M.R.O. 1—30,000—16-10-59.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 396 Press ~~Mis.~~

67-68

Dated 13.3.1863 ~~19~~ .

3/4

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 13th March 1863.

No. 67. Read the following Extract from the Proceedings of the Government of India, in the Financial Department, dated 3rd February 1863, No. 374*g*.

Read the undermentioned papers on the question whether persons employed on the establishments of Sudder Ameens, Moonsiffs and Deputy Collectors in Madras, are entitled to pensions under the rules of 4th January 1831:—

Letter from Officiating Civil Auditor, Madras, No. 170, dated 1st May 1861.
Ditto to Civil Paymastor, Madras, No. 6,547, dated 21st May 1861.
" from ditto, No. 280, dated 22nd July 1861, and two enclosures.
" to ditto, No. 1,005, dated 29th January 1862.
" from ditto, No. 107, dated 27th February 1862, and one enclosure.
" to Chief Secretary to Government, Madras, No. 3,148, dated 28th April 1862.
" from Officiating Civil Paymaster, Madras, No. 265, dated 10th June 1862.
" to Secretary to Government, Madras, No. 75*g*, dated 12th August 1862.
" from Chief Secretary to Government, Madras, No. 1,374, dated 22nd August 1862, and two enclosures.
" to ditto, No. 566*g*, dated 30th September 1862.
" from ditto, No. 2,112, dated 29th September 1862, and five enclosures.
Order of this Department, No. 891*g*, dated 12th November 1862.
Office Memorandum from Home Department, No. 343, dated 14th January 1863.

Resolution.—In the abovementioned papers is discussed the question whether persons employed on the establishments of Sudder Ameens, Moonsiffs and Deputy Collectors in Madras, are entitled to the benefits of the Uncovenanted Service Pension Rules.

It is a rule not to grant pensions to persons on the establishments of public Officers who are allowed a certain sum for their establishments, with the detailed distribution of which Government does not interfere, and as the establishments of the Subordinate Judicial and Revenue Officers are generally paid out of the allowance given to the Officers in question, the persons employed on such establishments have never been eligible to the benefits of the Uncovenanted Service Pension Rules.

A different system, however, prevails in Madras. There the Sudder Ameens and Moonsiffs, and Deputy Collectors, do not draw any allowance for their establishments, but the establishments are sanctioned in detail by the Local Government. For this reason, persons employed on the establishments of the Sudder Ameens, Moonsiffs and Deputy Collectors in Madras, have been allowed by the Local Government to enjoy the benefits of the Uncovenanted Service Pension Rules.

It is fair that where salaries of persons have been fixed by *Government*, such persons, if of the same class as those declared eligible to pensions, should have a like claim when they become incapacitated for further service.

His Excellency the Governor General in Council resolves, therefore, to leave the practice followed in Madras undisturbed, and he desires that the other Local Governments, as well as the minor Administrations be requested to consider the question in connection with the practice in their own jurisdictions, and to inform this Government of their opinion.

Proceedings of the Madras Government, Judicial Department,
13th March 1863.

Ordered, that copies of the above Resolution be forwarded to—
The Government of Madras.
„ Civil Paymaster, Madras.
As well as to—
The Government of Bengal.
„ Government of the North-Western Provinces.
„ Government of the Punjab.
„ Government of Bombay.
„ Government of the Straits Settlements.
„ Chief Commissioner of Oude.
„ Chief Commissioner of the Central Provinces.
„ Chief Commissioner of British Burmah.
„ Commissioner of Mysore.
„ Agent Governor General, Central India.
„ Agent Governor General, Rajpootana.
„ Resident at Hyderabad.

(A true Extract.)

(Signed) E. DRUMMOND,
Secretary to the Government of India.

No. 68. ORDER THEREON, 13th March 1863, No. 396.

Communicated to the Honorable the Judges of the High Court, to all Civil Judges, and to the Agents in Ganjam and Vizagapatam, and also to the Civil Pension and Revenue Departments.

A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Judicial.

Proceedings of the Madras Govt.
Read Pros: of the
Govt of India—Enter 3d Feb'y 63 No. 374.

Order— 13th March 1863 No 396.

Communicated to the Hon'ble the Judges of the High Court, to all Civil Judges, & to the Agents in Ganjam & Vizagapatam, & also to the Civil Pension & Revenue Depts.

The Hon'ble the Judges of the High Court
" Civil Judges of ——
" Agents in ——
" Civil Pension Dept.
" Rev Dept.

Judicial 1863, Department.

No. 395.

PROCEEDINGS OF GOVERNMENT,

Dated 2nd March 63.

Read the 24th 3/68

Sept. 1305.

Communicate to the High Court the resolution of the Govt of India, directing the grant of pensions to the persons employed on the establishments of Lower Provinces, Moonsiffs & Collectors.