

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1226

Press

~~Mis~~

23.24

Dated

26-5-1918

Not to be folded or roughly handled

1226

Fort St. George, Judicial Consultation, 29th September 1857.

No. 23. Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to E. MALTBY, Esq., Acting Chief Secretary to the Government of Fort St. George, dated Ootacamund, 9th September 1857, No. 389.

SIR,

I have the honor, with reference to the Extract from a Despatch of the Honorable Court of Directors, dated the 6th May 1857, and published at p. 350 of the Official Gazette, to request instructions whether Pensioners serving as Jailors are liable to the rule there laid down.

2. In my applications of the 22nd August 1856, and 2nd January 1857, I asked for a salary of 50 Rs., intending it to be in addition to any pay or other emoluments the individual appointed as Jailor might be in the receipt of, though this is not expressly alluded to.

3. To those Jailors who continue on the old rate of pay, (30 Rupees), there will, if the Military pay or pension is deducted, be no allowance whatever.

(Signed) J. ROHDE,
Inspector of Prisons.

No. 24. ORDER THEREON, No. 1226; dated 24th September 1857.

Mr. Rohde enquires whether the principle laid down by the Honorable Court in a recent case, that, in instances where a retired Military Officer is employed in the Civil Department, the amount of such Officer's pension shall be deducted from the authorized salary of his appointment—is applicable to the case of pensioned Soldiers in charge of Jails.

Honorable Court, to Government of India, Financial Department, No. 18 of 1857, para. 16, dated 6th May, No. 2028.

2. The Government are of opinion that it is not. In proposing an increase (subsequently sanctioned) to the salary of Jailors, the Governor in Council expressly intimated to the Supreme Government, that it was to be given "in addition to any pension of which the party may be in receipt," there being great difficulty in procuring the services of competent men. To this it may be added that by the words "in future," the Honorable Court show their unwillingness to disturb existing arrangements.

(Signed) E. MALTBY,
Acting Chief Secretary.

Judicial Dept

No 1220

Encl. G. of 34 September 1857

Send to him from the
Inspector of Prisons.

has sent No 389
of 9th Sept 57.

Honble G. to G. of 23rd.

Financial Dept

No 33. 12/57. Para 16.

of 6th May. No 3088.

Atty

11/6

To G. of 23rd

of 7th Feb 57

Judicial Dept No 169

From G. of 23rd

No 483

Home Dept of 3rd April 57.

Now the whole enquires whether the
principle laid down by the Honble
Court in a recent case, that, in the
instances where a retired Military
Officer is employed in the Civil
Dept, the amount of such offi-
cer's pension shall be deducted
from the authorized salary of his
appointment — is applicable
to the case of Pensioned Soldiers
in charge of Prisons.

The G. of 23rd are of opinion that
it is not. In proposing an increase
(subsequently sanctioned) to the salary
of Prisons, the G. in C. expressly in-
vited to the Supreme G. of 23rd, but
it was to be given "in addition to"
"any pension of which the party
"may be in receipt" — thus leaving great
difficulty in procuring the services of
competent men. To this it may be
added that by the words "in addi-
"tion", the Honble Court show their
unwillingness to disturb existing
arrangements.

To the Secy. of Prisons. Dispt. 31st

11/6

17-9-57.

Sept 28th 1857

Barab.

Conc. 10.48.49 214.00.56
47 5 13.1.57
18.49 3 30.6.57
S. M. 5309 1.9.57

In 47. Sum: 29 844.5

Provincial 1857 Sept 28th

28. 12. 1857

At the House of Commons

28/21/20/18/57

23424

C174/10
112.