. 64. MINUTE by the Honorable the PRESIDENT, dated Utakamund, 19th February 1860.

Mr. Cullin made a verbal representation to me and I told him to submit a written statement for the decision of the Government. It seems to me to be a case for as much indulgence as can be shown.

(Signed) C. E. TREVELYAN.

Referred for the report of the Civil Auditor.

FORT SAINT GEORGE,
28th February 1860.

(Signed) T. PYCROFT,
Chief Secretary.

No. 65. From E. F. HARRISON, Esq., Civil Auditor, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 29th February 1860, No. 202.

With reference to the Order of Government of 28th instant, referring for my report a Memorial from Mr. E. Cullin, Principal Sadr Amín of Cochin, requesting to be permitted to draw his full pay during his absence on privilege leave for 3 months, I have the honor to state that as a general rule* "all charges on "account of Deputation allowance incurred by the absence of an "Uncovenanted servant inclusive of travelling charges of the person "appointed to do his duty are borne by the Absentee." It may not however be amiss to mention that for reasons assigned, the Madras Government on the 25th June† last, allowed the deputation allowance of Mr. S. R. Dawes, Moonsiff, while Officiating as Principal Sadr Amín of Coimbatore during the absence of Shaik Abdool Raheman Saib to be borne by the State.

* *Article* 18, *Chapter III, of the Civil Auditor's Manual.*

† *No.* 869, *Judicial Department.*

The only specialty in Mr. Cullin's case appears to be the independent nature of his appointment, his Court being I understand at a considerable distance from that of the Judge, instead of being as is the case in many instances at the same station or within easy reach. In Bengal I believe that leave is occasionally granted to Uncovenanted Judicial Officers without loss of pay by the Judge consenting to carry on the duties during absence, and it is possible that were Mr. Cullin at a less important post, some such arrangement might have been made.

No. 66. ORDER THEREON, 8th March 1860, No. 287.

It is noticed that Mr. Cullin, as it appears from his Memorial, has only had three weeks leave of absence during his long time of service and that 30 years ago—and that he has held his present office at Cochin for upwards of 14 years without having been once absent from his duty until the present occasion.

2. In consideration of this very protracted period of uninterrupted service, and the good character which Mr. Cullin has always borne, the Government will, as a special case, relieve him from deductions on account of the deputation and travelling allowances of the Officer now acting for him, and permit those charges to be borne by the State.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Proceedings of the Madras Govt.
Read the following—
Memorial from Mr
Cullin ——— Enter 18th Feby 1860.
Minute by H. E. the
Governor ——— 19th do.
Report by the Civil
Auditor ——— 29th do. No. 202.

Order—8th March 1860 No. 287.

It is noticed that Mr. Cullin—as it appears from his Memorial—has only had three weeks leave of absence during his long term of service & that 30 years ago—& that he has held his present office at Cochin &
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Mr. R. Cullin.
The Civil Auditor.
" Acct. Genl.