1. Number of cases 8
2. Date of reply 9-4-58
3. Initials of examiner

M.R.O. 1—32,400—28-11-56.

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.
Genl 12-1-58

G.O. No. 2140 Press Mis.

163.64

Dated 12-10- 1858

Not to be folded or roughly handled

Fort Saint George, Public Works Consultation of 12th October 1858.

No. 163. Read the following Extract from the Minutes of Consultation in the Financial Department, dated 1st October 1858, No. 649.

Communicating a Despatch from the Government of India laying down certain principles to be kept in view when adjudicating upon claims to Pension from servants who may have originally served under a foreign State and afterwards taken into the service of the British Government on the conquest of such State. (Vide Financial Consultation, 1st October 1858, Nos. 3-4)

No. 164. ORDER THEREON, No. 2140; dated 12th October 1858.

Ordered that the foregoing Extract be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 649.

Extract from the Minutes of Consultation under date the 1st October 1858.

Read the following Extract from the Proceedings of the Honorable the President of the Council of India in Council, in the Financial Department, under date the 30th August 1858, No. 4915.

Read again the following papers:—

Financial Consultation, 2nd September 1853, Nos. 5 to 8, relative to the application for a Service Pension in favor of Davee Dutta, formerly a Moonshee under the Sikh Government and late of a Mohurer in the Lahore Jail.

Financial Consultation, 30th November 1855, Nos. 23 and 24, regarding the application for a Service Pension in favor of Shahaboodeen, Extra Assistant in the Punjab, who had completed a service of 30 years, of which 23 years, and 6 months were passed in the service of the Sikh Government.

Read an Extract from the Proceedings of the Honorable the President in Council in the Foreign Department, dated 4th Instant, No. 2656, with enclosure.

OBSERVATION.—In July 1853 the Chief Commissioner of the Punjab having recommended the grant of a pension of Rupees 100 per annum to Davee Dutta, formerly a Moonshee under the Sikh Government, and late a Mohurer in the Lahore Jail, this Government on the 30th August following, observed that, as a general rule, service rendered in a Foreign State by an individual who is afterwards taken into the service of the British Government on the conquest of such State, does not count as service entitling to Pension under the ordinary Pension Rules; but as the applicant Davee Dutta was represented to be old and worn out, this Government allowed him a compassionate allowance of 100 Rupees per annum, subject to the confirmation of the Honorable Court.

The Honorable Court in noticing this proceeding remarked "we are not prepared to acquiesce in the admission of service under a Foreign Government, even if it could be satisfactorily proved, as constituting a claim to pension as if the service was rendered to our own. We are willing to grant relief in certain cases upon special grounds, and in this instance so far to comply with your recommendation as to allow to Davee Dutta a pension of 80 Rupees a month commencing on the 1st of January last."

*Financial Despatch, dated 11th January 1854, No. 5, Para: 2.

In accordance with that ruling, this Government, on the 29th November 1855, refused a retiring pension of 95 Rupees per mensem in favor of Shababoodeen, Extra Assistant in the Punjab, who had completed a service of 30 years of which 23 years and 6 months were passed in the service of the Sikh Government; and remarked that if the Chief Commissioner was prepared to recommend any special grant to this Extra Assistant on political grounds, this Government would not object to take the subject into consideration.

The Honorable Court in reviewing this proceeding, remark in their letter in the Political Department, No. 24, dated 2nd June, Para: 26, "If the applicant by long service to the Sikh Government had earned any rights or privileges which were lost to him by our conquest of the country, it appears to us that we cannot ignore the obligations of that conquered State, when, as in the present case, the public servant transfers to our Government with his loyalty the advantages of his experience acquired under the rule of our predecessors. We wish you to consider the case of Shahaboodeen in this view."

RESOLUTION.—This Government in the Foreign Department having called on the Chief Commissioner to state his opinion on the case of Shahaboodeen, the Honorable the President in Council directs that in future the principle now laid down by the Honorable the Court of Directors be carried out in supersession of all previous orders on the subject.

ORDER.—Ordered that a copy of the foregoing Resolution be sent to the Departments and Governments noted in the margin, and to the Chief Commissioners of Punjab and Oude and the Civil Auditor, Fort William.

Foreign, Home, Military and Public Works. Bengal, N. W. Provinces, Madras, Bombay and Straits Settlements.

(A true Extract.)

(Signed) C. HUGH LUSHINGTON,

Secretary to the Government of India

Order.—Ordered to be communicated to the Civil Pension and other Departments, and also to the Civil Auditor.

(True Extracts.)

Chief Secretary.

To the Civil Pension and other Departments.
" Civil Auditor.

Exd. J. A. Wilson.

FINANCIAL DEPARTMENT.

No. 649.

Extract from the Minutes of Consultation under date the 1st October 1858.

Read the following Extract from the Proceedings of the Honorable the President of the Council of India in Council, in the Financial Department, under date the 30th August 1858, No. 1915.

Read again the following papers:—

Financial Consultation, 2nd September 1853, Nos. 5 to 8, relative to the application for a Service Pension in favor of Davee Dutta, formerly a Moonshee under the Sikh Government and late of a Mohurer in the Lahore Jail.

Financial Consultation, 30th November 1855, Nos. 23 and 24, regarding the application for a Service Pension in favor of Shahaboodeen, Extra Assistant in the Punjab, who had completed a service of 30 years, of which 23 years, and 6 months were passed in the service of the Sikh Government.

Read an Extract from the Proceedings of the Honorable the President in Council in the Foreign Department, dated 4th Instant, No. 2656, with enclosure.

OBSERVATION.—In July 1853 the Chief Commissioner of the Punjab having recommended the grant of a pension of Rupees 100 per annum to Davee Dutta, formerly a Moonshee under the Sikh Government, and late a Mohurer in the Lahore Jail, this Government on the 30th August following, observed that, as a general rule, service rendered in a Foreign State by an individual who is afterwards taken into the service of the British Government on the conquest of such State, does not count as service entitling to Pension under the ordinary Pension Rules; but as the applicant Davee Dutta was represented to be old and worn out, this Government allowed him a compassionate allowance of 100 Rupees per annum, subject to the confirmation of the Honorable Court.

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RESOLUTION.—This Government in the Foreign Department having called on the Chief Commissioner to state his opinion on the case of Shahaboodeen, the Honorable the President in Council directs that in future the principle now laid down by the Honorable the Court of Directors be carried out in supersession of all previous orders on the subject.

ORDER.—Ordered that a copy of the foregoing Resolution be sent to the Departments and Governments noted in the margin, and to the Chief Commissioners of Punjab and Oude and the Civil Auditor, Fort William.

Foreign, Home, Military and Public Works. Bengal, N. W. Provinces, Madras, Bombay and Straits Settlements.

(A true Extract.)
(Signed) C. HUGH LUSHINGTON,
Secretary to the Government of India

Order.—Ordered to be communicated to the Civil Pension and other Departments, and also to the Civil Auditor.

(True Extracts.)

Chief Secretary.

To the Civil Pension and other Departments.
" Civil Auditor.
" Public Works Deptt

E-4

Exd. J. A. Wilson.

P. W. 1858 Depts
Cons 12 October

No 2339.

Extract Mins Cons
in the Financial Depts

Dated 1st Octr. } 1858
Recd 7th — }
No 649

Communicating a
Despatch from the Govt
of India laying down
certain principles to be
kept in view when adjudi-
cating upon claims to
Pension from Servants who
may have originally
served under a foreign
State and afterwards taken
into the service of the Bri-
tish Govt on the conquest
of such State —

To be recorded

No 2140-

To be Recorded
Fort Saint George
12th October 1858

No 163 & 164-

8 Oct