

22-4-99

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 1481

DATED 22nd April 99

[Despatch Abstract.]

Considering that Bd's S.O. No 131
should apply not only to payments
made direct from the Treasury, but to
being deductions made by village officers
as well.

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (189₉) Department.

CURRENT No. 784

From

The Board of Revenue, Land
Revenue, Madras.

Order

No. 366 MIs.

Dated 30th January 1899

Received 31/1

Registered 31/1

Enclosure 1

Spare copies

SUBJECT.

Concurring with the Collector
of Tinnevely in considering that
S.O. No. 131 applies only to payments
made direct from the Treasury and not
to heriz deductions made by village

officers in respect of religious in-
stitutions & submitting a copy of
this Proceedings to Govt. for confirmation.

Copy of letter from E. Scott Esq, acting Collector
of Tinnevely. Cur no. ¹²²⁰ ₉₁₃ of 1898, dated 26th December
1898, to the Secretary to the Commissioners of
Land Revenue, Madras: 1. 0. 3 13 5

I have the honour to report that I may
be informed by the Board of Standing Orders
no 131 is to be held applicable to being deduction
for religious services. It seems to me clear that
S.O. no. 131 applies only to payments made from
a Treasury and not to payments made by
way of being deductions which are dealt with
in S.O. no. 117. I find, however, that in this
District it has been the practice to consider
S.O. no. 131 as applicable to being deductions
and the Board and Government would
appear to have acquiesced in this view (vide
B.P. dated 28th February '95 Mis. no. 1040, and
G.O. thereon dated 12th March 1895 - no. 152 - Rev
Mis., B.O. - Mis. no. 687 dated 10-2-96, and
G.O. thereon no. 81 - Revenue dated 18th February
1896), though it is doubtful if the question
was considered when these orders were passed
As there are several cases pending disposal

by

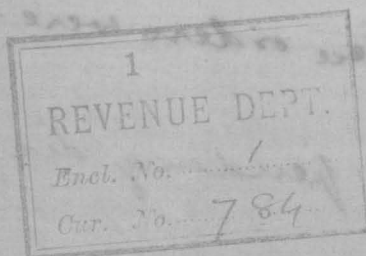
by me and as I believe the practice in this District is not followed in other districts, I make this reference.

2. If S.O. no. 131 is held not to apply in such cases I presume that arrears may be paid in full as long as the service is performed and that they may be withheld for any years in which the service was not performed.

(True copy)

For ag. Secretary.

30 JAN 1899



D 1,000-7-9-92.

REVENUE DEPARTMENT.

C No. 784 of 99.

From The Board of Revenue (Land Revenue)
Dated 30th January 1899.

FOR ORDERS.

The Collector of Timorwilly enquires whether ^{the Board's} standing order no. 131 containing the rules for regulating the procedure to be observed in the payment of arrears of pensions should be held applicable only to payments made from a treasury or also to payments made by way of being deductions. He states that it has been the practice in the district to consider the standing order as applicable to being deductions also and that the Board and Government would appear to have acquiesced in this view, though it is doubtful if the question was considered when the orders were passed.

2. The Board agreeing with the Collector considers that the standing order applies only to payments made direct from the treasury and not

G.O. 152 Rev 12.3.95 E.
G.O. 817 18.2.96 D.

being deductions made by the village officers in respect of religious institutions and submits a copy of the Proceedings for the confirmation of Government. In the orders referred to, the question does not appear to have been raised. The Accountant General having, at the instance of the Comptroller-General, drawn the attention of the Local Government to the numerous cases of petty pensions unclaimed for months and years together, the rules in the Standing order in question were framed with a view to secure greater regularity in the disbursement of pensions. It seems therefore that the standing order applies only to payments made direct from the treasury. The Board's view may, it is submitted, be accepted.

3. The Collector considers that if the standing order does not apply to payments made by way of being deductions, arrears may, in such cases, be paid in full for the period during which the service was performed and withheld for any years during in which it was not

G.O. 2441 Financial F
22-12-79

3.

rendered. The Board ~~agrees~~ concurs with the Collector under para 2 of Lo. no. 117, money allowances held by religious institutions which have been abandoned or have been in a ruined condition for upwards of twelve years may be resumed by Collectors without the previous sanction of the Board. If, therefore, the service is not performed for a period of 12 years, the allowance is resumable. But if it is regularly rendered, arrears will have to be paid in full under the ^{Board's} present ruling even though they are claimed 12 years after ^{the date on} which they became due. It may be undesirable to leave such claims outstanding for a long time. To reduce the number of such cases, it may be laid down that the special sanction of Government should be obtained for the payment, in full, of arrears which have not been claimed for more than 12 years.

Hls
10/2/99
Secy

If the being
deduction has not been claimed
for over 12 years, ~~it becomes~~

from the Treasury, an
chief regular pensions
or for resumed office
privileges etc. It is clear
therefore that if such
an allowance remains
undrawn for 12 years
then is no objection to
ordering that it shall
not be resumed, paid or
arrears be disbursed without
the sanction of the Govt.

Payments made by
deduction from the being
on the other hand are
chiefly for religious
service. Cases where such
allowances have not been

claimed for 12 years may be
of two kinds (1) the service
has have been reflected over,
it may not. If the service has
been reflected, the grant should be resumed*. If it has been
regularly continued & the
allowance has not been claimed
merely through some oversight,
there seems to be no reason

why the arrears should not be
disbursed: & if they had been disbursed

* Please see para 2 of S.O.
No 117 (to which Mr Scott refers)

~~amounting to~~ a reference
to Govt seems quite
unnecessary.

Hence it was
submitted that the Bd's
ruling in the present
case might be approved. No
doubt if a personal allowance
were paid by being deducted
the sanction of Govt to the
payment of 12 years arrears
would be desirable. But
there do not appear to
be any such cases. In
any case, the distinction
between direct payments
from the Treasury &
payments by being deduction
is convenient for the

purpose of applying what
is laid down in a general
rule intended to govern
the accounts.

How

The condition of the proposed
rule is that the service was
performed. If it was, but there
was neglect to draw the allowance

or for some reason it was not
in fact paid, there seems no
suff. reason for obtaining the special
sanction of govt. to the
disbursement. It is a
payment for work done.
The only q. is whether
a reference to govt. w. ensure
more care on the collector's
part in ascertaining whether
the ^{service} was really performed
throughout the period. I
doubt if it would, or if it
is necessary to trouble govt
in the matter

S.R. 6/4/99

I retain my opinion
that it is highly objectionable
that cash allowances ^{payable} ~~paid~~ by
being deduction should ~~be~~
~~allowed to remain unclaimed~~
~~for an indefinite period~~

The rule that no payment
will be made if the allowance
has remained unclaimed
for 6 years will tend
to prevent sleeping out
claims, with removal
and time platform to
embarrassment - ^{NP}

remain so payable
without limitation
as to the period
for which payment
has remained
unclaimed -

S.O 131(7) shd be held
applicable to all cash
allowances payable by
being deduction - ^{NP}
10-4-99

Under Secretary

Please see draft order below:-

14/4/99

Issue

Strongly

Read B-L 366 min of 30 January
1899 (no 784 of 99)

G.O. (min No 1481 of 22 April 99)
The Government ^{is unable} ~~cannot~~
to accept ^{approve} of the view held in the
proceedings read above, ^{and} ~~but~~ considers
that standing order no 131 should
apply also to being deductions
made by village officers.

(From order)

18/4/99

The Board of Revenue (A.R.)

10-4-99

13/4/99

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[Faint handwritten notes, possibly bleed-through from the reverse side]

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

189

READ AGAIN G.O., No. _____
189

DATED

CURRENT N°

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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IN ORIGINAL.

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