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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	408	Press Mis.
Dated	9-9-	1878.

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14.8.41*

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

21st August 1878, No. 1485.

Pensions and Gratuities.

Read the following paper:—

No. 141. *Proceedings of the Government of India in the Financial Department, dated Simla, 3rd August 1878, No. 2119.*

Pensions and Gratuities.

Read the following letters addressed to the Secretary in the Revenue Department:—

1. From Mr. W. B. Ives, Patrol, Inland Customs Department, dated 22nd May 1878, complaining of the hardship inflicted upon him owing to his services being dispensed with, and the allotment to him of one-quarter (*sic.* should be "one-third") pension with effect from the 1st June, and praying, *inter alia*, that, in recognition of his service of 21 years, he may be allowed $\frac{2}{3}$ ths of a half-pension.
2. From the Officiating Commissioner, Inland Customs, No. 105, dated 5th June 1878, reporting that he has dispensed with the services of twenty-three officers of his Department, and must eventually remove from office at least thirty more; representing the hardship resulting from these proceedings, and urging that the Rules may be somewhat relaxed in favor of those officers for whom suitable employment cannot be found in other Departments of the Public Service.

RESOLUTION.—The Governor-General in Council feels much sympathy for the officers who must lose their present livelihood in consequence of the abolition of the Inland Customs Line: but His Excellency in Council is not competent to relax the Rules of the Pension Code at his discretion; and he regrets that he cannot find any speciality in the circumstances of these officers, such as would justify him in moving the Secretary of State to sanction any departure from the Rules in their favor.

2. It is not, however, right that the services of any officer should be dispensed with suddenly, or without specific warning given a reasonable time before his pay actually ceases. The Secretary of State will accordingly be asked to sanction the addition of the following Rule under Section 50 of the Civil Pension Code:—

"1A. Reasonable notice should be given to an officer in permanent employ before his services are dispensed with on the abolition of his office. If, in any case, such notice is not given at least three months before dispensing with the officer's services, and he shall not have been provided with some other employment, then, with the sanction of the Local Government, a gratuity not exceeding his emoluments (as defined in Section 69 (a)), for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the pension or gratuity to which he may be entitled under Section 59. But the responsible officer will be required to explain any neglect on his part which may give rise to expenditure for such a gratuity."

3. In anticipation of the Secretary of State's assent, this Rule may be applied to the case of the officers of the Inland Customs Line whose services have already been dispensed with, or are to be dispensed with. In the case of the officers whose services have already been dispensed with, and who did not receive timely notice that their services would be dispensed with, the special explanation which will, in future cases, be necessary, need not be given by the Commissioner of Inland Customs.

4. The Governor-General in Council has repeatedly sought to mitigate the hardship arising to an officer retiring from the Service from delay in the settlement

of his pension or gratuity. It is often, indeed, impossible to avoid delay in the verification of all the particulars about an officer's service which must be known before his pension or gratuity can be settled: but every effort should always be made to complete such inquiries as speedily as possible.

5. It was to obviate such delays that service-books were prescribed for non-gazetted officers (Civil Pension-Code, Section 72), and that Rule 1 under Section 73 was framed to enable an officer to submit his application for pension six months before his retirement. If officers avail themselves of this Rule—and Heads of offices should take care that they do so—then, for ordinary cases it does not seem that anything more is now required; but, when an office is abolished, it often happens that the warning given to an officer whose services are thereupon dispensed with, is too brief to enable him to take full advantage of this Rule. To meet such cases, the Secretary of State will now be asked to consent to the following Rule:—

"Section 82. Rule 3.—When the services of an officer are dispensed with on the abolition of his office, before the necessary inquiries preliminary to the settlement of the pension or gratuity to which he is entitled can be completed, the Accountant-General may sanction the immediate disbursement of the pension to which, after the most careful summary investigation that he can make without delay, he believes the officer likely to be entitled.

"If the Accountant-General thinks it likely that the officer would be found entitled to a gratuity only, one-sixth of the amount of such probable gratuity may be disbursed to him monthly until the amount is finally settled.

"The settlement of such provisional payments should be made so as to admit of their disbursement not later than one month after the officer has ceased to hold the abolished post.

"If, upon the completion of the regular investigation, it be found that the pension or gratuity thus summarily assigned, differs from the pension or gratuity finally settled, the difference must be adjusted in the first subsequent payments. Provided that, if a gratuity summarily assigned under this Rule, proves to be larger than the amount found actually due upon completion of the inquiries, the officer shall not be required to refund any excess actually paid to him, except as provided in Chapter XX. To enable the Accountant-General to exercise the jurisdiction thus entrusted to him, the Head of the office from which the officer is removed should furnish to the Accountant-General, as early as possible, immediately that it becomes known to him that the officer must retire, and without waiting for his actual retirement, the fullest information that can be obtained regarding the officer's service, without correspondence which must cause delay. This information is to be furnished in anticipation of the regular investigation required by Section 74, which, also, should on no account be delayed.

"All officers should bear in mind that delay in the payment of pensions or gratuities may involve peculiar hardship, and everything should be done to prevent or shorten to the utmost such delays."

6. These Rules may be all applied, in anticipation of the Secretary of State's assent, to the case of the officers whose services have been, or may be, dispensed with on the abolition of the Inland Customs Line.

7. Further, the particular attention of all Local Governments and Heads of Departments should be invited to the case of these officers; and, with reference to the Rules under Section 50 of the Civil Pension Code, and to the sympathy to which these officers are entitled, Local Governments and Heads of Departments should be required to lose no opportunity of providing for such of them as are still fit for active duty. In particular, the Governments of Madras and Bombay should carefully consider whether some of the discharged officers cannot be employed in the Salt Departments of their respective Presidencies. The Commissioner of Inland Customs should circulate to each Local Government and Head of Department a list of the discharged officers, showing the qualifications of each.

ORDERED that this Resolution be communicated to the several Departments of the Government of India, the Local Governments and Heads of Departments under the Government of India in the Financial Department, the Comptroller-General, and the Accountants-General, and Deputy Accountants-General in independent charge.

(Signed) E. J. SINKINSON,
Under Secy. to the Govt. of India.

No. 142

ORDER THEREON, 21st August 1878, No. 1485.

Communicated to the Departments of the Secretariat, the High Court, and all Heads of Departments.

(True Extract.)

[Signature]
Chief Secretary.

To the Revenue Department.
" the Military "
" the Public Works "
" the Pension "
" the High Court.
" all Heads of Departments under Chief Secretary.

Exd. J. Wright.

London 1898 Sept

Govt. of 1878: *India*

FINANCIAL.

To THE REVENUE DEPARTMENT,

Ac.
A. 534

Dated August, 21st;

Issued

Recd. *3rd Sept 1898*

Encl.

G.O., 21st August 1878, No. 1485.

AUGUST.

NO. 141-142.

Pensions and Gratuities.—Communicating Information of the Government of India present certain additional rules to the Civil Pension, to meet the cases of those officers who may their appointments by the abolition of the Customs Line and all similar cases.

Order Mem 9th Sept 1898 No 1408.

Records