[illegible] of pages 48
[illegible]
3. [illegible] of References 4

M.R.O. 1—82,400—22-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 61 ~~Prose~~— Mis.

Dated 11 3 1863

Not to be folded or roughly handled

1

Mohammed Ghous was employed as a Moonshee in the Office of Commissioner for small claims on the Carnatic fund from its commencement in June 1823 and with his services I have every reason to be satisfied. From his knowledge of English he would prove a most valuable Moonshee. (Signed) H. Lacon

March 10th 1827.

To Mohammed Gous
Moonshee

Sir,

I am directed by the College Secretary to ask you whether it is your wish to accept the situation of Moofti at the College according to your Certificate or to remain in the situation which you now hold at the Commissioner's Cutcherry.

I remain
Sir,
Your most obed.t Servant
(Signed) Muttusami
College Manager

10th February

2 "Syed Mahomed Ghouse" has served as a Moonshee (and latterly as Head Moonsh and Interpreter in this Office since its Establishment in 1823. I can testify to his being a clever and able Servant and has been discharge
a

at his own request from the situation he has hitherto held in this office.-

6. December 1834 } (Signed) W. Douglas
Addl. Govt. Commr.

To
William Brown Esqr.
late Additional Government Commr.
&c. &c. &c.

The humble Petition
of Syed Mohammed
Ghous.

Sheweth,

That your Petitioner with due deference begs leave to represent to your equitable Honor, that it will be evidently known to your honor, that while your honor held the above situation your Petitioner being Head Moonshee & explaining the Mahomedan law to your honor, with what assiduity fidelity and loyalty he discharged all his effectual duties to the Honorable Company and by his long experience in the office and according to the law as well as on reference to the records at the office moreover by examining the pretended and false documents produced by illegal claimants- he detected the fraud of false claimants and consequently assisted your honor in every manner, whereby your honor saved considerable sums of several

claims, such as of Mohomed Waheed Abdool Ally, Mohomed Jareed and Raza Navaz Khan, as well as of Shaik Mohd. Subedar amounting to £50,00 Rs. the original creditors, as well as of many others for the benifit of the Honble. Company - Your Petitioner therefore humbly solicits your honor will by way of justice and kindness attest in writing to this effect - and your Petitioner gratefully
Shall ever pray-

Madras
6. February 1837 }

This is to certify that during the time in which Mahomed Ghous the present Petitioner was Moonshee in the office of Additional Government Commissioner whilst under my charge - I had always reason to commend his attention and usefulness - and had full reliance on his integrity - and readiness to detect fraudulent claimants - of whom the number swarms and caused me all the difficulty I ever experienced in getting through the business..

St. Thomé
6. February 1837. } (Signed) W. Brown

1	2	3				4				5	6	7	8
Name and place of birth.	Father's name and Station in life.	Period of public service and of employment in Judicial Branch to be calculated up to 1st May 1851.	Yrs	Ms	Ds	In what Districts and in what situations - period in each.	Yrs	Ms	Ds	With what languages conversant.	Testimonials. abstract of them with name of party giving.-	Notice of any Public record in favor of or against the individual.	Notice from the Zila Judge of the quality of the Decrees passed by the Candidate now in Judicial Office.-
Moulavee Syed Mahomed Ghouse, of Vellore, Mufty Sadr Amin of the Civil Court of Tellichery	Syed Mahomed Hoosain Hoosain, in service of late Nawab of Madras.	Moonshee and Head Moonshee	10	6	5	Moonshee & Head Moonshee in Commissioner's Office at Madras	10	6	5	Hindoostanee, Persian, Arabic, Tamil, Telugu, Canarese, Malayalim & English.	From H. Lacon Esqre dated 10th March 1827 certifying that he gave satisfaction of his services as a Munshee.- From T. A. Oakes Esqr dated 20th February 1828 that he is clever, diligent and of great use as Persian Examiner. From G. Brown Esqre dated 18th October 1830 that he was attentive to his duty and is particularly qualified in Mohamedan law, gave entire satisfaction, is a good Persian scholar, and acquainted with Arabic and qualified for Office of Mufti or Native Judge.-	Certificate No 39 dated 11th June 1831 from the College of Fort St George regarding his qualification for duties of Cazee or Mufty.- Extract from Proceedings of the Civil & Session Court of Honore dated 17th July 1849. that he conducted his duty to the entire satisfaction of the Civil and Session Judges. Letter from the Sadr Adalat dated 25th July 1849 in reply to that of 6th idem from the Civil Judge of Honore to the effect that it is necessary for him to proceed to his new station (Tellichery) and that should the exigencies of the public service, at some future period admit of his wishes being consulted the Judges will not be indisposed to take his case into consideration. Letter from the Session Judge of Tellichery to the Faujdari Adalat dated 13th March 1851, that he performed the Criminal business of his Court satisfactorily.-	The Civil Judge having only recently taken charge of this Court is unable to certify from personal knowledge the character of the Decrees passed by the Mufti Sadr Amin; it appears however from the Records of the Court that they have generally been considered by the presiding Judge to be just and equitable.-
		Mufti Sadr Amin	7	7	15	Mufti Sadr Amin of Zila Court of Honore	5	9	12				
			18	1	20	Ditto of Zila Court of Tellichery	1	10	3				
							18	1	20				

Tellichery Zillah Court
10th July 1851

True Copy
Signed H. Frere
Civil Judge

Signed H. Frere
Civil Judge

Tellicherry 21st January 1855

Syed Mohammed Ghons,

I thank you much for your kind note. I trust if God permits I shall find you well when I return to this place as I hope to do in fifteen months from this time. In the mean while I may state that for the last four years I have derived much assistance and satisfaction from your services in the Civil Courts of this place, and that I feel much respect for the judgment and ability usually exhibited in your judicial decisions.

I remain
Your's faithfully
(Signed) Hartley Frere

Syed Mohammed Ghons
&c. &c. &c.
Mufti Sadr Amin

Tellicherry 27th April 1858.

Mohammed Ghons,

I have had every reason to be satisfied with your conduct during the 7 years that I have presided over this Court, and with the character of your judicial decisions. I should however be exceeding my proper province were I to make any direct representation to Government on the subject of your claims, unless a reference should be made to me on this point. At the same time I think your long and faithful services fully entitle you to apply for a higher appointment.

I remain
Your's faithfully
(Signed) H. Frere

To
Mohammed Ghons
Mufti Sadr Amin
Tellicherry.

(True Copies)

W H

Civil Judge

To

W. Holloway Esqre.
Civil Judge of
Tellicherry

The humble Petition of
Mowlvee Syed Mohamed Ghous
late Moofti Sudder Ameen of
Tellicherry

Most Respectfully Sheweth

That by the order of Civil Court No 70 under date 25th August 1862. according to the Proceedings of Madras Government dated 21st August 1862 No 1363, your Ptr begs to submit the following Statements.

That to the best of your Ptr's belief as well as by the above mentioned Government Proceedings his public service extends over a period of more than 30 years, but from the attested Statement of the Civil Court of Tellicherry the copy of which is herewith forwarded, it appears that the period of Ptr's service is 29. years, 4. Mos, 5 days, up to the 25th August 1862. which is the day of abolition of the office.

That your Ptr begs to add that according to section III of the rules regarding pensions published Fort St George Gazette of the 6th May 1856 a law officer or Moofti is entitled to a pension of half his salary after a service of 22 years.

Now the age of the Ptr is about 67 years

The testimonials which are not included

Enclosure 2

In a letter from the
Civil Judge of Tellicherry
to the Chief Secretary
to Government, dated
3rd October 1862. No 381

Copies of the
testimonials of the
late Moofti Sudder
Ameen of Tellicherry

beg to forward herewith & And those
that are in the records referred

Letter submitted to the Court of Sudder Udalut from the Civil Court of Honore dated 28th June 1849.

Letter submitted to the Court of Sudder Udalut from the Civil Court of Tellicherry dated 21st March 1859.

Two testimonials of Mr. H. Pree the late Civil Judge of Tellicherry are also enclosed for your kind perusal.

That in conclusion your Ptr humbly begs you will be pleased to bring this matter to the notice of the Government so as that a pension equal to half your Ptr's salary may be granted to your Ptr and made payable at Tellicherry.

9th September 1862
Tellicherry

Your Ptr and his large poor family
will ever pray as in duty bound
Your Most Obt and humble Servant
Syed Mohomed Ghous.
late Mooftee Sudder Ameen

To

W. Holloway Esqre
Civil Judge of
Tellicherry

The humble Petition of
Syed Mohammad Ghouse
The late Mooftee Sudr Amin of Tellicherry

Most Respectfully Sheweth,

That among the certifecates mislaid by your Petr has been discovered a testimonial date 6th Febry 1837 granted on Petrs application by W. Brown Esqre the late commissioner at Madras, in which he testifies that Petrs service at the commissioner's office, was very useful in detecting the fraudulent claims of parties.

That your Petr succeed to save for government a great quentity of money by his serach into the, old, and confused accounts of the late Nobab of Carnatic & in a particular instance alone namely in case of Soobadar Shaik Mohammud a sum of 45,000 of Rs was saved which would have been lost to the government but for Petrs excertions like this in several other cases as it is mentioned in the foresaid Petrs application.

That your Petr therefore humbly begs that your honor will be pleased to bring this testimonial also to the notice of government so as to procure for your Ptr a pension sutable for his services.

29th Septr 1862
Tellicherry

More respectfully I remain Sir
Your most obt & humble servant
Syud Mohomed Ghous.

To
W Holloway Esqr
Civil Judge of
Tellicherry

The humble Petition of Syed
Mohammud Ghouse, late
Sudr Amin of Tellicherry

Most Respectfully sheweth

That it will be known from Ptrs Certificates that Ptrs public service is more than 30 years inclusive that of which Ptr had employed in the Office of the commissioner for discharging debts of late Nobabs of Carnatic; that the certificate of the Commissioner Mr Brown dated 6th Feby 1837 forwarded to your Honor is a proof that Ptr was instrumental in saving a large sum to the Government by detecting many false claims.

That there are many persons now at Madras namely Ferazish Khan, Hajee Mortaza and Sharaful Molk &c to whom Government Granted pensions equal to their pay though their services were shorter, for their aid in discharging the debts of the late Nabab Goolam Gowse Khan who died about 5 years ago; that for the same ground Ptr was in hopes of getting a pension equal to his pay like those persons; that besides other certificates will shew that Ptr. has for a long time faithfully served as Moofti Sudr Amin.

Under these circumstances Ptr. begs your Honor to apply to Government for granting to Ptr. a pension of at least half of his pay by shewing the above reasons; that if your Honor entertains any doubt on that point, Ptr. would most humbly beg your Honor will be so kind enough as to recommend him for a Moosifship at any place as the late Sudr Amin of Tanjore who though ordered to be pensioned together with Ptr. for age, was now appointed by the High Court as Moonsiff of Tanjore as published in Fort St. George Gazette of the 7th instant,

That Ptr. and Family are put to great inconvenience in consequence of the loss of his pay and have no other means to rely upon for their livelihood. Ptr. therefore humbly begs that you will be kindly pleased to have compassion on them and relieve them by taking either of the steps mensioned above.

For such act of charity and kindness Ptr. and his family as in duty bound shall ever pray.

Syed Mohomed Ghous.
late Sudr Amin

28th October 1862 }
Tellicherry }

Enclosure 2.

In a letter from the
Civil Judge of Tellich
to the Chief Secretary
to Govt., dated 3
October 1862, No. 3

Application
from the late Muft
Sadr Amin of Tellich
dated 9th & 29th Septr
and 28th October
1862 respectively.

Tellicherry 30th October 1862.

No. 319.

From W. Holloway Esqre
Civil Judge of Tellicherry

CIVIL PAYMASTER'S OFFICE 4 NO 1862

To T. Pycroft Esqre
Chief Secretary to Government
Fort St. George

Sir,

I have the honor to submit for the orders of Government an application for a pension of Rupees 100 to Moulavee Syed Mahomed Ghous late Mufti Sadr Amin of Tellicherry who was removed on account of the abolition of his office by the order of Government dated 21st August 1862. That order took effect on 26th August 1862 and from this date the pension will be payable.

2. The services of the applicant as Mufti Sadr Amin extend over a period of 18 years 11 months and 9 days.

3. By Section 105 of the Rules a period of 22 years is required to entitle the applicant to a pension amounting to half of his salary. His service in that capacity has amounted to 18 years 11 months and 9 days. He however served for 10 yrs 6 ms 5 days in the office of the Carnatic Commissioner. After that he was studying in the College,

apparently at the invitation of the Secretary until his appointment as Mufti. I am unable to say whether this is to be considered service as it was without salary but I have no doubt whatever that the period passed there will not be considered as a discontinuance of public employment so as to bar the applicant from the advantages derivable from his previous services in the Carnatic Commissioner's office. His service will therefore amount to $\overset{yrs}{29}-\overset{mos}{5}-\overset{ds}{14}$ a period nearly entitling him to the pension asked under the rules applicable generally to the Uncovenanted Service.

4 . The Applicant has received laudatory notice both from the Carnatic Commissioners and from Mr. Justice Frere formerly a Judge of this Court.

5 I earnestly commend the case of Petitioner now an aged man removed from office in consequence of fiscal changes and not on account of any proved misconduct or incompetency to the favorable notice of Government, who will doubtless be disposed to overlook the very short time required to entitle the applicant to the pension which I have recommended. I have the honor to be,

Sir,
Your most obed.t Servant,
W Holloway
Civil Judge

21

I have examined Moolovee Syed Mahomed Gous late Moofti Sudr Ameen and find him aged - somewhat defective in sight and hearing and I should say unfit for any very active employment on account of his years—

M. C. Furnell.

Zillah Surgeon

Tellicherry

Dec 30. 1862

Pension

1862

~~Judicial~~ Departm

From the Civil Judge of
Tellicherry

To the Chief Secretary
to Governmen

Dated 31st October 1862
Recd 27 January 1863

No 319
inclosures 3.
No

No. 30

Submitting an appli
cation for a pension of
Rs 100 to late Moofti Sa
Ameen of Tellicherry.

c. 7th March

CIVIL PAYMASTER'S OFFICE
1861

Statement of [illegible] [illegible] Mohammed
Chow [illegible] in the Zilla of Tellicherry

From		
1823 June 3 1836 June [illegible]	[illegible] Munshi in the Circuit Commissioner's office	[illegible] [illegible] 13 — 1 — [illegible]
1843 September 1 [illegible] [illegible]	[illegible] in the Zilla of [illegible]	3 — 7 — 15
[illegible] [illegible] 1862 August [illegible]	Civil [illegible] Tellicherry	15 — 1 — 25
		[illegible]

Memo.

From 1st December 18[illegible] to 1st September 18[illegible] the applicant is said to have worked as a [illegible] in this Village.

W. H. [illegible]
Civil Judge

Tellicherry
Civil Court
6th January 1863.

Wy

Mem^m

To Secy Bd of Exam^rs 25

In applying for a pension on behalf of Moulvie Mahomed Ghaus, the Ci: Judge of Tellicherry states that that Officer was "studying in the College apparently "at the invitation of the Secretary &c "from 7 Dec^r 1833 to 15 Sept^r 1843."

The undersigned requests that he may be informed whether the Moulvie was considered to be in the Public service during that period, & what was the nature of the duties entrusted to him -

PMA

Dec. 27/1/63.

Tellicherry 30th January 1863.

No. 29

From
J. G. Thompson Esqre.
Acting Civil Judge of Tellicherry

To
A. J. Arbuthnot Esqre.
Chief Secretary to Government
Madras.

Sir,

I have the honor to request your attention to a letter addressed to you on the 30th October 1862, by Mr. Holloway, the Civil Judge, in which he recommended the grant of a pension to Mylavi Saiyad Muhammad Ghaus, who was Mufti Sadr Amin of Tellicherry till the abolition of the Court. The Mylavi states that he has no means besides his salary, and that the total loss of it has reduced him to distress.

2. He urges, - very fairly it would seem, - that he ought not to be prejudiced by the order which makes continuous service of 22 years indispensable for a pension of half salary, because it was not issued till 18 years after the period at which he ceased for a time to be employed.

He

3. He further states that he obtained his certificate from the College long before that time: and that it was not to study but to be a teacher that he joined it then. That he resigned his office under the Commissioner on receiving a promise that he should succeed a College Mufti who was appointed to a Court at Madura: that the Mufti's Court there was abolished before that individual had joined; that the latter was therefore received back into the College; and he (Applicant) was left without employ. He has no evidence of this. But, if true, it seems hard that he should be made to suffer for the abolition of the Court.-

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

Tellicherry,
Civil Court,
30th January 1863.

G. Thompson
Acting Civil Judge

To
A. J. Arbuthnot Esqre
Chief Secretary to Government
Madras.

[illegible]

No. 68

Board of Examiners Office
27th February 1863

From
E. G. Chester Esqre
Secretary to the
Board of Examiners

To
The Actg Deputy Secretary
to the Government
Fort Saint George

Sir,

I have the honor to inform you, with reference to your Official Memorandum under date 27th January last No. 7, that no information can be gathered from the records of this Office regarding the service of Moulvie Mahomed Ghouse during the period therein alluded to.

The only mention between 1838 and 1843 of any individual of this name is in the acquittance Roll for June 1840 where "Mahomed Ghous" is stated to have received Rupees 40-2-7 and from copy of an Abstract dated 1st July 1840 sent to the Civil Auditor for the purpose of being passed it would appear that the amount in question is a refund of this person's subscription to the late Native Pension Fund. On the list given at page 609 of

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Pension.

1863.

Judl Department.

From the Acg Civil Judge of
Tellicherry
To the Chief Secretary
to Government
Madras.

Dated 30th January 1863.
Recd 3d Febry "

No. 29

No. ~~499~~

No. 50

Requesting attention to Mr. Holloway's letter dated 30 October 1862, recommending the grant of a pension to the late Mufti Sadr Amin of Tellicherry.—

C: 7 March 63

Madras.

of the Fort Saint George Gazette of 9th September 1839 Mahomed Ghous' name appears with this sum entered opposite it. The only difference being that there he is called a "Teacher" whereas in the acquittance Roll and Abstract alluded to he is termed "Law Student".

I have the honor to be

Sir,

Your most Obedt. Servant

C. Master

Secretary

Pension 1863 Dept.

From №82

The Secretary to the
Board of Revs.

To

The Ag. Depty Secretary
to Government
Fort St. George

Dated 21st February 1863
Recd. 24th — —

№ 68.

Informing him that no information can be gathered from the records of the Office regarding the Service of Moulvie Mohamed Ghous.

General Depart.

№ 79.

35

Memorandum

With reference to Memo No 16 of the 25th Instant, the Offg. Civil Pay Master has the honor to refer the Chief Secretary to Government to the Order of the Government of India dated 8th November 1861 No 13,727 and to state that the Order of 3rd March 1852, which does not appear to have been published in the Official Gazette has been applied to all cases of pensions in which the Service was not continuous, which have come up for report subsequent to the receipt of that Order.

Fort St. George
Civil Pay Master's Office
26th February 1863

H W Mangles
Offg. Civil Pay Master

To
The Chief Secretary to Government.

O. H.

No. 24

D. 26th ~~R. 27th~~ January 1863

37

Register of an application for Superannuation Pension from the Establishment of the Civil & Session Court of Tellicherry

in a letter from the Civil Judge of Tellicherry to the Chief Secretary to Govt. dated 30th October 1862 No. 319

Pension / 8 63 Dept.

To,

The Chief Secretary
to Government

Dated 2th Feby.
Recd. " " } 1863.

No. 79

No.

With reference to Memo. No. 16 of the 25th Instant, refers him to the orders of the Govt. of India of 8th November 1861 No. 13727 regarding cases of Pensions.

c: 7th March 63

Register of an **Application** for **Superannuation Pension** from the **Establishment** of the Civil Session Court of Tellicherry prepared under the **Rules** passed by **Government** under date 15th **May** 1851.

Name of the person by whom the Pension is applied for, with name of his father.	No. on the Establishment.	Identification of Applicants person.	Size.		Age of Applicant at the time of Application.			Religion, Caste or Tribe.	Where residing.			Present Employment.	Total period of service.		Applicants service continuous or not.	How long unemployed, and under what circumstances.	Date of Application to Government.	Average salary or authorized official allowance per mensem for the 5 years preceding the date of Application.	Salary or authorized official allowance per mensem at the time of Application.	Abstract of the grounds of Application.	Remarks by the Head of Office.	Proposed amount of Pension per mensem and date from which to commence.	Treasury at which the party if pensioned wishes to draw his pension.	Orders of Government.
			Feet.	Inches.	Years.	Months	Days.		Province.	Pergunnah.	Village.		Years.	Months.										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Moulavee Syed Mahomed Ghous, son of Syed Mahomed Usman Hussainy	1	Tawny complexion, face oblong, hair grey and scanty. No particular marks.	5	4	67	..	..	Mohamedan	Malabar	Tellicherry	Vadikkagoon	Law Officer	29	5	Continued		30th October 1862	200 ..	200 ..	Removal on account of the abolition of the applicant's office by the order of Government dated 21st October 1862.	Recommended for Pension because the applicant has served nearly 30 years and has not been removed for any proved incompetency or misconduct but on account of the abolition of the office. Wm Holloway Civil Judge	100 .. 26th August 1862	Collector of Malabar	

OFFICE ✻ CIVIL PAYMASTERS ✻ 4 NO 62

Tellicherry Civil Court.
30th October 1862

General [illegible]
Nº 24.

Report of the Civil Paymaster.

Service of Applicant as verified by Civil Paymaster.	~~Average of~~ Salary for the last 5 years.	Remarks.
Ys – Ms – Ds 18 – 11 – 10	Rs – A – P 200 – 0 – 0	From 16th September 1843 to 25th August 1862 – The Service of Moulavee Mahomed Ghous late Mufti Sadr Amin of Tellicherry from 1st June 1823 to 6th December 1833 is not admissible for pension as he resigned the Office he then held and remained unemployed for 9 years 9 months and 9 days Vide Certificate of Mr. Douglas dated 6th December 1834 and Orders of Government of India dated 7th May 1860 No. 4020 Financial Departt. – His alleged Service of Mufti at the College, from 7th December 1833 to 15th September 1843, cannot be verified from the Returns on records in this Office Mr. Holloway states in his letter that Mahomed Ghous appears to have been studying at the College for that period. – He is eligible to a pension equal to one third of his salary under Section 5 Clause 3 of the Superannuation Pension Rules. –
	Clause 105 of Cha: III of the Civil Auditor's Manual	

Civil Paymaster's Office
Fort Saint George
26th January 1863 –

To
The Chief Secy. to Govt.
in Civil Pension Depart.

O. K. H.

[illegible]
Offg. Civil Paymaster.

Order of Government.

Enclosure

Civil Paymaster's Report

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12 Copies
[illegible]

Pension Department.

41

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers

From the Civil Judge of Tellicherry	(30 Octr. 62, No. 319)
From the Civil Paymaster	(26 Jany. 63, No. 24)
From the acting Civil Judge of Tellicherry	(30 Jany. 63, No. 29)
From the Secy. to the Board of Examiners	(21 Feby. 63, No. 68)
From the Civil Paymaster	(26 Feby. 63 No. 79)
Petn. from Moulvie Mahomed Ghauss –	(24 Feby. 63)

Order thereon 11th March 1863 No. 61

The above papers have reference to an application for a superannuation pension made on behalf of Moulvie Mahomed Ghauss, who held the office of Mufti Sadr Amin at Tellicherry when it was abolished

Govt. 21 August 1862,
No 1363.-

2 The Civil Judge, Mr Holloway, strongly recommends his case for favorable consideration. His service, he observes, amounts to nearly 30 years which is the period that would entitle him to a moiety of his salary, and, nearly nineteen years of this time having been spent in the capacity of a ~~District~~ Native Judge, he ~~is~~ recommends ~~of opinion~~ that the small deficiency required to make up the full term of 30 years should be overlooked.

3 The Moulvie's service however is not continuous. In the eleventh year he resigned his situation in the Office of the Carnatic Commissioner, and a break ensued of more than ~~8~~ nine years during which he was without employ. Mr Holloway observes that the Moufti was then studying "in the College apparently "at the invitation of the "Secretary" & he expresses an opinion that "the "period passed there "should not be considered "as a discontinuance "of public Employment". According to the Civil Paymaster, on the other hand, he has forfeited, by his resignation & the break which followed it, the whole of his

the late Major very carefully explained thro' the Acting Civil Judge, the circumstances under which he was induced to resign, & a reference on the subject has been made to the Board of Examiners. It is also urged on his behalf that the Rule, dated 3rd March 1852, which makes continuity of service a necessary qualification for a pension, was not issued till long after the break in his service was brought to an end by his re-employment.

5 As regards the latter argument it is observed that the Court of Directors when laying down the Rule applied it retrospectively to the case which gave rise to it. The principle, they remarked, was one which they had always entertained, & which was moreover implied, tho' not distinctly expressed, in the old Rules. The Govt. of India also has since ruled with adherence to the Court's Despatch that continuous service must be required as a condition of pension whether before or after 1852.

E. M. C. 23 April 1852 No. 159

G.O. 14 Decr. 61 - No 631

6 In respect of the Moulvie's connection with the College no definite information is forthcoming after this lapse of time. The statement, however, that he actually served

in the College as Mufti is acknowledged by himself to have been a mistake. If his own account be accepted as correct, there can be no doubt that he resigned with a view to promotion, & that he was not re-employed till nine years afterwards.

The Gov^r in Council therefore concurs with the Civil Paymaster in regarding his service prior to his resignation as inadmissible towards Pension.

The late Mufti's service is thus reduced to yrs m d 18-11-10, or a little more than three years less than the period wh. is necessary to entitle a native Judge to a higher rate of ~~salary~~ pension than one-third of his salary. Under these circumstances the G. in C. is prepared to grant him a pension of Rs 66-8 equal to a third of his salary, but before issuing a certificate to that effect, adverting to the request contained in the Mufti's pet^n wh. is recorded above, and having in view the recent orders which have been passed in the case of the late Mufti Sadr Amin of Tanjore, H. E. in C. resolves to make a reference to the High Court to ascertain whether he can be re-employed as a District Munsif.

To the Civil Judge of Tellicherry with original and Copy of the Pension Certificate
— " — Civil Paymaster with Copy of the Pension Certificate —
— " — Registrar of the High Court of Judicature at Madras.

Pension to the late
Mufti late Ameen
of Tellicherry

Pension 1862. Department.

No. 61

PROCEEDINGS OF GOVERNMENT,

Dated 11th March 1863

Read ... Sum

List

Passing orders
on the application
submitted by the
Civil Judge of Tellicherry
for pension on behalf
of Moulvie Mahomed
Ghouse late Mufti
late Ameen on his Estab.

C. 7th March/63