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MADRAS RECORD OFFICE.

Government of Madras.

Revision DEPARTMENT.

G.O. No.	475.	Press Mis.
Dated	23-10-1878.	

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

28th September 1878, No. 1730.

Pensions and Gratuities.

Read the following paper:—

No. 215. *From R. B. CHAPMAN, Esq., Secretary to the Government of India, Financial Department, to the Chief Secretary to the Government of Bombay, dated Simla, 6th September 1878, No. 2753.*

Pensions, Gratuities, &c.

I am directed to acknowledge the receipt in the Military Department of your docket, No. 1846, dated 19th April 1878, recommending the grant of a compensation pension of Rupees 8-5-4 a month to Bishen Lal Ram Lal, late Kotwal of the Neemuch Cantonment, "who has been discharged in consequence of his being unequal to the duties required of him."

2. The Governor-General in Council learns from the Quartermaster-General's letter, No. 10—102-895B, dated 10th April 1878, that His Excellency the Commander-in-Chief of the Bombay Army recently sanctioned a revised Police establishment for the Cantonment of Neemuch, which includes the substitution of an Inspector of Police for a Kotwal, and that, thereupon, the Cantonment Magistrate reported that "Bishen Lal Ram Lal was an uneducated man, quite incapable of discharging the duties of an Inspector of Police, being unable to read or write Hindustani, English, or any other language;" further that, "altogether irrespective of this," he (the Cantonment Magistrate) considered "that Bishen Lal had been far too long" at Neemuch, and that his removal was "absolutely necessary for the efficiency of the service;" but that, although he was not fit for advancement in the Police Department, the Cantonment Magistrate had no doubt that he might, for some years, efficiently discharge the duties of Kotwal at some other station on his present pay.

3. After carefully considering the circumstances of the case, the Governor-General in Council desires me to refer the Government of Bombay to Section 49, Rule 1, and Section 50 of the Civil Pension Code, with the notes and rules subsidiary thereto, and to the circular orders issued in this Department, No. 1090, dated 22nd July 1878. In the opinion of the Governor-General in Council, Bishen Lal Ram Lal is not entitled to a pension under the Civil Pension Code, and the circumstances of his case are not such that the Government of India could move the Secretary of State to treat it specially without in effect advocating a departure from the principles that regulate the grant of pensions and creating a precedent for the recognition of a new, and possibly heavy, cause of outlay.

4. It is doubtless the duty of all public officers to take every suitable opportunity to introduce improvements in the administration; and, as the rules now stand, personal claims such as those of Bishen Lal Ram Lal often impede administrative reforms otherwise desirable. But it is easy to see that, if the Government were prepared to compensate every one whom it was desired to supersede on such occasions, reforms might indeed proceed more rapidly, but that an indefinitely large expenditure for compensation pensions might ensue; and this the Government of India is not at present authorized to incur, or prepared to recommend to the Secretary of State.

5. Local administrative improvements must, therefore, be carried out with a due regard to these considerations, and it should be clearly understood that if a public

servant is discharged, as in the present instance Bishen Lal Ram Lal has been discharged, a remedy at the charge of the public revenues for the loss he sustains is not to be expected.

6. Applying these principles to the present case, the Governor-General in Council desires me to say that if the Government of Bombay consider that Bishen Lal Ram Lal's inefficiency was not of such a character that his removal without compensation can be considered just and equitable (and from the facts stated this does not appear to be the case) the only alternative would seem to be either to reinstate him at Neemuch, and postpone, until his personal claims can be adequately met, the introduction of the reforms desired by His Excellency the Commander-in-Chief, or to find for him some other suitable office to which he can be at once transferred without creating any additional charge on the revenues.

Ordered that copies of this letter be distributed for information and guidance as follows :—

- 1.—To the several departments of the Government of India.
- 2.—To the several Local Governments and Administrations (Bombay Government excepted).
3. To the Comptroller-General and to the several Accountants-General and Deputy Accountants-General in independent charge.

(Signed) J. WESTLAND,
for Secy to the Govt. of India.

No. 216. ORDER THEREON, 28th September 1878, No. 1730.

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

(True Extract.)

Quater
Acting Chief Secretary.

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

Govt. of 1878 indexes.

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