

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No. *19*

Press
~~MIS.~~

Dated *11-1-* 18 *58*

Not to be folded or roughly handled

No. 3. From F. LUSHINGTON, Esq., Civil Auditor; to T. PYCROFT, Esq., Chief Secretary to Government, Marine Department, dated 24th December 1857, No. 440.

SIR,

I have the honor to acknowledge the receipt of Extract Minutes of Consultation of yesterday's date, No. 533, referring to me for report the enquiries made by Captain Biden, Master Attendant at Madras, regarding leave of absence on Medical Certificate and retiring Pension.

In respect to the enquiry regarding sick leave I have the honor to report, that Captain Biden's application for leave of absence of any kind will have to be treated, as all previous applications from him have been treated, according to the Rules laid down for the Officers of the Government, not in the Covenanted Civil Service, under Clause 2 of Section V. of those Rules, Captain Biden can be granted only a year's leave on Medical Certificate, which may be extended when necessary, under renewed Medical Certificate for periods not exceeding six months within the limit of 2 years continuously. The rate of absentee allowance payable during sick leave is prescribed by Clause 3 of the same Section.

3. With reference to the enquiry regarding Captain Biden's eligibility to a retiring Pension, I beg to refer you to my Report of the 10th August 1855. In that Report, the opinion was expressed that the grade of Master Attendant was not admissible to the benefit of the Pension Rules on the ground that these Officers received their appointment direct from the Government. This objection however was not held to bar the claims to Pension of Mr. Johnson, the late Actuary of the Government Saving's Bank, and of the late Mr. Ross, Principal Sudder Ameen of Vizagapatam, both of whom received their appointments direct from Government. Moreover such an

* *Vide P. 24 of Chap: III of the Civil Auditor's Manual.*

objection has been set aside by the Court of Directors in their Despatches* to the Government of India of the 28th February, No. 21 of 1855, and 20th July, No. 23 of

1853, Recorded in Extract Minutes of Consultation of the 12th June 1855, No. 153, Public (Separate) Department, and 30th September 1853, No. 2664, Public Department, extending the benefit of the Pension Regulations to all Uncovenanted Officers in the Public Works and Educational Departments, many of whom receive their appointments direct from the Government, and several of whom from the Court of Directors; and the opinion of the Court on this point seems further evident from the restriction placed by them in the former of the above* Des-

Vide Para: 123 of Chap: III of the Civil Auditor's Manual.

patches, on the retiring allowances to be in future awarded,

viz., that a larger Pension than Rupees 4,000 per annum is not to be granted to Uncovenanted Servants, receiving salaries of Rupees 700 to 2,000 a month, nor a larger Pension than Rupees 5,000 per annum to the Uncovenanted Servants receiving Salaries above that amount.

(Signed) F. LUSHINGTON,

Civil Auditor.

No. 4. ORDER THEREON, No. 19; dated 11th January 1858.

From para: 3 of the above letter, it would appear to be the opinion of the Civil Auditor, that Captain Biden's claim to a retiring Pension, should be disposed of under the Uncovenanted Service Rules, in which case he would, if he had served 20 years, be entitled to a Pension of one-third of his present salary, or Rupees 5,000 per annum; the restriction alluded to by Mr. Lushington applying only to persons thereafter to be appointed to the Uncovenanted Service.

2. It would however seem from the letter of the Marine Board, para: 6, that Captain Biden has only served as Master Attendant for 18½ years, having joined his appointment in June 1839, between which date and the discontinuance of the Honorable Company's Maritime Service some years must have elapsed. It is understood also that for his

See also Captain Biden's Statement.

Fort Saint George, Marine Consultation, 12th January 1858.

services in the Commercial Navy, Captain Biden was admitted by the Honorable Court to a Pension of £200 per annum, which has been in abeyance during his employment as Master Attendant at Madras.

3. The Right Honorable the Governor in Council resolves to refer these remarks to the Civil Auditor for his further report as to Captain Biden's eligibility to Pension under the Rules.

Exd. J. A. Wilson.

Sp. 19 Marine Dept
Extract from the Minutes of Consultation
of 11 January 1858.
Read letter
From Civil Auditor 24 Dec 1857 -

At

By

W. H.

Civil Auditor's Manual
Chap III. P 122

ibid P 123.

From para 3 of the above
letter it would appear
to be the opinion of the
Civil Auditor that Captain
Biden's claim to a
retiring Pension should
be disposed of under
the Uncoordinated
Service Rules in which
case he would if he
had served 20 years
be entitled to a Pension
of one third of his present
salary or £5000 per
annum - the restriction
alluded to by Mr. Sushing-
ton applying only to
persons thereafter to be
appointed to the Uncoor-
-dinated Service -
2. It would however

eligibility to Pension
under the Rules -

Civil Auditor - Sept 12th

seen from the letter of the
Maine Bd. 26 that
Capt. Biden has only
served as Master at sea
and for 18 1/2 years having
joined his app. in June
1839 - between which

See also Capt. Biden's
Statement

date and the discontinuance
of the R.H. Compy's Maritime
Service some years more
have elapsed - It is under-
stood also that for his
service in this Commercial
Voyage Capt. Biden was
admitted by the R.H. Council
to a Pension of £200 per
annum - which has been
in abeyance during
his employment as
Master at Sea and at
Madras -

3. The R.H. Council resolves
to refer these cases to
the Civil Auditor for
his further report as
to Capt. Biden's

29th Dec: 12th Aug 58.
Marine 1850 Sept 21st

28th 19

Charles Martin: of Conn

21st Jan 1858

7th Con 26th Jan 58 No 168/17 -
Prepared for the
Further Report of the
Civil Auditor certain
remarks in his letter
relative to Captain
Parker claim to a
Retiring Pension

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