

The Local Authorities Pensions And Gratuities Act, 1919

UNION OF INDIA

India

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Act 1 of 1919

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An Act to extend the powers of local authorities in regard to the granting of pensions and gratuities. WHEREAS it is expedient to extend the powers of local authorities in regard to the granting of pensions and gratuities; It is hereby enacted as follows:--

1. Short title and extent.-

(1) This Act may be called the Local Authorities Pensions and Gratuities Act, 1919. (2) It extends to the whole of India except the territories which, immediately before the 1st November, 1956, were comprised in Part B States.]

2. Definition.-

In this Act, "officer" means any person who has undertaken service under the Government] and who immediately prior to undertaking such service, was paid and employed solely by a local authority and, but for undertaking such service, would in the ordinary course have continued in such employment; and, the "appropriate Government" means, in relation to cantonment authorities and port authorities in major ports, the Central Government, and in relation to other authorities, the State Government].

3. Power to grant extraordinary pensions and gratuities.-

Notwithstanding anything contained in any enactment or in any rule made thereunder regulating the powers of local authorities, and without prejudice to any powers conferred by or under any such enactment, a local authority may grant a pension or gratuity to any officer thereof who may, since the 4th day of August, 1914, have been wounded or otherwise incapacitated in³ service under the Government], and to the widow or child of any such officer who may have died in consequence of

injuries received or illness contracted since the 4th day of August, 1914 , in the course of such service.

4. Provisions as to pensions and gratuities.-

(1)Such pension or gratuity may be granted in addition to any pension or gratuity payable to the officer or his wife or child, as the case may be, under any general or special orders of His Majesty in Council] or of the Central Government or any State Government], but shall not, save with the sanction of the appropriate Government], exceed the amount of the pension or gratuity to which the officer or his wife or child would have been entitled under any such orders if his employment by the local authority had been service for the same time and on the same pay under the Government].(2)Any pension granted under this Act may be made to take effect from such date subsequent to the 4th day of August, 1914 , and subject to such conditions as the local authority may think fit.

5. Procedure.-

Subject to the provisions of this Act, the decision of a local authority to grant a pension or gratuity thereunder shall be made in such manner and shall be subject to such sanction as may be prescribed by any enactment or rule regulating the grant by such local authority of pensions and gratuities:Provided that in every case the sanction of the appropriate Government] shall be necessary.