

[13.]
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Educational (1902) Department.

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G.O., No. 426

DATED 24. 7. 02

INDEXED.

ORIGINAL



[Despatch Abstract.]

Mr. R. A. Nelson

long to the D.P. I letter from the post
India forwarding copy of Correspondence
to the Secy of State on the subject
the proposal to allow the teachers
in the Law College to receive for
pension.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Government {1902} of Madras. EDUCATIONAL.

Recd.

Regd.

} 1902.

Enclosures

Spare copies

ORIGINAL

G.O., No. 426, 24th July 1902.

JULY.

Mr. R. A. Nelson.

Communicating to the Director of Public Instruction letter from the Government of India forwarding copy of correspondence with the Secretary of State on the subject of the proposal to allow the services of — in the Law college to count for pension.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper :—

From A. WILLIAMS, Esq., Deputy Secretary to the Government of India, Home Department (Education), to the Secretary to the Government of Madras, Educational Department, dated Simla, 9th July 1902, No. 568.

In continuation of Home department letter No. 312, dated 7th April 1902, I am directed to forward, for the information of the Governor in Council, a copy of the despatches noted in the margin on the subject of the proposal to allow the services of Mr. R. A. Nelson in the Madras Law college to count for pension. I am to add, with reference to paragraph 5 of the Secretary of State's despatch of the 16th May 1902, that the Governor-General in Council sees no objection to Mr. Nelson being admitted to the benefit of the pension rules from the 2nd April 1896, without reference to the future position of the college.

ENCLOSURES.

DESPATCH from the Government of India, Finance and Commerce Department (Pensions and Gratuities), to His Majesty's Secretary of State for India, dated Calcutta, 20th March 1902, No. 80.

We have the honour to refer to the correspondence ending with your Lordship's Public (Educational) despatch No. 80 of the 20th June 1901, in which you sanctioned the proposals of the Government of Madras in respect of the appointment of the principal, the junior professor and the two assistants in the Madras Law college. We now forward, for your Lordship's consideration, a letter from the Government of Madras in which two specific proposals are made with regard to Mr. Nelson, the principal of the college, viz. :—

(i) That, in the event of the Madras Law college being permanently established at the end of Mr. Nelson's current engagement for five years, the whole of the fifteen years' service which he will then have rendered should be counted for pension, and

(ii) that, if Mr. Nelson's health should prevent him from serving for any further period, he should be granted such invalid pension as would, under the ordinary rules, be admissible for fifteen years' service.

2. As regards the first of these proposals, we agree in the views expressed by the Government of Madras, and we would recommend, for your Lordship's sanction, that, in the event of Mr. Nelson continuing in the college, he may be allowed to count for pension the fifteen years which he will have completed at the end of his present engagement. As regards the second proposal, however, we are of opinion that the consideration of the concession to be granted to Mr. Nelson should his health unfortunately break down, may properly be deferred till that eventuality actually occurs.

DESPATCH from His Majesty's Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated India Office, London, 16th May 1902, No. 46, Public (Educational).

I have considered in Council your Excellency's letter, dated the 20th of March last, No. 80 (Financial), supporting a proposal made by the Government of Madras, that, in the event of the Madras Law college being permanently established at the end of the present engagement of Mr. Nelson, the principal, and of his continuing in the college, he should be allowed to count for pension the whole of the fifteen years' service which he will then have rendered.

2. In the agreement made with Mr. Nelson on the 2nd of April 1891, it was stipulated that, during the five years to which it related, he should receive a salary of Rs. 1,200 a month, that the privilege of private practice should be granted to him, and that he should not be entitled to either leave allowance or pension.

3. In cases in which the privilege of pension is not conceded, it is probably necessary to give more favourable conditions than are granted to a whole-time servant of the Government, such as a higher salary or permission to practice a profession; but it is obviously undesirable, after allowing such special privileges, to set aside the definite agreement by permitting the time to reckon towards pension. I am therefore unable to permit that portion of Mr. Nelson's employment to be treated as pensionable.

4. I, however, sanction the service rendered by him after the expiration of his first agreement being held to be qualifying for pension; and I consider that he should be allowed the benefit of article 441-A of the Civil Service Regulations, and be exempted from the operation of article 521 (a).

5. With reference to the last passage of your letter, I see no objection to Mr. Nelson's being admitted to the benefit of the pension rules from the 2nd April 1896, without reference to the future position of the college, if you think fit to allow this privilege.

ORDER—No. 426, Educational, dated 24th July 1902.

Communicated to the Director of Public Instruction.

(True Extract.)

H. A. STUART,
Ag. Secretary to Government.

To the Director of Public Instruction.

Accountant-General.

Ed. B. J. Pereira.

[E. 4]

1,000-25-10-01.

5 PM

READ AGAIN G.O., No., dated 190

" " " " " 190

READ ALSO:—

C. No. 1697 A, From the *govt of India*, No. *568*, dated *9th July* 1902

" " " " " 190

" " " " " 190

ORDER No. *426*, dated *24 July* 1902

Communicated to the *PP*.

PP 7/8/2
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18.7.2

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18.7.02

Hon. Mr Thomson *CSG*.
H.E. the Governor.

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22-7-02

To Messrs Lindsay & Co
- A.G. SO
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on 25-7-02

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READ AGAIN G.O., No.
190 .

DATED

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