

Financial (1899) Department.

ORDINARY MS.

G.O., No. 2194220

DATED 11. 2. 29

INDEXED. 914

[Despatch Abstract.]

*Addressing the P. J. to confirm his action
of law look in empowering the Rev. Sec.
of Law to exempt political
pensioners of an exceptionally high
rank from personal appearance at
the treasury to receive their pensions.*

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BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
1147/99							

Government {1899} of Madras. REVENUE.



Recd.

Regd.

Enclosures

Spare copies

G.O., No. 1, 2nd January 1899.

JANUARY.

Exemption from personal appearance.

Stating that the Government of India will be addressed in the Financial Department to confirm the action of this Government in delegating to the Board of Revenue the power to exempt political pensioners of an exceptionally high rank from personal appearance at the treasury.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again G.O., No. 468, Revenue, dated 23rd August 1898.

ABSTRACT.—Approving and sanctioning the proposals of the Board of Revenue to exempt from personal appearance at the treasury a certain political pensioner in South Canara, and to delegate to it the exercise of the power of exemption in similar cases.

READ—also the following letter from T. HESKETH BIGGS, Esq., Accountant-General to the Government of Madras, to the Secretary to Government, Revenue Department, dated 21st September 1898, No. 274-I.A.E. :—

With reference to G.O., No. 468, Revenue, dated the 23rd of August 1898, delegating to the Board of Revenue the power to exempt political pensioners of an exceptionally high rank from personal appearance at the treasury, I have the honour to invite

Article 506, Civil Service Regulations, note under rule 1, article 815; note under rule 3, article 1025, Civil Service Regulations.

attention to article 1027 of the Civil Service Regulations, from which it will be seen that such exemption can be sanctioned only by the Local Government and that, in the absence of a specific authority such

as that mentioned in the margin, a Local Government cannot delegate its powers to the Board of Revenue. I request therefore that the Government Order under reference may be reconsidered.

ORDER—No. 1, Revenue, dated 2nd January 1899.

Miscellaneous.

His Excellency the Governor in Council doubts whether article 1027 of the Civil Service Regulations applies to the pensions of the kind in question as contended by the Accountant-General. The Government of India will, however, be addressed in the Financial Department and requested to confirm the action of this Government in delegating to the Board of Revenue the power of exempting the holders of such pensions from personal appearance.

(True Extract.)

Secretary to Government.

To the Board of Revenue (Land Revenue).

„ the Accountant-General.

„ the Financial Department, with draft letter

and copy of G.O., No. 468, dated 23rd August 1898.

Exd. Shaik Karim.

40 Copies.

Order No. 219 of 11-2-99
The following letter will be

Letter

despatched
No. 2220 of 11-2-99

Cum. 15.1.99

A. S. K. 9.2.99

To

The Secretary to the Government of India

With reference to the Finance and Commerce Department.

Sir,

I am directed to refer for the orders of the Government

India the question as to the authority by whom the holders of political pensions in this Presidency *i.e.* pension granted in lieu of territorial rights or privileges resumed may be exempted from personal appearance at the treasury to receive their pensions.

2. In August last this Government decided to delegate this power of exemption to the Board of Revenue on the understanding that the power was to be exercised in exceptional cases only where the rank of the pensioner warranted such a concession. The Accountant General, however, points out that under article 1027 of the Civil Service Regulations such exemption can be sanctioned only by the local Government, and that in the absence of a specific authority in the article the local Government cannot delegate its powers to the Board of Revenue.

3. The classification of pensions given in Chapter XVIII of the Civil Service Regulations would seem to show that the provisions therein contained apply to service pensions only, and article 986 which is the first in Chapter XLIII, the first Chapter in Part A, in which article 1027 is contained, distinctly lays down that the rules in that Chapter apply to all officers applying for pension under these Regulations except members of the Civil Service, Chaplains and Judges of the High Court. Chapter XLIII is concerned with applications for and grant of pensions. Chapter XLIV relates to the payments of pensions and Chapters XLV and XLVI deal with two of the services to which Chapter XLIII does not apply. It

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would appear therefore that the article referred to by the Accountant General applies to service pensions and not to the pensions of the kind in question which were granted to ancestors of the present recipients in lieu of territorial rights resumed by Government.

4. In any case I am to request that, if article 1027 be held to apply to political pensions as contended by the Accountant General, the action of this Government in empowering the board to sanction exemptions from personal appearance at the treasury to receive their pensions may be confirmed by the Government of India.

5. Copies of the papers noted on the margin are enclosed for reference.

Cms.
19. 1. 95

L. M. M.

G.O. No. 468 Rev:
dated 23rd Aug:
1898.
Letter from the
Acct: Genl: No. 1. A
L. / 274 d/21st
September 1898.

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When given for copying
When copied *11/2*
When examined *1899*
When signed

READ AGAIN G.O. No. 139 ,

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BRING MEANT FOR DESPATCH IN ORIGINAL.

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