

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	191	Press
		<u>Mis.</u>
Dated	7—2—	19—1866

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
7th February 1866.*

No. 100. Read the following letter from the Acting Commissioner of Police, to the Chief Secretary to Government, Fort Saint George; dated Madras, 23rd November 1865, No. 117.

With reference to Order of Government, No. 1537, dated 1st instant, I have the honor to forward a Numerical Statement of the Members of the Madras Police Force who will now come under the Uncovenanted Service Pension Rules.

2. Having communicated with the Accountant General on the subject, I propose to discontinue the stoppage of half an Anna in the Rupee for the Police Superannuation Fund, hitherto made from the pay of these Police Officers, from the 1st proximo.

3. I conclude that they are not entitled to any refund of the moneys paid by them to the Police Superannuation Fund since their entry into the rank which now entitles them to the benefit of the Uncovenanted Service Pension Rules. But as the question has been put, and Act XIII of 1856 contains no such express provision

* Provided that no Police Officer shall retain any right to a refund of any deduction made from his pay while he may have been a Police Officer.

as that laid down in Section 12, Act XXIV of 1859* (Mofussil Police Act),

I request the ruling of Government on the point. Of course, the sums so paid were in the nature of an insurance, and would have entitled the payers to corresponding advantages had they become incapacitated for further employment previous to the operation of these new rules.

4. I also solicit attention to Section 19, Act XIII of 1856, which runs as follows:—"If any Officer of the Police Force, as aforesaid, shall be disabled by any wound or injury received in the actual execution of the duty of his office, it shall be lawful to grant to him, out of the Police Superannuation Fund, any monthly allowance not more than the half of his pay."

No such provision appears in the Mofussil Police Act, and it is doubtless felt to be of value by the Members of the Madras Police Force. I request to know if the Police Officers mentioned in the accompanying Statement, who have contributed to the Superannuation Fund in their present grades, but will now cease to subscribe, are still entitled to the privilege contained in Section 19. The clear principle would seem to be that Officers coming under the Uncovenanted Service Rules should be entitled to the privileges laid down in those Rules and to no others. Special cases of the nature alluded to in Section 19 could always be submitted for the favorable consideration of Government, but a pension, if granted under such circumstances, would not seem to be chargeable to the Police Superannuation Fund.

5. I may mention that the Superintendent of the General Market, included in the Statement, although paid by the Municipality,† is really a Constable, duly enrolled under Section 14 of the Police Act, and available for general Police duties.

† G. O., No. 432, dated 29th March 1865, Judicial Department.

List of Police Officers who come under the Uncovenanted Service Pension Rules.

Executive and Preventive Force.

	RS.	A.	P.
2 Inspectors, each at.....	130	0	0
1 Do.....	120	0	0
5 Do., each at.....	100	0	0
1 Do.....	80	0	0
2 Do., each at.....	70	0	0

*Proceedings of the Madras Government, Judicial Department,
7th February 1866.*

	RS.	A.	P.
14 Constables, each at.....	50	0	0
1 Jemadar.....	33	8	0
7 Do. each at.....	31	0	0
4 Daroghas, do.....	30	0	0
7 Do. do.....	25	0	0
2 Overseers do.....	21	0	0
<i>Mounted Police.</i>			
1 Inspector.....	90	0	0
4 Constables, each at.....	50	0	0
4 Sub-Constables, do.....	40	0	0
40 Troopers, each at.....	30	0	0
<i>Marine Police.</i>			
1 Superintendent.....	250	0	0
1 Inspector.....	110	0	0
1 Constable.....	50	0	0
1 Jemadar.....	35	0	0
<i>General Market.</i>			
1 Superintendent.....	60	0	0

(Signed) C. S. HEARN,
Ag. Commissioner of Police.

No. 101. ORDER THEREON, 7th February 1866, No. 191.

The Governor in Council is of opinion that the first of the two questions put in the foregoing letter must be answered in the negative, for the reasons adverted to at the end of the 3rd paragraph of the Commissioner's letter.

2. The fact that those Members of the Town Police, who, under the Resolution adverted to, have become entitled to pension under the general rules applicable to the Uncovenanted Service, would have received advantages from their subscription to the Superannuation Fund, had they become incapacitated for duty previous to the passing of the Resolution in question, clearly deprives them of any claims to refund of their subscription.

3. On the second point, the course adverted to by the Commissioner of Police would seem to be the correct one, viz., that cases of Officers of the Police Force, not subscribers to the Superannuation Fund, being disabled for further service by wounds or other injuries received in the execution of their duty, should be referred specially to Government, as is done in the case of Officers of the Mofussil Police, and that any pensions granted under such circumstances should be defrayed from the general revenue.

4. These Proceedings will be reported to the Government of India, for their information.

(True Extract).

Chief Secretary.

To the Commissioner of Police.
„ Civil Pension Department.
„ Accountant General.
„ Examiner of Claims.

Exd. J. H. Burns.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

No. 102. To the Secretary to the Government of India, Financial Department;
dated Fort Saint George, No. 192, Judicial, dated 9th February 1866.

I am directed to transmit, for the information of His Excellency the Viceroy and Governor-General in Council, the annexed Proceedings of the Madras Government, of this date, No. 191.

A. J. ARBUTHNOT,
Chief Secretary.

Government {1866} of Madras.
JUDICIAL.

Recd.

Regd.

1866.

Enclosures

Spare copies

Letter, No. 192, 7th February 1866.

FEBRUARY.

No. 102.

Presidency Police.

Orders issued respecting the admission to pension of certain members of this force.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Ag Commissioner of Police
Madras.

Here enter 23rd November 1866 N^o 117.

Order thereon 7th February 1866 N^o 191.

The Governor in Council
is of opinion that the first of the
two questions put in the foregoing
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to at the end of the 3rd para
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have become entitled to pension
under the general rules appli-
cable to the Unconquered Service,
would have received advantages
from their subscription to the
Superannuation fund had
they become incapacitated for
duty.

(1)

duty previous to the passing
of the Resolution in question,
clearly deprives them of any claims
to refund of their subscription.

3 On the second point
the course advised to by the
Commissioner of Police should
seem to be the correct one;
viz, that cases of Officers of the
Police force not subscribers to
the Superannuation Fund
being disabled for further
service by wounds or other
injuries received in the ex-
ecution of their duty should be
referred specially to Government
as is done in the case of Officers
of the Madras Police and
that any pensions granted
under such circumstances
should be defrayed from
the general revenue.

4 These Proceedings
will be reported to the Go-
vernment of India for their
information.

To the Commr of Police
" And Commr of Police
" and Commr of Police
" and Commr of Police

to 10/2

(B)

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information.

To the Commr of Police }
" Asst Commr of Police }
" Secy to Commr }
" Examr of Claims }

10/2

Sept 10/2/66
10th reg of Co. 191-3

Judicial Department.
No. 192-

To

The Secretary to the Government
of India.

Financial Department.

Sir,

I am directed to trans-
mit for the information of His
Excellency the Viceroy and
Governor General in Council
the annexed proceedings of
the Madras Government of
this date 11-191.

For St. George.
9th February 1866

Judicial 1866. Department.

No. 191.

PROCEEDINGS OF GOVERNMENT.

Dated 7 February 1866.

Press No. 2765, G. M.-14-11-65-500.

No. 192.

Admiral Robt Dyerall
Sept 191-1912
To the Secretary of the Court
of India

Recd 9 February 1866

Stamps June
1/11/65