

CHAPTER V.

ADMINISTRATIVE MACHINERY IN THE PROVINCES

Public Services

Volume and Variety of Public Services

Having described the visible superstructure of the Provincial Government under the New Reforms, let us now consider the actual work of administration in the Provinces.

This is entrusted to the various Public Servants, who are divided, for the sake of convenience, into 1, All-India Service; 2 and 3, Central Service Class I and II; 4 and 5, Railway Service Class I and II; 6, Provincial Service; [Cp. Section 277 (1)]. Appointments to some of these are made by the Secretary of State; to others by the Governor-General or the Central Authority; to still others by the Railway authority; and by the Governor or Provincial authority.

Many, but not all, of these services are recruited on the advice of the several Public Services Commissions for the Federation and the Provinces. In a very few cases, like that of the Indian Civil Service proper, some of the first appointments are made according to the results of the public competitive examinations. But the vogue of the public competitive examination is distinctly on the wane; and, even in the Indian Civil Service, some appointments are now made otherwise than by an open competitive examination.

All-India Services consist of the Civil Service proper, the Indian Police Service, the Foreign Service,

the Service of Engineers, the Medical Service (Civil), certain branches of the Educational Service, the Agricultural Service, and the Veterinary Service. The Secretary of State has ceased to recruit—since 1924—under the recommendations of the Lee Commission to the following four services; namely, the Roads and Buildings Branch of the Service of Engineers, the Educational Service, the Agricultural Service, and the Veterinary Service.

According to the Report of the Joint Select Committee of Parliament, the personnel as well as the distribution as between Indians and Europeans, of these Services, amounted, on the 1st January 1933, as follows*:

1.	2.	3.	4.
	Europeans	Indians	Total.
Civil Service	819	478	1,297
Police	505	152	665
Forest Service	203	96	299
Service of Engineers	304	292	596
Medical Service (Civil)	200	98	298
Educational Service	96	79	175
Agricultural Service	46	30	76
Veterinary Service	20	2	22
	2,193	1,227	3,428

* These figures do not indicate the amount of emoluments obtained by these two respective groups; but the probabilities are that the 60 p.c. of European officers absorb more than 80 p.c. of the salaries and emoluments in these offices. The following extract from the Budget speech of Sir George Schuster will help to give some idea of the costliness of the Public Services in India.

"Taking the Civil Departments (exclusive of Railways), the total pay of all the officials of Government, British and Indian, high paid and low paid, Central and Provincial, amounts to just under 57 crores. Of this sum, the Central Government's share is about 16 crores, and the Provincial

(Continued on page 158)

Provincial & Central Services

The Provincial Servants, that is to say, not including members of the All-India Services serving in the Provinces, work generally in each particular province without being transferred from Province to Province, or from Province to Centre. Generally speaking, they comprise the middle grades of posts in the entire Civil Administration of the country. Appointments to these Services are made by the Provincial Governments, who also regulate their conditions of service. The growing volume of provincial sentiment, in addition to the Communal, is reflected in the rules or conventions, whereby recruitment to these Services is beginning to be confined more and more to citizens of the same Province. It may not be a very healthy tendency from the standpoint of national solidarity; but in view of the immense volume of educated unemployment noticeable in each province, some such provision as this seems to be inevitable, however undesirable it may be.

As for the services under the charge of the Government of India,—the so-called Central Services,—they

(Continued from page 157)

Government's about 41 crores. This total is distributed between Gazetted officers on the one side, and what are called 'establishments' on the other. The term establishments covers . . . all the clerical and lower paid staff. Roughly speaking, with a few exceptional cases, it may be said that this part of the staff includes posts with pay ranging to a maximum of about Rs. 500 per month. I may say incidentally that it includes all the police, and the irregular levies employed in Frontier defence, to which special considerations apply. Taking these together, the total cost . . . of officers British and Indian, Central and Provincial, all together and including leave pay, amounts to 16 crores, of which the Central Government's share is just under 4 crores, and the Provincial Governments' over 12. Incidentally, I may mention that out of this total, the cost of British officers amounts only to Rs. 6 1/2 crores." (Budget speech, 1930-31).

This, however, is a wider category than the Services mentioned above, which must be absorbing between them not more than 7 crores, taking the average pay etc. of these officers at Rs. 1,500/- per month. In these the highest services, the proportion of Europeans is still considerable, and of their emoluments yet more considerable.

comprise the Central Secretariat, the Railway Service, the Posts and Telegraph Service, and the Imperial Customs Service. A few of the appointments in these Services are made by the Secretary of State for India, but the large majority of these appointments are made by the Government of India.*

These services would account for another 20 crores at least by way of salaries &c. to officers. The Railways absorb a further 20 crores on the same account. This makes a total Salary Bill to superior officers of close upon 100 crores per annum, or over 30% of the aggregate public expenditure.

Problems of Public Services in India

At the time when the Government of India Bill of 1935 was before the Select Committee, and subsequently before Parliament, perhaps no other single subject attracted so much attention as that of the rights and safeguards of the Public Servants of India. Rightly or wrongly, a feeling had come to prevail in the minds of the Public Servants and their spokesmen in England that, under the new regime—with Ministers responsible to the Indian people, their rights and conditions of service as well as their salaries, pensions and emoluments, will not be maintained in tact; that they would be open to criticism in the local parliament as well as the popular press, without any adequate means of defending themselves. Their families and dependants, moreover, they felt, would be deprived of the comforts of their own economy, or the aid of such organization

*In these Services, no mention is made of the Defence Service, including Civil Officers and the clerical staff engaged in work relating to the Defence Services, either directly in the Departments of Defence or incidentally. cp. for these and other services under the Federal Government ch. VII of the *Federal Structure*.

as they may have built up for proper provision for such dependants.* The whole scheme of the Act seems, accordingly, to be motivated by the desire to secure the fullest possible safety to the Public Servants of all grades, in all material particulars in which they can have the slightest reason to entertain any apprehensions about the future.

The rights of the Public Servants and the conditions of service enjoyed up to the coming into effect of the New Constitution are summarised in an appendix to this chapter as given in the Report of the Joint Select Committee of Parliament.

The problems in connection with the Public Servants in India may be classified, for our present purpose, into the following main categories:—

- (a) Indianisation, *i.e.* replacement of the British element still maintained in the public services of India by the Indian element, with due regard to the requirements of qualifications and efficiency in

* Says the Report of the Joint Select Committee of Parliament, (para 274).

"The problem of the Public Services in India and their future under a system of responsible government is one to which we have given prolonged and anxious consideration. The system of responsible government, to be successful in practical working, requires the existence of a competent and independent Civil Service, staffed by persons capable of giving to successive Ministries advice based on long administrative experience, secure in their position during good behaviour, but required to carry out the policy upon which the Government and the Legislature eventually decide If, as we believe, the men who are now giving service to India will still be willing to put their abilities and experience at her disposal, and to co-operate with those who may be called upon to guide her destinies hereafter, it is equally necessary that fair and just conditions should be secured to them . . . This does not imply any doubt or suspicion as to the treatment which they are likely to receive under the new Constitution but since in India the whole machinery of government depends so greatly upon the efficiency and contentment of the Public Services as a whole, especially during a period of transition, it is a matter in which no room should be left for doubt. It is not because he expects his house to be burned down that a prudent man insures against fire. He adopts an ordinary business precaution, and his action in doing so is not to be construed into a reflection either upon his neighbours' integrity or his own."

the discharge of the duties entrusted to such officers;

- (b) Recruitment to the public services, *i.e.*, the comparative advantages of open Competitive Examinations for making first appointments to the Public Service, and Patronage, or selection by certain specified authorities. In this will also be included the question of due representation to the Minorities in the Public Services.
- (c) Pay, including the basic and standard scale of salaries in the several departments and grades of Public Service, the rules of promotion from grade to grade, and the consideration of the relative incidence of the prevailing scales upon the taxable capacity of the people.
- (d) Allowances,—Leave, Personal, Travelling, Officiating, House, Exchange Compensation, and Local Allowances to individuals.
- (e) Pensions, including superannuation or retiring Pensions, and Compensation for premature abolition of posts, or retirement from service before the due date.
- (f) General matters of discipline, including procedure for making complaints by or against Public Servants, hearing and disposal of the same, as well as of punishment impossible in regard thereto—

Before considering generally these problems, let us set out the scheme of the Act, as contained in Sections 240 to 277, leaving out Sections 232—239, relating to the Defence Services, as not pertaining to the present part of the study of the new Constitution.

Tenure of Office

By Section 240, certain points are made clear beyond the possibility of a doubt: (1) All people in the

Civil Service, or who hold civil posts under the Crown in India, **hold office during His Majesty's pleasure.** This is irrespective of the authority appointing, or the place of service.

The doctrine of tenure of office during His Majesty's pleasure, strictly interpreted, would, of course, mean that any public servant is liable to be removed at any time from his post, and his service dispensed with. Such a strict interpretation, however, is utterly impossible under the sections that follow. The only possible meaning of this provision, therefore, is: that it is intended to give a greater security than ever to the Public Servant in India. His Majesty can never act constitutionally, except on the advice of his Ministers; and his representatives in India, the Governor-General and Provincial Governors, must follow the same practice, except where otherwise authorised by law. The sections which follow vest so many extraordinary powers in these His Majesty's representatives in India that the constitutional doctrine mentioned above has no real significance, so far as any policy of effecting economy or Indianisation in the public service in India is concerned.

(2) None of these persons can be dismissed from the Service of the Crown, except by an authority which is equal to the authority that made the first appointment.

(3) Neither dismissal nor reduction in rank can be made, unless proper opportunity is given to the person concerned to make his defence, or show cause why the proposed action should not be taken against him.

To this last there are two exceptions, namely:

(i) A person may be dismissed or reduced in rank on the ground that he is guilty of conduct which has led to his conviction on a criminal charge; and

(ii) If the Authority entitled to dismiss or reduce such a person in rank is satisfied, for reasons recorded in writing by that authority, that it is not possible to give the person the opportunity to defend himself as required above, the above provisions may be dispensed with.

Even if a person holds a civil post under the Crown in India during the pleasure of His Majesty, a special contract may be made with a person who is not a member of the Civil Service of the Crown in India. If such a contract is terminated before the expiration of that period, or if the post is abolished, the public servant affected must be compensated on being required to vacate his post. In other words, the condition that the employment is during the pleasure of His Majesty will not defeat the provision of a specific contract, under which compensation is payable under any such contingency as mentioned above. This rather onerous obligation placed upon the Crown as an employer may be assumed to be inspired by the principle that the terms of public employment should be as liberal as possible. Reasons of national economy, or of public discipline and propriety, will not, under this section, be allowed to obviate the right to compensation, even if the services of an officer are dispensed with on grounds which are to be found in the Inchcape Report, or such as those which insensed the whole Indian people against Gen. Dyer. The officer has a right to a proper

trial or defence, except in cases where, for obvious reasons, such a privilege cannot be allowed.

Recruitment

Section 241 provides for recruitment for the service of the Federation or of the Provinces. So far as the Federal services, or posts in connection with the affairs of the Federation, are concerned, appointments are to be made by the Governor-General, or by such person as may be directed by him to do so.

Secondly, so far as the Provincial Services, or posts in connection with the affairs of the provinces are concerned, appointments are to be made by the Governor, or by such person as may be directed by the Governor in that behalf.

Conditions of Service

The conditions of service in a civil capacity must be prescribed by the Governor-General, under Rules made for the purpose, so far as persons serving in connection with the affairs of the Federation are concerned; and by the Provincial Governors, in so far as persons serving in connection with the Provincial affairs are concerned. These Rules will, however, not apply to regulate the conditions of service of those persons who are employed temporarily on the distinct understanding that their employment may be terminated at one month's notice or less. The Rules must be so framed that, so far as persons serving in a civil capacity before the coming into effect of the Provincial Autonomy's portions of the Act of 1935 are concerned, no order, which would alter any rule, or interpret to his disadvantage any rule regulating the conditions of

service of an officer, could be made, except by the authority which, on the 8th of March 1926, was competent to make such an order; or by some person empowered in this behalf, by the Secretary of State.

This will effectively prevent the new Provincial Governments from regulating the conditions of service, whether with a view to economy or retrenchment, unless specially empowered in that behalf by the Secretary of State, or unless in regard to such posts for which they were entitled to make such regulations. Even if any rules are made which would alter the conditions of service, or which would be interpreted to the disadvantage of the Public Servant concerned, an ample right of appeal is provided to any such aggrieved person against: (i) any order which punishes or formally censures him, or (ii) which alters or interprets to his disadvantage any rule by which his service is regulated, (iii) or terminates his appointment otherwise than before the completion of the age fixed for superannuation. Those persons in the service of the Crown in a civil capacity, whose rights were not similarly regulated or provided for before 1926, are also granted, by section 241 (3) (c), the right of at least one appeal against any such order, except and unless the order is made by the Governor-General or by the Governor.

Provincial Legislatures and Public Services

Subject to these statutory restrictions, provincial Legislatures are entitled by the Act of 1935* to regulate the conditions of service of persons serving the Crown in a civil capacity in the Province. Any rules made for this purpose would necessarily be subject to the legis-

*Sec. 241 (4).

lation passed by the appropriate Indian Legislature. But the legislation so passed would not be allowed to have any effect, if it is calculated to deprive any person of any right of appeal against particular orders, as provided for above. The opportunity thus left to the Provincial Governments to regulate the discipline &c., of the public servants under them is thus extremely slender and circumscribed.*

Above all Rules regulating the conditions of service, and above all Acts of the Indian Legislatures, stands the power of the Governor-General, or of the Governor, to deal with cases of any person serving the Crown in a civil capacity in India in such a manner as may appear to those officers to be just or equitable. But even they cannot deal with any case less favourable to the public servant concerned than would be the case under a Rule of service, or an Act of the Legislature regulating the conditions of service.† This secures the position of the Public Servant against any arbitrary or partisan action, either of the Executive in India, or even of the Legislature.

Police Service

Section 243 requires, notwithstanding anything in the other provisions of the Act, that the conditions of service in the Police force are to be determined by Acts relating to such Force in the several Provinces.

Judicial Services

As regards certain posts in the provincial High Courts, in making appointments to the staff of these High Courts, the place of the Governor is to be taken by the Chief Justice of each High Court, so far as making Rules for recruitment to these Services, or

*Sec. 241 (4).

†Sec. 241 (5).

regulating their conditions of service, are concerned. The Governor is, however, allowed, in his discretion, to require that, in a list of cases prepared by him at his discretion where the High Court is concerned, no person, not already attached to the Court, shall be appointed to any office connected with the Court, except after consultation with the Provincial Public Service Commission. Rules made by a Chief Justice, in so far as they regulate the salaries, allowances, leave or pensions of these Judicial Officers, must be approved by the Governor.

As regards District Judges etc. in a Province, the Governor, exercising his individual judgment, makes these appointments from recommendations, made, presumably, by the Minister in charge. But no such recommendation can be made except after consultation with the High Court (not the chief justice only).‡ These posts may be filled by: (i) persons already in the service of the Crown, i.e., by promotion, or from the Civil Service; or (ii) members of the Bar recommended for the purpose by the High Court, and having a standing of at least 5 years as practitioners.

For the subordinate Civil Judicial Service, the Governor makes Rules defining the standard of qualifications expected of persons seeking to enter that service after consultation with the Public Service Commission for the province, and with the High Court. He may even direct that a public examination be held by the Provincial Public Service Commission to secure properly qualified candidates for such posts. Appointments will then be made from the successful candidates at such examinations, or in accordance with the

*Sec. 253 (4).

†Sec. 253 (1).

Regulations. Subsequent promotion, etc., within this service is entrusted to the High Court.

Rights Reserved to the Secretary of State for India

The Secretary of State retains the right, from and after the commencement of the new Constitution in the Provinces, to make appointments to the Indian Civil Service, to the Indian Medical Service (Civil), and the Indian Police Service, unless and until Parliament otherwise orders.* Besides this, he is further entitled to make appointments to *any Service or Services*, which, at any time after the coming into operation of Provincial Autonomy, he thinks necessary to establish for the purpose of securing recruitment of suitable persons to fill civil posts in connection with the discharge of any functions of the Governor-General, which the latter is required to exercise in his discretion.† This means that, in addition to the three main Services,—Civil, Medical, and Police,—the Secretary of State has the right, until Parliament otherwise orders, to **institute additional regular Services**, to determine their strength, and to reserve appointments to the same in his own hands, provided that these Services relate to such functions which the Governor-General is required to exercise in his discretion. The three Departments of Defence, Foreign Affairs and Ecclesiastical Affairs are excluded completely from the scope of the Federal Ministry; and the Governor-General exercises all his functions in relation to these in his discretion. There is besides a vast additional field in other matters in which the Governor-General is by law entitled to act in his discretion, an account of which is given in the volume on Federal Structure.

*Sec. 244 (1).

†Sec. 244 (2) *cp. Federal Structure*, ch. VII.

The Secretary of State may also make appointments in connection with the Irrigation Department (245).

The withdrawal of such large numbers of important appointments from the jurisdiction of the Indian authorities must necessarily react on the prestige of the latter, which can bode no good to the general efficiency of the administration.

The cost, also, of such Public Services filled by an outside authority is liable to be increased at the option of the Secretary of State to an almost indefinite extent. For, it is the Rules made by Secretary of State from time to time, which prescribe the scale of pay, leave, pensions and medical attendance,* and the Secretary of State would frame those scales and rules according to the standards he is familiar with which are much higher than India can bear. Promotion, leave of not less than three months, or suspension order with respect to any such officer, can only be made by the Governor exercising his individual judgment, and no portion of the pay of an officer suspended can be docketed except to the extent ordered by the Governor in his discretion.

Reserved Posts

The Secretary of State is entitled by law† to make rules laying down the character, and number of the Civil posts under the Crown which are to be filled by persons appointed by him—other than posts in connection with the discretionary functions of the Governor-General.

*Sec. 247 1 (a).

†Section 246 (1).

No such posts, moreover, can, without the previous sanction of the Secretary of State, be kept vacant for more than three months, or be filled otherwise than by the appointment of a person qualified as above, or be held jointly with any other post.* The promotions and posting of these *reserved posts*, shall be made by the Governor-General exercising his individual judgment, so far as the posts in connection with the Federation are concerned, and by the Governor exercising his individual judgment, so far as the posts in connection with the provinces are concerned.†

Rules re: Conditions of Service of Such Officers

The Rules thus made must be submitted to each House of Parliament as soon as they are made. If either House of Parliament resolves, within the next 28 days after the submission of these Rules, that the Rules shall be annulled, these Rules or any of them shall be void.‡ But nothing done under such Rules, until they are declared annulled, will be prejudiced or rendered invalid by a Resolution of the House of Parliament.

The Secretary of State is entitled, under Section 247, (1), to make rules regulating the conditions of service of persons appointed by him to a civil service or to a civil post, as regards (1) pay, (2) leave, (3) pensions, (4) general rights in regard to medical attendance.

Rules by the Governor-General or by the Governor

On other matters affecting the conditions of service of such officers, the Secretary of State may make Rules

*Sec. 246 (1).

†Sec. 246 (2).

‡Sec. 246 (3).

if he thinks so proper. But if no such rules are made by the Secretary of State, the Governor-General may make rules in their behalf so far as persons serving in connection with the affairs of the Federation are concerned, and the Governor of a province so far as persons serving in connection with the affairs of a province are concerned. No such rule made by the Governor-General or a Governor would be in effect, if it gives to any such officer terms less favourable in regard to his remuneration or pension, than were allowed to such a person on the date on which he first joined service under the rules then in force.

The salary and allowances of all such officers are to be *charged on the revenues* of the province,* if they are serving in connection with the affairs of a province† This means that these salaries and allowances will not be subject to the vote of the Federal or Provincial Legislature.

All pensions payable to or in respect of any such person, and Government contributions to any pension or provident fund on account of only such person, must also be *charged on the revenues of the Federation, i.e.*, be non-votable by the Federal Assembly.‡

This means that the Pension of any person, and the contribution in respect of the Pension or Provident Fund by the Government, is to be borne by the Federal Budget, irrespective of the fact of the service whether under the Federation or under the province. The Federation and the Province may subsequently arrange among themselves, *pro rata* according to the amount of service rendered under the Province or under the

*Cp. Sec. 79 and 34, and below p. 275.

†Sec. 247 (4).

‡Sec. 247 (5).

Federation, the proportions to be borne by the respective Provincial or Federal budgets. But so far as the pensioners or the beneficiaries of Provident Funds are concerned, they are entitled to look to the Federal Government to meet their charges in this regard.*

No reduction in the maximum pension is allowed to persons in this category, by any Rule made under this section, except in each case with the consent of the Secretary of State.†

Powers of Appeal

The appellate power of the Secretary of State seems to be reserved by sections 247 and 248 (3).

So far as persons appointed by the Secretary of State to a Civil Service or civil post in India are concerned, the right of complaint is duly provided for, in the first instance, to the person who made such order. If no redress is obtained from such persons, a further appeal lies to the Governor-General, if he is serving in connection with the Federal affairs, and to the Governor, if he is serving in connection with the Provincial affairs. The Governor is also required, by 248 (1), to examine personally into the complaint, and order such action to be taken thereon as appears to him, *exercising his individual judgment*, to be just and equitable. No order which censures or otherwise punishes any officer in this category, or affects unfavourably his emoluments, pension rights, or decides against him the subject matter of any memorial, shall be made, except by the Governor, if the officer is serving in connection

*These pensions, it may be added here, are exempt from any taxation on income by the Federal or Provincial governments, under section 272. See ante p. 190.

†Sec. 247 (6).

with the affairs of the Province,—exercising his individual judgment.

Any sum ordered to be paid to any such person by the Secretary of State as the result of an appeal must be *charged upon the revenues of the Federation or of the Province* as the case may be; that is to say, be not subject to the vote of the Federal or Provincial Legislature, under section 248 (4).

Other Disciplinary Powers, and Service Privileges

Even under the exercise of powers given to the authorities in India, if any step is taken or policy adopted, which would prejudicially affect the conditions of service of any person appointed to a civil service or to a civil post by the Secretary of State, such persons or their representatives are entitled, under section 249 (1), to receive from the revenues of the Federation, or those of the Province, as the Secretary of State may direct, such compensation as he may consider just and equitable. The same principle applies to any deterioration in the condition of service or any other reason, which the Secretary of State deems such as to entitle the person suffering to compensation. All such compensatory payments are to be *charged on the revenues* of the Federation, or of the Province as the case may be, according as the person concerned has been serving the Federation or a Province.

Additional Burdens upon India

Hard as these provisions are upon the people of India, Section 249 (3) expressly provides, in order to remove the slightest possibility of doubt:

“that the foregoing provisions of this section in no way prohibit expenditure by the Governor-General, or,

as the case may be, the Governor from the revenues of the Federation or a Province, by way of compensation, to persons who are serving or have served to His Majesty in India, in cases to which these provisions do not apply."

All the foregoing rules, regulations or statutory provisions are made, by Section 250, to apply to all persons appointed before the commencement of Part III of the Act of 1935, by the Secretary of State in Council, to a civil service or a civil post in India. The same rules, regulations and statutory provisions also apply, with such exceptions and modifications as the Secretary of State may decide, to any person, who, without being appointed to a civil service or a civil post by the Secretary of State, holds or has held a reserved post; or any civil post under the Crown in India, and is or was when appointed to such a post, an officer in His Majesty's Forces. This extends the benefit of all the foregoing provisions to Army officers lent to the civil side of the administration.

No Reduction in Posts or Emoluments

As though the protection, security and safeguards assured to the Public Service in India in all the foregoing provisions were not enough, it is provided, by Section 258, that no post which was in existence before the coming into effect of Part III of this Act, and was held by a member of the Central Service Class I or II, or the Railway Service Class I or II, or a Provincial Service, can be abolished, if, the abolition would adversely affect any such person. Economy by abolition of costly posts in public services can, under this Rule, be made only when all the present incumbents—or claimants—to these privileged posts have retired from the service.

There is an exception to this provision of the Act. In the case of any such posts in connection with the affairs of a Province, the Governor, exercising his individual judgment, may abolish it. But, inasmuch as the Governor exercising his individual judgment is not bound to follow the advice of his Ministers, even if the Ministers are unanimous in their resolve to abolish particular posts in the services mentioned above, no object of economy, or retrenchment or re-organisation of such services is likely to be served by this exception.

By parity of reasoning, no rule or order, which would adversely affect the pay, allowances or pensions of any person appointed to Central Service Class I or Railway Service Class I, before the coming into operation of Part X of the Act (relating to the Services under the Crown in India), nor any order upon a memorial submitted by any such person, can be made, except in the case of persons serving in connection with Provincial affairs, by the Governor of the Province, exercising his individual judgment. Further, the salary and allowances of persons appointed before April 1st 1924, by any other Authority than the Secretary of State, to a service or a post which, at any time between 1st April 1924, and the coming into operation of Part X of this Act of 1935, was classified as a Superior Service or Post, must be *charged on the revenues of the Province*, if he is serving in connection with the affairs of the Province; that is to say, no such salary is open to the vote of the Legislature concerned.*

Pensions

The Pensions and contributions towards the Provident Fund of such persons are also to be

*Sec. 258 and 259.