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(3) Initials of the Referencer _____

# MADRAS RECORD OFFICE.

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## Government of Madras.

Financial DEPARTMENT.

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|---|---|---|
| G.O. No. | 284 | Press / Mis. |
| 29-30. | | |
| Dated | 4-3- | 1873. |

6/)

29-30

**Not to be folded or roughly handled**

4-3-40

*Proceedings of the Madras Government, Financial Department, 4th March* 1873.

No. 29. Read the following letter from the Deputy Secretary to the Government of India, Marine Department, to the Secretary to the Government of Bombay, Marine Department, dated Fort William, 12th February 1873, No. 39 :—

In reply to your letter, No. 1339, dated 13th December 1872, I am directed to acquaint you, for the information of His Excellency the Governor in Council, that boiler-makers, in common with other Covenanted mechanics and employés, come under the operation of the Secretary of State's decision* (copy annexed), from which it is clear that, under a covenant of service for a given time for certain wages or salary, there can be no accruing claim to the benefits of the Uncovenanted Leave or Pension Rules, unless this is specially provided for in the covenant ; but that, on expiration of the term of service or lapse of the covenant, the Government may either renew it or re-engage the individual on the usual conditions of employment in the Uncovenanted Service ; the Government being required to decide, when re-engaging persons on completion of service under contract, whether such period of service should be allowed to reckon towards privileges under the Uncovenanted Service Leave or Pension Rules.

* No. 388, dated 30th November 1870.

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Despatch from the Secretary of State for India, to the Government of India, dated 30th November 1870, No. 388.

I have considered in Council your Financial Letter, dated the 2nd September last, No. 206, with which you forward papers regarding the grant of a pension to Mr. H. J. Prockter, Head Cutler of the Medical Stores Depôt in Bengal, who served for a time under a covenant, and who was subsequently taken permanently into Government service.

2. In Mr. Prockter's case you have decided that his service under contract cannot reckon towards pension under the Uncovenanted Rules on the principle that "if a man contracts to serve the Government for a specified time for a certain remuneration which does not include any accruing right to pension, it is to be presumed that the remuneration was fixed between him and the Government on that basis ; it is gratuitous to superadd a pension."

3. You are, however, of opinion that, in case of service being prolonged, contract service should count for pension, "but it should be clearly understood *beforehand*, and the terms of the contract regulated accordingly ;" and you "suggest that contracts with persons for service in India should ordinarily be concluded upon such an understanding."

4. Were your suggestion adopted and the amount of stipulated remuneration reduced to a certain extent in consideration of a prospect of pension, &c., hereafter, *all* persons engaged under contract for special service in India would consider that they had a claim to be permanently taken into Government service at the expiration of the period specified in their contracts, or to compensation if not so taken ; and I am, therefore, of opinion that it will be better to leave it to your Government to decide, when re-engaging persons on completion of service under contract, whether such period of service should be allowed to reckon towards privileges under the Uncovenanted Service Leave and Pension Rules, the terms of re-engagement being regulated by you accordingly.

*Proceedings of the Madras Government, Financial Department,*
*4th March* 1873.

No. 40.

Copy of the above, and of its enclosure, forwarded to the Chief Secretary to Government, Fort St. George, for the information of the Right Honourable the Governor in Council.

(By order.)
(Signed) B. E. BACON, Colonel,
*Depy. Secy. to the Govt. of India.*

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No. 30.

ORDER THEREON, 4th March 1873, No. 284.
Communicated to the Accountant-General.

(True Extract.)

W. HUDLESTON,
*Chief Secretary.*

To the Accountant-General.
" Revenue Department.
" Military "
" Public Works "

Exd. J. Wright.

Govt. of 1873 Madras.

FINANCIAL.

*To*

THE ACCOUNTANT-GENERAL,

&c., &c., &c.

*Dated March, 4th.*

*Read.*

*Encl.*

*G. O., 4th March* 1873, *No.* 284.

MARCH.

Nos. 29-30.

Communicating copy of a letter from the Government of India to the Government of Bombay regarding the grant of leave and pension to boilermakers and other Covenanted mechanics and employés.

No. 39.

Government of India,

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No. 491.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Pensions and Gratuities.

FORT WILLIAM, *the 28th January* 1871.

Read the following—

No. 388, dated 30th November, 1870.

*From—The Secretary of State for India,*
*To—The Government of India.*

I have considered in Council your Financial Letter dated the 2nd September last, No. 206, with which you forward papers regarding the grant of a pension to Mr. H. J. Prockter, Head Cutler of the Medical Stores Depôt in Bengal, who served for a time under a covenant, and who was subsequently taken permanently into Government service.

2. In Mr. Prockter's case, you have decided that his service under contract cannot reckon towards pension under the Uncovenanted Rules on the principle that, "if a man contracts to serve the Government for a specified time for a certain remuneration which does not include any accruing right to pension, it is to be presumed that the remuneration was fixed between him and the Government on that basis; it is gratuitous to superadd a pension."

3. You are, however, of opinion that, in case of service being prolonged, contract service should count for pension, "but it should be clearly understood *beforehand*, and the terms of the contract regulated accordingly;" and you "suggest that contracts with persons for serivce in India should ordinarily be concluded upon such an understanding."

4. Were your suggestion adopted and the amount of stipulated remuneration reduced to a certain extent in consideration of a prospect of pension, &c., hereafter, *all* persons engaged under contract for special service in India would consider that they had a claim to be permanently taken into Government service at the expiration of the period specified in their contracts, or to compensation if not so taken; and I am, therefore, of opinion that it will be better to leave it to your Government to decide, when re-engaging persons, on completion of service under contract, whether such period of service should be allowed to reckon towards privileges under the Uncovenanted Service Leave and Pension Rules, the terms of re-engagement being regulated by you accordingly.

*Depy. Secy. to the Govt. of India.*

I. de Silva.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Pensions and Gratuities.

To

No. 491.

*Dated, Fort William, the 28th January* 1871.

*Received*

7

No. 39.

Government of India,

MARINE DEPARTMENT.

*Fort William, the 12th February* 1873.

To

THE SECRETARY TO GOVERNMENT, BOMBAY,
MARINE DEPARTMENT.

SIR,

IN reply to your letter No. 1339, dated 13th December 1872, I am directed to acquaint you, for the information of His Excellency the Governor in Council, that boiler-makers in common with other covenanted mechanics and employés come under the operation of the Secretary of State's decision* (copy annexed,) from which it is clear that, under a covenant of service for a given time for certain wages or salary, there can be no accruing claim to the benefits of the uncovenanted leave or pension rules, unless this is specially provided for in the covenant; but that, on expiration of the term of service or lapse of the covenant, the Government may either renew it or re-engage the individual on the usual conditions of employment in the uncovenanted service; the Government being required to decide, when re-engaging persons on completion of service under contract, whether such period of service should be allowed to reckon towards privileges under the uncovenanted service leave or pension rules.

* No. 388, dated 30th November 1870.

I am, &c.,

(Signed) B. E. BACON, *Colonel,*

*Depy. Secy. to the Govt. of India.*

No. 40.

Copy of the above, and of its enclosure, forwarded to the Chief Secretary to Government, Fort St. George, for the information of the Right Hon'ble the Governor in Council.

By order,

*Depy. Secy. to the Govt. of India.*

Exd. H. de Silva.

6 March 1873 No. 284.

Comm[r] of the Customs.

Copy[t] ack[d] Copy[t].

I would send to each Dep[t] of the Gov[t] to Gazette

To the Att[y] General
— Revenue Dept.
— Military Dept
— P.W. Dept
Dep[t]. 10/3/73.

[illegible]

[illegible] Copy of Gazette

[illegible]

[illegible]

[illegible]

Encl. 1/2
R 18/2

Govt. of India
Financial
No. 284 of 1873
Dated Simla the 3rd March 1873

From The Secretary to the Government of India
To The Accountant General

Subject Remittance of Rs. 50,000 to Madras.

Sir,

I am directed to request that you will cause the sum of Rupees Fifty thousand to be remitted to Madras by Bills on the Treasury at that Presidency.

I have the honor to be
Sir
Your most obedient Servant
Sd/- [illegible]
Secretary to the Government of India

Nos. 29. 30.

6 March 1873 No. 4

Comm. R. the Auditor.

Copy & ack. by post.

Gaekwar D.

I would send to a Dept. of the a Gaekwar

To the Accountant General
— Revenue Dept.
— Military Dept.
— P.W. Dept.
Dispt. 10/3/73