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MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	84	Press
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	49-51	
Dated	22 - 2 -	1867.

49-51

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Financial Department,
22nd February 1867.*

Read the following papers :—

No. 49. From the Secretary to the Government of India, to the Secretary to the Government of Madras; dated Simla, the 31st October 1866, No. 3109.

I am directed to transmit an Extract of paragraphs 11 to 14 from a letter from the Government of Bombay, recommending that the stringency of the Gratuity Rules, which come under the Notification of the Government of India, of the 14th August 1857, should be relaxed, and to request that the Government of India may be favored with a definite expression of the views of the Government of Madras on the subject.

Extract from a letter from the Government of Bombay, to the Government of India, in the Home Department; dated 9th February 1866, No. 542.

Paragraph 11. In submitting these cases, I am desired to draw attention to the extreme inconvenience that results from the Orders, regarding the grant of gratuities, re-published in the Notification of the Government of India, of 14th August 1857, and to convey the very earnest recommendation of the Bombay Government, that that Order be at once amended. The effect of the Order, in one of the cases now reported, has been to prevent His Excellency the Governor of Bombay in Council from awarding to the family of a meritorious, though humble, servant of the Government, who has lost his life in the discharge of his public duties, a gratuity of even £10. The Notification on the subject of gratuity seems to admit of no exception to the rule quoted at the end of paragraph 5 of this letter, whatever the gallantry or importance of the action in the performance of which death was met.

12. The consequences of the Rule are sufficiently illustrated by the cases now reported—cases which, it must be remembered, have not been specially selected for this purpose, but which have come before Government for disposal in the ordinary course of business, and have all occurred within a very short space of time.

13. It is not necessary to enlarge on the extreme impolicy of a rule, which thus throws obstructions in the way of a prompt recognition of acts of devotion to duty and faithful service to the public, and which must tend thereby to discourage respectable men, with families dependent on them, from entering the service of Government.

14. His Excellency the Governor in Council trusts, therefore, that His Excellency the Viceroy in Council will be pleased, in sanctioning the allowances now asked for, to take into consideration the propriety of removing the present positive restrictions on the exercise of a timely discretion by the Local Government in special cases. Such a discretion is not denied in cases of vastly greater importance, and its denial in the case of gratuities to public servants, if it has resulted in the saving occasionally of a little public money, must oftener have resulted in injury to the real interests of the public service.

(A true Extract).

(Signed) J. E. COOKE,

Asst. Secy. to the Govt. of India.

No. 50. From the Assistant Secretary to the Government of India, to the Secretary to Government, Madrai; dated Fort William, the 26th January 1867, No. 449.

I am desired to call your attention to this Department's letter No. 3109, dated 31st October 1866, regarding the relaxation of Gratuity Rules, and to request that, with the permission of His Excellency the Governor of Madras, you will be good enough to furnish the information called for on an early date.

No. 51. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 22nd February 1867, No. 84.

In acknowledging the receipt of your letter of the 31st October last, No. 3109, calling for the opinion of the Madras Government on the question of relaxing the stringency of the Gratuity Rules published in the Notification of the Government of India, dated the 14th August 1857,

of time

*Proceedings of the Madras Government, Financial Department,
22nd February 1867.*

I am directed to state that the Governor in Council does not understand to what restrictions the Government of Bombay refer in the communication extract from which accompanied your letter under acknowledgment. It is true that the Government of India declared at the time that gratuities under the rules in question should in no case be sanctioned without previous reference to them, but this prohibition was subsequently withdrawn by their Resolution, dated 31st July 1860, No. 6983, in which the local Governments were authorized to grant gratuities in all ordinary cases, those of a special and exceptional character only being required to be reported for sanction before being decided by the local Government. This course has since been followed in this Presidency, and in the absence of explicit information as to the restrictions deprecated by the Bombay Government, and in what respects they advocate a modification of the present rules, I am to state that the Governor in Council is unable to offer

(Signed) A. J. ARBUTHNOT,

Ed. F. R. Bantleman

*Extract from a letter from the Government of Bombay
to the Govt of India in the Home Department
No. 542 dated 9th February 1866. 3D*

Para: 11 In submitting these cases I am desired to draw attention to the extreme inconvenience that results from the orders regarding the grant of gratuities republished in the Notification of the Govt of India of 14th August 1867 and to convey the very earnest recommendation of the Bombay Govt that that order be at once amended. The effect of the order in one of the cases now reported has been to prevent His Excellency the Governor of Bombay in Council from awarding to the family of a meritorious though humble servant of the Government who has lost his life in the discharge of his public duties a gratuity of even £10. The Notification on the subject of gratuity seems to admit of no exception to the rule quoted at the end of para: 5 of this letter whatever the gallantry or importance of the action in the performance of which death was met.

12 The consequences of the Rule are sufficiently illustrated by the cases now reported, cases which, it must be remembered have not been specially selected for this purpose but ^{which} have come before Govt for disposal in the ordinary course of business and have all occurred within a very short space of time.

13 It is not necessary to enlarge on the extreme
impolicy of a rule, ^{which} thus throws obstructions in
the way of a prompt recognition of ~~the~~ acts of
devotion, to duty and faithful service to the public,
and which must tend thereby to discourage
respectable men with families dependent on them
from entering the service of Govt.

14 His Excellency the Governor in Council
trusts therefore that His Excellency the Viceroy
in Council will be pleased in sanctioning the
allowances now asked for, to take into consideration
the propriety of removing the present positive
restrictions on the exercise of a timely discretion
by the Local Government in special cases.
Such a discretion is not denied in cases of
vastly greater importance, and its denial in
the case of gratuities to public servants, if
it has resulted in the saving occasionally of
a little public money, must oftener have resulted
in injury to the real interests of the public service.

(A true Extract)

3109

K. C. A.
Asst. Secy to the Govt of India

not

No. 3109

152

To
The Secretary to the Government
of Madras.

Financial Dept Sir,

I am directed to transmit an
Extract of paras 11 to 14 from a letter
from the Government of Bombay re-
commending that the stringency of
the gratuity Rules which come under
the Notifications of the Government
of India of the 14 August 1857 should
be relaxed, and to request that the
Government of India may be favored
with a definite expression of the
views of the Government of Madras on the
Subject.

Simla
The 31 October 1866 }

I have the honor to be
Sir
Your most obedient servant

E. W. Cunningham
Secy to the Govt of India

30/10

72
No 449.

To
The Secretary to Government
Madras

Financial Department } Sir,

I am desired to call your attention to this Department's letter No 3109. dated 31st October 1866. regarding the relaxation of fraternity rules, and to request that with the permission of His Excellency the Governor of Madras, you will be good enough to furnish the information called for on an early date.

I have the honor to be
Sir,

Your most obedt Servt

H. Coke

Fort William
The 26th January
1867

24/1

off the letter of India

Financial 1867

From 1867-74/75

Very Obedt of Servt

True Belvts

No 5109

23/12/67

L 110 811

No 437

True

Request the opinion

of the Govt as to the

expediency of relaxing

the stringency of the

fraternity rules which

prevail in Govt of India.

1857-1858

1857-1858

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Financial Department

No. 84

To

The Secretary to the Government
of India,

Financial Department.

Sir,

In acknowledging the receipt of your letter of the 3rd October last N^o 3109, calling for the opinion of the Madras Government on the question of relaxing the stringency of the gratuity Rules published in the Notification of the Gov^t of India dated the 14th August 1857, I am directed to state that the Governor in Council does not understand what restrictions the Government of Bombay refer in the communication extract from which accompanied your letter under acknowledgment. It is true that the Government of India declared at the time that Gratuities under the

W. L.

To Secy to the Gov^t of India - 30th Sept. 1857 N^o 609
From Secy to the Gov^t of India - 30th Oct. 1857 N^o 4736.

*Received against the
-tion of the Gov^t of India
the stringency of the
Gratuity Rules -*

the Rules in question should in
no case be sanctioned without
previous reference to them,
but this prohibition was
subsequently withdrawn by
their Resolution dated
31st July 1860 N^o 6983,
in which the local Govts
were authorized to grant
gratuities in all ordinary
cases, those of a special
and exceptional character
only, being required to
be reported for sanction
before being decided by
the local Government. This
course has since been followed
in this Presidency, and in
the absence of explicit in-
formation as to the restrictions
deprecated by the Bombay
Government and in
what respects they advocate
a modification of the present
Rules, I am to state that
the Governor in Council is
unable to offer an opinion.

Vide also Extract from the Pres.
of the Govt. of India 11 Sept. 62
N^o 4446

Fort St George
22 Feb 1867

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Dated 22 February 1887.

Financial Mr. Balfour
to
The Secretary to the Govt.
of India
471 N. F.

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