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## MADRAS RECORD OFFICE.

Government of Madras.

*Pension* DEPARTMENT.

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| G.O. No. | <u>603</u> | Press<br>Mis.  |
| Dated    | <u>16</u>  | 18 <u>42</u> . |

Not to be folded or roughly handled

NOTE FOR THE SECRETARY.

File No. 8/5/83.  
I do not think any action is necessary as to Pensions in consequence of amalgamation of Forests <sup>with</sup> Jungle Conservancy as the G.O. to which this is pinned shows T.C. since is pensionable & Forests is & was. It is as well however that the point should not escape notice. Hence this note. 7/5/83.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

21st April 1881, No. 668.

READ THE FOLLOWING PAPERS :—

No. 283. Proceedings of the Board of Revenue, dated 10th February 1881, No. 232.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to C. A. GALTON, Esq., Secretary to the Board of Revenue, dated Chittoor, 22nd December 1880, No. 501 :—

AN application for a pension on behalf of Chinnasamy Naidu, the Forester of the Chandragiri Taluk of this district, having been recently forwarded to the Accountant-General, that officer called for information on the following points with reference to Chinnasamy Naidu's transfer from the Imperial Forest to the Jungle Conservancy Establishment :—

- (1.) Whether the transfer was made on public grounds, and not only in the private interest of the applicant.
- (2.) Whether the transfer was made with the consent of the Local Government.
- (3.) Whether the applicant during the period of his employment in the Jungle Conservancy Fund Establishment paid any contribution to Government on account of his pension ; if so, into what Treasury and at what rate ; and if not, how he can be allowed the benefit of the service rendered in the Imperial Establishment.

2. The Deputy Conservator of Forests, in his letter of the 6th May 1875, proposed, with reference to the Board's Proceedings, dated 22nd April 1875, No. 61-995, the rearrangement of the Jungle Conservancy Establishment, and in doing so, recommended that Chinnasamy Naidu who was the Head Duffadar of his office on Rs. 15 a month, and who was actually doing the work of the Forester's office, should be appointed Forester's Gumasta for the local jungles on Rs. 18 a month. The Deputy Conservator's proposal was sanctioned in my letter to him of the 15th May 1875. The fact that the sanction of Government was necessary for the transfer of Chinnasamy Naidu from the Imperial Forest to the Jungle Conservancy Department escaped notice at the time, as the latter department was considered as much a Government Department as the Imperial Forest, and it was thought that service in it counted for pension as it does in other Government Departments.

3. Under the circumstances above detailed, Chinnasamy Naidu paid no contribution to Government nor was he asked to pay any on account of his pension, as it was thought that the transfer was from one Government Department to another.

4. It will be very hard on the man if he is to lose his service now because it was not known that the Jungle Conservancy Department was not a Government Department.

5. My immediate object in making this reference to the Board is to solicit their attention to the case of the Rangers and Foresters at present employed in the Jungle Conservancy Department, many of whom have been transferred from the Imperial Forests, and who do not pay any percentage from their pay in order that their position may be secured and their services made eligible for pension, as it is natural to suppose that the present Rangers and Foresters will not like to continue in it and lose all their service rendered in the Imperial Forests.

6. Referring to the Civil Pension Code, 4th Edition, it would appear that the Local Government may allow "the Trustees, Committees, or Managers" of the Local Fund in which the Jungle Conservancy Fund is incorporated to treat service paid therefrom as qualifying under the amended Section 39, in which case the pension charges will have to be borne by the Jungle Conservancy Fund itself, or if the transfer from the Imperial to the Jungle Conservancy Department is made on public grounds and not in the private interests of the officer transferred, and if the officer is transferred with the consent of the Local Government (*vide* Section 45), the officer so transferred will have to pay to Government under Section 46 a contribution of one-fifth of his pay and acting allowance if he is a superior officer, or one anna in the rupee if he is an inferior servant to entitle him to count his services for pension, in which case the pension charges will have to be borne by Government.

7. In the former case (*i.e.*, under Section 39) the position of all officers whether newly appointed to the Jungle Conservancy Establishment or transferred from other departments will be secured, and in the latter case that of the officers transferred from other departments only.

8. To secure a pension under Section 46, it will be necessary to cut down the present salary of all officers on the Jungle Conservancy Establishment by 20 per cent. or to raise their salaries by 25 per cent.

9. I have the honor, under these circumstances, to request that the Board will be pleased to move Government to pass definite orders in the matter to secure the position of the employés of the Jungle Conservancy Department.

10. I am aware that in other districts than this various transfers have been made of officers from the Jungle Conservancy to the Imperial Forest Department and *vice versa* without special orders having been obtained in each case, and it is therefore extremely advisable that the question should be clearly settled. Till it is so, the disposal of Chinnasamy Naidu's application for pension or gratuity will, I apprehend, have to remain in abeyance.

SUBMITTED for the orders of Government.

2. The Board observe that, in the case of the Jungle Conservancy Establishment of Nellore, Government ordered\* that service therein should be treated as

\* G.O., 9th February 1875, No. 276. qualifying service under the provisions of Section 28 of the Civil Pension Code in force at the time. The corresponding section of the present Code is Section 39.

(A true Copy and Extract.)

Signed) E. GIBSON,  
Acting Sub-Secretary.

REFERRED to the Accountant-General for his opinion.

FORT ST. GEORGE,  
8th March 1881.

(Signed) C. G. MASTER,  
Secretary to Government.

No. 284. From H. F. CLOGSTOUN, Esq., Officiating Accountant-General, Madras, to the Secretary to Government, Revenue Department, Madras, dated Fort St. George, 25th March 1881, No. I.A.E-650.

In returning the Proceedings of the Board of Revenue, No. 232, dated the 10th February 1881, referred to me for remarks under your endorsement, No. 1,084, dated the 8th March 1881, I have the honor to state that the Jungle Conservancy Fund is a local fund, the receipts and disbursements of which are incorporated in the Public Accounts as contemplated in Section 2 (*h*) of the Civil Pension Code. On perusal of the remarks recorded at pages 355 and 356 of the Revised Edition (1879) of the "Standing information regarding the administration of the Madras Presidency" published by Mr. C. D. Maclean, and the Sections 91 and 92 (pages 123 to 128)

of the Standing Orders of the Board of Revenue, it seems clear that the income of the fund is derived from a permanent source, and that the requisite control is exercised by Government through the agency of the Board of Revenue; the two essential conditions which the Government of India requires from Local Funds to admit of service paid from them being treated as qualifying for pension.

2. Under these circumstances, it rests with the Right Honorable the Governor in Council to decide, whether the service paid out of the Jungle Conservancy Fund may be treated as qualifying in the same manner as service paid out of the Pound Fund, which is reckoned as pensionable under the authority conveyed in G.O., No. 2,629, dated the 3rd September 1877, Revenue Department.

3. The Order of Government, No. 276, dated the 9th February 1875, Financial, expressly states that service in the Jungle Conservancy establishment of the Nellore District should be treated as qualifying for pension, but does not refer to service in the same fund in other districts.

No. 285. ORDER THEREON, 21st April 1881, No. 668.

Miscellaneous.

ADVERTING to G.O., dated 9th February 1875, No. 276, Financial Department, the Government are pleased under the provisions of Section 39 of the Civil Pension Code to extend to the Jungle Conservancy establishments of all districts the sanction therein accorded to Nellore.

(True Ext.)

Secretary to Government.

To the Board of Revenue.  
" the Accountant-General.  
" the Financial Department.  
" the Pension Department.

*Penam 1881 receipt*

Gobt. of (1881) Madras.

REVENUE.

*No 778*

THE BOARD OF REVENUE,

&c., &c., &c.

Dated April 21st.

Printed 4th May.

Recd. *9*

Encl.

G.O., 21st April 1881, No. 668.

APRIL.

Nos. 283—285.

SUBJECT.

Chinnasawmy Naidu, Forester of Chandragiri Taluk, transferred from Imperial Forest to Jungle Conservancy Establishment.—Extending, with reference to Revenue Board's Proceedings requesting instructions regarding the pension of — to Jungle Conservancy establishments of all districts the sanction accorded in Financial G.O., dated 9th February 1875, No. 276, to treat service therein as service, qualifying for pension.

*Order thereon 10th May 1881*

*Recd. 10th May 1881*

*10th May 1881*