

(1) Number of pages 24(2) Date of repair 7-12-40(3) Initials of the Referencer A

MADRAS RECORD OFFICE.

Government of Madras.

Revision DEPARTMENT.

G.O. No.	<u>46</u>	Press Mis.
Dated	<u>21-1-</u>	<u>1873.</u>

Not to be folded or roughly handled*CS*

*Proceedings of the Madras Government, Pension Department,
21st January 1873.*

Read again—

Proceedings of Government, Pension Department, dated 28th June 1872, No. 504.

Read also the following papers:—

From the Officiating Deputy Inspector-General of Ordnance and Magazines, dated 26th September 1872, No. 202-G.

From the Controller of Military Accounts, dated 9th October 1872, A.

Memo. to the Controller of Military Accounts, dated 24th October 1872, No. 85.

From the " " " 29th " " C.

Memo. to the " " " 9th November " " 86.

From the " " " 16th " " E.

Memo. to the " " " 20th Dec. " " 90.

From the " " " 4th January 1873, " " G.

ORDER THEREON, 21st January 1873, No. 46.

Application is made for the grant to Master-Artificer J. Hunter, of the Gun Powder Manufactory, of an invalid pension equal to one-third of his average salary for the last five years. The details of Mr. Hunter's service are exhibited in the margin.

	Y.	M.	D.
Attached to the Gun Carriage Factory as Artificer from 1st August 1848 to 29th February 1852	3	7	0
On foreign service with expedition to Burmah as Smith from 1st March 1852 to 31st August 1860	8	6	0
On the establishment of the Gun Carriage Factory as Smith from 1st September 1860 to 10th October 1862	2	1	10
On the establishment of the Gun Powder Factory as Artificer from 11th October 1862 to 9th October 1872	9	10	30
Total	24	2	9

* Financial Resolution, dated 30th December 1871, No. 3341.

2. Mr. Hunter is one of the three Carnatic Ordnance Artificers specially permitted* by the Government of India to count their departmental service for pension under the Uncovenanted Civil Service Rules, on condition of their taking their discharge from the Army. The Government of India expressly declined to allow them to count their previous military service.

3. Mr. Hunter's service in the Gun Powder Factory amounts to nine years, ten months, and thirty days, which period, under the Uncovenanted Civil Service Pension Rules, gives a title to a gratuity of nine months' pay. The Inspector-General of Ordnance and Magazines, however, strongly urges the grant of a further concession, viz., that service from 23rd January 1855 to 18th June 1860 (a period of five years, four months, and twenty-six days, during which Mr. Hunter was attached to the Topographical Survey of Pegu) may be permitted to reckon, in which case the applicant will be eligible to a pension of one-third of the average salary drawn during the last five years of his service, viz., Rupees 115 per mensem.

4. There appears, however, to be no valid ground for any further relaxation of the Rules. As a special case, Mr. Hunter was allowed the benefit of the Uncovenanted Civil Service Rules, provided he took his discharge from the Army, which the Controller reports that he has not yet done, and further, in the representation to the Government of India on behalf of the three Ordnance Artificers

*Proceedings of the Madras Government, Pension Department,
21st January 1873.*

employed in the Gun Powder Factory, no mention is made of Mr. Hunter's service in the Topographical Survey, although an opportunity was then afforded of urging previous good service in the Survey as an argument for showing exceptional consideration.

5. Mr. Hunter is debarred, by Section 6 of the Pension Code, from counting towards pension under the Uncovenanted Civil Service Rules the period during which he was attached to the Topographical Survey, as he was transferred temporarily, subsequently reverting to military duty. He never ceased to be borne on the Rolls of the Army, and his service in the Pegu Survey Establishment counts for military pension.

6. With regard to Colonel Barrow's argument as to the unhealthiness of his employment, it is sufficient to observe that he accepted the arduous duties, which are now advanced as an argument for making an exception in his favour, in consideration of a considerably enhanced rate of pay (it appears that he reverted from a salary of Rupees 130 to one of Rupees 20), and that the risk to which he voluntarily exposed himself for liberal remuneration constitutes no valid argument for an increase of pension twelve years afterwards; nor can any weight be given to the fact that a saving is contemplated on Mr. Hunter's retirement.

7. Properly speaking, Mr. Hunter has forfeited his claim to retiring allowance under Civil Rules, that concession being contingent on his taking his discharge from the Army, which he has omitted to do, but, in consideration of the strong recommendation on his behalf, the Government resolve to overlook the omission and to give Mr. Hunter the option of taking the gratuity of nine months' pay for which he has served under Civil Rules, or of claiming whatever pension he is entitled to under Military Rules.

8. The Controller of Military Accounts will ascertain and report which set of Rules Mr. Hunter elects to stand by.

(True Extract.)

Acting Under Secy. to Govt.

To the Controller of Military Accounts.
„ Inspector-General of Ordnance and Magazines.
„ Military Department.

Exd. J. H. Burns.

Pension Department.

Memorandum for Orders.

Application is made for the grant to Master Artificer J. Hunter of the Gunpowder Manufactory, of an invalid pension equal to one-third of his average salary for the last five years. The details of Mr. Hunter's service are exhibited in the margin.

2. Mr. Hunter is one of the three Carnatic Ordnance artificers specially permitted by the Govt. of India to count their departmental service for pension under the Incumbent Rules on condition of their taking their discharge from the army. The Government of India expressly declined to allow them to count their

Attached to the Gun Carriage Factory as artificer from 1st April 1848 to 29th February 1852 - 3-7-
 On foreign service with 24th Regt. of Foot as Smith from 1st March 1852 to 31st Aug. 1860 - 8-6-
 On the Estab^t of the Gun Carriage Factory as Smith from 1st September 1860 to 10th Oct. 1862 - 2-1-10.
 On the Estab^t of the Gunpowder Manufactory as artificer from 11th October 1862 to 9th Oct. 1862 - 9-10-30.
 Total 24-2-9.

Financial Resolution of 30 Dec. 1841 No. 3341.

Govt. of 1873 Madras.

PENSION.

To

THE CONTROLLER OF MILITARY ACCOUNTS, &c., &c., &c.

Dated January, 21st.

Recd.

G. O., 21st January 1873, No. 46.

JANUARY.

Requesting the Controller of Military Accounts to ascertain and report whether Master Artificer Hunter elects to retire under the Civil or Military Rules.

their previous Military service.

3. Mr Hunter's service in the Gun Powder Factory amounts to 9 years, 10 months & 26 days, which period, under the Unconquanted Civil Service Pension Rules, gives a title to a gratuity of 9 months pay. The Inspector General of Ordnance and Magazines, however, strongly urges the grant of a further concession, namely that service from 23rd January 1855 to 18th June 1860, a period of 5 years, 4 mos. 26 days, during which Mr Hunter was attached to the Topographical Survey of Pegu, may be permitted to reckon, in which case the Applicant will be eligible to a pension of one third of the average salary drawn during the last five years of his service. Viz. Rs 115 per mensem.

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any further relaxation of the Rules. As a special case Mr Hunter was allowed the benefit of the Unconquanted Civil Service Rules, provided he took his discharge from the army which the Controller reports that he has not yet done; and in the representation to the Government of India on behalf of the three Ordnance artificers employed in the Gun Powder Factory, no mention is made of Mr

although an opportunity was then afforded of urging his presence in the Survey as an argument for showing

Mr Hunter is debarred by Section 6 of the Pension Code from counting towards pension under the Unconquanted Civil Service Rules, the period during which he was attached to the Topographical Survey, and with regard to

Colonel

Colonel Barrow's argument
 as to the unhealthiness of his
 employment, it is sufficient
 to observe that he accepted
 the arduous duties in con-
 sideration of a considerably
 enhanced rate of pay &
 (it appears that he reported
 from a salary of £130
 to one of £20) and that
 the risks to which he volun-
 tarily exposed himself
 for liberal remuneration
 constitutes no valid argu-
 ment for an increase
 of pension 12 years after-
 wards. Nor can any weight
 be given to the fact that a
 saving is contemplated on
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 has forfeited his claim to
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 Civil Rules, that conces-
 sion being contingent on
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 argument for taking the
 pension in his favor.

in consideration of the
 many recommendations
 his behalf to for-
 ces to overlook the
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from the army which he
 has omitted to do; but I
 would suggest that he
 should be permitted the
 option of taking the gra-
 tuity of 9 months pay for
 which he has served under
 Civil Rules or, ^{if claiming} whatever
 pension he is entitled to
 under Military Rules.

I should like

first to know
 what his Military
 pension would be,
 and what advan-
 tages he gained
 by not taking his
 discharge when the
 order of Jan 7 72 was
 communicated to
 him.

I don't think any further
 elaboration of the rules in
 Mr. Hunter's favor can
 be advocated. But I
 am not clear whether
 the Govt. order in order
 to not allow him to
 count service in the
 gun-factory as work
 as is the gunpowder
 factory for Civil service
 he has not shown that
 he stops receiving salaries
 of his gun-factory by this
 order. But how is it

J. D. L.

Case of Mr Hunter of
the Gun Powder Factory

it is intimated as he has
not taken his discharge
from the Army. & I don't
think he can be allowed
now to qualify in this
respect & thus he is in
fact invalid. -
The sums I have
balanced advantages
must now think
take his daily pension.

L.R.

Memorandum.

Mr Hunter's
claim for
Civil Pension
is, I think, un-
tenable - He
must elect be-
tween the Civil
pension & the
Military Pension.
I think he may
so far, as look his
not having taken
his discharge

With reference to
the Honble Mr. Sims' remarks
on Master Artificer Hunter's
case, a Memorandum from
the Controller of Military
Accounts is submitted
showing that Mr. Hunter
is entitled to an invalid pension
of Rupees 16-10-8 per month
under Military Rules. I
presume that he did not
take his discharge on
receipt of the order of January
1872 with the view of retaining
his discharge

L.D.S.

a claim to Military
Pension should it prove
more advantageous to himself
than the retiring allowance
which he could ^{claim} under civil
rules.

LB. Cdr.

Master Ariff Hunters
Pension

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter against the
Proceedings of Government Pension Department
dated 28th June 1872 No. 504.

Read also the following papers
From the Offg Deputy Inspector General of
Ordnance & Magazines dated 28th September 1872
No. 202

" " Controller of Military Accounts
(dated 7th October 1872 A)

Memo to the Controller of Military Accounts
(dated 24th do No 85)

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Order thereon

Ly. O. No. 46

7/2/73

In Print

Order thereon 21st January 1873 No. 46.

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Financial Resolution of 30 Decemr 1871 No 3341

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To The Controller of Military Accounts
Inspector General of Ordnance and
Magazines
Military Department

Charles-Adolphe J. Hunter

Bot. of 1873 **EN** mins.

To London

Feb. 29.
The Contractor of
Military Dept.

Dated *Aug 29th*
Recd. 1873, No. 46.

Nos.

Regarding the bear
trapper of Military accounts
to ascertain and report
whether Hunter's de-
er Hunter elects to
serve under the Unit
or Military Rules.

C: 17. Jan 21