M.R.O. 1—77,000—8-6-37.

(1) Number of pages 1-14

(2) Date of repair

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 796	Press / Mis.
Dated 14 - 12 - 1871.	

85-86 819

Not to be folded or roughly handled

FINANCIAL DEPARTMENT.

No. 796.

FROM

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

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I am directed to acknowledge the receipt of Mr. Under-Secretary Westland's letter, dated 29th ultimo, No. 2680, giving cover to a Despatch addressed to the Secretary of State on the subject of the resolution of the Civil Service of Madras regarding the acceptance of the terms offered by the Secretary of State in His Grace's Despatch, No. 52, dated 10th February 1871.

2. I am to state that this Government are confident that the Madras Civil Service never contemplated any such reservation as the Government of India supposes, when they adopted the resolution to which exception is taken.

3. The recapitulation is evidently intended only to state exactly the terms of the Secretary of State's offer, and certainly if inexact cannot have any effect in modifying those terms. But this Government do not see that the expressions used are inaccurate. The use of the term "pension" instead of "annuity," as being a more complete recognition of the bounty of Government, can scarcely afford ground for objection on the part of Government.

4. The desire to guard the interests of existing annuitants on the Civil Service Annuity Fund is, in the opinion of this Government, no more than those absent persons have a right to expect would be done by the Service in making any transfer of the fund from which their annuities are derived.

5. The Governor in Council would not object to a second reference to the Civil Service, if he did not think it very probable that such a reference would lead the Service to enquire whether there was any intention on the part of the Home Government to decline undertaking existing liabilities, for it is difficult to conceive any other ground for objecting to the condition that, with the accumulated proceeds of the fund, the Secretary of State should accept its liabilities. Such a question would not be unreasonable under the circumstances, and would place the Government in an embarrassing position, and entail a special reference to the Home Government.

6. The Government propose to send a copy of this letter to the Secretary of State.

I have the honour to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
14*th December* 1871.

Chief Secretary.

Exd. J. Wright.

1871.

FINANCIAL DEPARTMENT.

From

The Chief Secretary to Government,
Fort St. George,

To

The Secretary to the Govt. of India,
Financial Department

Dated 14th December 1871.

Read,

No. 796.

Enclosure.

Addressing the Supreme Government with reference to the resolution of the Madras Civil Service regarding the acceptance of the terms offered by the Secretary of State in His Grace's Despatch, No. 52, dated 10th February 1871.

3 2

No. 314 of 1871.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Pensions and Gratuities.

To

HIS GRACE THE DUKE OF ARGYLL, K. T.,
HER MAJESTY'S SECRETARY OF STATE FOR INDIA.

FORT WILLIAM, *the 29th November* 1871.

MY LORD DUKE,

In continuation of our Financial Despatch No. 288, dated 31st ultimo, we have the honor to forward a copy of the papers specified in the subjoined list, regarding the acceptance by the Members of the Madras Civil Service of the terms offered in your Grace's Despatch No. 52, dated 10th February 1871, as set forth in Financial Resolution No. 1939, dated 31st March 1871.

2. It will be observed that the Civil Service of Madras have signified their acceptance in a resolution expressed in qualified language. The same course was followed by the Civil Service of Bombay, and we caused a copy of the letter written on the subject to the Government of Bombay (No. 3692, dated 20th September 1871) to be furnished to the Government of Madras, with a request that the decision of the Service upon the issue therein set forth might be ascertained.

3. The Government of Madras, however, considering that the acceptance by the Service is as complete as can be desired by your Grace, deem further reference to the Service to be unnecessary, and desire the matter to be submitted to your Grace.

4. We do not agree in the decision of the Government of Madras, and the precise objections which we have to the resolution of the Civil Service of Madras are as follow:—

(1). We believe that the qualifications introduced are understood by the Service to bind the Government in some peculiar manner, and to reserve a right to the Service, under certain circumstances not clearly stated, to retract their consent. We do not consider it advisable that in such a matter any thing should remain obscure in meaning.

I do not see this. A. J. A

(2). The word "pension" is used instead of "annuity," a change which, in view of your Grace's Despatch, is objectionable.

this is worthy remarked

A. J. A.

(3). The condition about invalid annuities, as stated by the Madras Service, is not correct. The Madras Service have omitted to observe that no augmentation of the existing scale can be permitted; or, in other words, that no increase, annual or quinquennial, can take place after the £450 awardable after 20 years' service.

(4). The subscribers have no concern with the rights of annuitants, and should have left the question to be settled by the Government of India with the annuitants.

We have the honor to be,

MY LORD DUKE,

Your Grace's most obedient and humble Servants

(Signed) MAYO,

„ ~~NAPIER OF MAGDALA~~,

„ ~~JOHN STRACHEY~~,

„ R. TEMPLE,

„ J. F. STEPHEN,

„ B. H. ELLIS,

„ H. W. NORMAN.

(A True Copy)

Registrar Fin: Dept.

List of Papers.

Letter from Government of Fort St. George, No. 341, dated 17th August 1871, and enclosures.

Letter to Government of Fort St. George, No. 3703, dated 20th September 1871.

Letter from Government of Fort St. George, No. 533, dated 6th October 1871.

Letter from Government, Bombay, No. 2131, dated 4th August 1871, and enclosure.

Letter to Government, Bombay, No. 3073, dated 26th August 1871.

Letter to Government, Bombay, No. 3692, dated 20th September 1871.

Copy.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Pensions and Gratuities.

FROM

THE GOVERNMENT OF INDIA,

TO

THE SECY. OF STATE FOR INDIA.

No. 314.

Dated, Fort William, the 29th November 1871.

Received

Forwarding, with an opinion adverse thereto, copy of a Resolution by the Madras Civil Service regarding the acceptance of the terms offered by the Secretary of State in his Despatch No. 52 of 1871.

O. S. G. P.—No. 6463 C. F.—27-11-71.—30.

No. 2680.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Pensions and Gratuities.

To

THE CHIEF SECY. TO THE GOVT. OF FORT SAINT GEORGE.

FORT WILLIAM, *the 29th November* 1871.

SIR,

With reference to your letter No. 533, dated 6th October 1871, I am directed to forward copy of despatch* addressed by the Government of India to Her Majesty's Secretary of State for India on the subject of the resolution of the Civil Service of Madras regarding the acceptance of the terms offered by the Secretary of State in His Grace's despatch No. 52, dated 10th February 1871.

* No. 314, dated 29th November 1871.

2. The Governor General in Council would advise the Government of Madras to consult the service afresh, in case the Secretary of State refuses to accept their present resolution.

I have the honor to be,

SIR,

Your most obedient Servant,

Under Secretary to the Government of India.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Pensions and Gratuities.

To

No. 2680.

Dated, Fort William, the 29th November 1871.

Received 7 Dec 1871.

Financial 1871 Registered No. 796

Financial Secretary to the Government of India

No. 2680

Forwards copy of a despatch from the Secretary of State for India, No. 52, dated 16th February 1871, regarding the acceptance by the Madras Civil Service of the terms offered by the Secretary of State in his despatch No. 33, dated 4th February 1870.

C

O. S. G. P.—No. 6616 C. F.—27-11-71.—30.

Dep 2/12

9

Financial Department.

No. 796.

To

The Secretary to Government

of India.

Financial Department.

Sir,

I am directed to acknowledge the receipt of Mr. Under Secretary Westland's letter, No. 2,680, dated 29 ultimo, ~~Financial Department~~, giving cover to a despatch addressed to the Secretary of State on the subject of the resolution of the Civil Service of Madras regarding the acceptance of the terms offered by the Secretary of State in his Grace's despatch No. 52, dated 16th February 1871.

I. D. S.

I

2. I am to state that this Government are confident that the Madras Civil Service never contemplated any such reservation as the Govt of India supposes, when they adopted the Resolutions to which exception is taken.

3. The recapitulation is evidently intended only to state exactly the terms of the Secretary of State's offer, and certainly cannot have any effect in modifying those terms. ~~if inexact~~. But this Govt do not see that the expressions used are inaccurate. The use of the term "pension" instead of "annuity" - as being a more complete recognition of the bounty of Government, can scarcely afford ground for objection on the part of Government.

4. The desire to guard the interests of existing annuitants on the Civil Service Annuity Fund is, in the opinion of this Govt, no more than those absent persons have a right to expect would be done by the service in making any transfer of the fund from which their annuities are derived.

5. The Governor in Council would not object to a second reference to the Civil Service, if he did not think it very probable that such a reference would lead the

Service

service to enquire whether there was any intention on the part of the Home Govt to decline undertaking existing liabilities. for it is difficult to conceive such a question would not be unreasonable under the circumstances and would place the Government in an embarassing position and entail a special reference to the Home Government.

any other ground for objecting to the condition that with the accumulated proceeds of the Fund the Secretary of State should accept its liabilities.

6. The Government propose to send a copy of this letter to the Secretary of State.

WR

Fort St George
14 Dec. 91.

256

Despatch to be prepared
Form

Stud. Lds Engr. 6th June/72
No. 1

18 , Department.

No.

To

The Secretary to the
Government of

Department

Dated 187 .

Sandmt

No. 719 of 1872