No. 8
R. Dat. 17-6-36
R. Initials of Reference:
M.R.O. 1—82,400—22-11-30

1936

MADRAS RECORD OFFICE.

Government of Madras.

Revision DEPARTMENT.

G.O. No. 679 Press Mis.

Dated 5-12- 18 76.

Not to be folded or roughly handled

17.6.36

No. 267.

FROM

THE HON. R. S. ELLIS, C.B.,
Chief Secretary to the Government of Fort Saint George,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I am directed to forward, for the orders of His Excellency the Governor-General in Council, an application for increase of pension made to this Government by Mr. Alexander Bowie, late Superintendent in the Madras Mint.

2. Mr. Bowie's service under Government is shown in the margin. On the 16th of August 1869, when the Mint was abolished and his services were dispensed with, he sent in a claim for pension based on the result there exhibited. The first period was then disallowed by this Government, on the grounds that it was Military service and as such could not count as service in the Civil Department; the second period was also disallowed on the grounds that, though the applicant was a Mint Artificer in the terms of Order of the Government of India, dated 9th March 1869, No. 1397, Financial, he was debarred from taking advantage of the Uncovenanted Pension Rules for that period, his appointment in the Mint having been decided by a local Committee appointed by this Government consequent on Resolution of the Government of India in Proceedings, dated 30th July 1869, No. 2324, to be not such as would prejudicially affect the health of the incumbent. For the subsequent service of twenty-three years, six months, and twenty-three days as Superintendent in the Mint, Mr. Bowie was held to be eligible, under Section 9 of the revised Pension Rules, to a pension of one-third of the last salary of his permanent appointment, equal to Rupees 83-4-0 per mensem. This pension was given to Mr. Bowie in February last, with effect from the 15th August 1869.

	Yrs.	M.	D.
Carnatic Ordnance Artificer	8	6	14
Head Carpenter in the Mint	4	0	22
Superintendent in the Mint	23	6	23
Total...	36	1	29
Deduct service before 22 years of age	3	1	3
Result...	33	0	26

3. Mr. Bowie now asks the Government to re-consider its decision as to each of the two rejected periods above mentioned. It will be observed that the concession of either causes his period of service towards pension to exceed twenty-five years, and entitles him to half-pay allowance, under the Uncovenanted Civil Pension Rules.

4. As to the second rejected period Mr. Bowie's plea amounts to this, that as the date of his retirement was the 14th August 1869, and that of the order of the Government giving details as to the distinction between appointments in the Mint, prejudicial and non-prejudicial to health, was the 13th December 1869, the latter should not be applied retrospectively to his case. In answer to this, it is only necessary to point out that the order of the Government of India, enunciating the principle of distinction above mentioned, was dated the 30th July 1869, previously to the applicant's retirement.

5. As to the first of the two rejected periods the applicant cites certain orders of Government passed at the time of his transfer from the Carnatic Ordnance Establishment to the Mint. These are Extract from Minutes of Consultation, No. 4771, dated 14th December 1841, Military, and Extract from Minutes of Consultation, No. 451, dated the 21st December 1841, Financial, herewith enclosed. It would appear that, when the applicant was transferred, for the convenience and advantage of Government, from his appointment as Ordnance Artificer, to which pensionary advantages were attached, to the appointment in the Mint, to which none such were attached, compensation was allowed by an order to the effect that he should not forfeit, on account of his transfer, any "claim to the pension to which he would have been eventually entitled had he continued in the Military branch of the service." It was apparently intended by Government, their final orders

n the Financial Department differing in this respect from the view adopted in the previous order n the Military Department, that Mr. Bowie, though about to serve in a civil capacity, should still remain under the operation of the Military Pension Rules. Following this order, Mr. Bowie might have successfully claimed, in August last, to be pensioned according to the rules last mentioned. This, however, would have given him a pension of much smaller amount than the one already passed to him from the Civil Department. Mr. Bowie's object now in quoting the orders above mentioned is to obtain such an interpretation of them by this Government as will enable him to add his previous Military service to his recent Civil service, and reckon the whole towards Civil pension.

6. His Excellency the Governor in Council observes that Mr. Bowie's construction of the orders of Government by no means follows from them as a necessary consequence. If the Government permitted him, in 1841, to count his future service in the Civil Department as service towards Military pension under the rules applicable to Carnatic Ordnance Artificers, it does not follow that he was thereby permitted conversely to count his past service as an artificer towards pension under the Uncovenanted Civil Pension Rules. Looking, however, to the spirit of the two orders above quoted, the Governor in Council is of opinion that the only reason why the view contained in the request now made was not adopted in the Financial Order of 1841, as actually suggested in the previous Military Order, was that the contingency of Mr. Bowie's ultimately rising to a pension grade in the Civil Department was not then thought of. The suggestion made in the Military Order would apparently have been put in force, had it not appeared at the time that it would be disadvantageous to the applicant. The Governor in Council sees no reason why Mr. Bowie's case should be regarded less favourably now than it appears to have been in the year 1841. In His Excellency's opinion an equitable claim has been made out for permitting the time spent by Mr. Bowie as an Ordnance Artificer to count as service towards Civil pension, as per margin. I am, therefore, directed to request that, in supersession of the Order of this Government, dated 7th February 1870, No. 60, (Pension,) sanction may be given to passing to Mr. Alexander Bowie a pension calculated upon twenty-nine years and four days of service, or a sum of 125 rupees per mensem, equal to one half of his salary during the last five years.

	Ys.	M.	D.
Ordnance Artificer, from 1st June 1833 to 14th Dec. 1841	8	6	14
Superintendent in the Mint, from 23rd Jan. 1846 to 14th Aug. 1869	23	6	23
	32	1	7
Deduct service before twenty-two years of age	3	1	3
Total result	29	0	4

7. Mr. Bowie asks, in the third place, that an allowance of Rupees 50, which he drew for four years, two months, and twenty-three days, in the Iron Foundry attached to the Mint, may be included in the emoluments upon which his pension is calculated, that sum being regarded in the light of a personal allowance. This plea is inadmissible, and the Governor in Council does not support it. The salary of Rupees 50 was not a personal allowance, but a sum granted on the contingent list; as such it cannot be included in the emoluments on which pension is calculated.

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

Fort Saint George,
11*th June* 1870.

Chief Secretary.

From Mr. A. BOWIE, late Superintendent in the Madras Mint, to the Examiner of Claims, Fort Saint George, dated Madras, 23rd February 1870.

With reference to Memorandum, No. 412, of the 8th instant, from the Assay Master in charge of the Bullion Depôt, informing me that Government have granted me a pension of Rupees 83-4-0 monthly, from 15th August 1869, I beg respectfully to request you will do me the favour to lay my case again before the Government, as it appears to me that some facts connected personally with my services have been overlooked in sanctioning a reduced pension to me.

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2. From the copies of papers herein enclosed, kindly given me by Dr. Bellew, the circumstances herein-after mentioned will be verified.

3. In the orders of Government sanctioning my pension, my service in the Military Department cannot, it is stated, reckon for Civil pension. While this may be the rule I would solicit attention to Extract from Minutes of Consultation, No. 451, of 21st December 1841, Financial Department, in which my case has been specially disposed of; for it is therein stated that my permanent transfer to the Mint was to be without forfeiture of claim to pension, to which I would be entitled had I continued in the Military branch of the service.

4. It further appears that my services as Head Carpenter cannot reckon towards pension under orders of 13th December 1869, to which retrospective effect is given in my case, as my services were dispensed with on 14th August 1869; but in the Extract from Minutes of Consultation already alluded to, paragraph 2, my case has been also specially settled.

5. In computing even the one-third, I find that the personal allowance of fifty rupees, granted me the last four years or thereabouts, has not been taken to account. In granting this personal allowance it must be remembered that the Mint Master effected a large monthly saving to Government of about Rupees 640, as shown marginally, which the records of the Mint will show. Colonel Carpendale, too, if a reference be made to him, will verify this statement. I trust, therefore, that, under Proceedings of Government of India, Financial Department, 25th June 1869, No. 1422, this allowance may be taken towards the grant of pension to me.

	Rs.
Mr. Clarke's salary	310
,, Scott's do.	330
	690
Personal allowance to me	50
	640

6. My service under the Government ranges over a period of thirty-six years in all; it has been my study to discharge faithfully the duties entrusted to me, and I enclose, for submission to Government, copies of my testimonials in the fervent hope that the pension they have allowed me may be re-considered, as I am certain that, after all my toil, they will grant me the one half of the salary I received during the last five years.

I solicit your support in forwarding this letter.

No. 212.

Memorandum.

Submitted to Government for consideration and orders with reference to Proceedings of Government, dated 7th instant, No. 60, Pension Department, with the intimation that, as the personal allowance of Rupees 50 was paid from the amount sanctioned for the contingent establishment, the same cannot be taken into account when calculating Mr. Bowie's average salary during the five years previous to the abolition of his office.

2. Mr. Bowie's service as Carnatic Ordnance Artificer was thrown out of account in reckoning his service for pension in terms of the Memorandum from the Controller of Military Accounts, dated 13th December 1869, No. 880.

Fort Saint George,
28*th February* 1870.

(Signed) W. DONALD,
Examiner of Claims.

To the Chief Secretary to Government, Fort Saint George.

Exd. J. Wright.

1870.

FINANCIAL DEPARTMENT.

From

The Chief Secretary to Government,

Fort Saint George,

To

The Secretary to the Govt. of India,

Financial Department.

Dated 11th June 1870.

Rcd. No. 267.

Enclosure.

Forwarding, for orders, an application for increase of pension made to this Government by Mr. Bowie, late Superintendent in the Madras Mint.

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Proceedings of the Madras Government, Financial Department, 6th September 1870.

No. 3. Read the following letter from the Under Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, Fort Saint George, dated Simla, 22nd July 1870, No. 2080 :—

In reply to your letter, No. 267, dated 11th June 1870, I am directed to say that the application of Mr. Alexander Bowie, late Superintendent in the Madras Mint, for an increase to his pension has been referred to Her Majesty's Secretary of State for India, with a recommendation that Mr. Bowie's present pension of Rupees 83-4-0 a-month may, as a special case, be raised to Rupees 100 a-month.

No. 4. ORDER THEREON, 6th September 1870, No. 371.

Copy forwarded to the Acting Assay Master for communication to Mr. A. Bowie.

(True Extract.)

Under Secy. to Govt.

To the Acting Assay Master.

Exd. J. Wright.

Govt. of {1870} Madras.

FINANCIAL.

To

THE ACTING ASSAY MASTER.

Dated September, 6th.

Recd. Encl.

G. O., 6th September 1870, No. 371.

SEPTEMBER.
Nos. 3-4.

Communicating letter from Government of India stating that the increase to 100 rupees per month of Mr. Bowie's pension has been recommended to Home Government.

Proceedings of the Madras Government, Financial Department, 7th November 1870.

No. 9. Read the following Despatch from the Right Honourable the Secretary of State for India (Financial), to His Excellency the Right Honourable the Governor-General of India in Council, dated India Office, London, 6th September 1870, No. 295:—

I have considered in Council your Financial letter, dated the 22nd July last, No. 174, recommending that, under the circumstances therein stated, the pension of Rupees 83-4-0 per mensem, which has been granted to Mr. Alexander Bowie, late Superintendent in the Madras Mint, be increased to Rupees 100 per mensem.

2. The grant of the increased pension is sanctioned.

No. 4323.

Ordered that a copy of the above be forwarded to the Government of Fort Saint George, with reference to letter from this Department, No. 2080, dated 22nd July 1870, also to the Accountant-General, Madras.

FINANCIAL DEPARTMENT, (Signed) W. M. SOUTTAR,
SIMLA, *the 20th October* 1870. *Offg. Under Secy. to the Govt. of India.*

No. 10. ORDER THEREON, 7th November 1870, No. 448.

Communicated to the Acting Assay Master in continuation of G. O., dated the 6th September last, No. 371.

(True Extract.)

(Signed) R. J. Ellis
Chief Secretary.

To the Acting Assay Master.
,, Pension Department.

Exd. J. Wright.

Pros: 7th Feby 1870 No 60

Govt. of {1870} Madras.

Pension Rs 1235

Pros: of FINANCIAL. Govt

To

THE ACTING ASSAY MASTER,

&c., &c., &c.

Dated November, 7th.

Recd. — " —

Encl.

G. O., 7th November 1870, No. 448.

NOVEMBER.
Nos. 9-10.

Communicating sanction of the Home Government to the grant of an increased pension of Rupees 100 per mensem to Mr. A. Bowie, late Superintendent in the Madras Mint.

Order thereon 5 Dec^r 1870 No 679

Recorded

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