M.R.O. 1—77,006—6-6-37.

(1) Number of pages 14

(2) Date of repair 25th Oct 1939

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	374	Press / Mis.
10-12		
Dated	7-9-	1940.

6/7

10 – 12

Not to be folded or roughly handled

Read the following papers :—

No. 10. Proceedings of Government in the Pension Department, dated 10th August 1870, No. 371.

Read the following papers :—

From the Acting Superintending Engineer, 7th Division, dated 19th and 23rd May 1870, No. 38.
Report of the Examiner of Claims, dated 26th July 1870, No. 928.
Controller of Public Works Accounts, dated 28th July 1870, No. 894.

Order, 10*th August* 1870, *No.* 371.

Mr. J. Smith served as a Warrant Officer in the Bombay Marine for ten years up to the 13th January 1867, when he completed the period necessary to entitle him to a pension of 2*s.* 6*d.* per diem to which he was admitted by the Government of Bombay. Mr. Smith was then serving under the Executive Engineer of the Neilgherries. His pay was Rupees 250 per mensem fixed salary, besides certain allowances denominated steam money, extra time allowance, house-rent, ration, and apprentice money.

2. Mr. Smith continued to be employed as a Mechanical Engineer on the Lawrence Asylum Works, from the 13th January 1867 till the 31st March 1870, when his services were dispensed with on reduction of establishment. During this period, amounting to three years, two months, and nineteen days, he was serving under the Uncovenanted Civil Service Rules, and is entitled to gratuity. He continued to receive salary and allowances at the same rates as when serving as a Marine Warrant Officer, but did not draw the pension which had been granted for that service. The Accountant-General reports that the gratuity should be calculated on the fixed salary only, the fluctuating items being excluded.

3. The Government, however, are of opinion that the extra time allowance and steam money should be treated as salary, and that, for the purpose of calculating the amount of the gratuity, the procedure laid down in the Resolution of the Government of India, 28th June 1869, No. 1428, Financial Department, as regards section writers, should be followed.

4. From the Memorandum of the Controller of Public Works Accounts, No. 894, dated 28th July 1870, it appears that, during the last six months of his service, Mr. Smith drew, under the heads above referred to, Rupees 182-13-0 per mensem, and this sum being added to his fixed salary, the amount on which the gratuity is to be calculated is Rupees 432-13-0. He is, therefore, entitled to a gratuity of Rupees 1298-7-0, which is sanctioned.

5. These proceedings will be reported to the Government of India.

(True Extract.)

(Signed) H. E. STOKES,
Under Secy. to Govt.

No. 11. From Mr. J. SMITH, late Mechanical Engineer, Public Works Department, to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 18th August 1870.

Adverting to paragraph 1 of G. O., dated 10th August 1870, No. 371, which states that I completed the period necessary to entitle me to a pension of 2*s.* 6*d.*

a-day on the 13th of January 1867, after ten years' actual service in India, I most respectfully beg leave to submit that, according to a letter from the Superintendent of Marine, Bombay, dated 2nd March 1870, No. 482, to the Executive Engineer, Neilgherries, extract noted on the margin, I am entitled to a pension of 2*s.* 6*d.* a-day after nine years' service, or from the 13th January 1866, inasmuch as I continued in the Bombay Marine after the abolition of the Indian Navy, and that my claim for pension counts from the close of my ninth year's service, namely, the 13th January 1866, and not from the 13th January 1867, as is assumed in the above-quoted G. O.

* * * *

"In respect of pensions, first-class Engineers are allowed, provided they have conducted themselves to the satisfaction of Government, 2*s.* 6*d.* per diem after ten years' actual service in India; 3*s.* 6*d.* per diem after fifteen, and 5*s.* per diem after twenty years' actual service in India.

"The above periods have been reduced in favour of such of the Engineers who were in the service on the abolition of the Indian Navy, to nine, fourteen, and nineteen years, respectively.

BOMBAY, 2*nd March* 1870. (Signed) G T. ROBINSON, *Supt. of Marine.*

2. Under these circumstances I beg that the Government may be pleased to authorize the grant of gratuity for four instead of three years.

3. I further beg to mention that the period for which my gratuity should be calculated is from the 13th January 1866, to the 31st March 1870, which is four years, two months, and nineteen days.

No. 12. ORDER THEREON, 7th September 1870, No. 374.

The Government of Madras is not aware under what circumstances, nor at what date, the term of service for pension of Marine Engineers, in the employment of the Government of Bombay, was reduced from ten to nine years as stated in the extract from a letter of the Superintendent of Marine, Bombay, now furnished by Mr. Smith; but His Excellency in Council observes that, whether Mr. Smith was or was not entitled to retire from the Bombay Marine on a pension before the 13th January 1867, the fact remains that he did not do so—a fact which is fatal to his present claim.

2. It would appear from the previous papers that, in January 1867, Mr. Smith believed himself bound to complete ten years' service as a Marine Engineer, and that his intention was to retire immediately on becoming entitled to pension. This leads Government to believe that the order of the Government of Bombay, to which reference is now made, was issued subsequent to Mr. Smith's retirement, which would, of course, bar his claim to the benefit of it; but, for the reason stated in paragraph 1 of this Order, the Government see no reason to make any reference to the Government of Bombay in the matter.

(True Extract.)

Under Secy. to Govt.

To Mr. J. Smith, late Mechanical Engineer, Ootacamund.
To the Accountant-General.
,, Public Works Department.
,, Pension Department.

Exd. J. Wright.

Govt. of {1870} Madras

FINANCIAL.

To

Mr. J. SMITH,
late Mechanical Engineer,
Ootacamund.

&c., &c., &c.

Dated September, 7th.

Recd.

Encl.

G. O., 7th September 1870, No. 374.

SEPTEMBER.
Nos. 10—12.

Declining to accede to the request of Mr. J. Smith, late Mechanical Engineer, to be granted a pension in lieu of a gratuity.

Proceedings of the Madras Government, Pension Department, 10th August 1870.

Read the following papers:—

From the Acting Superintending Engineer, 7th Division, dated 19th and 23rd May 1870, No. 38.
Report of the Examiner of Claims, dated 26th July 1870, No. 928.
Controller of Public Works Accounts, dated 28th July 1870, No. 894.

ORDER THEREON, 10th August 1870, No. 371.

Mr. J. Smith served as a Warrant Officer in the Bombay Marine for ten years up to the 13th January 1867, when he completed the period necessary to entitle him to a pension of 2*s.* 6*d.* per diem to which he was admitted by the Government of Bombay. Mr. Smith was then serving under the Executive Engineer of the Neilgherries. His pay was Rupees 250 per mensem fixed salary, besides certain allowances denominated steam money, extra time allowance, house-rent, ration, and apprentice money.

2. Mr. Smith continued to be employed as a Mechanical Engineer on the Lawrence Asylum Works, from the 13th January 1867 till the 31st March 1870, when his services were dispensed with on reduction of establishment. During this period, amounting to three years, two months, and nineteen days, he was serving under the Uncovenanted Civil Service Rules, and is entitled to gratuity. He continued to receive salary and allowances at the same rates as when serving as a Marine Warrant Officer, but did not draw the pension which had been granted for that service. The Accountant-General reports that the gratuity should be calculated on the fixed salary only, the fluctuating items being excluded.

3. The Government, however, are of opinion that the extra time allowance and steam money should be treated as salary, and that for the purpose of calculating the amount of the gratuity, the procedure laid down in the Resolution of the Government of India, 28th June 1869, No. 1428, Financial Department, as regards section writers should be followed.

4. From the Memorandum of the Controller of Public Works Accounts, No. 894, dated 28th July 1870, it appears that, during the last six months of his service, Mr. Smith drew, under the heads above referred to, Rupees 182-13-0 per mensem, and this sum being added to his fixed salary, the amount on which the gratuity is to be calculated is Rupees 432-13-0. He is, therefore, entitled to a gratuity of Rupees 1298-7-0 which is sanctioned.

5. These proceedings will be reported to the Government of India.

(True Extract.)

/Signed/ W. E. Stokes.
Under Secy. to Govt.

To the Acting Superintending Engineer, 7th Division.
" Accountant-General.
" Controller of Public Works Accounts.
" Public Works Department.
" Financial Department.

Exd. J. Wright.

Transmitted with Govt. of India Pro. No. 1870 Madras.

PENSION.

To

THE SUPERINTENDING ENGINEER,
7th Division
&c., &c.,

G.O-374

Dated August, 10th.
Read. — 1870

Encl.

G. O., 10th August 1870, No. 371.

AUGUST.

1202/15

Granting a gratuity of Rupees 1203-7-0 to Mr J. Smith, late Mechanical Engineer of the Fort St. George Asylum Works at Ootacamund.

2

3 11/11

To

The Honble R. S. Ellis C. B.
Chief Secretary to Government,

Sir,

Adverting to para 1 of G. O. Dated 10th August 1870, No. 371, which states that, I completed the period necessary to entitle me to a pension of 2/6 a day on the 18th of January 1866, after 10 years Actual Service in India,

I most respectfully by leave to submit that, according to a letter from the Supt of Marine Bombay Dated 2nd March 1870, No. 482, to the Executive Engineer Vizagapatam, extract noted on the margin, I am entitled to a pension of 2/6 a day after nine years Service, etc from the 15th January 1866, inasmuch as I continued in the Bombay Marine after the Abolition of the Indian Navy,

"In respect of pensions, first Class Engineers are allowed provided they have Conducted themselves to the Satisfaction of Govt 2/6 per diem after ten years actual Service in India, 3/6 per diem after fifteen, and 5/ per diem after twenty years actual Service in India.

"The above periods have been reduced in favor of such of the Engineers who were in the Service on the Abolition of the Indian Navy, to nine, fourteen and nineteen years respectively,

Supt Office 2nd March 1870 — I Signed, G. T. Robinson, Supt of Marine Bombay

True Extract

J. Smith Actg Ex Engr

Fort 1870 Despatch
from Govt 7th Sept/70
to J. Smith
Late Mechanical
Engineer P.W. Dept
Dated 18th
Recd 19th August/70

No 374.

No 345.

Explaining that he is entitled to a gratuity for four, & not three, years' service.

Mr Bannett

Peace Asylum Works at Ootacamund.

Financial Department

3 11/11

PROCEEDINGS of the MADRAS GOVERNMENT.

Read Pro. Pension Dept - 10 Aug 1870 - 371

Read the following letter from Mr J. Smith, late Mechanical Engineer P. W. Dept dated 18th August 1870.

Order thereon Recommended 7th Sept/70
No 374. The Govt of Madras is not aware under what circumstances nor at what date the term of service for pension of Marine Engineers in the employment of the Govt of Bombay, was reduced from 10 to 9 years as stated in the extract from a letter of the Supt of Marine, Bombay now furnished by Mr Smith; but His Excellency in Council observes that, whether Mr Smith was or was not entitled to retire from the Bombay Marine

J. D. S.

On

on a pension before the 13th Jan.y 1869, the fact remains that he did not do so; a fact which is fatal to his present claim.

2. It would appear from the previous papers that in Jan.y 1869 Mr. Smith believed himself bound to complete ten years service as a Marine Engineer, and that his intention was to retire immediately on becoming entitled to pension. This leads Govt. to believe that the order of the Govt. of Bombay to which reference is now made, was issued subsequent to Mr. Smiths retirement, which would of course bar his claim to the benefit of it; but for the reason stated in para 1. of this order the Govt. see no reason to

to make any reference to the Govt. of Bombay in the matter.

AM

13/1

I should not only give him a gratuity for the period he was in our service?

I DS

To

Mr. J. Smith. Mechanical Engineer. Ootacamund. (1 copy, order sent to Mr. Smith.

The Accountant General.

Public Works Depart.t

Pension Department.

dup 1/9

Govt. of 18 Madras.

To Trial

Wm. J. Smith Mechanical Engineer - Ootacamund

Dated Sept. 7 } 1870, No. 374
Recd.

Nos. 10. 12.

Declining to accede to the request of Wm. J. Smith, late Mechanical Engineer, to be granted a pension in lieu of a gratuity.

12

Oct 17/9.

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