

1. Number of pages
2. Date of receipt
3. Initials of Receiver

M.O. 1-22-60-2-11-50

MADRAS RECORD OFFICE.

Government of Madras.

Chennai DEPARTMENT

G.O. No.	<i>22</i>	Press Min.
Dated	<i>27</i>	18 <i>2</i>

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

11th September 1872.

No. 44. Read the following letter from the Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, Fort St. George, dated Simla, 30th August 1872, No. 2400:—

I am directed to acknowledge the receipt of your letter, No. 549, dated 29th April 1872, submitting the request of the Government of Madras for a re-consideration of the Orders of the Government of India, No. 1991, dated 15th July 1871, passed on the recommendation of the Local Government to exempt Pleaders, who might be candidates for employment in the judicial branch of the service, from the operation of the rule prescribing twenty-five years as the maximum age for admission into the Uncovenanted Service.

2. In reply, I am to remark that the Government of Madras appear to have misapprehended the rule in question. There is no general *prohibition* against the employment of persons in the public service whose age exceeds twenty-five years, nor is any reference to the Government of India necessary before any such persons are employed. Under the rule, as laid down in Financial Resolution, No. 423, dated 20th January 1871, a Local Government has a discretion to admit to the public service any person at any age; and no particular disadvantage affects an officer admitted after the age of twenty-five years, except that, if he is *superannuated, i. e.*, compelled to retire as inefficient on attaining the age of fifty-five years (Civil Pension Code, 53-1), he will get a proportionately smaller pension. His claim to an *invalid*, or *compensation*, or *retiring* pension (Sections 47, 49, and 54 of the Code) is not affected.

3. By a later order, the Government of India have expressed their willingness to relieve any officer from even this special disadvantage on sufficient cause being shown. But the Government of India alone can grant such relief.

Ordered that a copy of the above letter be furnished to the Home Department, with reference to its Office Memorandum, No. 2569, dated 18th June 1872.

No. 45. ORDER THEREON, 11th September 1872, No. 1225.

The Governor in Council directs that a copy of the foregoing letter, and of the previous correspondence, be furnished to the Judges of the High Court, and to Mr. R. A. Phillips, with reference to his petition of the 11th May 1871.

(True Extract.)

Acting Under Secy. to Govt.

To the Honourable the Judges of the High Court.
,, Mr. R. A. Phillips.

Exd. J. Wright.

Received of Procy 1000 1892

— 1892

1892

Order of Procy 1000 1892

Procy 1000 1892