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MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 46 Press / Mis.

73-74.

Dated 28-1- 1868.

73-74 4/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 28th January 1868.

No. 73. Read the following Proceedings of the Government of India, Financial Department, dated Fort William, 12th January 1868, No. 92.

Pensions and Gratuities.

Read—

The following documents regarding a representation by the Government of Bombay of the narrowness of the rules of 14th August 1857, which authorize a gratuity of six months' pay, as a maximum, for persons (not entitled to pension under rule), who may be injured in the execution of their public duty and be thereby disabled from earning a livelihood, and for the families of persons killed in the execution of public duty :—

For the second time—

Financial Proceedings, Nos. 779 to 782, October 1866.

For the first time—

From Government of	N. W. P.,	No.	658,	24th November	1866.
,, ,,	Bengal,	,,	3086,	26th ,,	1866.
,, ,,	,,	,,	1218,	20th March	1867.
,, ,,	Punjab,	,,	616,	3rd December	1866.
,, ,,	Fort St. G.,	,,	84,	22nd February	1867.
,, ,,	,,	,,	176,	24th May	1867.

RESOLUTION.—The Governor General in Council observes that the Gratuity Rules of 14th August 1857 were established because the awards of special pensions had proved unexpectedly numerous, and threatened, with the rapidly increasing growth of the Uncovenanted Service, to be burdensome.

2. Six months' pay was also stated in those rules to be the maximum of gratuity to be admitted in lieu of special pension.

3. In illustration of the insufficient provision allowed by these rules, the Government of Bombay cited two instances of a Police Officer who was stabbed by an Italian while on duty, and who died from the effect of his wound, and of a Sheriff's peon in the Bombay County Jail, who died in the execution virtually of a Policeman's duty, viz., from injuries inflicted on him by a European prisoner, whose escape, with that of two other prisoners, he had tried to prevent. The gratuity, less than six months' pay, allowable in these two cases, under the Gratuity Rules of 1857, was deemed insufficient by the Government of Bombay.

4. On the recommendation of that Government, additional gratuities were specially allowed for the families of the deceased.

5. On reconsideration, however, these cases come within the scope of the despatch of the Secretary of State for India, No. 33, dated 21st April 1859, which was duly communicated to the Local Governments and Administrations, and which authorize the grant of a pension to the families of Policemen killed in the execution of their duty. The indulgence is not confined to Policemen in the Civil Constabulary : it was extended by the Secretary of State to the family of even a village watchman who lost his life in the execution of his duty.

6. The Government of Bombay will accordingly be requested to propose pensions for the widows and children of the two deceased men abovementioned, the gratuity already allowed being recovered from the arrears of pension.

7. The third case cited by the Government of Bombay in illustration of the insufficiency of the Gratuity Rules of 1857 was that of a 3rd Class Private in the Canara Police, who contracted an ulcer while serving in the Canara District, and was unfitted thereby for further service in the Police. Having served less than five years, he was not entitled to gratuity under the rules, but the Government of Bombay recommended that a gratuity of three months' pay should be allowed. This was sanctioned.

8. Obviously, no general rule can be defined for a case of this kind. Unfitness for service from a disease contracted during employment in a district to which that disease is peculiar, cannot be recognized as conferring a claim to pension or gratuity on public establishments generally ; and

if, on special considerations, Policemen should be exceptionally treated in this respect, the indulgence to them should be accorded under the rules for the Police Superannuation Fund, not under the Gratuity Rules of 14th August 1857.

9. The Governor General in Council accordingly concurs with the Governments of Madras and Bengal, that it is not necessary to enlarge those Gratuity Rules.

10. In cases which appear to be insufficiently provided for by the Gratuity Rules, the maximum admissible under those rules may be allowed by the Local Government, a recommendation for any additional indulgence being at the same time submitted to the Government of India.

ORDERED that a copy of this Resolution be sent to the Governments of Bombay, Madras, Bengal, North-Western Provinces, and the Punjab.

(Signed) E. H. LUSHINGTON,
Secy. to the Govt. of India.
(Signed) R. H. HOLLINGBERY,
Asst. Secy. to the Govt. of India.

No. 74. ORDER THEREON, 28th January 1868, No. 46.

Ordered that the foregoing Resolution of the Government of India be published in the *Fort Saint George Gazette* for general information.

(True Extract).

R. S. ELLIS,
Chief Secretary.

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No. 92.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Pensions and Gratuities.

FORT WILLIAM, *the 13th January* 1868.

Read—

The following documents regarding a representation by the Government of Bombay, of the narrowness of the rules of 14th August 1857, which authorise a gratuity of six months' pay, as a maximum, for persons (not entitled to pension under rule) who may be injured in the execution of their public duty, and be thereby disabled from earning a livelihood and for the families of persons killed in the execution of public duty:—

For the second time—

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3. In illustration of the insufficient provision allowed by these Rules, the Government of Bombay cited two instances of a Police Officer who was stabbed by an Italian while on duty, and who died from the effect of his wound, and of a Sheriff's peon in the Bombay County Jail, who died in the execution virtually of a Policeman's duty, viz., from injuries inflicted on him by a European prisoner, whose escape, with that of two other prisoners, he had tried to prevent. The gratuity, less than six months' pay, allowable in these two cases, under the Gratuity Rules of 1857, was deemed insufficient by the Government of Bombay.

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8. Obviously no general rule can be defined for a case of this kind. Unfitness for service from a disease contracted during employment in a district to which that disease is peculiar, cannot be recognised as conferring a claim to pension or gratuity on public establishments generally, and if on special considerations, Policemen should be exceptionally treated in this respect, the indulgence to them should be accorded under the rules for the Police Superannuation Fund, not under the Gratuity Rules of 14th August 1857.

9. The Governor General in Council accordingly concurs with the Governments of Madras and Bengal, that it is not necessary to enlarge those Gratuity Rules.

10. In cases which appear to be insufficiently provided for by the Gratuity Rules, the maximum admissible under those rules may be allowed by the Local Government, a recommendation for any additional indulgence being at the same time submitted to the Government of India.

ORDERED, that a copy of this Resolution be sent to the Governments of Bombay, Madras, Bengal, North-Western Provinces, and the Punjab.

E. H. LUSHINGTON,

Secretary to the Government of India.

Assistant Secretary to the Government of India.

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Finl 1868 Depart.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Pensions and Gratuities.

To from
Asst. Secy. Govt. of India
Finl Dept.

No. 92.

Dated, Fort William, the 13 January 1868.

Received 23 January 68.

886. No 39.

Dated 28 January 1868.

Resolution of the Govt of India in respect to pensions & gratuities for the families of persons killed in the execution of public duty & to persons injured in the execution of such duty.

O. S. G. P.,—No. 97 F. C.—9-1-68.—40.

Letter and Order

73. 74.

Finl

No 46. 28 January 1868.

Ordered that the foregoing Resolution of the Govt of India be published in the Fort St George Gazette for general information

Gazette 28/1