M.R.O. 1—77,006—8-6-37.

(1) Number of pages 16

(2) Date of repair 6-10-39

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 487	Press / Mis.
Dated 22-10- 1868.	

48 9/9

Not to be folded or roughly handled

FINANCIAL DEPARTMENT.

No. 487.

FROM

THE HONORABLE R. S. ELLIS, C. B.,
Chief Secretary to the Government of Fort Saint George,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I am directed by the Right Honorable the Governor in Council to request that you will bring to the notice of His Excellency the Right Honorable the Governor General in Council the following remarks on the subject of the grant of pensions to persons serving in Local Fund Establishments, and particularly under Municipal Commissions.

2. I am to refer generally to the Financial Resolution, No. 2197, of the 24th April 1868 ; the letter to the Government of Bombay of the 10th August ; and to that to the Chief Commissioner of Oudh of the 19th August 1868 ; and I am to remark that these papers have gained considerable publicity, and have been very generally received as binding Government to the grant of pensions to otherwise eligible servants of Municipalities.

3. I am to point out that Madras Act X of 1865, under which the Municipalities in this Presidency, other than that of Madras, are constituted, gives the Government full power to direct the levy of sufficient sums for Police, Conservancy, Repair, &c., of roads and drains, and other things for the preservation of the public health ; but that no power is given to the Government under this Act, or under Act IX of 1867 (the Madras Town Municipal Act) to direct the payment of pensions out of the Municipal Funds. Although if an estimated expenditure on account of pensions is entered in a Municipal Budget, it would be lawful for the Government to sanction this as other items of the Budget.

4. It is in the opinion of the Government somewhat premature, so soon after the creation of Municipal institutions, to decide upon assigning pensions for Municipal service, although it may hereafter be desirable, on the recommendation of the Municipal Commissioners, to sanction the grant of pensions to individuals for long and approved service.

I have the honor to be,
Sir,
Your most obedient Servant,

FORT SAINT GEORGE,
22*nd October* 1868.

Chief Secretary.

Exd. J. Tulloch.

1868.

FINANCIAL DEPARTMENT.

From — *The Chief Secretary to Government, Fort Saint George.*

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

Dated 22nd October 1868.

Recd.

No. 487.

Enclosure.

Communicating remarks on the subject of the grant of pensions to persons serving in Local Fund Establishments, and particularly under Municipal Commissions.

To His Excellency the Governor in Council of Madras.

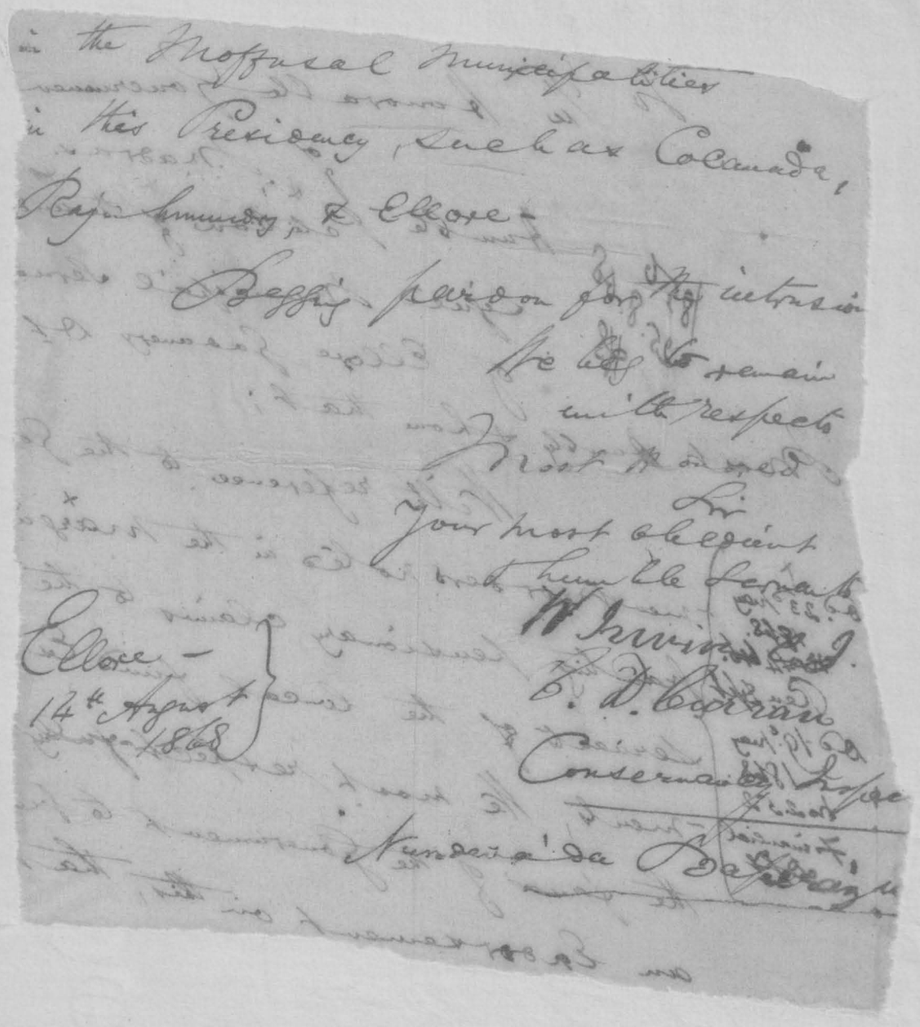
The humble Petition of Tirumalai Servant of Ellore, Godavery Dt.

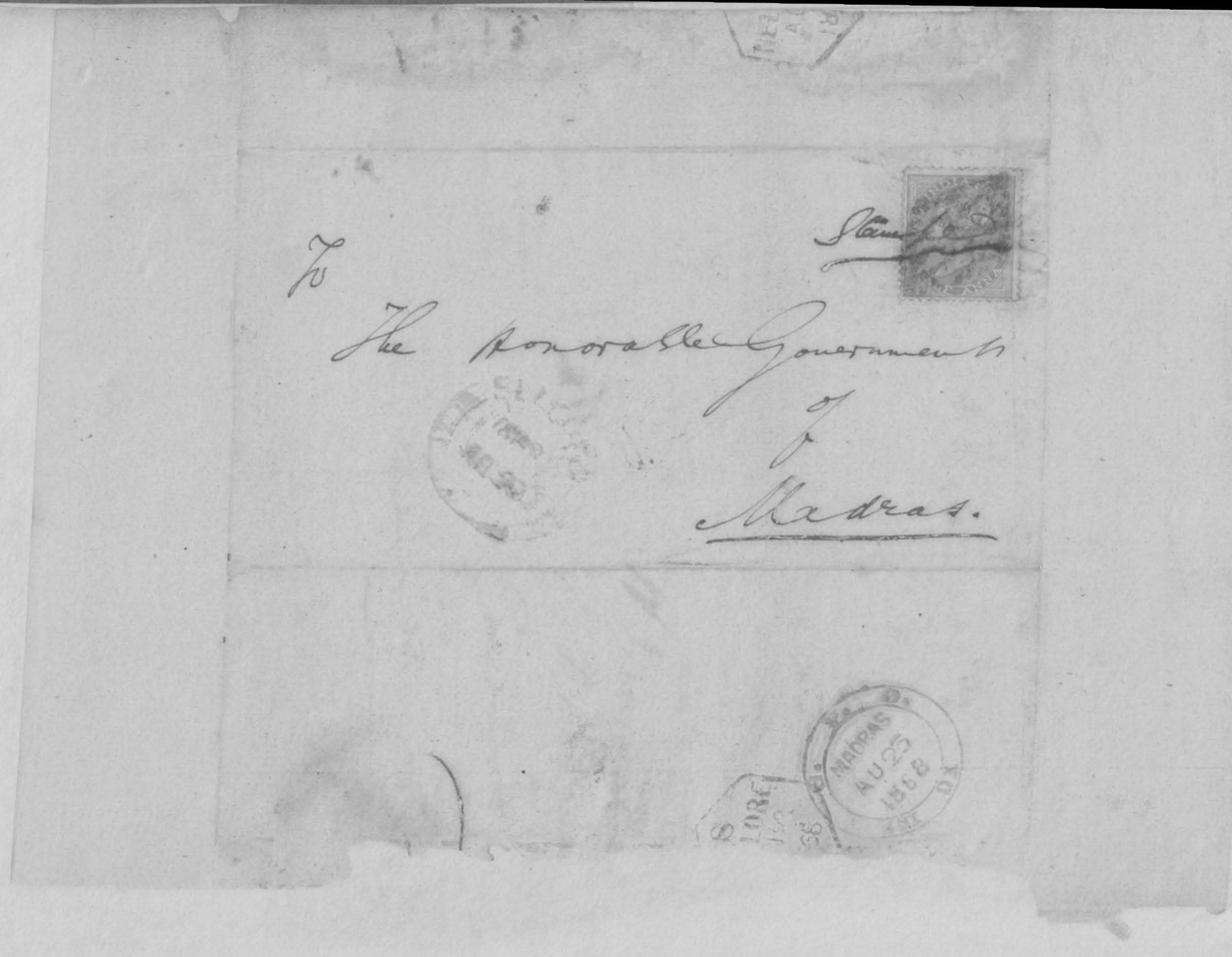
Most humbly shows that;

With reference to the Government orders noted in the margin regulating pensionary claims of the servants of the local funds Establishment, We most respectfully beg to draw the attention of the Government to grant an Endorsement on this, that whether the same rule is applicable in the case of clerks drawing more than Rs 10 per mensem in

Rd. 23rd May 1868. No. 445. Pen. Dept.

Rd. 19th May 1868. No. 252 Financial




To
The Honorable Government
of
Madras.
MADRAS
AU 25
1868

Cuddapah

No. 1856 of 1868.

From Messrs. Irwin, C. D. Curtan and N. Baperaju, the Municipal Servants of Ellore in Godavery.

Dated 4th August 1868.

Rec'd 25th August 1868.

Quoting herein the Govt. orders granting pensions to Servants of the Local Fund establishment, pray to be informed whether the said orders are applicable to clerks of the Mofussil Municipalities drawing more than 10 Rs. per mensem.

1

Memorandum.

This question was sure to come up sooner or later. The resolution of the Government of India clearly rules that pensions shall be granted to Municipal Servants, whose position is such that they would be entitled to pension if they were Uncovenanted Government Servants. But the whole tone of their communications on the subject shews that they are in ignorance of the laws under which one portion of those Local Funds, namely, the Municipal is administered here. Act X of 1865, Section 27 empowers the Government to determine the sums to be raised for Police, Conservancy, Roads and Drains, and the other things named in Section 25- but they have no power to order the raising of monies for other purposes. e.g. lighting, or Pensions to Servants. (Dispensaries, and Lock Hospitals, and Vaccine Establishments are measures for the preservation of the public health & so come within Section 25.)- Hence any such proposal, must, it would seem, in effect, originate with the Commissioners, and they cannot be compelled.

I beg to submit that it might be well to send the Government

P

of India, a brief letter of remark on the whole subject, pointing out the inability by Law of this Government to do that which the publication of the paper on the subject has led the employes in Municipalities to expect. Mr. Cardozo has raised the question here on his own account.

C.W.

104

dispd 28/10

Financial Dept.

No. 487.

The Secretary to the Government of India.
Financial Department

Sir,

I am directed by the Right Honorable the Governor in Council, to request that you will bring to the notice of H.E. the Rt. the Governor General in Council the following remarks on the subject of the grant of pensions to persons serving in Local Establishments, and particularly under Municipal Commissions.

I am to refer generally to the Financial Resolution No. 2197 of the 24th April 1868, the letter to Bombay of the 10th August, & to that to the Chief Commissioner of Oudh of the 19th August 1868: & I am to remark that these papers have gained considerable publicity, and have been very generally received as binding Government to the grant of pensions to otherwise eligible servants of Municipalities.

I am to point out that Madras Act X of 1865, under which the Municipalities in this Presidency, other than that of Madras, are constituted, gives the Government full power to direct the levy of sufficient sums for Police, Conservancy, Repair &c of Roads & Drains, & other things for the preservation of the Public health: but no power is given to the Government under this Act, or under Act IX of 1867 (the Madras Town Municipal Act) to direct the payment of pensions out of the Municipal Funds: although if an estimated expenditure on account of pensions, is entered in a Municipal Budget, it would be lawful for the Government to sanction this as other items of the Budget.

It is in the opinion of the Govt. somewhat premature, so soon after the creation of Municipal Institutions to decide upon assigning pensions for municipal service, although it may hereafter be desirable on the recommendation of the Municipal Commissioners to sanction the grant of pensions to individuals for long & approved service.

I have &c

Fort St. George
22 Oct. 1868.

21

Petitions

1868.

Financial DEPARTMENT.

From

The Chief Secretary to Government,
Fort Saint George.

To

The Secretary to the Govt. of India,
Financial Department.

Dated 22 *October* 1868.
Read.

No. 487.
Enclosure.

Comms: remarks on the subject of the grant of pensions to persons serving in Local Fund Establishments and particularly under Municipal Commissions