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MADRAS RECORD OFFICE.

Government of Madras.

Revision DEPARTMENT.

G.O. No.	655	Press Mis.
Dated	26-10-1874.	

Not to be folded or roughly handled

No. 2530.

To

The Secretary to the Government of India, Military Department.

Sir,

I am directed to forward, for the consideration and orders of the Right Honorable the Governor General in Council, the accompanying memorial, and correspondence connected therewith, from Mr. S. Hutchence, late mechanic in charge of the machine department of the Army Clothing establishment, who prays for a gratuity for his service of eight years in that department.

2. The Controller of Military Accounts is of opinion that the claim is inadmissible, basing his objection, apparently, on section 13 of the Civil Pension Code, but I am to observe that although Mr. Hutchence was paid out of the sum allotted for the working expenses of the department, yet the requirements of section 13 of

Pro. of Govt., 30th April 1867, No. 1563.
Do. 23rd Aug. 1869, „ 3026.

Section 17, Civil Pension Code.

Vide paragraph 3 of letter from Controller of Military Accounts, recorded in Proceedings of Government, 30th April 1867, No. 1563.

an irregular increase of pay granted to memorialist by the Superintendent of Army Clothing, viz. that the man belonged to the fixed establishment, and the increase should have therefore been granted by Government; and finally, that his salary was

Section 24 Civil Pension Code.

paid from General revenues, and had to be accounted for and audited in the usual manner.

3. It appears, therefore, to the Right Honorable the Governor in Council, that the regulated gratuity is admissible to this discharged servant.

OOTACAMUND,
6th August 1874. }

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) A. C. SILVER, Colonel,
Secretary to Government.

No. 102. From the Superintendent Army Clothing, dated 15th June 1874, No. 14, forwarding petition from Mr. S. Hutchence, late mechanic in charge of the machine department, praying for a gratuity for his past services in that department.

No. 103. From Colonel T. GILLILAN, Controller of Military Accounts, to Colonel A. C. SILVER, Secretary to Government, Military Department; dated Fort Saint George, 21st July 1874, B.

In forwarding the petition of Mr. S. Hutchence, late mechanic in charge of the machine department of the Army Clothing establishment, with five enclosures, claiming a gratuity for his past services, submitted by the Superintendent of the above establishment, under date the 15th June 1874, No. 14, I have the honor to report, that as Mr. Hutchence was paid out of the sum allotted for making up clothing, &c., and his pay charged accordingly, he in common with others similarly circumstanced, has never been recognized as a public servant in permanent employ, nor considered entitled to gratuity on their services being dispensed with: the mere fact of Government having approved of the allotment of a portion of the cash assigned, according to a scale of pay proposed by the above Superintendent for the working establishment cannot be regarded as in any way changing the character of the department, or assigning to it the position of a fixed establishment giving claim to gratuity and pension.

2. Mr. Hutchence refers in his petition to sections 13, 17 and 24 of the Civil Pension Code, in support of his claim, but none of those sections are applicable to his case, as he was not borne on the permanent establishment of the Clothing Department; and to recognize his claim would inaugurate a most dangerous principle, and give rise to numerous claims, not only prospective but retrospective, for both gratuity and pension (the service qualifying for one necessarily carrying a right to the other) never contemplated by the regulations and unsupported by precedent.

(True Copies.)

(Signed) A. C. SILVER, Colonel,
Secretary to Government.

Govt. of 1874 Madras
MILITARY.

To

THE SECRETARY TO THE
GOVERNMENT OF INDIA,
Military Department

Dated August, 6th.

Recd. n

6th August 1874, No. 2530.

S.

AUGUST.
Nos. 102-104.

Forwarding, for orders, memorial, with correspondence, from Mr. Hutchence, late mechanic in charge of the machine department of the Army Clothing establishment, praying for a gratuity for his service in that department.



Proceedings of the Madras Government, Military Department,
13th October 1874.

Pensions,
Gratuities.

Read the following letter :—

No. 162. From Colonel H. K. BURNE, Secretary to the Government of India, Military Department, to Colonel A. C. SILVER, Secretary to Government, Military Department, Madras; dated Fort William, 1st October 1874, No. 20.

In reply to your letter, No. 2530, dated 6th August 1874, I am directed to acquaint you, for the information of the Right Honorable the Governor in Council, that the Government of India, in the Financial Department, has been pleased to admit the claim of Mr. S. Hutchence, late mechanic in charge of the Machine Department of the Army Clothing Establishment at Madras, to the gratuity due for his services in that establishment.

No. 163. ORDER THEREON, 13th October 1874, No. 3366.

Communicated to the Superintendent of Army Clothing,* and the Controller of Military Accounts,† with reference to their respective letters marginally cited.

* No 14, dated 15th June 1874.

† B., dated 21st July 1874.

(True Extract.)

Secretary to Government.

To the Superintendent Army Clothing.

" Controller of Military Accounts.

" Financial Department, with a copy of No. 2530 of 1874.

" Pension Department, do.

vs. 2530 of 1874.

Exd. J. E. Cashart.

Prod. - " - 22°

What establishment.
Crocker Museum - 75 Crocker Ave. N.Y.C.

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