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MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	<i>356</i>	Press Mis.
Dated	<i>12-7-</i>	<i>18 73.</i>

Not to be folded or roughly handled

Memorandum

In preparing the draft order previously submitted in this case, I over looked the provisions of Section 75 of the Code to the effect that if an interpretation of the rules is involved the Local Government should submit the case with its opinion and recommendations to the Supreme Government.

The following letter to the Government of India is therefore prepared - and if approved the order previously passed will be kept back.

When a recommendation for a relaxation of the rules is submitted it is usual to publish the

decision of this Govt stating
that it is subject to
the confirmation of the
Govt of India under
Sec 75 but in this case
being one of interpretation
it seems unnecessary
to publish a decision
which the Govt of India
may possibly declare to
be incorrect.

H

dated 21/7/73.

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Pension Department.
No. 356

The Secretary to Government
of India.

Financial Department.

Sir,

I am directed to
submit the following case for
the consideration of the Govt of India
in accordance with
the provisions of Section 75 of the
Civil Pension Code.

The present applicant
for gratuity was holding a post
in the Revenue Settlement
Department on a monthly salary
of Rs 18 and obtained leave on
forfeiture of full pay on the
28th April 1871. He never rejoined
his post and on the 1st October
1871 the pay of his locum tenens
was reduced to Rs 15-

On retiring, applicants
qualifying

qualifying service entitles
him to an invalid gratuity
not exceeding eight months
emoluments.

The term "emoluments"
as used in Chapter XII is
defined by Section 66(a) to
mean "emoluments which the
Officer was receiving at the
time of his retirement from
the service."

The Deputy Accountant
General apparently interprets
this to mean the emoluments
attached to the Officer's post
at the time of his retirement
from service and certifies
accordingly that he is entitled
to an invalid gratuity not
exceeding Rs 120.

The order reducing
the pay of the post would
not have affected the pay
of

of the applicant if he has
returned to duty and the
Government are of opinion that
it would be fairer to interpret
Section 66(a) as meaning the
emoluments which the Officer
was receiving when last in
active service prior to
retirement.

Sanction is ^{accordingly} consequently
requested for the disbursement of
a gratuity of Rs 120 to which
the applicant is entitled if
the above interpretation be
accepted.

For St. George }
12th July 1873 }

JMS

H.

No. 100

1873, *Revised Statement*

J. No. 556
No. 356

To

The Secretary to the
Government of *Canada*
Tunmen Department

Dated

12 July 1873

Respectfully submitted
for the duties assigned
by a Statute of 1868, 1871
to the Council of the
Provo, late Clerk for
Revenue Settlements
Office, Orleans.