

**LOCAL AUTHORITIES PENSIONS AND GRATUITIES ACT,
1919**

1 of 1919

[26th February, 1919]

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STATEMENT OF OBJECTS AND REASONS "Provisions already exist in some of the enactments relating to local authorities for the grant of pensions and gratuities to employees who may be wounded and to the families of the employees who may be killed in execution of their duty. But it is not open to a local authority to grant a pension or a gratuity to an employee or to his family when he has been incapacitated or has lost his life in the service of the State. It is proposed to permit any local authority, which so desires, to grant a pension or a gratuity in such a case; and in order specially to provide for cases where those who had been in the employ of local authorities proceeded on active service during the Great War, it is proposed that the measure should be applicable in cases of injury, disease or death which have occurred since the 4th August, 1914. The Act will be an enabling Act, the provisions of which can be made applicable by such local authorities as care to avail themselves of it to any case covered by the terms of the Act, the sanction of the Local Government being required in each case."- Gazette of India, 1919, Part V, page 18.

1. Short title and extent :-

(1) This Act may be called The Local Authorities Pensions and Gratuities Act, 1919

¹[(2) It extends to the whole of India except ² [the territories which immediately before the 1st November, 1956, were comprised in Part B States].]

1. Substituted for sub-section (2) by A.L.O., 1950.

2. Substituted for the words "Part B States" by A.L.O. (No. 3), 1956.

2. Definition :-

In this Act, "officer" means any person who has undertaken ¹[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; ² [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].

1. The words "the service of Government" were successively amended by A.O., 1937 and A.L.O., 1950.

2. Inserted by A.O., 1937.

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 in ¹ [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.

1. The words "the service of Government" were successively amended by A.O., 1937 and A.L.O., 1950.

4. Provision 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 ¹[His Majesty

in Council] or of ²[the Central Government or any State Government], but shall not, save with the sanction of the ³[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 ⁴ [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.

1. These words shall stand unmodified, see A.L.O., 1950.
2. Substituted for "Governor-General in Council" by A.O., 1937
3. Substituted for "Local Government", by A.O., 1937.
4. The words "under the Government" were successively amended by A.O., 1937 and A.L.O., 1950.

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 ¹ [appropriate Government] shall be necessary.

1. Substituted for "Local Government" by A.O., 1937.