

MADRAS RECORD OFFICE.

Government of Madras.

Public

DEPARTMENT.

G.O. No. 268

Press
Mis.

Dated

6th June

1860

*13. No. 13-14**6/7*Not to be folded or roughly handled

6th June 1860.

No. 13. Read the following Extract from the Proceedings of the Government of India, in the Financial Department, dated 3rd May 1860, No. 4,107.

Read the following papers having reference to a question as to the competency of the local Governments to sanction pensions which are strictly within the Uncovenanted Service Rules:—

Office memorandum from the Under Secretary to the Government of India with the Governor General, in the Foreign Department, No. 949, dated 17th March 1860, with enclosure.

Report from Civil Auditor, North Western Provinces, No. 586, dated 4th ultimo, with enclosure.

Ditto from Civil Auditor, Punjab, No. 225, dated 5th idem.

Ditto from Civil Auditor, Fort William, No. 1,369, dated 14th idem.

RESOLUTION.—Goluck Chunder Banerjee, a Clerk in the Punjab Accountants Office, who is reported to have rendered a continuous service of 24 years, 10 months, and is declared by the Civil Surgeon of Lahore and the standing Medical Committee at Mean Meer to be unfit for further duty, submits an application for a pension equal to $\frac{1}{3}$ rd of his average salary during the last 5 years of his service.

2. In forwarding this application to the Governor General, the Punjab Government raises a question as to whether it is within the competency of the Lieutenant Governor to sanction superannuation pensions to Uncovenanted Servants so long as the Pension Rules are acted up to, or whether each case must be referred for the orders of the Government of India.

3. The case having been sent down by the Governor General, a reference was made to the Civil Auditor, Fort William, as to the authority exercised by the Lieutenant Governor of Bengal in respect to the grant of pensions.

4. The Auditor reports that there is no specific rule or order vesting the Lieutenant Governor of Bengal with authority to sanction pension; that this authority was exercised previously by the Governor General, both as head of the Government of India, as well as of the Government of Bengal; and that when the latter was placed under a Lieutenant Governor, this last named functionary exercised similar authority in all cases appertaining to the Government of Bengal, *i. e.*, the grant of pension in all cases provided for in the rules of 4th January 1831.

5. The President in Council remarks that there is no objection to the local Governments exercising this function as long as pensions to be authorized are strictly within rules. But His Honor in Council directs that every case not strictly supported by the rules or the existing orders of the Government of India or the Home Authorities, as well as all cases of good service pensions, be invariably referred to this Government for sanction.

6. The pension applied for by Goluck Chunder Banerjee may, under the above view, be sanctioned by the Lieutenant Governor of the Punjab.

Ordered that a copy of the above Resolution be sent to the Secretary to the Government of India, in the Foreign Department, with the Governor General, with reference to office memorandum above referred to, and that the original paper received therefrom be returned.

Ordered also that a copy of the Resolution be sent to all the local Governments and the Civil Auditors, for information and guidance.

(A true Extract.)

(Signed) C. HUGH LUSHINGTON,

Secretary to the Govt. of India.

No. 14. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 6th June 1860. No. 268.

I am directed by the Honorable the Governor in Council to acknowledge the receipt of an Extract from the Proceedings of the Government of India, Financial Department, dated 3rd ultimo, to the effect that there is no objection to the local Governments exercising the function

*Proceedings of the Madras Government, Financial Department,
6th June 1860.*

of sanctioning Superannuation pensions to Uncovenanted Servants so long as the pensions to be authorized are strictly within rules. This function, I have to observe, has always been exercised by the Madras Government.

2. I am desired to take this opportunity of submitting for the consideration of the Government of India whether the local Governments might not similarly be vested with power to award gratuities to public servants not entitled to pensions, provided that such gratuities be given strictly according to rule, and that all special or exceptional cases be reported for sanction before the grant is made.

3. At present, under the Orders of the Government of India 14th August 1857, no gratuity, be it but of three months' pay at 3½ Rupees per mensem to a peon or sweeper, can be awarded by this Government until it has been submitted by them to the Supreme Government in a prescribed form and received sanction. Prior to that date, this Government awarded without reference to higher authority gratuities as well as pensions.

4. The form of application shows the name of the party, his office and salary, length of service, amount of gratuity recommended, and cause of recommendation, which is usually that the man is incapacitated from further service by age or mental or physical infirmity, or has been thrown out of employment by the reduction of establishment. There is little for the Supreme Government to remark upon, and the application is usually returned sanctioned without comment.

28th October 1859, No. 9034, *Financial Department.*

5. In an Order passed upon an application for granting gratuities to some servants who had been discharged on the breaking up of the Mint Committee, the Government of India observed "it has been resolved that gratuities shall not be granted to persons who have served less than 5 years, that a gratuity of 3 months' pay is suitable for an officer who has served more than 15 and less than 10 years, a gratuity of 4 months' pay for an officer who has served more than 10 and less than 15 years, a gratuity of 5 months' pay for one who has served more than 15 and less than 20 years, and a gratuity of 6 months' pay for one who has served more than 20 years." This rule, it is presumed, was intended for general observance. It has therefore been communicated to all Departments and will be acted up to.

6. If, I am instructed to remark, the local Governments may exercise the authority of conferring within the rules, pensions which may run for years, a fortiori, may they be invested with power to grant gratuities which can in no case exceed 6 months' salary.

Paragraph 15 of their Despatch to the Government of India in the *Financial Department*, dated 24th June, No. 43 of 1857.

7. I have therefore to solicit that such authority may be conferred on or rather restored to the Madras Government. In this case, I am desired to add, the detailed Annual Statement called for by the late Court of Directors will be furnished at the close of each year, either to the Government of India for incorporation in their own, or direct to the Right Honorable the Secretary of State for India.

(Signed) T. PYCROFT,
Chief Secretary.

Dispt. 12th

Financial Department

No. 268.

*To The Secretary to the Govt. of India
Financial Department*

Sir,

I am directed by the Honble the Governor in Council to acknowledge the receipt of an Extract from the Proceedings of the Govt. of India, ^{Ultimo} Financial Department, dated 3rd Instant to the effect that there is no objection to the Local Governments exercising the function of sanctioning Superannuation Pensions to Uncovenanted Servants so long as the Pensions to be authorized are strictly within Rules - This function, I have to observe

observe, has always been exercised by the Madras Govt.

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Para 15 of their Despatch to the
Govt of India in the H. S. 1868
dated 24 June 1868 of 1867.

case, I am desired to add,
the detailed Annual
Statement called for by
the late Court of Directors
will be furnished at the
close of each year, either
to the Govt. of India for
incorporation in their own,
or direct to the Right
Honble the Secretary of
State for India.

Fort St George,
6 June, 1860.

11 copies.
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Relating to the
Contract from the 1800s of
the Govt of India dated 3.
1800s regarding the
compensation of the local
Govt to the British Govt.
and which are strictly
within the provisions
of the device rules.

13/14