

86/7101242
Pension (1898) Department.

ORDINARY MS.

G.O., No. 841/2

DATED 2-11-98

[Despatch Abstract.]

Ordering that the Govt. be authorized for delegating to the Board of Revenue in certain cases the power of accepting medical certificates bearing a later date than the application for pension -

Letter

Requesting that this Govt. may be authorized to delegate to the Board of Revenue in certain cases the power of accepting medical certificates bearing a later date than the application for pension.

BACK PAPERS.

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

FURTHER PAPERS.

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

Pension Department

Read CN^o 835

ORDER No. 841 21st Nov. 1898.

Ordered that the Government of India be addressed.

Me
31.10/98

N^o 842

To

The Secy. to the Govt. of India,
Finance and Commerce Dept.

Sir,

Under the sanction conveyed in your letter No. 749-P. dated 16th February 1897, the Board of Revenue, -- Madras, ^{has been} empowered to grant, under article 999 of the G.S.R., pensions to Revenue and Forest subordinates, whether in superior or inferior service drawing Rs. 20 a month and less, in cases in which such claims are certified by the Accountant-General to be admissible under the strict letter of the *Regns*, ^{has been empowered} and to commute under art. 464 of the G.S.R. retrospectively periods of absence without leave into leave without allowances in the case of such subordinates. *(Vide art 999 of the G.S.R.)*
I am now directed to request that this Govt may ^{be authorized to delegate to} the Board of Revenue ^{in these cases, in which it may grant pension,} the power under art. 991(c) of the G.S.R. which the Local Govt. has of accepting medical certificates

C. No. 835

From The Board of Revenue, dy 13.8.98, no 912
Encl: to the Accts: Genl dy 5.9.98, no 37
From the Accts: Genl Dated, 10th Octo.

1898. No. ^{JAE}403

FOR ORDERS.

In G.O. No. 189 Finl. dated 22nd Febry. 1897, the Board of Rev: L. R. was empowered to grant, under Art. 999 C.S.R., pensions to Revenue and Forest subordinates, whether in superior or inferior service, drawing Rs. 20 a month and less, in cases in which such claims are certified by the Acct-Genl to be admissible under the strict letter of the Regulations and in which no doubt arises as to the grant of the full pension admissible under the rule. In the case of such subordinates the Board of Revenue L. R. was also given the power of retrospectively commuting under Art. 464 of the C.S.R. periods of absence without leave into leave without allowances.

The Board of Rev. L.R. now asks that it may be given also the power of accepting under Art. 991(2) of the C.S.R. medical certificates bearing a later date than the application for pension in the case of pensions of subordinates below Rs. 20.

C207+198.
RJ 15.10.98

bearing a later date than the application for pension.

~~in the case of medical certificates~~

~~and the Board of Revenue be~~

entrusted with discretionary power

to accept such certificates, some reduction in correspondence will be --

effected, and avoidable delay in issuing pension orders will be prevented.

~~in the case of medical certificates~~

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~~reduction in correspondence will be~~

~~effected, and avoidable delay in~~

~~issuing pension orders will be~~

~~prevented.~~

~~in the case of medical certificates~~

~~and the Board of Revenue be~~

~~entrusted with discretionary power~~

while there is no reason to anticipate that any essential safeguard will be relaxed.

(from orders)

MLL
31.8.98

8/2
4/4/98

361
29.8.98

FOR ORDERS.

E X *info 13 July*
1870 no 281 pas

It will be observed that Art. 991(c) of the C.S.R. is based on the Govt. of India Resolution ~~Final~~ Dept. No. 1158 dated 18/6/70 which authorizes Local Govts to deal with pension applications in which medical certificates of incapacity for further service are submitted sometime after the applicants have ceased to be employed under Government and that prior to the issue of this Resolution it was necessary to obtain the sanction of the Govt. of India to the grant of an invalid pension when the medical certificate bore a date subsequent to that of the applicant's retirement.

The Board in asking for the power says that it is an unnecessary formality to apply for Govt. sanction in such cases, as late medical certificates are almost invariably accepted by Govt and that if this power be extended to it, some reduction in correspondence will be effected and avoidable delay in issuing pension orders will be prevented.

The Acct-Genl is of opinion that the Board may be given the power asked for.

It is submitted that late medical certificates are accepted by Govt for special ^{reasons} reported to it in each case.

Since the issue of G.O. 270 dated 12/3/27, the Board of Revenue, Land Revenue, has ^{applied for} ~~applied for~~ sanction of Government only in five such cases. ~~applied~~. It is

Can a deputy power be deputy?

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A

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therefore submitted that the power of accepting these late medical certificates in the case of pensions of subordinates below Rs. 20 should remain, as at present, with Government.

sed 10.x.78 *Levy* As the Acct-Genl is of opinion that the power may be deputy, it may perhaps be deputy unless it is thought that this would lead to any easily lower down. Local officers are apt to think that if "Govt sanction" is not necessary, the matter is not so very important?
the 12/11/78

H.M. The f. of D. Lesale of 18 June 1870 authorizes Loc. f. to "deal with" such cases. The phrase is not very explicit as to whether it includes power to deal with the applications thro its subordinates.

I see that the f. of D. in the letter of 16/7/87 *info 26/7/87* no. 1897m. authorized and

delegating to the G.S. & Police
the power under Art 464, in
the "Local pt" has of committing
the Art 991 the the

language is plain that the
Local pt is to accept the
late medical certificate. I
think therefore that if it is
deemed necessary to delegate
to the D. of R. the authority
sought, we shd. get the
sanction of the G. of I..

S.H. 4/10/98

See please see
Drafts below

8/10/98

It seems unnecessary
to require a ref. to
Govt. in such cases,
but I agree that this
Govt. can hardly delegate
its power - hence the A.G.
Let a ref. go to India.

MS 22.10.98.

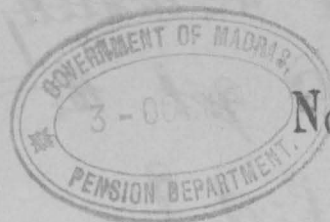
Pension (1898) Department.

CURRENT No. 835

From

The Accountant General.
Madras

Order



No. J.A.E.
403

Dated 18th October 1898.

Received 3.10.98

Registered 3.10.98

Enclosures 1

Spare copies -

10/1
3/10/98

SUBJECT.

Stating with remarks that the
Board may deal with Medical
Certificates bearing a later date
than the application for pension.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE),

Madras, 13-8-1898.

READ— Again Board's Proceedings No.893 Misc., dated 29th March 1898, communicating to the Collector of Madras G.O. granting an invalid gratuity of Rs.54 to Lickum Jagannadha Rowa late peon, Deputy Collector's office.

Reference No. 912 dated 15th August 1898.

In Government Order, No.189 Pension, dated 7th March 1898, Government communicated to the Board the remarks of the Accountant-General on the opinion expressed in para 3 of the Board's Reference, dated 19th January 1898 that no special sanction appeared necessary for accepting Medical Certificates submitted with Pension applications but bearing a date subsequent to that on which the applicant retired from service.

2. In the Reference quoted above the Board expressed the opinion that the Proviso in Article 991(c) of the Civil Service Regulations did not refer to the cases under consideration but only to those in which no certificate accompanied the application for pension. In reply the Accountant-General draw attention to Government of India Resolution, Financial Department, No.1158, dated 18th June 1870 which authorizes Local Governments to deal with Pension applications with which late Medical Certificates are submitted, and remarked that prior to the issue of this Resolution it was necessary to obtain the sanction of the Government of India in such cases.

3. With reference to the last two sentences of Article 1(b) of the Civil Service Regulations, the Board considers it open, doubt whether Article 991 (c) of the Civil Service Regulations was not intended to supersede the ruling of the Government of India quoted by the Accountant-General. But even if the

If the application is for an invalid pension, and the applicant is less than 60 years old the requisite Medical Certificate should be attached to the application. But if omission has been made in this respect the local Government may accept a certificate bearing a later date.

Loell Davidson

15 AUG 1898

Md. R. H.

Pensior

~~Public~~ (189⁸ 8)

Department.

CURRENT No. 681

The Board of Revenue,
Land Revenue,
Madras.

No. 912

Dated 15th August 1898.

Received 16 - 8 - 98

Registered 16-8-98

Enclosures

Spare copies —

SUBJECT.

Suggesting to Govt. that Board should be entrusted with discretionary ⁷ right power to accept Medical Certificates submitted with Pension applications but bearing a date subsequent to that on which applicant ceased to do duty.

BACK PAPERS.

G.O.	No.	Department.	Date.
4	189	Pension	1-3-98
.	298	Paid	13-7-70

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Pension

DEPARTMENT.

FORT ST. GEORGE,

Accountant-General's Office,

No. 9.a.2 ^{18⁵/₄} October 1898.
403

From

J. Herketh Biggs Esq.,

ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Secretary to Government,
Pension Department.

SIR,

With reference to your Memo No. 37, dated the 5th of September 1898, referring to me for remarks Memo: No. 912 dated 13th August 1898 from the Board of Revenue (Land Revenue), I have the honour to state that, the Government of India having allowed the delegation of the power to grant pensions in the Revenue Department below Rs 20 per mensem to the Board of Revenue, I am of opinion that the Board may deal with Medical certificates bearing a later date than the application for pension in the case of such pensions.

The

The papers received with your Memorandum
under reply are herewith returned.

I have the honour to be,

Sir,
Your Most Obedient Servant

Woodson

For Accountant General.

2/10

When given for copying _____
When copied _____
When examined _____
When signed _____

189

READ AGAIN G.O., No.

189

DATED

CURRENT No.

ENCLOSURES TO C. 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.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

2 The British Consular Agent, Pondicherry, will be in the line