

Cash allowances.

Separate payment of — to recognised sub-sharers.

GOVERNMENT OF BOMBAY.

REVENUE DEPARTMENT.

Resolution No. 8405/33.

Bombay Castle, 20th December 1938.

Government memorandum, No. 8405-F/33, dated the 27th July 1938, to the Commissioners of Divisions.

Letter from the Commissioner, C. D., No. L.N.D. 1/13, dated the 16th August 1938.

Letter from the Commissioner, S. D., No. C.A.L. 124, dated the 15th August 1938.

Letter from the Commissioner, N. D., No. C.A.L. 152, dated the 13th September 1938.

RESOLUTION.—Existing orders allow separate payment of cash allowances to sub-sharers on separate applications every year provided—

(1) the applicant produced a civil court's decree passed before the issue of Government Resolution, No. 8918, dated 6th September 1907 supported by a certificate under the Pensions Act issued by the Collector, and

(2) the Collector had been making payment to the applicant on his application every year till 1907.

Government is satisfied that these orders cause hardship and inconvenience to many sub-sharers of cash allowances, and is accordingly pleased to direct that sub-shares of Rs. 10 or more in cash allowances should be recognised for the purpose of separate payment in the following cases:—

(a) where sub-sharers have once obtained a decree for payment from the civil courts;

~~3~~  
~~13~~  
~~13~~

3

127

99

8405/33  
copy  
8

See  
L.R., R.D.

8405/33

8<sup>th</sup> June 1939

GRD 8409

16-6-47

See p. 219

(b) where the existence of the sub-shares is known to Government and separate payments were allowed in the past;

(c) where a sub-sharer gets the consent of all the other sharers to his claim.

The allowances so recognised should be fixed permanently and if any reduction has taken place on an allowance being split up into sub-shares, the reduction should continue even if the sub-shares are amalgamated subsequently.

2. A fee of one anna in the rupee of the sub-share of the cash allowance to be separated, or rupee one, whichever is more, should be charged in each case before a sub-division is recognised.

3. The Commissioner, Central Division, should be requested to submit in consultation with the other Divisional Commissioners, the requisite draft amendment to the rules under the Pensions Act.

By order of the Governor of Bombay,

~~15~~

M. J. DESAI,

Deputy Secretary to Government.

G. R., No. 8405/33, R. D., dated the 20th December 1938.

To