Revenue Department

No 293

Dated 4—3—1859

1

273

No. 23. Read the following Extract from the Minutes of Consultation in the Financial Department, under date the 19th February 1859, No. 115.

Read the following Extract from a Despatch from the Right Honorable the Secretary of State for India, No. 23 of 1858, dated the 8th December.

Letter, dated the 23rd August 1858, No. 113.
Advert to the decision of the Court in the case of Captain W. E. Hay that the rule under which a Civil pension is merged in the salary of office, should also apply to Military pensions, and submit, for decision, a question raised whether the rule is to be held to apply to the subordinate grades of Non-Commissioned Officers and Privates. Correspondence with the Chief Commissioner of the Punjab, and the Government of Madras, on the subject, forwarded.

Para. 6. The rule referred to in these papers, under which the pensions of retired Civil and Military servants merge in the salary of office, in the event of their re-employment was not intended to apply to Military pensioners of the ranks of Non-Commissioned Officers and Privates.

7. Pensioners from those grades are of two classes, *viz.* men who have been discharged after completing their prescribed period of service, and men who have been pensioned on account of unfitness for further Military duty. The former class are entitled to their pensions as matter of right, and the latter are pensioned, because the public interests are promoted by their discharge. In either case the Pensioners may be well qualified for other than Military duties, and for situations in which their employment could in no way prejudicially affect the interests of their equals in rank in that branch of the service to which they had belonged, men of these grades will therefore be exempt from the operation of the rule referred to.

No. 670.

Copy of the above paras. forwarded to the Government of Fort Saint George for information and guidance.

FORT WILLIAM,
Financial Department,
The 22nd January 1859.

(Signed) C. HUGH LUSHINGTON,
Secretary to the Government of India.

Order.—Ordered to be communicated to the Civil Auditor and Military Auditor General, with reference to the Resolution recorded in this Department under date 29th August 1857, No. 530; and also to the several Departments of the Secretariat.

Ordered that the foregoing Extract be also published in the Government Gazette.

(True Extract and Copy.)

(Signed) T. PYCROFT, *Chief Secretary.*

No. 24. ORDER THEREON, No. 273; dated 4th March 1859.

Ordered to be communicated to the Board of Revenue for circulation among the Collectors.

(Signed) M. NORMAN,
Deputy Secretary to Government.

No. 115.

Extract from the Minutes of Consultation under date the 19th February 1859.

Read the following Extract. from a Despatch from the Right Honorable the Secretary of State for India, No. 23 of 1858, dated the 8th December.

Letter, dated the 23rd August 1858, No. 113.

Advert to the decision of the Court in the case of Captain W. E. Hay that the rule under which a Civil Pension is merged in the salary of Office, should also apply to Military Pensions, and submit, for decision, a question raised whether the rule is to be held to apply to the subordinate grades of Non-Commissioned Officers and Privates. Correspondence with the Chief Commissioner of the Punjab, and the Government of Madras, on the subject, forwarded.

Para: 6. The rule referred to in these Papers, under which the Pensions of Retired Civil and Military Servants merge in the salary of Office, in the event of their re-employment was not intended to apply to Military Pensioners of the ranks of Non-Commissioned Officers and Privates.

7. Pensioners from those grades are of two Classes, *viz.*, men who have been discharged after completing their prescribed period of service, and men who have been pensioned on account of unfitness for further Military duty. The former Class are entitled to their pensions as matter of right, and the latter are pensioned, because the public interests are promoted by their discharge. In either case the Pensioners may be well qualified for other than Military duties, and for situations in which their employment could in no way prejudicially affect the interests of their equals in rank in that branch of the service to which they had belonged, men of these grades will therefore be exempt from the operation of the rule referred to.

No. 670.

Copy of the above paras: forwarded to the Government of Fort Saint George for information and guidance.

FORT WILLIAM,
Financial Department,
The 22nd January 1859.

(Signed) C. HUGH LUSHINGTON,
Secretary to the Government of India.

Order.—Ordered to be communicated to the Civil Auditor and Military Auditor General with reference to the Resolution recorded in this Department under date 29th August 1857, No. 530; and also to the several Departments of the Secretariat.

Ordered that the foregoing Extract be also published in the Government Gazette.

(True Extract and Copy.)

Chief Secretary.

To the Civil Auditor.
" Military Auditor General.
" Departments of the Secretariat.
" Superintendent of the Government Press.
" Revenue Depart.

Exd. J. A. Wilson.

Print. Cons. 1st Sept. 57 No. 17-18
Public 12th Feby 60 " 42-43.

Revenue 1859 Departt.
Dft to Cons 8th March.

No. 314.

Extract Mins of Cons:
in the Financial Deptt.
Dd 19th February 1859.
Rec.d 25th "
No. 115.

Communicating Despatch
from the Home Govt. exempting
Military Pensioners of the
ranks of non-Commissioned
Officers & Privates from the
operation of the rule under
which the Pensions of Retired
Civil & Military Servants
merge in the Salary of
office, in the event of
their re-employment.

No. 273. 4th March 1859.
With an order

No. 273.

Ordered to be com-
municated to the Board of
Revenue for circulation among
the Collectors

Fort St. Geo: 3
4th March 1859. 3

101 Copies to the Bd. of Rev.e Dispd 5th