

Marine (1899) Department.

G.O., No. 534 Marine

DATED 16th June 1899.

[Despatch Abstract.]

*Mr S. Hutchence, late Traffic Manager
Harbour Trust Board, Madras*

*Directing that — he informed that his
application for enhanced pension is in-
admissible under the rules.*

Date taken

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
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CURRENT No.

Order

The petitioner will
be informed that, his
application is inadmissible
under the rules. 1

From

Off: Accountant General
Madras

The Chairman H. J. B.

No.

Page 66. 6.

2075

Vote for this Emulation the Governor.

Dated

30 May 1899

On receipt of this petition from
Mr. Antchenev it was referred to the
Accountant General for report as
to whether it would be possible for

Received

Enclosures 3.

Spare copies

Govt. to do anything to afford relief.
It will be seen from the reply that
there are no means by which the

SUBJECT.

Expressing his opinion

can be done, the Rules being
an absolute bar to the grant
of either of the concessions
applied for in para 5. of the
petition. Mr. Hutchence was thoroughly
satisfied by Mr. S. Hutchence

Mr. J. A. G. Servant, and he cannot
thus claim anything under Traffic Manager, Harbours Dept.
Sections 22 & 23 of the Harbours Trust Board, Madras.
Act, which refers to servants of the
Board, even if the Trust were
disposed to be complaisant to
which they are not.

4 to 12/6. 214/6.

12. b. v. *Sum. 5.2.14.*

BACK PAPERS.

BACK PAPERS.

FURTHER PAPERS.

No.	Date.
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2289	1841
1472	1843
8023	1843
	1844
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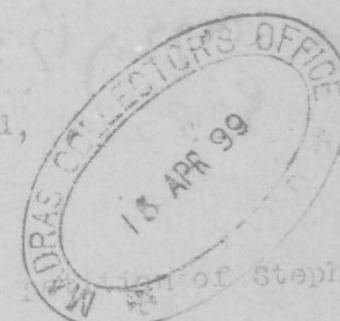
Harbour Trust Board,
Madras 12th April 1899.

To,
His Excellency Sir Arthur Elphinstone Havelock G.C.M.G., G.C.S.I.,
Governor of Madras.

Through,

The Chairman of the
Harbour Trust Board,
MADRAS.

The humble request of Stephen
Hutchence, Traffic Manager, Har-
bour Trust Board Madras.



Respectfully sheweth.-

Flag C.

1. That your Excellency's order No. 238 Marine, dated 11th March 1899, has been duly communicated to your petitioner, who would humbly beg that the circumstances of his transfer to foreign service, by which he loses a moiety of his pension, may be graciously considered by your Excellency.

Vide Statement
Flag E.

2. Your petitioner was entertained in the Marine Department in October 1878, and served with credit in that Department, under the Master Attendant, till June 1880; when on the formation of the Harbour Trust Board your petitioner, with others, was handed over to the Board; not having had any option in the matter, and also not knowing that this transfer in any way affected his pensionary prospects, (as in fact under the rules then in force it did not). This is shown in the Chairman's letter dated 25th January 1887, contained in G.O. Marine No. 51 dated 3rd February 1887. This letter, together with the Board's resolution, and the Government order thereon, would your petitioner humbly submit, show that it was desired and understood, that your petitioner, and other Government servants transferred from the Harbour Dues establishment, should not suffer in their pensionary prospects by being so transferred; and when your petitioner was promoted to the post of Traffic Manager, in 1892, G.O. Marine Nos. 69, and 125, dated 23rd February, and 21st April 1892, show that the Board was prepared to pay to Government the additional pensionary contribution on his behalf, for the increase of pay sanctioned.

(1) Flag F
(2) Flag A

Your

Page E

3. Your petitioner would humbly submit, that he has by his transfer to the service of the Board, received less remuneration than he could reasonably have expected to have received, had he remained in the service of Government, in the Marine Department; as he was appointed acting Port Officer on two occasions, vide G.O. Marine, No. 218 dated 21st May 1882, for a period of 2 months in all, and had he been confirmed as Port Officer, he would, with one exception, now be the senior Port Officer of the Madras Port establishment. His services were however retained in Madras by the late Captain Taylor, Master Attendant, who informed your petitioner, that he was specially required for traffic, in connection with the Harbour Dues Department, which was then about to be formed. Captain Taylor's testimonial of character, shows the estimation in which your petitioner was held by that Officer.

4. Your petitioner has also been affected most adversely in his pensionary prospects by being transferred, as instead of being eligible for a pension of Rs 166-10-8 per mensem, on his pay of Rs 500 per mensem, he is eligible for Rs 83-5-4 only, and your petitioner would humbly pray that your Excellency may be pleased to ameliorate your petitioner's circumstances.

5. Your petitioner would humbly beg to be permitted to suggest a means whereby your Excellency; if so pleased; could relieve your petitioner in the matter of pension, either by accepting the increased pensionary contribution on his behalf, or by permitting the Board to make up to your petitioner the difference in pension, which would have accrued to him had Government accepted increased contribution on his behalf in 1892. This could with your Excellency's sanction be done under section 23 of Act II of 1886. The Madras Harbour Trust Act.

6. This concession, if granted by your Excellency, would give your petitioner a pension of Rs 125 per mensem, and your petitioner would humbly submit that this sum would not be excessive, in return for over twenty years faithful service rendered in the Marine Department, and in the service of the Board.

7. In conclusion your petitioner would humbly pray your Excellency to consider favourably his prayer, and assist him so

that

that at the close of a long service, under or for Government, extending in all to over 33 years work, he may be enabled to end his days in moderate comfort.

8 And your petitioner as in duty bound will ever pray.

J. Mitchell
Traffic Manager,
Harbour Trust.

EXTRACT of Proceedings of the TRUSTEES OF THE HARBOUR
OF MADRAS, at a Meeting held at the Offices of the
Board on Friday the 28th day
of April 1899.

13. Read petition dated 12th April 1899, from Mr S. Hutchence,
the Board's Traffic Manager to H.E. the Governor, requesting—
in reference to his retirement from the Board's service—that
the circumstances of his transfer to foreign service, may be
graciously considered, with a view to an enhanced pension being
granted.

Resolved that the petition be forwarded.

(True Extract)

HARBOUR TRUST
MADRAS-1 MAY. 99
SECRETARY'S OFFICE

C. P. Vincent

Secretary,
Harbour Trust Board.

J.B.

13499

Put up references

Nov 21/99
50/102

J.B.

No. 90
a

FROM

Herbert Bradley Esq, I.C.S.,

CHAIRMAN, HARBOUR TRUST BOARD,

MADRAS.

TO

Colonel A. W. Smart, R.E.,

AG. SECRETARY TO GOVERNMENT,

Marine Department.

Sir,

I have the honour to submit herewith for the consideration of Government a petition to H. E. the Governor from Mr. S. Hutchence requesting that under the circumstances of his transfer from the Marine Department to Foreign service he may be granted an enhanced pension.

2. He suggests that the Harbour Board should be allowed to pay contribution towards such enhanced pension in arrears. Even could this be done under the rules, the Board — Captain Street dissenting — is not willing to entertain the proposal, and observes that when Mr. Hutchence's pay was raised he was distinctly told that Government would not allow pensionary contribution to be paid upon a higher salary than he was getting when transferred to the Board's service.

3. Under these circumstances the Harbour Trustees, are unable to support Mr. Hutchence's petition.

I have the honour to be,

Sir,

Your Obedient Servant,

Herbert Bradley

Chairman,

Harbour Trust Board.

J. J. J.
Secy.

J. J. J.

*not in
12/7/91
in*

Pension Department.

FORT ST. GEORGE,
Accountant-General's Office,

No. Pen 66c 30th May 1899.
2075

From

W.H.DAWSON ESQ.,

Offg: ACCOUNTANT-GENERAL to THE
GOVERNMENT OF MADRAS,

To

The Secretary to Government,
Marine Department.

SIR,

With reference to your Memorandum No.222E, dated the 9th of May 1899 referring to me for opinion the question whether the Local Government has power to sanction the enhanced pension applied for by Mr.S.Hutchence Traffic Manager, Harbour Trust Board, Madras, I have the honour to invite attention to article 835 (a) of the Civil Service Regulations, from which it will be seen that an Officer who contributes for pension can claim pension only on the pay upon which he contributes and not upon the amount which he receives from his foreign employer. Accordingly as Mr.Hutchence contributed to Government on account of pension on a salary of Rs.250/(net) a month, he is eligible for a pension calculated only upon that amount. The grant of any pension to him in deviation from the above rule would require the sanction of the Secretary of State, Nor can any arrangement be now accepted for the levy of contribution with retrospective effect on the increased rate of pay. Vide Government of

India

Sailed 3
7/24/99

Handwritten: 7
Handwritten: K. Comptroller General
India No. 360, dated 6th November 1890 Home Department, Reference is invited to the G.Os. noted in margin.

The enclosures to your Memorandum under reply are herewith returned.

I have the honour to be,

Sir,

Your most obedient servant,

Handwritten: 78
Handwritten: W. Dawson
Offg: Accountant-General.

Handwritten: May 1891. No. 125. Home Dept. 1891
Handwritten: May 1891. No. 125. Home Dept. 1891