

Public Works (1899) Department.

G.O., No. 529 W

DATED 20 Feb - 1899.

[Despatch Abstract.]

Memorials to Her Majesty Govr.

Circular from the Govr of India regarding
the addition of a clause to Rule XII of the Rules
for the transmission of ——— and the interpretation
of Rule 3 (12) Sec III of the Rules for the transmission
of memorials to the Govr of India, recorded.

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BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
407	W 89	2.99					
2713	W 89	24.10.94					
2712	W 89	24.10.94					
3566	W 89	13.12.89					
	etc						

FURTHER PAPERS.

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

Letter to Secy (1899) Department.

CURRENT No. 1379

B.

No. 529 W 89 20.2.99

Recorded with
reference to the undermentioned
orders.

From The Govt of India

H.O. 268 W 89 27 Jan 1899

" 407 W 89 9 Feb 1899

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17.2.99.

C. No. 11 P.W.

Dated 2-2-99

Received 3 15

Registered

Enclosures

Spare copies.

SUBJECT.

Memorials to Her Majesty's
Govt—
Forwarding notification
of the addition of a clause
to Rule XII of the rules for
the transmission of
and interpretation of Rule
3 (12) Section III of the Rules
for the transmission of memora-
nals to the Govt of India.

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G.O. No.

BACK PAPERS.

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FURTHER PAPERS.

G.O.	No.	Department.	Date.

[For Heads of Departments.]

Circular No. II P. W.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

Addition of a clause to Rule XII of the Rules for the transmission of memorials to Her Majesty's Government, and interpretation of Rule 3 (12), Section III of the Rules for the transmission of memorials to the Government of India.

Simla, the 2nd February 1899.

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 Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow, and Assam.
 The Director General of Telegraphs.
 The Managers, North-Western, Oudh and Rohilkhand, East Coast, and Eastern Bengal State Railways.
 The Engineers-in-Chief, Mari-Attock, Hurdwar-Dehra, Ghaziabad-Moradabad, and Bezvada-Madras Railways.
 The Engineers-in-Chief, Godavery and Indus Bridge Works.
 The Engineers-in-Chief, Kohat-Bunno, Bara-Ajmere-Marwar, and Ranaghat Ganges and Katihar Railway Surveys.
 The Port Storekeeper, State Railway Department, Calcutta.

The following is forwarded to the Local Governments, Administrations and Officers noted on the margin for information and guidance.

By order,

C. H. D. Walker

Under Secretary to the Government of India.

*Secy to the Govt of Madras,
Public Works Dept.*

No. 2534, dated Calcutta, the 22nd December 1898.

NOTIFICATION—By the Government of India, Home Department.

The following clause is added to Rule XII of the Rules for the transmission of memorials to Her Majesty's Government, published in Home Department Notification No. 707, dated the 29th March 1878 :—

(12) When a memorial is an appeal against orders refusing the grant of a pension to an inferior servant who is not eligible for such grant under the pension rules.

No. 2548, dated Calcutta, the 22nd December 1898.

Copy forwarded to all Departments of the Government of India for information.

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Nos. 2585-93, dated Calcutta, the 29th December 1898.

From—A. H. L. Fraser, Esq., C. S. I., Officiating Secretary to the Government of India, Home Department,

To—The Governments of Bombay, Bengal, North-Western Provinces and Oudh, Punjab and Burma; the Chief Commissioners, Central Provinces, Assam and Coorg; the Resident at Hyderabad.

I am directed to refer to Rule 3 (12), Section III of the Rules for the transmission of memorials to the Government of India which authorizes Local Governments to withhold the transmission of a petition when it is an appeal against the non-exercise of a dispensatory discretion vested in it by law or rule.

2. In connection with a reference received in 1890 from the Government of Madras, the Government of India held that this rule could only be applied to cases in which a discretion was reserved to Government by some law or rule to dispense with some requirement or qualification. It was further explained that for the rule to apply there must be a discretion vested in the Local Government by a law or rule to waive or dispense with some qualification or condition, and the Local Government must have declined to waive such qualification or condition. The Governor General in Council is now pleased to withdraw this limitation of the rule and directs that the rule should not be interpreted in the restricted sense mentioned above.

No. 2597, dated Calcutta, the 29th December 1898.

Copy with copy of the letter to the Madras Government, forwarded to all Departments of the Government of India for information.

*When is this
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Kas D.
(linked file)*