

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

3/2-3/4	G.O. No.	174	Press
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	Dated	30-1-	1887

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
30th January 1867.*

Read the following papers :—

No. 312. From Lieutenant Colonel H. COLBECK, Magistrate of Police, to the Chief Secretary to Government, Fort Saint George, dated Madras, 30th November 1866, No. 18.

I have the honor to request you will lay before His Excellency the Right Honorable the Governor in Council the following circumstances:—

1. From completely shattered health, I am compelled, after a lengthened and almost uninterrupted service of 42 years, to cease from my present labors and return to England, as my medical advisers assure me that further residence in India during any hot weather may prove fatal to me.

2. I will not enter into a lengthened detail of what I would fain hope constitute my claims upon the Government, for they will, I am sure, with that kindness and liberality which has ever marked their dealings with their servants, give them every consideration. Suffice it to say, that, besides my Military, I have rendered 17 years' service in a Civil capacity, viz., one year in Her Majesty's Consulate at Amoy, and 16 years in my present appointment of Magistrate of Police, though, I regret to say, the period of 17 years has not been entirely in the Uncovenanted Branch of the service.

3. Circumstanced as I am, I throw myself upon the mercy of the Government, asking them, after consideration of the almost isolated nature of my case, to grant me every indulgence in their power.

4. It is my wish to embark for Europe about the middle or end of February, and I do hope, under all my peculiar circumstances, His Excellency the Right Honorable the Governor in Council will permit me to retire from the service, from the date of leaving Madras, upon one-third of my present salary, which, in addition to my Military pension, would in the aggregate give me about £770 a year, a smaller sum than many of my contemporaries are leaving the service upon. And, when it is taken into consideration that upwards of £4000 have been saved to the Government, by the stoppage of my pension during civil employ, I trust my request will not be deemed unreasonable.

5. Should the Government, however, be unable to meet my wishes upon this point, I beg they will permit me to go home upon one year's sick leave, (the necessary Certificates for which will be duly forwarded,) with a strong recommendation from them, that I may be permitted to retire upon the pensions I have mentioned above, immediately on my arrival in England, or at such period as they may think proper to decide upon.

6. In conclusion, I beg that my request both for pension and leave, may be considered and decided upon the old Uncovenanted Service Regulations, as I have never availed myself of any of the privileges of the new ones.

No. 997.

Referred to the Accountant General, for his remarks.

FORT SAINT GEORGE,
12th December 1866.

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

*Proceedings of the Madras Government, Judicial Department,
30th January 1867.*

No. 313.

No. 643.

OFFICIAL MEMORANDUM.

The undersigned has the honor, by direction of the Accountant General, to state that Lieutenant-Colonel Colbeck retired from the Army upon the pension of a Major with effect from 28th February 1854, and from that date, in virtue of the Civil appointment of Magistrate of Police, which he then held, and still retains, he became an Uncovenanted Servant of Government, subject to the rules of that branch of the service, and entitled to the privileges of the same.

2. Upon 27th February 1867, Lieutenant-Colonel Colbeck will complete 13 years' service as an Uncovenanted Servant; but of this period, only 12 years, five months, and 12 days, supposing he takes neither further sick leave, nor leave on private affairs, nor furlough in the interim, can reckon as service towards pension, for he was absent on sick leave for four months and 18 days in 1861, and for two months in 1866. Should Lieutenant-Colonel Colbeck, upon the above-named date, produce the required medical certificate of incapacity for further service, he will be eligible, under the New Pension Rules, to a gratuity not exceeding 12 months' salary, or Rupees 14,400, but not to the pension of Rupees 3,000 per annum, as 15 years' service as an Uncovenanted Servant, exclusive of all leave except Privilege and Preparatory is required to qualify for that.

3. Taking the most favorable view of the Secretary of State's Despatch, dated 18th January 1865, No. 1, before Lieutenant-Colonel Colbeck can be declared eligible to a pension of one-third salary or Rupees 4,800 a year under the *old* Pension Rules, he would have to serve without availing himself of any of the advantages conferred by the new Leave Regulations until he has completed 20 years' employment, or till

Despatched 31st July 1865, No. 51.

27th February 1874; for, as the Secretary of State has declared, in answer to

Lieutenant-Colonel Colbeck's own memorial on the subject, that Magistrates of Police are not "Law Officers," Lieutenant-Colonel Colbeck cannot obtain a pension of one-third salary after 15 years' service under the rules applicable to that class of Uncovenanted Servants, and the Old Pension Rules for Uncovenanted Servants generally do not confer pensions for any service of shorter duration than the period first abovenamed; but gratuities of 3, 4, and 5 months' salary according as the servant has been 5, 10, or 15 years in service qualifying under the Rules.

4. Lieutenant-Colonel Colbeck will be eligible to sick leave to Europe under the New Leave Rules upon production of the regular medical certificates; but he cannot be granted this leave under the Old Leave Rules except as a special case, which will require to be confirmed by the Secretary of State similarly to that of Mr. G. E. Cower.

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
21st December 1866.

To the Chief Secretary to Government.

(Signed) W. DONALD,
Examiner of Claims.

*Proceedings of the Madras Government, Judicial Department,
30th January 1867.*

No. 314.

ORDER THEREON, 30th January 1867, No. 174.

The Governor in Council directs that a copy of the foregoing Memorandum from the Examiner of Claims, be furnished to Lieutenant-Colonel Colbeck.

2. It will not be in the power of the Government to grant a pension to Colonel Colbeck, or to recommend that such a pension be granted to him until he shall have completed 15 years' service as a Magistrate. They will be prepared, however, to grant the leave for which Colonel Colbeck is about to apply under the old rules as a special case.

(True Extract.)

Chief Secretary.

To Lieutenant-Colonel H. Colbeck.
To the Accountant General.
" Examiner of Claims.

Ed. J. Wright.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers

From Lieut. Colonel H. Colbeck }
Magistrate of Police } (Here enter 30th November/66 No. 18)

Report of the Examiner of Claims (— 25th December — "643)

Order thereon 30 Jan'y, 1867 No. 174.

The Governor in Council
directs that a copy of the
foregoing Memorandum
from the Examiner of Claims
be furnished to Lieutenant
Colonel Colbeck.

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ment to grant a pension
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which Colonel Collich
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the old rules as a special
case.

To Lieut. Col. H. Collich
" Accountant General
" Enclosures of Claims } dated 31/1

PROCEEDINGS OF GOVERNMENT.

No. 144.

Date. 30th January 1884.

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1883. No. 113-119.
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106-107
119/164-
102-24
1070/67
132-24
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