

Public Works (1897) Department.

G.O., No. 688 R

DATED 17. Sept 1897

[Despatch Abstract.]

Powers of Local Government to remit disallowances
Govt of India Circular regarding the — by audit
Officers so far as they affect payments made more
than six months before the date when they were
challenged, Comptroller to the Ex^t of B. & A. Co.

Disallowed

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

SPN 686M

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 17/9/97

Public Works (1897) Department.

CURRENT No. 9211

B/c

From

The Govt. of India

Order No. 686. D dated 17/9/97

Communicated to
the Examiners P.W. &c.
Respects for information.

Circ. No. 5 P. Works

Dated 3rd September '97

Received } 15-9-97

Registered

Enclosures

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FWS
R
17/9/97

SUBJECT.

G.owers of Local Boards
to remit disallowances by
Audit officers so far as
they affect payments
made more than six
months before the date
when they were challenged.

To
The Comptroller for P.W.
- " - Ex. P.W. Accts. ✓
- " - Ex. G.O. P.W. Accts. ✓

17/9/97

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[For General Distribution.]



Circular No. 5 Public Works.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

Simla, the 3rd September 1897.

Powers of Local Governments to remit disallowances by Audit officers so far as they affect payments made more than six months before the date when they were challenged.

The following is forwarded to the Local Governments, Administrations and Officers named on the margin for information and guidance, in continuation of Public Works Department Circular No. 5 Public Works, dated 20th March 1896.

The Governments of Madras and Bombay, Public Works Department, General and Railway Branches.
 The Governments of Bengal, the North-Western Provinces and Oudh and the Punjab.
 The Government of Burma, Public Works Department, General and Railway Branches.
 The Chief Commissioners of the Central Provinces, Assam, and Coorg.
 The Resident at Hyderabad.
 The Agents to the Governor General for Rajputana, Central India, and Baluchistan.
 The Accountant General, Public Works Department.
 The Director General of Military Works.
 The Director General of Railways.
 The Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow and Assam.
 The Director General of Telegraphs.

By order,

C. H. Walker

Under Secretary to the Govt. of India.

RESOLUTION—By the Government of India, Finance and Commerce Department.
 No. 3580-Ex., dated the 13th August 1897.

READ—

Despatch from the Secretary of State, No. 450, dated 23rd November 1876.
 Resolution by the Government of India in the Finance and Commerce Department, No. 1017, dated the 22nd February 1878, promulgating certain instructions on the subject of over-payments and recoveries from officers on leave in England, or after retirement.
 Despatch to the Secretary of State, No. 76 (Financial), dated the 20th March 1895, requesting sanction to certain excess payments made to certain officers of the Indian Medical Service, which were not challenged by the Audit Office within six months of payment, being written off the accounts.
 Despatch from the Secretary of State No. 68 (Financial), dated the 2nd May 1895, sanctioning the above proposal in the following terms :—
 "Your proposal is in accordance with the general principle laid down in paragraph 5 of the Despatch to your Government of the 23rd of November 1876, No. 450, and I accordingly authorize the amounts in question being written off the accounts."

READ ALSO—

Paragraph 5 of the Resolution by the Government of India in the Finance and Commerce Department, No. 998-P., dated the 2nd March 1896, directing that an Account Officer should not issue an order for the recovery from any officer of pay and allowances erroneously drawn more than one year before the issue of the retrenchment order without first obtaining the sanction of the Local Government, which has power to direct the amount to be written off, if it considers that the recipient was not in fault.

RESOLUTION.—His Excellency the Governor General in Council has had under consideration the expediency of delegating to all Local Governments and Administrations and the Departments of the Government of India, the power of remitting disallowances by Audit officers so far as they affect payments made more than six months before the date when they were challenged, provided they consider the amount to have been drawn

by the officer under a reasonable belief on his part that he was entitled to it. His Excellency in Council is pleased to direct that in future Local Governments and Administrations and the Departments of the Government of India may dispose of all cases of over-payments and recoveries from officers serving under them on the principles described above, without reference to the Government of India.

2. It is only in exceptional cases that an Audit Officer should find himself unable to finally audit charges within a period of, at the outside, six months from the date of payment; and recovery should ordinarily be effected from officers of the amount of any over-payment made to them, if objection is raised within that period. Any case in which a Local Government or Administration or Department of the Government of India may consider that recovery should not be effected from any officer of the amount of any over-payment made to him within six months of the date on which objection has been raised, should be reported for the orders of the Government of India.

3. Cases in which erroneous payments have not been challenged within six months should be reported for the orders of the Local Government or Administration or Department concerned, with the Account Officer's recommendation. And an Account Officer should not, without first obtaining sanction, issue an order for the recovery from any officer of pay or allowances erroneously drawn more than six months before the issue of a retrenchment order unless the payment has been challenged within that period. The orders contained in paragraph 5 of the Resolution of the Government of India in this Department No. 998-P., dated 2nd March 1896, may be held to be modified accordingly.

ORDER.—Ordered, that this Resolution be communicated to all Local Governments and Administrations, to all Departments of the Government of India; to the Comptroller and Auditor-General; and to all Accountants-General and Comptrollers.

*To The Joint Secy to the Govt of Madras
 On Department Railway Branch*