No. 209. Read the following letter from the Officiating Accountant-General, Madras, to the Secretary to Government, Revenue Department, dated Fort St. George, 26th June 1872, No. 197 :—

I HAVE the honour to submit that Order No. 95, dated 22nd instant (restoring the pension of an Inamdar which has not been drawn for three years) requires, under Section 89 of the Civil Pension Code, the confirmation of Government of India. Chapters XVI. to XIX. of that Code seem to be of general application, and not to be confined to the cases of service pensioners.

2. If Government should see fit to refer the general question of its powers with regard to persons drawing life-pensions, granted either as compensation for resumed lands or on political grounds, it might be well to take the opportunity of reporting the custom long existing here of granting leave of absence to pensioners; under the Code the power of district officers seems limited to granting such leave for six months, and in case longer leave be required, as for pilgrimage, application to Government is necessary.

No. 210. ORDER THEREON, 27th November 1872, No. 1,625.

Miscellaneous.

THE pensioner in this case is the recipient of an annual pension of Rs. 38-4-0, payable by a deduction from the *Kistbundy Beriz*, or collections, of a certain village in Tinnevelly.

2. These grants were very numerous in Tinnevelly, where they existed before the assumption of the province by the British Government. They were regulated in 1854, when, after some discussion, those connected with religious services in pagodas were commuted into land, and those of a personal character were declared tenable for life only.

G. O. No. 972, dated 19th August 1854.

3. The present is of the latter class, and the Standing Rules provide that when a pension falls into arrear from the sickness or absence of the grantee, the Collector may pay six months' allowances and the Board from six months to two years, after which the sanction of Government is necessary.

Board's Standing Orders No. 179.

4. The delay which arose in the present case (three years) having been properly explained, the Government sanctioned the disbursement of the arrears, and the late Acting Accountant-General has objected, quoting Section 89 of the Civil Pension Code, which is as follows:—"A pension which has not been drawn for two years lapses, and can be restored only by the Government of India."

5. The Governor in Council does not doubt that the Code is inapplicable to this case. This is shown by the terms of the Notification of the Government of India in the Financial Department, which promulgated the Code, and which is published as a preface to the volume. In this Notice, the Code is declared to be 'in supersession of all existing rules and orders regarding pensionary allow-

Proceedings of the Madras Government, Revenue Department,
27th November 1872.

ances *to public servants in the Civil Department*,' and it is further announced that 'it makes no changes in the existing rules, save in the procedure for applications for pension.'

(True Extract.)
(Signed) D. F. CARMICHAEL,
Secretary to Government.

Govt. of {1872} Madras.

REVENUE.

To

THE ACCOUNTANT-GENERAL,

&c., &c., &c.

Dated November 27th.

Recd. *Encl.*

G. O., 27th November 1872, No. 1,625.

NOVEMBER.
Nos. 209-210.

Restoration of an Inam Pension undrawn for three Years.—Letter from the Accountant-General intimating that the Order of Government on this subject requires the confirmation of the Government of India, with observations thereon.

No 2146
Revenue 1872 DEPARTMENT.

ACCTT. GENL.'S OFFICE, MADRAS.

No. 197

FROM

THE ~~DEPUTY~~ ACCOUNTANT GENERAL, MADRAS.

To

The Secretary to Govt
Revenue Deptt

Dated 26th June 1872
Recd. 29 } No. of answer
Annd.

(Subject.)

States that order No 95 dated 22nd June 1872 restoring the Pension of an individual which has not been drawn for three years requires under Section 89 of the Civil Pension Code the confirmation of Government of India to Chapters XVI to XIX of that Code.

S.O. No 1625 - 27th Nov/72

27th Nov 1872.

No. 1625.

Read letter from Acct Genl.

No 197 dy 26th June 1872.

The pensioner in this case is the recipient of an annual pension of Rs 38 11 4, payable by a deduction from the Kistbundy Berij, or Collections, of a certain village, in Tinnevelly.

2. These grants were very numerous in Tinnevelly, where they existed before the assumption of the province by the British Govt. They were regulated in 1854, when, after some dis cussion, those connected with religious services in Pagodas were commuted into Cash, and those of a personal character were declared tenable for life only.

3. The present is of the latter class, and the Standing Rules provide that when a pension falls into arrear from the sickness or absence of the grantee, the Collr may pay 6 months allowances & the Board from 6 months to 2 years, after which the sanction of Govt is necessary.

4. The delay which arose in the present case having been sufficiently explained, the

G.O. No 972
dy 19th Aug/54

Bds Standing Orders
No 179

(3 years)

Govt sanctioned the disbursement
of the arrears, and the Acct
Genl has objected, quoting
Sect 89 of the Civil Pension Code, viz
it as follows: a "A pension will be
"not been drawn for two years [illegible],
"and can be restored only by the Govt
"of India".

5. The Govt inf. that the Code does not
is inapplicable
to this case. This is shown by the terms
of the Notifn of the Govt of India in
the Financial Dept which promulgated
the Code which is published as a preface
to the volume. In this Notifn, the Code
is declared to be "in supersession of all
existing rules & orders regarding pen
& temporary allowances to public servants
in the Civil Dept" and this further
announced that "it makes no change
in the existing Rules, save in the
procedure for application for pension".

D.S.T. - 18/11/72.

To the Accountant Genl Bose & Harper
14th Board of Revenue

Order to Accountant, on his objecting to payment of arrears of certain pensions, by this Govt.

No. 209-210