

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

READ—the following paper :—

Proceedings of the Board of Revenue, dated 19th September 1883, Mis. No. 7923.

Read—the following letter from J. G. HORSFALL, Esq., President, Local Fund Boards, Ganjam District, to the Secretary to the Board of Revenue, dated Chatrapur, 29th August 1883, No. 963 :—

I have the honor to enclose, in original, letter from the Accountant-General, dated

1. Executive Engineer's letter, dated 30th March 1883, No. 1876
2. Local Fund Engineer's letter, dated 24th March 1883, No. 183.
3. Superintending Engineer's letter, dated 20th April 1883, No. 219-N.
4. Examiner of Public Works Accounts' letter, dated 5th May 1883, No. 51-S 21st.
5. Superintending Engineer's letter, dated 18th May 1883, No. 73-G.N.

7th instant, No. I.A.E.-131, together with the papers noted in the margin, and request that the orders of Government may be obtained on paragraph 2 thereof.

2. G. Polu, who served as a lascar in the Public Works Department for about twenty-two years, was, in April 1880, transferred to the Local Fund Board service, but was dismissed by them for absence without leave from 8th July to

end of September. He appears, however, to have applied for gratuity for service in the Public Works Department prior to his dismissal, and the question is whether his dismissal from service under the Local Fund Board should operate to bar his claim for pension for the twenty-two years he served under the Public Works Department.

3. It will be observed that G. Polu was dismissed for absence without leave and had applied for pension prior to his dismissal.

ENCLOSURE.

From H. F. CLOGSTOUN, Esq., Accountant-General, Madras, to the President, Local Fund Boards, Ganjam, dated Fort St. George, 7th August 1883, No. I.A.E.-131.

With reference to your letter, No. 658, dated 15th June 1883, forwarding, for my opinion, certain papers relative to the question whether the punishment of dismissal inflicted by the President of the Local Fund Board on G. Polu, late a lascar on the Public Works establishment (afterwards transferred to Local Fund Board), for absence without leave, deprives him of the retiring allowance to which he was entitled for his service in the Imperial Public Works Department, I have the honor to state that ordinarily if an officer holding a pensionable appointment is dismissed from the service on account of misconduct or inefficiency, the dismissal would negative his claim for pension or gratuity for past services. The character of a dismissal from a Local Fund Board is different from a discharge from a Government office. In the former case, the official so dismissed is deprived of the privilege of any appeal to the higher authorities, while in the latter case he has all the advantages of an appeal to Government.

2. I consider, therefore, that it would be best to leave the matter to Government to decide whether the cause of dismissal in the present case is such as to deprive the applicant of the amount of any retiring allowance that would otherwise be admissible to him for his service under Government.

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3. It will be observed that G. Polu was dismissed for absence without leave and had applied for pension prior to his dismissal.

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2. I consider, therefore, that it would be best to leave the matter to Government to decide whether the cause of dismissal in the present case is such as to deprive the applicant of the amount of any retiring allowance that would otherwise be admissible to him for his service under Government.

3. The enclosures to your letter under acknowledgment are herewith returned.

Resolution—dated 19th September 1883, Mis. No. 7923.

Submitted for the orders of Government.

2. From paragraph 1 of the letter from the Examiner of Public Works Accounts, dated 20th April 1883, No. 21-G.N., it would appear that the man Polu was not transferred from the Imperial to the Local Fund Department as stated in paragraph 2 of the President's letter read above, but that he was discharged on the reduction of the Public Works Department establishment, and that he was subsequently employed by the Local Fund Board, probably on the introduction of the new scheme of engineering establishment sanctioned in G.O., Financial Department, dated 9th January 1880, No. 48. He did not belong to the Local Fund petty establishment under the old conditions, and his service subsequent to his entertainment in the Local Fund service in April 1880 does not count for pension under paragraph 1 of G.O., Financial Department, dated 6th October 1881, No. 1915. His dismissal by the President in 1883 from Local Fund service for absence without leave would not, therefore, seem to affect his claim for pension in the Imperial Public Works Department.

(True Copies and Extract.)

(Signed) F. A. NICHOLSON,
Acting Sub-Secretary.

To the Chief Secretary to Government, Financial Department,
with letter and six enclosures, in original, to be returned.
„ President, Local Fund Boards, Ganjam district.

ORDER—dated 27th September 1883, No. 2170, Financial.

The Government resolve to direct that, as a general rule and in the absence of special orders of Government to the contrary, dismissal from Local Fund service shall not be held to deprive the person dismissed of any retiring allowance to which he would otherwise be entitled in respect of previous service under Government.

(True Extract.)

Sd/-
for Acting Chief Secretary.

To the Board of Revenue, with enclosures returned.
„ Accountant-General.
„ Public Works Department.

Am. Ch. 8823.

Govt. of (1883) Madras.

FINANCIAL.

S. S. C.

Issued

Recd.

11/10/83

Encl.

G.O., 27th September 1883, No. 2170.

N. 3039 wa/26th Oct/83
S. S. C. 16/10

SEPTEMBER.

Local Fund Service.

Directing that, as a general rule and in the absence of special orders of Government to the contrary, dismissal from — shall not be held to deprive the person dismissed of any retiring allowance to which he would otherwise be entitled in respect of previous service under Government.

One copy to only

With Order

with order

Sat. in Receipt of

N. 3039 wa/26th Oct/83

B

*Communicated
to Officers of the P. W. Dept
by Officers of the P. W. Dept*

*Cy.
16/10*

*M.
26/10*

*ccw
26/10*

Suptg. Engrs.

Lab. E. for I.

Exar. P. W. A.

Consq. Act to Govt.

Consq. Act to Govt.

G. 72

No 3039