# CHAPTER 73.

An Act to amend the law relating to the appointment of certain persons who entered the employment of the Home Government of India before the thirty-first day of December one thousand eight hundred and seventy-four.

[11th August 1875.]

WHEREAS by the sixteenth section of the Act of the twenty-first and twenty-second years of the reign of Her Majesty, chapter one hundred and six, it is provided that after the first formation of the permanent establishment of the Secretary of State for India in Council the Order of Her Majesty in Council of the twenty-first day of May one thousand eight hundred and fifty-five, or such other regulations as might be from time to time established by Her Majesty, for examinations, certificates, probation, or other tests of fitness in relation to appointments to junior situations in the civil service, should apply to such appointments on the said establishment:

And whereas it appears that persons have been appointed to junior situations on the said establishment who ought in pursuance of the sixteenth section of the said Act, and the Order in Council and regulations therein referred to, to have obtained previous to their appointment certificates from the Civil Service Commissioners, but through inadvertence on the part of the Secretary of State in Council, and without any default of the persons so appointed, no steps were taken before their appointment to procure for them such certificates:

And whereas it is unjust that the persons so appointed should be deprived of any rewards or advantages which they were led to expect at the time when they entered the said establishment:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Secretary of State for India may make orders as to persons appointed without certificate from Civil Service Commissioners.

**1.** The Secretary of State for India in Council may, if he thinks fit, at any time before the first day of January one thousand eight hundred and seventy-six, declare by order or warrant that any person who has been appointed to a junior situation on the said establishment without a certificate from the Civil Service Commissioners, after the first formation of the said establishment and before the thirty-first day of December one thousand eight hundred and seventy-four, was so appointed through inadvertence on the part of the Secretary of State for India in Council, and without any default on the part of the person so appointed, and that such person has been found thoroughly capable and efficient in the discharge of his duties; and every person with respect to whom such order or warrant may be issued shall be in the same position as regards his claim to all salaries, superannuation allowances, or gratuities, emoluments, or advantages whatsoever, as he would have been in if he had obtained previous to his appointment a certificate from the Civil Service Commissioners.

Order to be laid before Parliament.

Any order or warrant made in pursuance of this Act shall be laid before both Houses of Parliament within fourteen days after the meeting thereof if Parliament be sitting, and if Parliament be not sitting, then within fourteen days after the next meeting thereof.

The Secretary of State for India in Council shall cause to be laid before Parliament, not later than the expiration of one month after the commencement of the session in Parliament in the year one thousand eight hundred and seventy-six, a return showing the names of all persons with respect to whom any order or warrant has been issued in pursuance of this section, together with the situations to which they have been appointed.