M.R.O. 1—77,006—8-6-37.

(1) Number of pages_____

(2) Date of repair_____

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 3004 Press ~~Mis.~~

292-93

Dated 15 12 1862.

Not to be folded or roughly handled

C-10-13

C D

Proceedings of the Madras Government, Public Works Department, 15th December 1862.

No. 292. Read the following Proceedings of the Madras Government in the Financial Department, dated 5th December 1862, No. 853:—

Communicating Resolution of the Government of India making certain modification with respect to calling for affidavits in certain Pension cases. } (Vide Financial Proceedings, 5th December 1862, Nos. 20-21.)

No. 293. ORDER THEREON, 15th December 1862, No. 3,004.

Communicated to the Chief Engineer, Deputy Chief Engineers of Circles, Officer in charge of the Audit and Account Departments of the Central Office and Consulting Engineer Irrigation and Canal Company, for information and guidance.

(Signed.) W. I. BIRDWOOD, Colonel, R. E.,
Secretary to Government.

FINANCIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Extract from the Proceedings of the Government of India, in the Financial Department, dated 31st October 1862, No. 874G.

Read again the Uncovenanted Service Pension Rules, dated 4th January 1831.

RESOLUTION.—The Governor General in Council observes that, under the Uncovenanted Service Pension Rules of 1831, the Head of an Office, when applying for a pension for any of his subordinates, was required to detail the name, age, &c., of the individual, and the various situations he had held, and the total period of his service, and that in a note, to Clause 4 of Rule VIII it was added—"If the Officer making the application shall be unable, from his personal or official knowledge, to supply the whole of the specific information above required, he shall call upon the individual in whose favor the application may be made to furnish a written statement (to be verified by his oath or solemn declaration, if required) on such of the points above noticed as may be necessary."

On receipt of such applications for pension in the Financial Department, it has been the practice, in accordance with the orders contained in the Honorable Court's Despatch, No. 4, dated 26th January 1848, to call on the Civil Paymaster (formerly Civil Auditor) concerned for a report on the applicant's services.

When the Civil Paymaster's books bear out the applicant's statement, pension is granted under the rules in proportion to the length of service. But if, as often happens, the applicant claims to have rendered long service, than the Civil Paymaster's books can prove, the practice has been to ask the applicant (through his official superior) to explain the discrepancy. Applicant is often able to give a plausible and sufficiently satisfactory explanation of the discrepancy, and in such cases his explanation is accepted and pension granted. Or frequently applicant submits certificates signed by his official superiors to prove periods of service about which there is a doubt, and these certificates, if they appear genuine, are accepted as proof of applicant's service at the periods to which they refer. But it sometimes happens that the applicant merely reiterates his former statement, or gives some unsatisfactory explanation of the discrepancy between the Civil Paymaster's books and his statement. In such cases, it has been usual to call on the applicant to file an affidavit to the correctness of his statement, and this affidavit has been taken as proof of the correctness of his statement, under the spirit of the rule quoted above.

It is very reasonable, His Excellency in Council observes, that, when the Civil Paymaster's Office records have been destroyed by fire (as in the mutiny) the applicant's affidavit, failing other more reliable testimony, should be taken as proof of his statement. If the applicant's statement be correct, it should be susceptible of proof from extant and accessible records; but if such records do not affirm the statement, there is reasonable ground for presuming the statement to be untrue or incorrect. Moreover, there are certain kinds of service (temporary) which do not for qualify for pension, so that a man's honest statement of service may be accepted as proof that he is qualified for pension, and yet, had all the facts been known, the service would have been seen to have been temporary and no qualification for pension.

His Excellency in Council therefore considers that the general application of the rule for calling for affidavits is open to abuse, and that the practice relative thereto needs to be revised. His Excellency in Council resolves accordingly that the practice in all such cases shall be as follows:—

An applicant shall be required to state clearly the situations he has filled and the periods during which he filled them.

The Civil Paymaster shall be required to report whether his Office records bear out applicant's statement. If there be any discrepancy in the statement, the Civil Paymaster shall detail the apparent causes of that discrepancy, for instance, that the post applicant states he filled during a certain period is shown by the Civil Paymaster's Registers to have been filled by another man. If the Civil Paymaster's records cannot afford the desired information, reference

should be made to the records of the Head of the Office in which applicant states he served during the period in doubt. Or the applicant shall be required to furnish certificates, such as those given by an Officer to a subordinate on his leaving an Office, which certificates may, in default of other evidence, be accepted as proof of the service to which they refer, provided, of course, the certificates bear internal evidence of being genuine.

But if the records of the Office in which applicant states that he served during the period in doubt, do not afford the desired information, or if the applicant cannot produce certificates, such as those given by an Officer to a subordinate on his leaving the Office, every such case shall be decided on its own merits, those cases only being treated specially in which an *affidavit* would be required and accepted *quantum valeat*.

Ordered, that a copy of the above Resolution be sent to the Departments,* Governments† and Officers‡ noted in the margin, for information and guidance.

(A true Extract.)

(Signed) E. DRUMMOND,
Secretary to the Government of India.

* Home, Foreign, Public Works, Military and Marine.
† Bengal, Madras, Bombay, North-Western Provinces, Punjab and Straits Settlements.
‡ All the Civil Paymasters, all the Deputy Auditors and Accountants General, and the Auditor and Accountant General to the Government of India.

ORDER THEREON, 5th December 1862, No. 853.

Communicated to the several Departments of the Government Secretariat.

(True Extract.)

/ Signed / R. J. Birchwood

Chief Secretary.

To the Public Works Department.

Exd. T. McMootry.

20 spare copies

P.W. 1862 Dept.
Pro: of Govt. for Dec.
No. 3704.

Pro: of Govt. in the Financial Dept.
Dated 5th Dec/62
Received 8th Dec/62
No. 8053.

Communicating Resolution of the Govt. of India making certain modifications with respect to calling for affidavits in certain Pension Cases.

No. 292-293.

With an order.

No. 3004.

Communicated to the Chief Engr. Dy. Chief Engineers of Circles, Officer in charge of the Audit and Account Departments of the Central Office and Consulting Engineer Irrigation and Canal Company for information and guidance.

7 Copies.

To The Chief Engineer - with 2 Copies of the Fin. Pro. dy. 16th
3 " Dy. do do N Circle - with 2 Copies of Fin. Pro. do
3 " do do do S Circle - do do do
2 " do do do C Circle - do do do
4 " Officer in charge of the Audit and Acct. Depart. with Fin. Pro.
4 " Consulting Engineer I. & C. Co. with Fin. Pro.

X87 Chepauk 15th Dec/62.