

THE



Bombay Government Gazette.

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Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Report of the Select Committee of the Council of His Excellency the Governor of Bombay, on the "Bill (No. 1 of 1872) to amend Act. XIII. of 1856," and the Bill as amended by the Committee, are, in accordance with Rule 25 of the Rules for the conduct of business at Meetings of the Council, published for general information :—

Second Report of the Select Committee appointed to consider the Bill to amend Act XIII. of 1856.

The Select Committee to whom Bill No. 1 of 1872 a "Bill to amend Act XIII. of 1856," has been referred for reconsideration, beg to report that they have added a section to the Bill by which the poundage fees levied under the provisions of Section 28 of Act XLVIII. of 1860 are directed to be paid to the Bombay City Police Superannuation Fund, and the balances to the credit of the existing Police Superannuation Fund, are ordered to be transferred to the Fund to be created under the provisions of this Bill.

A few words have been added to Section I.

(Signed) H. P. Sr. G. TUCKER.
 „ J. S. WHITE.
 „ MUNGULDASS NUTHOOBHOY.
 „ E. W. RAVENSCROFT.

16th February 1872.

The Honourable Sir Jamsetjee Jejeebhoy, Bart., C.S.I., having been unable to attend on the Committee, does not sign this report.

Bill No. 1 of 1872.

A Bill to amend Act XIII. of 1856.

WHEREAS it is expedient to amend the law relating to the Bombay City Police Superannuation Fund, and to provide for the granting of pensions to members of the Bombay City Police Force in cases not provided for by Act XIII. of 1856; It is hereby enacted as follows:—

I. Sections XVII., XVIII., and XIX. of Act XIII. of 1856 of the Legislative Council of India are hereby repealed so far as the same relate to the Police Force of the Town of Bombay, and except as to any payment or investments of money which shall have been made or ordered to be made in accordance with the said sections, and to any pension, gratuity or allowance which shall heretofore have been sanctioned or granted under the aforesaid Sections.

II. For Section XVII. of the said Act the following Section shall be substituted:—

There shall be deducted from the pay of every member of the Bombay City Police Force of a class not entitled to the benefit of the Uncovenanted Service Pension Rules a sum according to such rate as the Local Government shall direct, not being a greater rate than one anna in the rupee, which sum so deducted and also the money accruing from stoppages from members of the said Police Force during absence from sickness or other cause, and fines imposed on members thereof for misconduct, and from fines imposed by Magistrates upon drunken persons, or for assaults upon Police officers, and all moneys arising from the sale of worn or cast-off clothing or other articles supplied for the use of the Police, shall from time to time be invested in such manner and in such securities as the Local Government may, in writing, direct, and the interest and dividends thereof, or so much of the same as shall not be required for the purposes herein-after mentioned, shall be likewise invested as aforesaid, and accumulate, so as to form a fund to be called "The Bombay City Police Superannuation Fund," and shall

be applied from time to time to payment of such superannuation or retiring allowances or gratuities as may be ordered by the Local Government at any time to any of the aforesaid members of the Police Force, as hereinafter provided.

III. The fees levied and all sums which the Commissioner of Police is entitled to retain under the provisions of Section 28 of Act XLVIII. of 1860, as well as all moneys and securities which have accumulated under the Sections of Act XIII. of 1856 repealed by this Act, shall be transferred to the credit of the Bombay City Police Superannuation Fund, and be applied as hereinafter provided.

IV. For Section XVIII. of the said Act, the following Section shall be substituted:—

It shall be lawful for the Local Government to sanction that any member of the said class of the Police Force aforesaid may be superannuated and receive thereupon out of the said Superannuation Fund a monthly pension, subject to the following conditions; that is to say:—

First.—If the period during which the individual shall have actually served in the said Police Force, after attaining the age of 22 years, be more than 15 years but less than 20 years, he may, on production of a certificate under the hand of the Police Surgeon, that he is physically unfit for further efficient service in the Police, and that such unfitness is not the result of intemperance, be granted a pension the amount of which shall not exceed one-third of his monthly salary or authorized official allowances, calculated on an average of the five years next preceding the date of his application for pension.

Second.—If the period of his actual service in the said Force, after attaining the age of 22 years, be over 20 years and under 25 years, the

applicant may, on production of such a certificate as aforesaid, be granted a pension not exceeding in amount one-half of his salary or authorized allowances calculated in the manner above-stated.

Third.—If the period of his actual service in the said Force, after attaining the age of 22 years, be upwards of 25 years, the applicant may be granted a pension not exceeding one-half of his salary or authorized allowances, calculated as above-stated, without the production of such medical certificate.

V. For Section XIX. of the said Act the following Section shall be substituted:—

If any member of the said Police Force shall at any time become disqualified for further Police service by any wound or injury received in such service, he may be granted from the said Fund a pension of such amount not exceeding one-half of his average pay and allowances during the five previous years of his service, or such gratuity as the Local Government may think fit.

VI. If the death of any member of the said Police Force shall, at any time, be occasioned by any wound or injury received by him in the execution of his duty, it shall be competent to the Local Government to sanction payment from the said Superannuation Fund to the widow, child or children, parent or parents, of the deceased, of such gratuity or allowance as to the Local Government may seem fit. The word "parent" shall include father and mother, and grandfather and grandmother, and the word "child" shall include son and daughter, and grand-son and grand-daughter, and step-son and step-daughter.

VII. It shall be lawful for the Local Government to order that any member of the aforesaid Police Force of a class not entitled to the benefit of the Uncove-

nanted Service Pension Rules, who may be discharged from the Force upon a reduction of the Force, and who may not otherwise be entitled to a pension or gratuity under this or any other Act, shall receive out of the Police Superannuation Fund, from and after the date of his discharge as aforesaid such gratuity as the Local Government may think fit, or a monthly pension to be fixed by the Local Government, at a rate in proportion to the length of service in the Police Force of the person so discharged: Provided that the amount of the pension so granted shall not exceed one-fourth of his monthly salary or authorized official allowances, calculated on an average of his pay and allowances during the five years immediately prior to his discharge: And provided also that in the case of a pension being granted under this Section such member of the Police Force as aforesaid shall have actually served in the said force for not less than 5 years immediately prior to his discharge.

VIII. Nothing hereinbefore contained shall be construed to entitle any member of the said Police Force absolutely to any pension or gratuity, or to prevent him from being dismissed without any pension or gratuity whatever, or to entitle him to any refund of any deduction made from his pay while he shall have been a member of the said Force, or absolutely to entitle any child, widow, or parent of any deceased member of the said Police Force to any such gratuity or allowance as hereinbefore provided.

IX. It shall be lawful for the Local Government to grant pensions or allowances under Sections III. and VI. of this Act to any members of the said Police Force who may have been discharged from the said Force during the year preceding the passing of this Act, in consequence of reductions in the said Force.

X. This Act shall be construed and read as part of Act XIII. of 1856.

By order of His Excellency the Right Honourable the Governor,

JOHN NUGENT,

Acting Under-Secretary to Government.

Bombay Castle, 16th February 1872.