



LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 2189, 7th November 1952

Rules—Madras District Municipalities and Madras District Boards Acts, 1920—
Establishments—Arrear claims—Amendments—Confirmed.

READ—the following papers :—

- G.O. No. 1823, Education, dated 3rd July 1951.
- G.O. No. 1855, L.A., dated 28th September 1951.
- G.O. No. 1883, L.A., dated 3rd October 1951.
- G.O. No. 1932, L.A., dated 15th October 1951.
- G.O. No. 2, L.A., dated 2nd January 1952.
- From the President, District Board, Coimbatore, dated 11th February 1952,
Roc. No. 1321/A-1/52
- From the President, District Board, Tirunelveli, dated 31st March 1952,
L. Dis. No. 4285/52.
- From the President, District Board, Guntur, dated 6th May 1952,
L. Dis. No. A-1-4630/52.
- From the Special Officer, Bapatla Municipality, dated 5th December 1951,
L. Dis. No. 4470-C-1/51.
- From the Commissioner, Karur Municipality, dated 6th December 1951,
Re. No. 6004-B-2/51.
- From the Examiner of Local Fund Accounts, dated 5th February 1952,
L.F. No. 11406.
- From the Inspector of Municipal Councils and Local Boards, L. D's No. 18271/52,
dated 28th April 1952 and L. Dis. No. 5823/52, dated 7th March 1952.

Order—No. 2189, L.A., dated 7th November 1952.

In G.Os. No. 1823, Education, dated 3rd July 1951, No. 1855, L.A., dated 28th September 1951, No. 1883, L.A., dated 3rd October 1951, No. 1932, L.A., dated 15th October 1951 and No. 2, L.A., dated 2nd January 1952, the Government published for general information draft amendments to the rules relating to the payment of claims for arrears of pay, allowances and increments of pay of officers and servants of

Municipal Councils
District Boards

2. The amendment proposed in G.O. No. 2, L.A., dated 2nd January 1952, is that the power conferred by rule 1 of these rules should not be delegated by ^{Municipal Councils.}
^{District Boards}
The President, District Board, Coimbatore, represents that the amendment proposed is not desirable, and that it may be dropped on the ground that it is derogatory to the dignity of the Board, and on certain other grounds. The Government have carefully examined the objections raised by the President, District Board, and have decided that they cannot accept his suggestion. The draft amendment is confirmed.

3. The amendment proposed in G.O. No. 1883, L.A., dated 3rd October 1951, is that consultation with the Examiner of Local Fund Accounts shall not be necessary in respect of arrear claims involving a sum not exceeding Rs. 25 in each case. The Special Officer, Bapatla Municipality and the Commissioner, Karur Municipality, suggest that consultation with the Examiner of Local Fund Accounts may be dispensed with in respect of arrear claims up to Rs. 50. The suggestion is not acceptable to Government. The draft amendment is confirmed.

4. No suggestion has been received in respect of the draft amendments proposed in G.O. No. 1823, Education, dated 3rd February 1951, G.O. No. 1932, L.A., dated 15th

October 1951 and G.O. No. 1835, L.A., dated 28th September 1951. The amendments proposed in these Government Orders are thrown together and the amendments as revised are hereby confirmed.

5. The appended notifications will be published in the *Fort St. George Gazette*.

6. The rules as amended are attached to this order for clarity of reference.

(By order of the Governor)

J. SIVANANDAM,
Secretary to Government.

To all Presidents of District Boards,
" all Executive Authorities of Municipal Councils (through the Chairmen of Municipal Councils concerned).
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Director of Public Health.
" the Director of Public Instruction.
" the Director of Medical Services.
" the Chief Electrical Inspector to Government.
" the Chief Engineer, P.W.D. (General), with a copy to Sanitary Engineer.
" the Director of Town-Planning.
" the Honorary Director of Indigenous Medicine.
" the Chief Engineer (Highways).
" the Education Department.
" the Health Department.
" the Rural Welfare Department.
" the Superintendent, Government Press, for publication in the *Fort Saint George Gazette*.

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by sections 71 and 199 (1) and (2) (a) of the Madras District Board Act, 1920 (Madras Act XIV of 1920), the Governor of Madras hereby makes the following amendments to the rules relating to the payment of claims for arrears of pay, allowances and increments of pay of officers and servants of district boards, published with the Local Administration Department Notification No. 1077, dated the 16th October 1941, at page 784 of Part I-A of the *Fort St. George Gazette*, dated the 4th November 1941, as subsequently amended.

AMENDMENTS.

In the said rules—

(a) in rule 1—

(i) in clause (i), for the words "not exceeding one year", the words "not exceeding two years" shall be substituted;

(ii) for clause (ii), the following shall be substituted namely:—

"(ii) with the sanction of the district board and the Director of Public Instruction or the Inspector of Municipal Councils and Local Boards in the case of claims relating to a period exceeding two years according as they are made by teachers or any other employee of the municipal council";

(b) to rule 2, the following proviso shall be added, namely:—

"Provided that consultation with the Examiner of Local Fund Accounts shall not be necessary in respect of arrear claims involving a sum not exceeding Rs. 25 in each case"; and

(c) after rule 2, the following shall be added as rule 3, namely:—

"3. The power conferred on the district board in rule 1 shall not be delegated by the district board."

II

In exercise of the powers conferred by sections 74 and 303 (1) and 2 (a) of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Governor of Madras hereby makes the following amendments to the rules relating to the payment of claims for arrears of pay, allowances and increments of pay of officers and servants of municipal councils, published with the Local Administration Department Notification No. 1076, dated the 16th October 1941, at page 784 of Part I-A of the *Fort St. George Gazette*, dated the 4th November 1941, as subsequently amended.

AMENDMENTS.

In the said rules—

(a) in rule 1—

(i) in clause (i), for the words "not exceeding one year", the words "not exceeding two years" shall be substituted";

(ii) for clause (ii), the following shall be substituted, namely:—

"(ii) with the sanction of the municipal council and the Director of Public Instruction or the Inspector of Municipal Councils and Local Boards in the case of claims relating to a period exceeding two years according as they are made by teachers or any other employee of the municipal council";

(b) to rule 2, the following proviso shall be added, namely:—

"Provided that consultation with the Examiner of Local Fund Accounts shall not be necessary in respect of arrear claims involving a sum not exceeding Rs. 25 in each case"; and

(c) after rule 2, the following shall be added as rule 3, namely:—

"3. The power conferred on the municipal council in rule 1 shall not be delegated by the municipal council."

RULES AS AMENDED.

1. Any claim of an officer or servant of a municipal council for arrears of pay, allowances or increments of pay which has been allowed to remain in abeyance shall, before payment, be investigated by the executive authority of the municipal council—
president of the local board

(i) with the sanction of the municipal council in the case of claims relating to a period exceeding six months but not exceeding two years; and
local board

(ii) with the sanction of municipal council and the Director of Public Instruction or the Inspector of Municipal Councils and Local Boards in the case of claims relating to a period exceeding two years according as they are made by teachers or any other employee of the municipal council.
district board

NOTE.—No claim for travelling allowance will be entertained if it is made after three months from the date of completion of the journey to which it relates. Countersigning officers should refuse to countersign bills presented after three months from the date of completion of the journey for which the travelling allowance is claimed.

2. The payment of an arrear claim ordered under rule 1 shall not exceed the amount found to be actually due under the claim in respect of a period of one year immediately preceding the date of detection of the under-payment. If, in any particular case, it is considered that for special reasons a larger concession should be granted, the executive authority shall consult the Examiner of Local Fund Accounts in the first instance and then obtain, if the Examiner of Local Fund Accounts so advises the sanction of the Director of Public Instruction or the Inspector of Municipal Councils and Local Boards as the case may be, for payments of arrears for a period exceeding one year:

Provided that consultation with the Examiner of Local Fund Accounts shall not be necessary in respect of arrear claims involving a sum not exceeding Rs. 25 in each case.

NOTE.—For the purpose of this rule, the date of detection of an under-payment will be the date on which the under-payment is detected by or brought to the notice of the executive authority of the municipal council or, if it is first detected in audit, the date of detection by the Audit department. An arrear claim resulting from an order issued with retrospective effect does not arise until the order is issued and shall not, therefore, be treated as a claim allowed to remain in abeyance during the period prior to the date of the order. An order passed with retrospective effect shall, for the purposes of this note, be deemed to be one, which, in the circumstances of the case, could not have been passed earlier or which was deliberately held over pending consideration.

3. The power conferred on the municipal council in rule 1 shall not be delegated by the municipal council.
district board

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 813, 24th March 1941

Engineers—Municipal—Provident fund contribution during leave—Payment ordered—
Regulations amended—'Central Fund' constituted.

Order—No. 813, L.A., dated 24th March 1941.

Under regulation 16 of the regulations governing the Madras Municipal Engineering Service a leave salary fund has been constituted to which the municipal councils concerned are required to contribute 12½ per cent of the pay of the engineer (or 11 per cent in respect of engineers governed by the Madras Leave Rules, 1933). The Government have decided that in order to provide for the payment of contribution to the engineer's provident fund during leave, the municipal council or local board concerned should make an additional contribution calculated at 8½ per cent of the contribution towards leave salary. The fund will be known in future as the Central Fund for the payment of the leave salary and contribution to provident fund during leave of the members of the Madras Municipal Engineering Service. The regulations governing the two services Madras Local Authorities Electrical Engineers Service. will be amended as shown in Appendix I to this order. The notifications in Appendix I will be published in the Fort St. George Gazette.

2. The additional contribution referred to in paragraph 1 is recoverable with effect from 25th February 1936 (the date of constitution of the service) or, if the engineer comes under the regulations from a subsequent date, from that date. The Sanitary Engineer is requested to determine and intimate to the Chief Electrical Inspector municipal council concerned the sum payable by it towards the arrears of contribution to provident fund during leave of the municipal engineer due for the period commencing from the date on which the municipal engineer was appointed to the service, after taking into account the contribution to provident fund during leave, if any, previously paid on behalf of the officer in respect of leave earned and taken by him after coming under the regulations. The municipal councils concerned are requested to pay the amount to the credit of the personal ledger account opened in the name of the Sanitary Engineer Chief Electrical Inspector to Government in the Reserve Bank of India, Madras, within a month from the date of receipt of such intimation.

3. The municipal council which pays the leave salary to the municipal engineer for the leave earned by him prior to 25th February 1936 or the date of his admission to the service as the case may be should pay the provident fund contribution for such leave.

4. The instructions relating to the administration of the leave salary funds of the Municipal Engineering and the Madras Local Authorities Electrical Engineers Services have been revised with reference to paragraphs 1 to 3 above and with reference to the latest regulations regarding remittances. The instructions relating to the latter service have

also been revised with reference to the orders in paragraph 1 (3) (iii) of G.O. No. 4351, L.A., dated the 24th December 1940 and in G.O. No. 72, L.A., dated the 10th January 1941. The instructions as revised are contained in Appendix II to this order.

(By order of His Excellency the Governor)

A. F. W. DIXON,
Secretary to Government.

To the Chief Engineer (Electricity).
 „ the Chief Engineer (Buildings and Roads).
 „ the Chief Electrical Inspector to Government.
 „ the Sanitary Engineer [through the Chief Engineer (Buildings and Roads)].
 „ the Executive Authorities of the Municipal Councils (through the Chairmen of Municipal Councils) concerned.
 „ the President, Panchayat Board, Alandur }
 „ the President, Panchayat Board, Tiruvottiyur } (through the President, District Board, Chingleput).
 „ the Special Officer, Tiruvallur Panchayat }
 „ the Special Officer, Sembiam Panchayat }
 „ the President, Panchayat Board, Kollegal (through the President, District Board, Coimbatore).
 „ all Collectors, except the Collector of Madras.
 „ the Inspector of Municipal Councils and Local Boards.
 „ the Examiner of Local Fund Accounts.
 „ the Public Works Department.
 „ the Accountant-General (through Finance Department).
 „ the Finance Department.
 „ the Secretary, Reserve Bank of India, Central Office, Bombay (through the Finance Department).
 „ the President, District Board, Chingleput.
 „ the President, District Board, Coimbatore.
 „ the Superintendent, Government Press, for publication of notifications in the Fort St. George Gazette.

APPENDIX I. NOTIFICATIONS.

I

In exercise of the powers conferred by clause (d) of section 76-A of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following amendment to the regulations regarding the methods of recruitment, conditions of service, pay and allowances and discipline and conduct of municipal engineers published with the late Local Self-Government Department Notification No. 270, dated the 22nd February 1936, at pages 120-123 of Part I-A of the Fort St. George Gazette, dated 3rd March 1936, as subsequently amended:—

AMENDMENT.

For clause (3) of regulation 16 of the said regulations, the following clause shall be substituted, namely:—

“(3) (a) There shall be a Central Fund to provide for the payment of leave salary and contribution to provident fund during leave of the members of the Service. The fund shall be administered by the Sanitary Engineer.

(b) Every municipality to which a member of the Service is posted shall pay to the Central Fund every month—

- (i) a contribution towards his leave salary at the rate of 12½ per cent of his pay if he is governed by the Fundamental Rules or at 11 per cent of his pay, if he is governed by the Madras Leave Rules, 1933; and
- (ii) a contribution calculated at 8½ per cent of the contribution towards the leave salary in order to provide for the payment of contribution to his provident fund during leave.”

APPENDIX II.

Instructions relating to the administration of the Central Fund for the payment of leave salary and contribution to provident fund during leave of members of the Madras Municipal Engineering Service.

1. The Central Fund referred to in regulation 16 (3) (a) of the regulations governing the Madras Municipal Engineering Service should, with effect from the dates on which municipal engineers are appointed under the said regulations, be credited with the contributions for leave salary and contribution to provident fund during leave recovered from local bodies under regulation 16 (3) (b) and be debited with their leave salary and contribution to provident fund during leave and be lodged in the Reserve Bank of India at Madras.

II

In exercise of the powers conferred by clause (d) of section 76-A of the Madras District Municipalities Act, 1920 (Madras Act V of 1920) and by sub-section (3) of section 69-C of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), His Excellency the Governor of Madras is hereby pleased to make the following amendment to the regulations regarding the methods of recruitment, conditions of service, pay and allowances and discipline and conduct of Municipal Electrical Engineers and Electrical Engineers of local boards published with Local Administration Department Notification No. 43, dated 24th December 1940, at pages 42-46 of Part I-A of the Fort St. George Gazette, dated the 14th January 1941, as subsequently amended:—

AMENDMENT.

For clause (3) of regulation 20 of the said regulations, the following clause shall be substituted, namely:—

“(3) (a) There shall be a Central Fund to provide for the payment of leave salary and contribution to provident fund during leave of the members of the Service. The fund shall be administered by the Chief Electrical Inspector to Government.

(b) Every municipal council or local board to whose service a member of the Service is posted shall pay to the Central Fund every month—

- (i) a contribution towards his leave salary at the rate of 12½ per cent of his pay if he is governed by the Fundamental Rules or at 11 per cent of his pay if he is governed by the Madras Leave Rules, 1933; and
- (ii) a contribution calculated at 8½ per cent of the contribution towards the leave salary in order to provide for the payment of contribution to his provident fund during leave.”

2. The municipal council or local board concerned should pay regularly every month in respect of the member of the service working under it the following contributions to the credit of the personal ledger account opened in the name of the Sanitary Engineer in the Reserve Bank of India at Madras,—

(a) contribution towards leave salary at 12½ per cent of the pay drawn by the municipal engineer from time to time, provided that only 11 per cent of the pay drawn shall be payable from the 1st January 1940 in respect of persons governed by the Madras Leave Rules, 1933, and

(b) contribution calculated at 8½ per cent of the contribution towards leave salary in order to provide for the payment of contribution to his provident fund during leave.

The contributions shall be paid by means of (i) a bank draft obtained from the nearest treasury or (ii) a crossed cheque or demand draft made payable to the Sanitary Engineer and drawn on a Madras Bank which is a member of the clearing house in Madras City or a branch of such a bank situated in Madras City or any other bank situated in Georgetown (Madras) or a bank in any other place in India where there is a branch or Pay office of the Imperial Bank of India. If the amount of the remittance is less than Rs. 25 and where any of the means indicated above are not available payments to the Central Fund shall be made by postal money order. The bank draft, cheque, demand draft or money order should be forwarded to the Sanitary Engineer by the executive authority of the municipal council or president of the municipal council concerned. For the issue of bank drafts for the above purposes, a premium as indicated below will be charged and credited to the Reserve Bank of India:—

Up to Rs. 5,000 :— 1/16 per cent. (Minimum T.T.S. Re. 1.
Drafts — 4 annas.)

Over Rs. 5,000 :— 1/32 per cent. (Minimum—Rs. 3-2-0.)

The premium or money order commission, as the case may be, should be met from the funds of the municipal council or local board concerned. The contribution in respect of transit periods is payable by the municipal council or local board which bears the transit pay of the engineer under regulation 14. No contribution to the Central Fund will be payable on behalf of a member of a service for periods during which he is on leave.

The contribution for leave salary and the contribution to provident fund during leave should be paid within fifteen days from the end of the month in which the pay on which it is based has been drawn by the member of the service. If the contribution is not paid within the prescribed period the municipal council or local board concerned should pay to the credit of the fund interest on the unpaid contribution at the rate of 4 pias a day per Rs. 100 upon the amount due from the date of expiry of the said period to the date on which the contribution is finally paid.

3. The Sanitary Engineer will determine and intimate to the municipal council or local board concerned the sum payable by it towards the arrears of contribution to provident fund during leave of the municipal engineer for the period commencing from the date on which the municipal engineer was appointed to the electrical engineer service at the rate mentioned in instruction 2, after taking into account the contribution to provident fund during leave, if any, previously paid on behalf of the officer from the funds of the municipal council or local board in respect of leave earned and taken by him after coming under the said regulations. The executive authority of the municipal council or president of the local board who receives an intimation to that effect shall within a month from the receipt of the intimation pay to the credit of the Central Fund in the manner indicated in instruction 2 the sum demanded by the Sanitary Engineer from the funds of the municipal council or local board, as the case may be.

4. The Sanitary Engineer should maintain a broadsheet in the form in Annexure I for each municipal council or local board; and the contribution realized as provided in instruction 2 above should be posted in it. A cash book showing the contributions received and the leave salary and contributions to provident fund during leave paid should be maintained. Every debit in the cash book should be supported by a voucher duly passed by the Sanitary Engineer. The total debits and credits according to the cash book should be reconciled monthly with the bank pass book and with the extracts from the personal deposit account received from the Accountant-General. The cash book should then be closed for each month and signed by the Sanitary Engineer.

5. The leave salary for the leave earned from the date on which a municipal engineer is appointed to the service will be debitable to the Central Fund, the leave salary for the leave earned prior to this date being borne by the municipal council or local board in whose service the leave was earned. The debit to the Central Fund will commence only after all the leave earned by service in municipal councils and local boards prior to the

date on which the municipal engineer is appointed to the service is exhausted. When a member of the service applies for leave, the Sanitary Engineer who maintains the service book and the leave account of the officer will send intimation to the municipal council concerned of the period for which and the rate at which leave salary should be paid, if the leave applied for was earned by service prior to coming under the said regulations. In such cases, the payment should be made by the municipal council or local board to the officer direct and the fact of having done so, should be intimated to the Sanitary Engineer. In such cases the contribution due under the Provident Fund Rules in respect of the period of leave shall also be paid by the municipal council responsible for the payment of leave salary to the municipal council or district board which maintains the Provident Fund Account of the officer. These payments will be audited along with other expenditure of the municipal council or local board concerned.

6. If the leave salary is debitable to the Central Fund the Sanitary Engineer will intimate the rate of leave salary to the officer proceeding on leave. The officer will, on the expiry of each month, prepare his leave salary bill on the basis of the rate intimated to him and forward it along with life certificate to the Sanitary Engineer. The Sanitary Engineer will pass the entire claim if it is in order or pass it for such sum as he may find to be properly due to the officer. He will then obtain a bank draft from the Reserve Bank and send it to the officer on leave for payment at the nearest treasury. If the amount to be remitted is less than Rs. 25 and a bank draft cannot be obtained for the purpose, it shall be sent by postal money order. In every case in which the Sanitary Engineer passes a bill for a sum different from that claimed by the officer, he will send along with the Bank draft or money order as the case may be, a memorandum indicating the reasons for the disallowance. For the issue of bank drafts for the above purposes, a premium as indicated in instruction 2 will be charged by the Reserve Bank. If an officer wishes to draw his leave salary at a station other than the one from which he proceeds on leave, or in cases of drawal of leave salary after rejoining duty, at a station other than the one in which he rejoins duty, the premium charged for the draft or the money order commission incurred on the remittance of the leave salary should be deducted from the leave salary. In other cases the premium or money order commission charged for the remittance will be debited to the Central Fund.

7. The municipal engineer should report to the Sanitary Engineer through the executive authority of the municipal council or president of the local board concerned the dates and hours (forenoon or afternoon) of making over or taking over charge when they proceed on or return from leave. When an engineer goes on leave, he will be paid by the executive authority of the municipal council or president of the local board his pay and allowances up to and inclusive of the day preceding the date of commencement of leave. The executive authority should in every case prepare a last pay certificate on behalf of the officer indicating the period up to which and the rate at which payment was made to the officer from the funds of the municipal council or local board and give one copy of the certificate to the officer and send another to the Sanitary Engineer. The certificate should be attached by the officer proceeding on leave to the first month's leave salary bill. Similarly on the expiry of the leave a last pay certificate showing the date up to which and the rate at which leave salary has been paid to the officer will be sent by the Sanitary Engineer to the officer concerned and the executive authority of the municipal council or president of the local board under which the officer will join duty on the expiry of the leave. The copy of the last pay certificate sent to the officer should be attached by him to the first month's pay bill paid from the funds of the municipal council or local board. The last pay certificate should be in the form in Annexure II to these instructions.

8. The Sanitary Engineer will maintain a register of sanctions to leave and payments of leave salary and contributions to provident fund during leave made in the form in Annexure III to these instructions. All payments of leave salary made will be recorded in this register in the column relating to the month to which the payment relates, indicating clearly the number of the voucher or vouchers concerned and the amount.

9. The contribution towards provident fund due for periods of leave will also be determined annually at the close of each financial year and entered in the above register and will be paid after making a note therefor in the said register not later than the 10th April following by the Sanitary Engineer from the Central Fund to the credit of the Provident Fund Account of the municipal council or local board which keeps the accounts of the subscriber and the provident fund accumulations of the officer. The premium or money order commission, as the case may be, charged for the remittance of the contribution will be debited to the Central Fund.

10. The following records and registers will be maintained in the office of the Sanitary Engineer and be made available for audit by the staff of the office of the Examiner of Local Fund Accounts, annually :—

(1) Broadsheet of contribution.

NOTE.—In order to watch the recoveries due in respect of each officer, a separate set of pages in the broadsheet may be utilized, and for this purpose column (2) may be altered into "Name of officer" and column (3) into "Name of local authority."

(2) Cash book (in Common Form No. 119).

(3) File of sanctions to leave.

(4) File of intimations of leave salary.

(5) Register of bank drafts, etc., received.

(6) Monthly extracts from the personal deposit account received from the Accountant-General.

(7) Statement of accounts received from the Reserve Bank of India.

(8) Paid vouchers with necessary enclosures, such as last pay certificate and statements of average pay, etc.

(9) Copies of last pay certificates issued.

(10) Cheque books.

(11) Service registers and leave accounts.

(12) Register of sanctions to leave and leave salary paid, etc.

Cheque books for operating on the personal deposit account should be obtained from the Accountant-General and the pass-book should be obtained from the Reserve Bank of India.

NOTE.—The Sanitary Engineer will send the service registers once a year to the executive authorities of the municipal council or president of the local board concerned for them to record therein the certificate of verification of the municipal council or president of the local board required under rule 12 of the rule in Annexure II, Part III of the Fundamental Rules with reference to the pay bills (and leave salary bills when leave salary is paid directly by them under instruction 5 above) and also to obtain the signatures of the municipal engineers concerned in the column provided for the purpose in the service books.

ANNEXURE I.

Broadsheet of contributions towards leave salary and contributions to provident fund during leave for the year 19 —19 .

(1) Serial number.	(2) Name of municipal council or local board from which contribution is due.	(3) Name of the officer.	Contribution due.		(4) Balance due from last year.	(5) Pay drawn.	Contribution recovered.													(21) Total due to the end of the year.	(22) Balance due at end of the year.
			Monthly rate.																		
								Rs. A.		Rs. A.		Rs. A.		Rs. A.		Rs. A.		Rs. A.		Rs. A.	

NOTE.— Each page to contain entries in respect of not more than two local bodies. See also note under item 1 in paragraph 10 of the instructions.

ANNEXURE II.

Last pay certificate.

Last pay certificate of Sri
of the
proceeding on
to

2. He has been paid up to
at the following rates:—

Particulars.	Rate.	
	Rs.	A.
Substantive pay inclusive of special pay	..	..
Additional pay for officiating	..	..
Exchange compensation allowance	..	..

Deductions.

3. He made over charge of the office of noon of
on the
4. Recoveries are to be made from the pay of the officer as detailed below.
5. He has been paid leave salary as detailed below. Deductions have been made as noted below.

Period.	to	Rate.		Amount.
		at Rs.	A.	
From	to	at Rs.	A.	a month,
From	to	at Rs.	A.	a month,
From	to	at Rs.	A.	a month,
Signature				
Designation				
Dated at 194				

Details of recoveries.

Nature of recovery
Amount Rs.
To be recovered in instalments.

Deductions made from leave salary.		Rs.	A.
From	to on account of	Rs.	A.
From	to on account of	Rs.	A.
From	to on account of	Rs.	A.

ANNEXURE III.

Register of sanctions to leave and payments of leave salary, etc., made.

Name of officer.

Orders sanctioning the leave.		Period and nature of leave sanctioned.	Monthly rate of leave salary.	Year.	Leave salary paid for											
Number.	Date.				April.		May.		June.		July.		August.		September.	
					Voucher number.	Amount.	Voucher number.	Amount.	Voucher number.	Amount.	Voucher number.	Amount.	Voucher number.	Amount.	Voucher number.	Amount.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
			RS. A.			RS. A.		RS. A.		RS. A.		RS. A.		RS. A.		RS. A.

Leave salary paid for—cont.												Contribution to provident fund.			
October.		November.		December.		January.		February.		March.		Total amount of leave salary paid in a year.	Contribution to provident fund due for a year.	Amount paid.	
Voucher number.	Amount.	Voucher number.	Amount.	Voucher number.	Amount.	Voucher number.	Amount.	Voucher number.	Amount.	Voucher number.	Amount.			Voucher number.	Amount.
(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)	(31)	(32)	(33)
	RS. A.		RS. A.		RS. A.		RS. A.		RS. A.		RS. A.	RS. A.	RS. A.		RS. A.

Amount paid.	
Voucher number.	Amount.
(32)	(33)
	RS. A.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 3136, 16th August 1938

Establishment—Local boards and municipal councils—Personal conduct of officers and servants—Revised set of model regulations—Commended for adoption.

READ—the following papers :—

G.O. No. 4877, L. & M., dated 17th December 1931.

G.O. No. 1458, L. & M., dated 25th April 1932.

G.O. No. 978, L.S.G., dated 10th March 1937.

Order—No. 3136, L.A., dated 16th August 1938.

A revised set of model regulations relating to the personal conduct of officers and servants of local boards and municipal councils, in modification of the regulations contained in the Government Orders read above, is appended to this order. District boards and municipal councils are requested to adopt them at a very early date under clause (h) of sub-section (1) of section 71 of the Madras Local Boards Act, 1920, and clause (f) of section 74 of the Madras District Municipalities Act, 1920, respectively.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Presidents of District Boards, with copies to Presidents of Panchayat Boards (pre-unions) and the Valparai Panchayat Board.
 „ Executive Authorities of all Municipal Councils (through the Chairmen of Municipal Councils concerned).
 „ Inspector of Municipal Councils and Local Boards.
 „ Examiner of Local Fund Accounts.
 „ Surgeon-General.
 „ Director of Public Instruction.
 „ Director of Public Health.
 „ Sanitary Engineer.
 „ Education and Public Health Department.
 „ Public (Political) Department.

APPENDICES.

I

MODEL REGULATIONS RELATING TO THE PERSONAL CONDUCT OF OFFICERS AND SERVANTS OF LOCAL BOARDS.

1. *Gifts, gratuities and rewards.*—Save as otherwise provided in these regulations an officer or servant of a local board shall not, except with the previous sanction of the president of the local board (hereinafter referred to as the president) accept directly or indirectly on his own behalf or on behalf of any other person, or permit any member of his family so to accept any gift, gratuity or reward or any offer of a gift, gratuity or reward from any person.

2. *Subscriptions.*—An officer or servant of a local board shall not take any part in the collection of subscriptions for any public or local purpose.

3. *Purchase of resignation.*—Officers or servants of a local board shall not enter into any pecuniary arrangement for the resignation by one of them of any office under the local board for the benefit of others. Should this regulation be infringed, any appointment consequent upon such resignation will be cancelled and such parties to the arrangement as are still in the service will be suspended pending the orders of the local board.

4. *Control over immovable property held or acquired by officers and servants of local boards.*—Every officer or servant of a local board or candidate for service under local boards shall make to the president a declaration of all immovable property which may from time to time be held or acquired by him or by his wife or by any member of his family living with or in any way dependent on him. Such declaration shall state the district within which the property is situated and shall give such further information as the local board may by general or special order require.

Note.—(i) The declaration must include all immovable property held or acquired wherever situated in India. It should as far as possible give all the details specified in the form in Appendix A.

(ii) Every officer or servant of a local board shall submit to the president not later than the 15th January in each year a statement in the form given in Appendix A showing all the immovable property of which he stood possessed, or in which he had an interest, at the close of the preceding calendar year. In columns (6) and (21) of the form particulars shall be entered of any immovable property relinquished or otherwise disposed of.

(iii) If in any year an officer or servant of a local board has neither acquired nor relinquished or otherwise disposed of any immovable property or any interest in immovable property, he may instead of a return in the form given in Appendix A submit a certificate in the form below:—
“I, A.B., do solemnly declare that since the submission by me of the return/certificate on that of any other person or relinquished or otherwise disposed of any immovable property or any beneficial or other interest in immovable property.
Place
Date

Signature A.B.,
Official designation.

(iv) The annual return shall include all immovable property acquired or registered in the name of the officer or servant of the local board either on his own account or as a trustee, executor or his wife or by any other member of his family living with or in any way dependent on him. In the case of an officer or servant of a local board who follows the Marumakkattayam or Aliyasantana law, the statement shall include acquisitions of immovable property by his consort.

(v) The president shall maintain a register in the form given in Appendix B showing the particulars furnished under Note (ii) above.

(vi) A candidate for appointment in superior service under a local board shall submit with his application a statement in the form given in Appendix A.

(vii) Any attempt to mislead and any failure to give full and correct information will render the officer or servant concerned liable to dismissal from service.

5. *Promotion and management of companies.*—An officer or servant of a local board, whether on leave or in active service, shall not take part in the promotion, registration or management of any bank or company.

This regulation does not apply to the management by an officer or servant of a local board of any association established and conducted in good faith for the purpose of mutual supply and not for profit when such management does not interfere with his duties or subject to the same condition, to any officer or servant, who, under the general or special sanction of the local board, takes part in the management of a co-operative society registered or deemed to be registered under the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932).

Note.—(i) Officers and servants of local boards of every class may hold office in any co-operative society composed wholly of local board officers or servants or partly of such officers and servants and partly of servants of the Crown or serve on any committee appointed for the management of its affairs.

(ii) Subject to the sanction of the president and a certificate to the effect that the work undertaken will be performed without detriment to his official duties an officer or servant of a local board who is a member of a co-operative society composed wholly of local board officers and servants or partly of such officers and servants and partly of servants of the Crown may accept remuneration for keeping the accounts of the society.

6. *Private trade or employment.*—An officer or servant of a local board shall not engage in any trade or undertake any employment other than his public duties.

An officer or servant of a local board may undertake occasional work of a literary or artistic character provided that his official duties do not suffer thereby. But the local board may at any time forbid him to undertake or require him to abandon any employment which in its opinion is undesirable.

7. *Pecuniary transactions with contractors.*—All officers and servants of local boards are prohibited from having any pecuniary transactions with local board contractors or any other person in any way connected with any department under the local boards.

8. *Insolvency and habitual indebtedness.*—(1) When an officer or servant of a local board is adjudged or declared an insolvent or when any portion of the salary of such officer or servant is constantly being attached, has been continuously under attachment for a period of two years or is attached for a sum which, in ordinary circumstances, cannot be repaid within a period of two years he will be liable to dismissal from the service of the local board unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits.

(2) When such officer or servant is not liable to dismissal otherwise than by or with the sanction of the local board the matter must, if he is declared insolvent and may, if any portion of the salary is attached, be reported to the local board, pending the receipt of whose orders he shall be suspended from the service.

(3) When any portion of the salary of an officer or servant of a local board is attached, the report shall show what the proportion of the debts to the salary is and how far they detract from the debtor's efficiency as an officer or servant of a local board, whether the debtor's position is irretrievable and whether in the circumstances of the case it is desirable to retain him in the post occupied by him when the matter was brought to his notice or in any post under the local board.

(4) In every case under this rule, the burden of proving that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, the debtor could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, will be upon the debtor.

Note.—(i) An officer or servant of a local board who intends to apply to be adjudged an insolvent under any law relating to insolvency for the time being in force shall intimate his intention of doing so to the authority which has the power to suspend such officer or servant and such authority may, if it thinks fit, suspend him from service.

(ii) An officer or servant of a local board who has been removed from service on account of insolvency is ineligible for re-employment in any branch of the service.

9. *Communication of official documents or information.*—No officer or servant of a local board shall, except when generally or specially empowered in this behalf by the local board communicate directly or indirectly any document or information which has come into his possession in the course of his official duties or has been prepared or collected by him in the course of those duties, whether from official sources or otherwise to any other officer or servant of the local board or an officer or servant of any other local authority or a servant of the Crown unauthorized to receive the same, or to a non-official person or to the press.

10. *Connexion with the Press.*—An officer or servant of a local board shall not become a proprietor in whole or in part or conduct or participate in the editing or management of any newspaper or other periodical publication.

11. *Restrictions on the publication of documents and on communications to the press.*—(1) No officer or servant of a local board shall, in any document published under his own name or in any communication made to the press under his own name or in any public utterance delivered by him, make any statement of fact or opinion which is capable of embarrassing—

- the relations between the Central Government or any Provincial Government and the people of India or any section thereof; or
- the relations between His Majesty or the Governor-General and any foreign State or Prince or any Ruler of any State in India.

(2) An officer or servant of a local board who intends to publish any document under his own name or to make any communication to the press under his own name or to deliver any public utterance containing statements in respect of which any doubt as to

to the application of the restrictions imposed by clause (1) may arise, shall submit to the Government of Madras a copy or draft of the document which he intends to publish or of the communication which he intends to make or of the utterance which he intends to deliver, and shall not publish the document, make the communication or deliver the utterance save with the sanction of the said Government and with such alterations, if any, as they may direct.

12. *Evidence before committees.*—An officer or servant of a local board shall not give evidence before a public committee, unless he has first obtained the permission of the president of the local board under which he is serving, or if he is on leave, under which he was last serving. In giving such evidence he shall not criticize the policy or decisions of the local board, of the Secretary of State, of the Crown Representative or of any Government in British India.

This regulation shall not apply to the evidence given before statutory committees with power to compel attendance and the giving of answers or to evidence given in judicial inquiries.

13. *Taking part in elections.*—An officer or servant of a local board shall not take part in or subscribe in aid of any electioneering party organization or by canvassing or otherwise, interfere or use his influence in any way, in an election to a Legislative body constituted under the Government of India Act or the Government of India Act, 1935, or a local authority, except that he may record a vote, if he is qualified to do so. In that case, he shall, as far as possible, avoid giving any indication of the direction in which he intends to vote or has voted. This regulation applies only to wholetime officers and servants.

14. *Responsibility of officers and servants for acts of their family.*—An officer or servant of a local board is responsible for any act done by a member of his family, which raises the suspicion that it was done on his behalf or for his benefit.

15. *Vindication of acts and character of local board officers or servants as such.*—An officer or servant of a local board may not, without the previous sanction of the president have recourse to any court or to the press for the vindication of his official acts or character from defamatory attacks.

Nothing in this regulation shall limit or otherwise affect the right of any officer or servant of a local board to vindicate his private acts or character.

16. *Address while under suspension.*—When an officer or servant of a local board is suspended, he is free to go where he likes, but he shall leave his address with the head of his office, or if he is himself the head of an office with the president. He shall also leave his address with the officer, if any, holding an enquiry into his conduct.

He shall obey all orders to attend any inquiry into his conduct, and if he fails to do so, the enquiry may be held in his absence.

17. No officer or servant of a local board shall bring or attempt to bring any political or other outside influence to bear upon any superior authority for the furtherance of his interests. The penalty for a contravention of this regulation shall be the withholding of promotion from him either permanently or for such period as the president may determine.

18. (1) No officer or servant of a local board may address directly any superior authority other than that to which he is immediately subordinate, in any matter relating to his official duties or affecting him personally as such officer or servant.

Note.—An officer or servant of a local board who has addressed through his immediate superior a superior authority may, if he wishes, submit to the superior authority direct, a copy of the communication sent through his immediate official superior.

(2) No officer or servant of a local board may approach any person, official or non-official, other than the officer to whom he is immediately subordinate in order to enlist support in respect of a matter affecting him personally as an officer or servant of a local board or to obtain testimonials or certificates.

(3) No officer or servant of a local board may, except with the previous permission of the authority to which he is immediately subordinate, seek an interview with any officer such officer or servant and no officer or servant of a local board may seek such an interview with a Minister or a Secretary to Government.

(4) Every application by an officer or servant of a local board for an appointment or for promotion shall be sent through the proper channel.

Note.—The provisions of clauses (1) to (4) of the above regulation will not have the effect of prohibiting any subordinate officer from sending any return or report which he is required to submit in his official capacity to any officer who is not his immediate superior.

APPENDIX A.
Statement of immovable property and interest in immovable property possessed, acquired or transferred by during the year ending the 31st December 19

NOTE.—Property in which the officer or servant had acquired an interest before the year for which the return is submitted and in which he retained an interest during that year should be shown first, then those properties regarding which transactions took place during the year.

Name of officer or servant.	(1)	Office held.	Date of entertainment in service.	Nature of property, i.e. :— (1) House (stating whether they are with or without gardens) and the uses to which they are put. (2) Lands whether used for purposes of agriculture or as gardens or for any other purposes.	(5) Whether acquired before or during 19	(6) Whether relinquished during 19	Situation of land or other property.			Extent and assessment of lands.				Survey number.	(10)	(16) From whom acquired or in whose favour relinquished.	(17) In whose name registered after acquisition or before relinquishment.	(18) By what means and for what purpose acquired.	(19) Year, month and day of deed.	(20) Right possessed in the land.	(21) Price paid or obtained for the land.	(22) Remarks.
	Village.						Taluk.	District.	Dry.	Wet.	Extent.	Assessment.	Extent.									

I, _____, do solemnly declare that I do not at this time possess either in my own name or in that of any other person and that I have not during the year 19 _____ acquired or parted with any immovable property, or any beneficial or other interest in immovable property other than what is entered in this return.

STATION
Date,

(Signature)
(Office)

19

NOTE.—1. The statement must be submitted punctually on the 15th January of each year.

2. New acquisitions during the year to which the return relates should be entered in red ink.

3. Particulars of any immovable property of which an officer may have become dispossessed during the year should also be entered in the annual return.

APPENDIX B.

Register of immovable property and interests in immovable property held by officers and servants of municipal councils.

Name of officer or servant.	Date of appointment in service.	Office held.	District and division in which property is situated.	Particulars regarding property.				When acquired, inherited, etc.	By what means and for what purpose acquired.	Nature of interest possessed by the officer or servant concerned in such property.	Remarks.
				Nature of property.	Extent.	Assessment.	In whose name registered.				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

II

MODEL REGULATIONS RELATING TO THE PERSONAL CONDUCT OF OFFICERS AND SERVANTS OF MUNICIPAL COUNCILS.

1. *Gifts, gratuities and rewards.*—Save as otherwise provided in these regulations an officer or servant of a municipal council shall not, except with the previous sanction of the executive authority of the municipal council (hereinafter referred to as the executive authority) accept directly or indirectly on his own behalf or on behalf of any other person, or permit any member of his family so to accept any gift, gratuity or reward or any offer of a gift, gratuity or reward from any person.

2. *Subscriptions.*—An officer or servant of a municipal council shall not take any part in the collection of subscriptions for any public or local purpose.

3. *Purchase of resignation.*—Officers or servants of a municipal council shall not enter into any pecuniary arrangement for the resignation by one of them of any office under the municipal council for the benefit of others. Should this regulation be infringed any appointment consequent upon such resignation will be cancelled and such parties to the arrangement as are still in the service will be suspended pending the orders of the municipal council.

4. *Control over immovable property held or acquired by officers and servants of municipal councils.*—Every officer or servant of a municipal council or candidate for service under a municipal council shall make to the executive authority a declaration of all immovable property which may from time to time be held or acquired by him or by his wife or by any member of his family living with or in any way dependent on him. Such declaration shall state the district within which the property is situated and shall give such further information as the municipal council may by general or special order require.

Note.—(i) The declaration must include all immovable property held or acquired wherever situated in India. It should, as far as possible, give all the details specified in the form in Appendix A.

(ii) Every officer or servant of a municipal council shall submit to the executive authority not later than the 15th January in each year a statement in the form given in Appendix A showing all the immovable property of which he stood possessed, or in which he had an interest, at the close of the preceding calendar year. In columns (6) and (21) of the form particulars shall be entered of any immovable property relinquished or otherwise disposed of.

(iii) If in any year an officer or servant of a municipal council has neither acquired nor relinquished or otherwise disposed of any immovable property or any interest in immovable property he may instead of a return in the form given in Appendix A submit a certificate in the form below:—

I, A. B., do solemnly declare that since the submission by me of the ^{return} _{certificate} on
 I have not acquired or become possessed of either in my own name or in that of any other person or relinquished or otherwise disposed of any immovable property or any beneficial or other interest in immovable property.

Signature A. B.
 Place.
 Date.
 Official designation.

(iv) The annual return shall include all immovable property acquired or registered in the name of the officer or servant of the municipal council either on his own account or as a trustee, executor or administrator or temple mirasidar or acquired or registered in the name of or held or managed by his wife or by any other member of his family living with or in any way dependent on him. In the case of an officer or servant of a municipal council who follows the Marumakkattayam or Aliyasantana law, the statement shall include acquisitions of immovable property by his consort.

(v) The executive authority shall maintain a register in the form given in Appendix B showing the landed property held by each officer or servant and shall revise it each year with reference to the particulars furnished under note (ii) above.

(vi) A candidate for appointment in superior service under a municipal council shall submit with his application a statement in the form given in Appendix A.

(vii) Any attempt to mislead and any failure to give full and correct information will render the officer or servant concerned liable to dismissal from service.

5. *Promotion and management of companies.*—An officer or servant of a municipal council, whether on leave or in active service, shall not take part in the promotion, registration or management of any bank or company.

This regulation does not apply to the management by an officer or servant of a municipal council of any association established and conducted in good faith for the purpose of mutual supply and not for profit when such management does not interfere with his duties or subject to the same condition, to any officer or servant, who, under the general or special sanction of the municipal council, takes part in the management of a co-operative society registered or deemed to be registered under the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932).

Note.—(i) officers and servants of municipal councils of every class may hold office in any co-operative society composed wholly of municipal officers or servants or partly of such officers and servants and partly of servants of the Crown or serve on any committee appointed for the management of its affairs.

(ii) Subject to the sanction of the executive authority and a certificate to the effect that the work undertaken will be performed without detriment to his official duties an officer or servant of a municipal council who is a member of a co-operative society composed wholly of municipal officers and servants or partly of such officers and servants and partly of servants of the Crown may accept remuneration for keeping the accounts of the society.

6. *Private trade or employment.*—An officer or servant of a municipal council shall not engage in any trade or undertake any employment other than his public duties.

An officer or servant of a municipal council may undertake occasional work of a literary or artistic character provided that his official duties do not suffer thereby. But the municipal council may at any time forbid him to undertake or require him to abandon any employment which in its opinion is undesirable.

7. *Pecuniary transactions with contractors.*—All officers and servants of municipal councils are prohibited from having any pecuniary transactions with municipal contractors or any other person in any way connected with any department under the municipal councils.

8. *Insolvency and habitual indebtedness.*—(1) When an officer or servant of a municipal council is adjudged or declared an insolvent or when any portion of the salary of such officer or servant is constantly being attached, has been continuously under attachment for a period of two years or is attached for a sum which, in ordinary circumstances, cannot be repaid within a period of two years he will be liable to dismissal from the service of the municipal council unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits.

(2) When such officer or servant is not liable to dismissal otherwise than by or with the sanction of the municipal council the matter must, if he is declared insolvent and may, if any portion of the salary is attached, be reported to the municipal council, pending the receipt of whose orders he shall be suspended from the service.

(3) When any portion of the salary of an officer or servant of a municipal council is attached, the report shall show what the proportion of the debts to the salary is and how far they detract from the debtor's efficiency as an officer or servant of a municipal council, whether the debtor's position is irretrievable and whether in the circumstances of the case it is desirable to retain him in the post occupied by him when the matter was brought to his notice or in any post under the municipal council.

(4) In every case under this rule, the burden of proving that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, the debtor could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, will be upon the debtor.

Note.—(i) An officer or servant of a municipal council who intends to apply to be adjudged an insolvent under any law relating to insolvency for the time being in force shall intimate his intention of doing so to the authority which has the power to suspend such officer or servant and such authority may, if it thinks fit, suspend him from service.

(ii) An officer or servant of a municipal council who has been removed from service on account of insolvency is ineligible for re-employment in any branch of the service.

9. *Communication of official documents or information.*—No officer or servant of a municipal council shall, except when generally or specially empowered in this behalf by the municipal council, communicate directly or indirectly any document or information which has come into his possession in the course of his official duties or has been prepared or collected by him in the course of those duties, whether from official sources or otherwise to any other officer or servant of the municipal council or an officer or servant of any other local authority or a servant of the Crown unauthorized to receive the same, or to a non-official person or to the press.

10. *Connexion with the Press.*—An officer or servant of a municipal council shall not become a proprietor in whole or in part or conduct or participate in the editing or management of any newspaper or other periodical publication.

11. *Restrictions on the publication of documents and on communications to the press.*—(1) No officer or servant of a municipal council shall, in any document published in any public utterance delivered by him, make any statement of fact or opinion which is capable of embarrassing—

(a) the relations between the Central Government or any Provincial Government and the people of India or any section thereof; or

(b) the relations between His Majesty or the Governor-General and any foreign State or Prince or any Ruler of any State in India.

(2) An officer or servant of a municipal council who intends to publish any document under his own name or to make any communication to the press under his own name or to deliver any public utterance containing statements in respect of which any doubt as to the application of the restrictions imposed by clause (i) may arise, shall submit to the Government of Madras a copy or draft of the document which he intends to publish or of the communication which he intends to make or of the utterance which he intends to deliver, and shall not publish the document, make the communication or deliver the utterance save with the sanction of the said Government and with such alterations, if any, as they may direct.

12. *Evidence before committees.*—An officer or servant of a municipal council shall not give evidence before a public committee, unless he has first obtained the permission of the executive authority of the municipal council under which he is serving, or if he is on leave, under which he was last serving. In giving such evidence he shall not criticize the policy or decisions of the municipal council, of the Secretary of State, of the Crown Representative, or of any Government in British India.

This regulation shall not apply to the evidence given before statutory committees with power to compel attendance and the giving of answers or to evidence given in judicial inquiries.

13. *Taking part in elections.*—An officer or servant of a municipal council shall not take part in or subscribe in aid of any electioneering party organization or by canvassing or otherwise, interfere or use his influence in any way, in an election to a legislative body constituted under the Government of India Act or the Government of India Act, 1935, or a local authority, except that he may record a vote, if he is qualified to do so. In that case, he shall, as far as possible, avoid giving any indication of the direction in which he intends to vote or has voted. This regulation applies only to whole-time officers and servants.

14. *Responsibility of officers and servants for acts of their family.*—An officer or servant of a municipal council is responsible for any act done by a member of his family, which raises the suspicion that it was done on his behalf or for his benefit.

15. *Vindication of acts and character of municipal officers or servants as such.*—An officer or servant of a municipal council may not, without the previous sanction of the executive authority have recourse to any court or to the press for the vindication of his official acts or character from defamatory attacks.

Nothing in this regulation shall limit or otherwise affect the right of any officer or servant of a municipal council to vindicate his private acts or character.

16. *Address while under suspension.*—When an officer or servant of a municipal council is suspended, he is free to go where he likes, but he shall leave his address with the head of his office, or if he is himself the head of an office with the executive authority. He shall also leave his address with the officer, if any, holding an enquiry into his conduct.

He shall obey all orders to attend any inquiry into his conduct, and if he fails to do so the enquiry may be held in his absence.

17. No officer or servant of a municipal council shall bring or attempt to bring any political or other outside influence to bear upon any superior authority for the furtherance of his interests. The penalty for a contravention of this regulation shall be the withholding of promotion from him either permanently or for such period as the executive authority may determine.

18. (1) No officer or servant of a municipal council may address directly any superior authority, other than that to which he is immediately subordinate in any matter relating to his official duties or affecting him personally as such officer or servant.

Note.—An officer or servant of a municipal council who has addressed through his immediate superior a superior authority may, if he wishes, submit to the superior authority direct, a copy of the communication sent through his immediate official superior.

(2) No officer or servant of a municipal council may approach any person, official or non-official, other than the officer to whom he is immediately subordinate in order to enlist support in respect of a matter affecting him personally as an officer or servant of a municipal council or to obtain testimonials or certificates.

(3) No officer or servant of a municipal council may, except with the previous permission of the authority to which he is immediately subordinate, seek an interview with any officer other than his immediate superior in respect of any matter affecting him personally as such officer or servant and no officer or servant of a municipal council may seek such an interview with a Minister or a Secretary to Government.

(4) Every application by an officer or servant of a municipal council for an appointment or for promotion shall be sent through the proper channel.

Note.—The provisions of clauses (1) to (4) of the above regulation will not have the effect of prohibiting, any subordinate officer from sending any return or report which he is required to submit in his official capacity to any officer who is not his immediate superior.

APPENDIX A.

Statement of immovable property and interest in immovable property possessed, acquired or transferred by during the year ending the 31st December 19 .

NOTE.—Property in which the officer or servant had acquired an interest before the year for which the return is submitted and in which he retained an interest during that year should be shown first, then those properties regarding which transactions took place during the year.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	Extent and assessment of lands.				(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)
Name of officer or servant.	Office held.	Date of entertainment in service.	Nature of property, i.e. :— (1) House (stating whether they are with or without gardens) and the uses to which they are put. (2) Lands whether used for purposes of agriculture or as gardens or for any other purposes.	Whether acquired before or during 19 .	Whether relinquished during 19 .	Village.	Taluk.	District.	Survey number.	Dry.		Wet.		Sirear or inam.	From whom acquired or in whose favour relinquished.	In whose name registered after acquisition or before relinquishment.	By what means and for what purpose acquired.	Year, month and day of deed.	Right possessed in the land.	Price paid or obtained for the land.	Remarks.
										Extent.	Assessment.	Extent.	Assessment.								

I, , do solemnly declare that I do not at this time possess either in my own name or in that of any other person and that I have not during the year 19 acquired or parted with any immovable property, or any beneficial or other interest in immovable property other than what is entered in this return.

STATION }
Date, 19 . (Signature) (Office)

NOTE.—1. The statement must be submitted punctually on the 15th January of each year.

2. New acquisitions during the year to which the return relates should be entered in red ink.

3. Particulars of any immovable property of which an officer may have become dispossessed during the year should also be entered in the annual return.

APPENDIX B.

Register of immovable property and interests in immovable property held by officers and servants of municipal councils.

Name of officer or servant.	(1)	Date of entailment in service.	(2)	Office held.	District and division in which property is situated.	Particulars regarding property.				(9) When acquired, inherited, etc.	(10) By what means and for what purpose acquired.	(11) Nature of interest possessed by the officer or servant concerned in such property.	Remarks.
						(5) Nature of property.	(6) Extent.	(7) Assessment.	(8) In whose name registered.				
					(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

Government of Madras

FINANCE DEPARTMENT

G.O. No. 292, 7th August 1937

Leave—Special casual leave—Administrative Instructions issued by the Government of India—Amendment—Resolution of the Government of India recorded—Amendment to the list of infectious diseases—Issued.

READ—the following papers :—

I

G.O. No. 44, Finance, dated 19th January 1934.
G.O. No. 225, Finance, dated 6th April 1936.

II

Resolution from the Government of India, Finance Department, dated New Delhi, the 18th March 1937, No. F. 7 (23)-R.I./37.

The Governor-General in Council is pleased to direct that the following may be added as Note 1 under Part V (3)—Quarantine Leave—of the rules introduced with the Finance Department Resolution No. F. 7 (50)-R.I./33, dated the 7th December 1933, the existing Notes being renumbered accordingly :—

NOTE 1.—Cholera, small-pox, plague, diphtheria, typhus fever and cerebro-spinal meningitis may be considered as infectious diseases for the purpose of this rule. In the case of Chicken-pox quarantine leave should not be sanctioned unless the Health Officer responsible considers that because of doubt as to the true nature of the disease, for example small-pox, there is reason for the grant of such leave.

Order—No. 292, Finance, dated 7th August 1937.

Recorded.

2. The following shall be added to the list of infectious diseases mentioned in G.O. No. 225, Finance, dated 6th April 1936, as amended in Memorandum No. 26125-C.S.R.-2, dated 31st October 1936 :—

“(9) Cerebro-spinal meningitis.

Note.—In the case of Chicken-pox, special casual leave should not be sanctioned unless the Health Officer responsible considers that because of doubt as to the true nature of the disease, for example small-pox, there is reason for the grant of such leave.”

(By order of His Excellency the Governor)

C. K. VIJAYARAGHAVAN,
Deputy Secretary to Government.

To the Accountant-General.
“ Departments of Secretariat.
“ Heads of Departments (including Collectors).

Government of Madras

PUBLIC (REFORMS) DEPARTMENT

G.O. No. 636, 1st April 1937

Madras Public Service Commission Regulations, 1937—[Regulations under sections 265 (2) and 266 (3) of the Government of India Act, 1935]—Published.

Order—No. 636, Public (Reforms), dated 1st April 1937.

The appended notification will be published in the *Fort St. George Gazette*.

(By order of His Excellency the Governor)

C. F. BRACKENBURY,
Chief Secretary.

To the Superintendent, Government Press, for publication of the notification in the extraordinary issue of the *Fort St. George Gazette*, dated 1st April 1937.
„ the Departments of the Secretariat (all sections).
„ all Heads of Departments including Collectors and District Judges.
„ the Secretary, Madras Public Service Commission (with C.L.).
„ the Accountant-General, Madras.

APPENDIX

NOTIFICATION.

In exercise of the powers conferred by sub-section (2) of section 265 and sub-section (3) of section 266 of the Government of India Act, 1935, and in supersession of the regulations published with Public (Reforms) Department Notification No. 6, dated the 1st May 1936, at pages 536-538 of Part I of the *Fort St. George Gazette*, dated the 5th May 1936, as subsequently amended, His Excellency the Governor of Madras is pleased to make the following regulations:—

PART I—PRELIMINARY.

1. These regulations may be called the Madras Public Service Commission Regulations, 1937.
2. In these regulations, unless there is anything repugnant in the subject or context—
 - (a) "Act" means the Government of India Act, 1935;
 - (b) "Commission" means the Madras Public Service Commission established under the Act; and
 - (c) "Member" means a Member of the Commission and includes the Chairman thereof.

PART II—COMPOSITION, CONDITIONS OF SERVICE, ETC., OF THE COMMISSION AND ITS STAFF.

3. The Commission shall consist of a Chairman and two other Members.

4. (1) A Member shall hold office for a period of five years from the date of his first appointment to the Commission:

Provided that the Governor may—

- (a) allow any Member to continue in office after the expiry of the said period of five years for such further period not exceeding five years at a time, as he may think fit; or
- (b) fix a shorter term of office than five years—

- (i) in the case of a Member who immediately before his appointment as such, was a Member of the Commission established under the Madras Public Service Commission Act, 1936; and
- (ii) in any other case, for special reasons.

- (2) The Governor may at any time remove any Member from office, on the ground of misbehaviour or of infirmity of mind or body, or for any other sufficient reason.

- (3) A Member may by resignation under his hand addressed to the Governor resign his office.

5. (1) There shall be paid to the Chairman a salary calculated at the rate of three thousand rupees per mensem and to each of the other Members a salary calculated at the rate of two thousand rupees per mensem.

- (2) Nothing in this regulation shall prevent a Chairman or other Member, who at the time of his appointment as such is a retired Government servant, from drawing his pension from Government in addition to his salary under this regulation.

6. (1) A Member who at the date of his appointment to the Commission was in the service of the Crown in India may be granted leave under the Fundamental Rules, or the Madras Leave Rules, as the case may be, and his service as Member shall count for such leave.

- (2) A Member who at the date of his appointment to the Commission was not in the service of the Crown in India may be granted leave as follows:—

- (a) Leave on leave salary equivalent to full pay up to one-eleventh of the period spent on duty as a Member, subject to a maximum of four months at any one time and subject to a maximum leave salary of three thousand rupees per mensem in the case of the Chairman and two thousand rupees per mensem in the case of any other Member.

- (b) Leave on medical certificate on leave salary equivalent to half pay up to a total period of three months.

- (c) Extraordinary leave without allowances, subject to a maximum of three months at any one time.

Explanation.—All, or any two, of these kinds of leave may be granted in combination at any one time.

- (3) Nothing in this regulation shall operate to deprive any Member who immediately before his appointment as such was a Member of the Commission established under the Madras Public Service Commission Act, 1936, of any leave which had already accrued to him.

7. A Member shall not be eligible for any passage benefits:

Provided that

- (a) a Member who at the date of his appointment to the Commission was in the service of the Crown in India, and was entitled to passage benefits under the Superior Civil Services Rules, shall continue to be eligible for such benefits during his service as Member; and

- (b) a Member who at the date of his appointment to the Commission was not in the service of the Crown in India, shall, if he had been entitled before such appointment, to passage benefits under the Superior Civil Services Rules, be eligible for passage benefits equivalent to those which lapsed to Government under rule 14 of Schedule IV to those rules.

8. A Member shall be entitled to travelling allowance for journeys made by him in the performance of his functions at the rates, and subject to the conditions, specified in the Madras Travelling Allowance Rules.

9. No pension shall attach to the office of Member as such, but in the case of a Member who at the date of his appointment was in the service of the Crown in India, service as Member shall count for pension under the rules applicable to the service to which such Member belongs and shall, unless the Member be a Member of the Indian Civil Service or entitled to a pension under Army Regulations, also count—

- (a) in the case of the Chairman, for the higher additional pension, and

- (b) in the case of the other Members, for the lower additional pension, under Article 475-A, Civil Service Regulations.

10. There shall be a Secretary and an Assistant Secretary to the Commission, who shall be appointed by the Commission with the previous approval of the Governor.

11. (1) There shall be paid—

- (a) to the Secretary, a monthly salary calculated in the scale of Rs. 800—100/2—1,200, and

- (b) to the Assistant Secretary, a monthly salary calculated in the scale of Rs. 500—50/2—750:

Provided that the Secretary or Assistant Secretary shall, if he was holding the post of Secretary, or as the case may be, of Assistant Secretary, to the Commission established under the Madras Public Service Commission Act, 1936, immediately before the date of coming into force of these regulations, be entitled to pay at the rates admissible to him under the regulations in force immediately before the said date.

- (2) The initial salary of a person appointed as Secretary or Assistant Secretary to the Commission shall be fixed in accordance with the provisions of the Fundamental Rules for the time being in force, and the previous sanction of the Governor shall be necessary for fixing the initial salary of any such person otherwise than in accordance with those rules.

- (3) The Commission shall not, without the previous sanction of the Governor, grant any premature increment of pay to a person holding the post of Secretary or Assistant Secretary.

12. Subject to the provisions of regulation 11, the Secretary and Assistant Secretary to the Commission shall, in the matter of their pay, allowances including travelling allowances, leave, leave salary, pensions and other conditions of service be governed by the Fundamental Rules, the Madras Travelling Allowance Rules and the Pension Rules for the time being in force:

Provided that where any person holding the post of Secretary or Assistant Secretary to the Commission has elected to be governed by the provisions of the Civil Service Regulations, those provisions shall apply to him.

13. Nothing contained in these regulations shall adversely affect any person who immediately before the 1st day of April 1937 was holding the office of Secretary or Assistant Secretary to the Commission established under the Madras Public Service Commission Act, 1936; and if any such person is so affected in respect of any matter, he shall, in respect of such matter, be governed by the regulations, rules and orders, if any, which were applicable to him immediately before the said date.

14. (1) Subject to the provisions of regulation 15, the Commission may in its discretion employ, in addition to the Secretary and the Assistant Secretary, such persons as it may deem necessary for the effective discharge of its functions and on such scales of pay as it may determine.

- (2) The initial salary of any person so employed shall be fixed in accordance with the provisions of the Fundamental Rules for the time being in force, and the previous sanction of the Governor shall be necessary for fixing the initial salary of any such person otherwise than in accordance with those rules.

- (3) The conditions of service of persons employed by the Commission under this regulation shall, save as expressly provided therein, be the same as those prescribed by the Provincial Government in respect of Government servants holding corresponding appointments elsewhere than in the office of the Commission.

15. The Commission may, and it is hereby empowered to, incur expenditure up to an aggregate sum of seventy-five thousand rupees per annum—

- (a) for the employment of the persons whom it is authorized to employ under regulation 14;

- (b) towards contingencies, supplies and services; and

- (c) towards other expenses connected with its work including the travelling allowances of the Members of the Commission, the Secretary, the Assistant Secretary and other members of its staff.

16. In respect of any matter for which special provision is not made by these regulations, the conditions of service of a person serving as a Member of the Commission or of its staff shall be governed by the rules and orders applicable to such classes of Government servants as shall be specified by the Governor.

17. Notwithstanding anything contained in regulations 10 and 14, persons who on the 31st March 1937 were members of the staff of the Commission established under the Madras Public Service Commission Act, 1936, shall continue to be members of the staff of the Commission established under the Act, and it shall not be necessary to reappoint them to their respective posts.

PART III—MATTERS IN RESPECT OF WHICH IT SHALL NOT BE NECESSARY FOR THE COMMISSION TO BE CONSULTED.

18. It shall not be necessary for the Commission to be consulted—

- (a) as respects any of the matters mentioned in paragraphs (a) to (e) of sub-section (3) of section 266 of the Act, in the case of officers of His Majesty's Forces holding posts in connexion with the affairs of the Province;

- (b) as respects any of the matters mentioned in paragraphs (a) and (b) of sub-section (3) of section 266 of the Act, in the case of the posts specified in the Annexure;

- (c) in regard to the suitability of candidates for promotion or transfer from one subordinate service to another; and

- (d) in regard to the making of any appointment to—

- (i) any post the appointment to which is to be made by the Governor in his discretion or exercising his individual judgment; or

- (ii) any honorary post; or

- (iii) any post the terms of which are to be governed by contract.

19. Where it is necessary in the public interest to fill immediately a vacancy in a post borne on the cadre of a service to which appointments have to be made after consulting the Commission, and there would be undue delay in making the appointment after such consultation, it shall not be necessary to consult the Commission for appointing a person temporarily to the said post for a period not exceeding three months on each occasion.

20. Subject to the provisions of regulation 21, it shall not be necessary for the Commission to be consulted on any disciplinary matter affecting a person serving in connexion with the affairs of the Province, except—

- (a) where the Provincial Government propose to pass an order on an appeal or revision, or

- (b) where the Provincial Government propose to pass an original order imposing any of the following penalties, namely:—

- (i) reduction to a lower post or time-scale, or to a lower stage in a time-scale;

- (ii) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;

- (iii) removal from service; or

- (iv) dismissal.

Nothing contained in this regulation shall be deemed to make it necessary for the Provincial Government to consult the Commission in any case—

- (a) relating to the termination of probation of any person,

- (b) relating to the discharge or reversion of an officer otherwise than as a penalty,

- (c) relating to the termination of the employment of any person in accordance with the terms of his contract of employment,

- (d) relating to the imposition of any penalty laid down in any rule or order for failure to pass any test or examination within a specified time, or

- (e) in which the Commission has, at any previous stage, given advice in regard to the order to be passed and no fresh question has thereafter arisen for determination.

21. It shall not be necessary for the Commission to be consulted in respect of any disciplinary matter affecting a person holding an office or post to which appointment is made by the Governor in his discretion or exercising his individual judgment unless such person—

- (a) is a person holding the post of—

- (i) the Chief Presidency Magistrate, Madras, or

- (ii) the Chief Judge, Court of Small Causes, Madras, or

- (iii) Assistant Sessions Judge, or

- (b) is a member of the Secretarial staff of the Governor.

In the case of the Chief Presidency Magistrate, Madras, the Chief Judge, Court of Small Causes, Madras, and Assistant Sessions Judges, the provisions of regulation 20 shall apply. In the case of members of the Secretarial staff of the Governor, the said regulation shall apply with the modification that references to the Provincial Government in that regulation shall be construed as references to the authority which has power to pass original orders, or orders on appeal or revision, as the case may be.

22. It shall not be necessary for the Commission to be consulted on any memorial or petition relating to any disciplinary matter affecting a person serving in connexion with the affairs of the Province, where the Provincial Government propose to pass orders rejecting such memorial or petition.

23. It shall not be necessary for the Commission to be consulted in any case referred to in paragraph (d) of sub-section (3) of section 266 of the Act, if the

Provincial Government or any subordinate authority competent to sanction payment of the costs of the defence proposes to admit the claim in full.

Explanation.—Nothing contained in this regulation shall be deemed to preclude a reference to the Commission being made in any case in which the Provincial Government feel a doubt as to the admissibility of a claim in whole or in part.

PART IV—GENERAL.

24. In discharging his functions under these regulations, the Governor shall act in his discretion.

ANNEXURE.

[See Regulation 18 (b).]

POSTS IN RESPECT OF WHICH IT SHALL NOT BE NECESSARY FOR THE COMMISSION TO BE CONSULTED IN THE MATTER OF RECRUITMENT, APPOINTMENT, PROMOTION AND TRANSFER.

A. Provincial Services.

- (1) Administrator-General and Official Trustee.
- (2) Assistant Engineer for Marine Works at Ports other than Tuticorin and Cochin.
- (3) Assistant Surgeons in the Men's section of the Madras Medical Service (General Branch) when recruited by transfer from the Madras Medical Service (Special Branch).
- (4) Law Officers in the City and mufassal and Official Receivers.
- (5) Law Reporters.
- (6) Officers of the Madras Legislature.
- (7) Personal Assistant to the Inspector of Municipal Councils and Local Boards when recruited by transfer from the Madras Civil Service (Executive Branch).
- (8) Port Officers including the Personal Assistant to the Presidency Port Officer and Agent for Government Consignments.
- (9) Principal, School of Indian Medicine.
- (10) Secretary to Government, Legal Department, and Remembrancer of Legal Affairs.
- (11) Sheriff of Madras.
- (12) Surgeon to His Excellency the Governor.
- (13) Under-Secretary to Government, Legal Department.
- (14) Deputy Inspectors of Municipal Councils and Local Boards, when recruited by transfer of members of the Madras Civil Service (Executive Branch), or of Class IX (Assistant Secretaries to Government) of the Madras General Service.
- (15) Director of Fisheries, when recruited by transfer from Category I (Superintendent of the Government Museum and Principal Librarian of the Connemara Public Library) of Class VIII of the Madras General Service.

B. Subordinate Services.

1. The following posts in the Madras Ministerial Service:—

- (i) Ministerial posts in the Secretarial staff of His Excellency the Governor and in the office of the Military Secretary to His Excellency the Governor.
- (ii) Clerks in the Laccadive and Amindivi Islands.
- (iii) Manager and clerks in the Special Branch of the Criminal Investigation Department.
- (iv) Readers.
- (v) Copyists.
- (vi) Any post of which the pay is—
 - (a) lower than Rs. 30 a month, if on a fixed rate of pay, or
 - (b) lower than the scale of Rs. 30—3/2—45—2/2—55, if on a time-scale of pay.
- (vii) Any post of lower division clerk in the Revenue Department, when such post is filled by the appointment of a person who was recruited direct as a Probationary Revenue Inspector and whose probation has been terminated for failure to pass the prescribed tests or for failure to complete his training to the satisfaction of the Collector.

2. Posts in other subordinate services, except the following, namely:—

- (a) Assistant Professors and Assistant Lecturers (Men), Assistant Lecturers (Women), Licentiate School Assistants and Deputy Inspectors of Schools, senior grade (Men), Licentiate School Assistants and Sub-Assistant Inspectresses (Women), in the Madras Educational Subordinate Service.
- (b) Deputy Tahsildars in the Madras Revenue Subordinate Service.
- (c) Forest Apprentices in the Madras Forest Subordinate Service.
- (d) Inspectors in the Madras Local Fund Audit Subordinate Service.
- (e) Inspectors, Research Assistants, Laboratory Assistants and Sub-Inspectors in the Madras Fisheries Subordinate Service.
- (f) Posts included in the Madras Excise Subordinate Service.
- (g) Posts included in the Madras Secretariat Service.
- (h) Reserve Sub-Registrars in the Madras Registration Subordinate Service.
- (i) Second-class Health Officers and Health Inspectors in the Madras Public Health Subordinate Service.
- (j) Sub-Assistant Surgeons in the Madras Medical Subordinate Service (General Branch).
- (k) Sub-Deputy Registrars and Junior Inspectors in the Madras Co-operative Subordinate Service.
- (l) Supervisors in the Madras Engineering Subordinate Service.
- (m) Supervisors in the Madras Industries Subordinate Service.
- (n) Upper Subordinates in the Madras Agricultural Subordinate Service.
- (o) Veterinary Assistant Surgeons in the Madras Veterinary Subordinate Service.