

1102
Marine (1896) Department.

G.O., No. 721 Marine

DATED 22nd October 1896

[Despatch Abstract.]

C. S. Regulations: Pros: Financial Dept di-
recting that all references to the Govt of India
shall in future issue from that Dept. The draft
of the letter being however prepared in the depart-
ment in which such references originated and
being previously approved in the Financial
Dept., recorded.

CURRENT No. 628

1373 of 9.1.658

Records for guidance

The Financial Dept

E. J.
ER

No. 1116

note form

The final order is that "all these matters should be dealt with in the financial deptⁿ". This is understood to mean that draft disposals will not in future be reg^d from other depts and

Dated 13-5-98

Received 13-5-98

Enclosures —

Spare copies ~

SUBJECT.

that the concluding ~~para~~ clause References to the Government
of India about Travelling
is now superseded. Others are entitled Allowance Rules

contributes this interpretation to ⁵ Comong. Copies of notes by
the Honorable Members

(14) R.P.
18.5.25

the Honorable members
laying down that all—

I think the draft disposal must still be prepared in the Dept. concerned & sent to the Financial Dept. for approval and imp.

8-5-95

BACK PAPERS.

FURTHER PAPERS.

No.	Date.
643	29-9-96

No.	Date.

[G
09
500-24]

Financial Dept.



Memorandum No. 1116

Read the following paper:—

Note from the Public Works Department, No. 31 D, dated 18th April 1898:—

With reference to the attached note in the Financial Department, written on P.W.C.No.9971, it is pointed out that the P.W.draft in question, and a few others which recently went to and were returned by, the Financial Department were sent in accordance with para. 3 of G.O.643, Financial dated 29th September 1896 which directs that "all references to the Government of India regarding the rules in the Civil Service Regulations shall, in future, issue from the Financial Department, the draft of the letter being, however, prepared in the Department in which such references originated and being previously approved by the Financial Department".

C.No.9971 was an application for sanction to travelling allowances to certain officers and subordinates who visited Pondicherry, i.e. Foreign territory, on duty. The Examiner, P.W.Accounts, pointed out that the rules in the Civil Service Regulations did not admit of sanction to these charges by the Local Government. A draft letter to the Government of India for sanction was therefore prepared in the Public Works Department ^{and transmitted to the Financial Dept.} for counter-initials and subsequent issue in

accordance with para. 2 of the G.O. quoted above, which, it was thought, applied to the case. The grounds on which the Financial Department returned this, and other draft letters to the Government of India, are not understood, and it seems necessary, for future guidance, that they should be explained.

The expression "all references regarding the rules" which occurs in para. 2 of the Order is apparently too wide. The cases which present themselves seem to be as follows:—

- (a) interpretation of rules.
- (b) alteration of rules.
- (c) relaxation of rules.
- (d) special concessions not exactly covered by the rules.

It would be convenient, if in modification of the existing orders, it were stated which of these cases are to be dealt with by Administrative departments concerned.

Note for Orders in the Financial Department dated 5th May 1898:—

Please see G.O. No. 643, Financial, dated 29th September 1896. That order pointed out that all cases involving the interpretation of the rules in the C.S.R. are dealt with finally in the local Financial Department, and directed that all references to the Government of India regarding the rules in the Civil Service Regulations should issue from the same department, the draft letter being prepared in the department in which such references originated and being previously approved by the Financial Department.

2. The Public Works Department points out that there are some difficulties in interpreting that order. It

remarks that the cases which present themselves arise in the following forms:—

- (a) interpretation of rules
- (b) alteration of rules
- (c) relaxation of rules
- (d) special concessions not exactly covered by the rules.

and that it would be convenient if, in modification of the existing orders, it was stated which of these cases are to be dealt with finally by Administrative departments concerned.

3. The Public Works Department has interpreted the order of 1896 as indicating that all cases in which rules in the Civil Service Regulations are involved should be dealt with finally by the Financial Department. It is submitted however that classes (c) and (d) of cases mentioned by the Public Works Department - viz. relaxation of rules, and special concessions not exactly covered by the rules - need not come to the Financial Department except for counter-initials. The majority of cases under class (d) are now covered by article 278 A of the Civil Account Code, sanctions under which are, under existing orders, dealt with finally in the local Financial Department.

Note by the Honourable Sir Henry Bliss, K.C.I.E.:—

It seems to me that it will be much safer that all these matters should be dealt with in the Financial Department.

(Id.) H.W.B.
6-5-98.

(Id.) J.G.
9-5-98.

Copy

Marine (1896) Department.

CURRENT No. 1102

Copy of the foregoing notes forwarded to

Secretariat Departments for information.

Notacamund,

13th May 1898.

for Chief Secretary.

To :

All Departments of the Secretariat.

Marine Dept

Order No. 721. Marine. D. 22nd October 1896.

Recorded.

From

The Financial Dept.

No. 643.

Dated 29th September 1896

Received 13th October 1896

Enclosures

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SUBJECT.

References to the Gov. of India regarding the rules in the Civil Service Regulations

Directing that all — shall, in future, issue from the local Fin. Dept. the draft of the letter being however prepared in the dept. in which such references originated & being previously approved by the Financial Dept.

G.O.	No.	Department.	Date.
1788w	^{revised} 647	17-6-96	
298	647	30-7-96	
176	647	17-3-96	
82	647	12-2-96	
19	647	11-1-96	
381	647	11-12-95	
214	647	12-2-95	
123	647	3-10-95	
438	647	12-11-94	
437	647	100	
381	647	24-9-94	
269	647	11-9-94	

<i>Recd.</i>	}	1896.	<i>Enclosures,</i>
<i>Regd.</i>			<i>Spare copies</i>

G.O., No. 643, 29th September 1896.

SEPTEMBER.

References to the Government of India regarding the rules in the Civil Service Regulations.

Directing that all — shall, in future, issue from the local Financial Department, the draft of the letter being however prepared in the department in which such references originated and being previously approved by the Financial Department.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

Read—again the following papers:—

G.O., Mis. No. 969, Financial, dated 16th December 1890.

Read—the following Resolution of the Government of India, Finance and Commerce Department, No. 5412, dated Calcutta, the 25th November 1890:—

Read—Resolution in this department, No. 4839, dated the 3rd September 1888.

Resolution.—In partial modification of previous orders, the Government of India directs that communications regarding the interpretation of the rules in the Civil Service Regulations should be addressed to this department. Applications for the alteration or relaxation of the rules, or for special concessions in cases not exactly covered by the rules, will continue to be addressed to the Secretariat of the Government of India in which administrative questions relating to the department affected are dealt with.

(Signed) R. A. GAMBLE,
Offg. Under Secy. to the Govt. of India.

Order—Mis. No. 969, Financial, dated 16th December 1890.

Communicated to all departments of the Secretariat.

2. Cases appertaining to the former of the two classes mentioned in the resolution will, as hitherto, be dealt with in the local Department of Finance; all others should be submitted to the administrative department of the Government of India by the local administrative department concerned.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Departments of the Secretariat.

G.O., No. 911, Financial, dated 21st November 1895, paragraph 2.

ABSTRACT.—Stating that all sanctions under the Resolution of the Government of India, Finance and Commerce Department, No. 5102-Ex., dated 25th October 1895, will be dealt with in the Financial Department.

G.O., No. 342, Financial, dated 19th May 1896.

ABSTRACT.—Directing that all applications for exemption from the operation of article 1159 of the Civil Service Regulations be, in future, dealt with in the Financial Department; that Secretariat departments, while transferring such applications to the Financial Department, should express an opinion on their validity; and that claims which are obviously inadmissible be dealt with finally by the Executive Department concerned.

ORDER—No. 643, Financial, dated 29th September 1896.

Under existing orders cases involving the interpretation of the rules in the Civil Service Regulations as well as applications for exemption from the operation of article 1159 of the Regulations and for sanctions under section 278-A of the Civil Account Code are dealt with finally in the local Financial Department; applications for the alteration or relaxation of the rules or for special concessions in cases not exactly covered by the rules being, where a reference to the Government of India is required, submitted to the administrative department of that Government by the local administrative department concerned.

2. In partial modification of the above orders, it is directed that all references to the Government of India regarding the rules in the Civil Service Regulations shall, in future, issue from the local Financial Department, the draft of the letter being however prepared in the department in which such references originated and being previously approved by the Financial Department.

(True Extract.)

Ag. Chief Secretary.

To the Local and Municipal Department.
" the Marine Department.
" the Pension Department.
" the Public Works Department.
" the Revenue Department.
" Departments of the Chief Secretariat.

Communicated to all departments of the Secretariat.
2. Cases appertaining to the former of the two classes mentioned in the resolution will, as hitherto, be dealt with in the local Department of Finance; all others should be submitted to the administrative department of the Government of India by the local administrative department concerned.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

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Ext. C. M. Thumbuswamy.

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