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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

RE DEPARTMENT

G.O. No.	68	Press
B.P. No.		Mis.
Dated	12-3	1877 196

Not to be folded or roughly handled

*Proceedings of the Madras Government, Financial Department,
4th March 1873.*

No. 29. Read the following letter from the Deputy Secretary to the Government of India, Marine Department, to the Secretary to the Government of Bombay, Marine Department, dated Fort William, 12th February 1873, No. 39 :—

In reply to your letter, No. 1339, dated 13th December 1872, I am directed to acquaint you, for the information of His Excellency the Governor in Council, that boiler-makers, in common with other Covenanted mechanics and employés, come

under the operation of the Secretary of State's decision* (copy annexed), from which it is clear that, under a covenant of service for a given time for certain wages or salary, there can be no accruing claim to the benefits of the Uncovenanted Leave or Pension Rules, unless this is specially provided for in the covenant; but that, on expiration of the term of service or lapse of the covenant, the Government may either renew it or re-engage the individual on the usual conditions of employment in the Uncovenanted Service; the Government being required to decide, when re-engaging persons on completion of service under contract, whether such period of service should be allowed to reckon towards privileges under the Uncovenanted Service Leave or Pension Rules.

Despatch from the Secretary of State for India, to the Government of India, dated 30th November 1870, No. 388.

I have considered in Council your Financial Letter, dated the 2nd September last, No. 206, with which you forward papers regarding the grant of a pension to Mr. H. J. Prockter, Head Cutler of the Medical Stores Depot in Bengal, who served for a time under a covenant, and who was subsequently taken permanently into Government service.

2. In Mr. Prockter's case you have decided that his service under contract cannot reckon towards pension under the Uncovenanted Rules on the principle that "if a man contracts to serve the Government for a specified time for a certain remuneration which does not include any accruing right to pension, it is to be presumed that the remuneration was fixed between him and the Government on that basis; it is gratuitous to superadd a pension."

3. You are, however, of opinion that, in case of service being prolonged, contract service should count for pension, "but it should be clearly understood *beforehand*, and the terms of the contract regulated accordingly;" and you "suggest that contracts with persons for service in India should ordinarily be concluded upon such an understanding."

4. Were your suggestion adopted and the amount of stipulated remuneration reduced to a certain extent in consideration of a prospect of pension, &c., hereafter, *all* persons engaged under contract for special service in India would consider that they had a claim to be permanently taken into Government service at the expiration of the period specified in their contracts, or to compensation if not so taken; and I am, therefore, of opinion that it will be better to leave it to your Government to decide, when re-engaging persons on completion of service under contract, whether such period of service should be allowed to reckon towards privileges under the Uncovenanted Service Leave and Pension Rules, the terms of re-engagement being regulated by you accordingly.

*Proceedings of the Madras Government, Financial Department,
4th March 1873.*

No. 40.

Copy of the above, and of its enclosure, forwarded to the Chief Secretary Government, Fort St. George, for the information of the Right Honourable Governor in Council.

(By order.)

(Signed) B. E. BACON, Colonel,
Depy. Secy. to the Govt. of Ind

No. 30.

ORDER THEREON, 4th March 1873, No. 284.
Communicated to the Accountant-General.

(True Extract.)

J. A. S. S.
Chief Secretary.

To the Accountant-General.
" Revenue Department.
" Military "
" Public Works "

Exd. J. Wright.

Revenue / Dep^t
N^o 717

Govt. of 1873 Madras.

FINANCIAL.

To.
THE ACCOUNTANT-GENERAL,
&c., &c., &c.

Dated March, 4th,

Recd. a 11th 1873

G. O., 4th March 1873, No. 284.

As

MARCH.
Nos. 29-30.

Communicating copy of a letter from the Government of India to the Government of Bombay regarding the grant of leave and pension to boiler-makers and other Covenanted mechanics and employes.

N^o 88.
Comm^d to the
Board of Revenue
12th March 1873

6 to the Board of Revenue on 16th March