

1. Number of pages.
2. Date of repair.
3. Initials of Reference.

M.R.O. 1-82,400-29-11-80.

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 8) <i>87</i>	Press Mis.
Dated <i>6-3-</i>	<i>18 65</i>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Financial Department,
27th February 1865.*

No. 70. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Right Honorable the Governor General of India in Council; dated India Office, London, 16th December 1864, No. 302.

I have considered in Council your Financial letter, dated the 13th September last, No. 127, relative to a proposition made by the Government of Bombay to permit service on the establishments employed under Act No. XIX of 1863 of the Bombay Legislative Council (Cotton Frauds Act) to count for pension, under the Uncovenanted Service Pension Rules.

2. To this proposition you object, on the ground that the Cotton Frauds Act is not a general but a local Act, based on a local fund, the income of which is connected with the operation of the Act. You state that the Government of Bombay had, without consulting your Government, appointed an establishment, under the Cotton Frauds Act, consisting of a Chief Inspector, at Rupees 1800 a month, a Sub-Inspector at Bombay, whose salary is not stated, and six European Inspectors, at Rupees 700 each; and you observe that, if the local Governments are allowed to exercise the power of binding the Government of India to expenditure out of the general revenue, under these local Acts, the full control over that revenue hitherto possessed by the Government of India must obviously cease.

3. It appears to Her Majesty's Government that the proposition made by the Government of Bombay ought not to be sanctioned. If it were admitted that servants appointed under local Acts, whose salaries are paid from fees levied under the provisions of those Acts, were to be granted superannuation pensions out of the general revenue, the charge to the State for those pensions would be largely and indefinitely increased. The correct principle, in regard to superannuation, appears to be that pensions should be granted out of the same funds from which the salaries have been paid.

4. In order to bring the Cotton Frauds Act, which was exceptional in its character, into speedy and effective operation, it was deemed expedient by the Government of Bombay to sanction the employment under that Act of some of their servants, their salaries while so employed being paid from the local fund. Under the peculiar circumstances of the case, Her Majesty's Government will not require that the time so occupied shall be excluded from the period calculating as service for pensions from the public revenues.

5. I have, however, requested the Bombay Government to take the earliest opportunity of restoring the officers referred to to their proper position in the regular service, and I should hope that any necessity for a similar employment of Government servants will be very rare. It must be regarded as a fixed rule that officers of establishments employed under local Acts will not be entitled to any pension, or allowance from the State.

No. 565.

ORDER.—Ordered that a copy of the above Despatch be forwarded to the Governments of Bengal and Madras, and to the Civil Paymaster, Bombay, for information and guidance.

FORT WILLIAM,
FINANCIAL DEPARTMENT,
The 31st January 1865.

(Signed) E. H. LUSHINGTON,
Secy. to the Govt. of India.
(Signed) J. E. COOKE,
Asst. Secy. to the Govt. of India.

No. 71. ORDER THEREON, 27th February 1865, No. 125.

Communicated to the Civil Pension Department, and to the Civil Paymaster; and also to the several Departments of the Secretariat.

(True Extract).

G. J. Cunningham
Chief Secretary.

To the Civil Pension Department.

„ Civil Paymaster.

„

Department.

Exd. J. H. Burns,

Review 1868 Departs

1868

Proc: of Court June 23rd 1868

1868

Dated 24th February 1868
Re: McNamee

Commencing

Copy of a Deposed address
sent to the Court of Chancery
by the Right Honble the Lord
of State, stating that it was
be regarded as a paid
under that officers of other
disbursements employed under
local acts will not be
admitted to any pension or
allowance from the state.
Write an order 1868

Order thereon 1st March 1868 1868

Order to be recorded

MS

Under seal