

# Pension (1897) Department.

ORDINARY MS.

G.O., No. 490/i

DATED 5-7-97

[Despatch Abstract.]

Ordering that the Government of India. be addressed in the Financial D.  
in regard to the interpretation of art. 530 (i) of the C.S.R.

# BACK PAPERS.

| G.O. | No.  | Department. | Date.   | G.O. | No. | Department. | Date. |
|------|------|-------------|---------|------|-----|-------------|-------|
| ..   | 1154 | Pen.        | 19-9-94 |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date.  | G.O. | No. | Department. | Date. |
|------|-----|-------------|--------|------|-----|-------------|-------|
| f.o. | 599 | Pen.        | 4-8-77 |      |     |             |       |

[G.L.]  
39.

200-7-9-96.

C. No. 439.

PENSION DEPARTMENT.

READ the following papers:—

From the Acct. Jnl. 5/21-5-97 No. 382/41.

ORDER THEREON, 5<sup>th</sup> July 1897 No. 490.  
in the Jnl. D.

Ordered that the following letter be addressed  
to the Government of India.

Ordered that the memorial be forwarded to

To the A.G.  
" Jnl. Dept. the Government of India.  
with the letter  
+ the a/c letter in orig.  
to be kindly returned }  
26.5.97.

26.5.97

Letter No. 491, dated 5<sup>th</sup> July 1897.

From

THE SECRETARY TO THE

GOVERNMENT OF MADRAS,

PENSION DEPARTMENT.

To

THE SECRETARY TO THE

GOVERNMENT OF INDIA,

Fin. & Com. DEPARTMENT.

SIR,

I am directed to refer, for the  
of the Govt. of India, the enclosed letter from  
Acct. Jnl. Madras, on the question of c  
acting allowances being taken into the  
tion of average emoluments for pension.  
request that the Govt. of India will be please  
an authoritative ruling on the question in

Note

The Acct. Jnl's present interpretation seems  
correct, but it is submitted that the point is, as  
stated by the Acct. Jnl, not free from doubt.  
Hence draft letter to India for approval.

26.5.97.

Mr. K. Agar  
Draft a letter to India  
complete in itself  
26.5.97

Recd. 31/5.

Please see draft  
put up  
26.5.97.

26.5.97

P.T.O.

Letter

To the Secretary to the Govt of  
India  
Finance & Commerce  
Deptt.

Sir,

I am directed to ask for an authoritative ruling from the Govt. of India as regards the interpretation to be put on article 530(i) of the Civil Service Regulations in the matter of taking into account acting allowances in the calculation of average emoluments for pension.

2. In August 1894, Mr. J. W. Rawlins, the then Accountant General, Madras, to whom a reference was made on the subject, agreed with the Govt in considering that acting allowances drawn by an officer appointed to act in an office which is substantively vacant, or temporarily vacant in consequence of the absence of the present incumbent on leave without allowances, should be included in the

12/5/97

Calculation of his average  
Emoluments for pension.

The <sup>late</sup> ~~present~~ officiating  
Accountant General Mr  
W. H. Michael questioned <sup>late</sup>  
the correctness of the above  
view and observed that <sup>ED</sup>  
under clause (i) of article  
530 of the Civil Service  
Regulations, only allowances  
drawn by an officer appointed  
provisionally or substantive  
pro tempore to an office  
which is substantively  
vacant should be taken  
into account in calculating  
pension. Mr. Michael  
<sup>was</sup> ~~is~~ of opinion that the <sup>was</sup>  
word 'provisionally' used  
in the clause above quoted  
refers apparently to the  
allowances drawn by an  
officer appointed under  
article 109 and not to  
the acting allowances  
of an officer appointed  
to act in an office for  
the time being, and that  
article 530 (i) cannot  
apply when the appointment  
is

is neither provisomal under  
article 109 nor ~~substantive~~  
pro tem ~~pro~~ under article  
110. His Excellency the  
Governor in Council however,  
considers that the matter  
is not free from doubt, and  
I am directed <sup>to make a reference in the file.</sup>  
a reference has accordingly  
been made to the Govt  
of India.

W.H.M.  
26/8/97 3/6/97  
28/6/97

Mk  
4/6

When given for copying \_\_\_\_\_  
When copied \_\_\_\_\_  
When examined \_\_\_\_\_  
When signed \_\_\_\_\_

189 .

READ AGAIN G.O., No.  
189 .

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT .. ..

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL.

N.B. -

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