63

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 3947, L. & M., 1st October 1928.

Establishment—Employment of unqualified men by local bodies—Payment of salary illegal and surchargeable.

READ—the following paper :—

G.O. No. 1634, P.H., dated 14th September 1926.

Order—No. 3947, L. & M., dated 1st October 1928.

It has come to the notice of Government that a number of posts under local boards or municipal councils in respect of which certain qualifications have been prescribed, are held, and in some instances have been held for long periods by unqualified men. The Government are advised that the payment of salary to such men from the funds of local bodies is illegal and is liable to surcharge.

2. All chairmen of municipal councils and presidents of local boards are requested to scrutinize the personnel of their staff and discharge from their service all unqualified men except those whom for special reasons or on account of long and good service, it is considered desirable to retain. In such cases chairmen and presidents should apply for sanction for the retention of the subordinates concerned with full reasons for such retention. A certificate should be attached to each pay bill to the effect that all posts for which qualifications have been laid down are held by duly qualified men or men who have been exempted by competent authority.

(By order of the Government, Ministry of Local Self-Government).

C. W. E. COTTON,
Secretary to Government.

To all Chairmen of Municipal Councils.
,, all Presidents of District Boards.
,, all Presidents of Taluk Boards.
,, all Collectors.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.
,, the Director of Public Health.
,, the Sanitary Engineer to Government.

64

GOVERNMENT OF MADRAS

LOCAL SELF GOVERNMENT MADRAS.

Office Order No. 12, dated the 13th February 1929.

The following principles should be observed in dealing with applications submitted by local bodies with reference to G.O.No. 3947 L & M., dated 1st October 1928, for the grant of exemption to unqualified members of their staff:-

I. To be allowed.

Men who were originally regularly appointed with reference to the rules in force at the time of such appointment and who have--

(a) a service of not less than five years and

(b) an unblemished record.

II. To be rejected.

(1) Men who were originally irregularly appointed with reference to the rules referred to above, and who were continued after the new rules came into force. As a matter of grace exceptions may be made in the cases of men due to retire within two years of the date when their case is brought to notice.

(2) Men who were irregularly appointed after the issue of the new rules.

Hilton Brown,
Secretary to Government.

To

All Superintendents,
Local Self Government Department.

65/

EXTRACT OF SECRETARY'S NOTES IN G.O.NO.2567 L&M DATED 20-6-28.

" I think the best way to remove the grievance is to limit the other clerks to Rs 100 per mensem. Exemptions must be very sparingly granted in view of the number of unqualified men available without employment."

C.W.E.C.

11-6-28.

* and to those whose communities are not represented in public service.

Go. 3574/28.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 1893, L. & M., 25th April 1929

...Municipal Council—Alterations in the schedule while discussing

...following paper:—

...Chairman Municipal Council, dated ...

SECRETARY TO GOVERNMENT, 18 MAR 1929 LOCAL SELF-GOVERNMENT DEPARTMENT

Government of Madras

PUBLIC DEPARTMENT

G.O. No. 160, 12th February 1929

Public Service Notification—Article 1—Exemption—Unpassed clerks—Exempted up to Rs. 50 in the graded scale—Permitted to rise up to Rs. 60 in the mufassal and Rs. 65 in the City without further sanction.

Order—No. 160, Public, dated 12th February 1929.

In G.O. No. 949, Public, dated 5th November 1926, the Government directed that no unpassed clerk not already exempted by the Government themselves to reach a figure above the efficiency bar may rise beyond that bar without the precise sanction of Government. In the case of exemptions granted by Government up to Rs. 50 with reference to the old graded scale of pay, the Government permit the clerks to rise up to Rs. 60 in the mufassal and Rs. 65 in the City without further sanction.

(By order of the Governor in Council)

M. W. W. M. YEATTS,
Deputy Secretary to Government.

To the Chief Engineer to Government (General, Roads and Buildings), with reference to his letter No. 3081 Ad./28-1, dated 13th December 1928.
,, the Accountant-General, Madras.
,, the Departments of the Secretariat.
,, all other Heads of Departments (including Collectors and District Judges).

Chairman. If so, the draft memorandum is for approval.

C.N.—21-12-28. S.S.—21-12-28.

The proposed reference seems unnecessary. There is already a sanctioned establishment schedule for this municipality. The alterations required in this schedule for 1928-29 were made at the time of considering the budget. The Examiner's

Go. 4234-26-5-29

67

Secretary's remarks in the file relating to Examination - Parlakumedi Municipal Council - A. Ramamurthy - Tax Clerk - Permission to appear for Account Test.

I personally think that a man should be given two chances provided he makes an attempt at the first possible chance. In this instance the orders issued i May and the clerk could have made a shot at it in June. But he did not sit till December. So he has really had two chances. No further chances can be given.

H.B. 2-5-29.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 1893, L. & M., 25th April 1929

Establishment—Srirangam Municipal Council—Alterations in the schedule while discussing the budget—Held that specific sanction is necessary.

READ—the following paper :—

From the Chairman, Municipal Council, Srirangam, No. 2229-1-C-28, dated 7th November 1928.

Order—No. 1893, L. & M., dated 25th April 1929.

It has been brought to the notice of the Government that the budget estimates of municipal councils do not indicate the various grades of the establishment or the pay and strength of each grade. In reconsideration, therefore, of the orders issued in G.O. No. 712, L. & M., dated the 23rd February 1927, the Government have decided that the approval of the budget by a municipal council is not sufficient to validate the alterations in the establishment schedule introduced in the budget, and that such alterations should specifically be placed before and be sanctioned by it. The particular objection referred to here has, however, been dropped by the Examiner of Local Fund Accounts.

(By order of the Government, Ministry of Education and Local Self-Government.)

HILTON BROWN,
Secretary to Government.

To the Chairman, Municipal Council, Srirangam.
Copy to Examiner of Local Fund Accounts.
" all Chairmen of Municipal Councils.

LOCAL SELF-GOVERNMENT (L. & M.) DEPARTMENT.

NOTES CONNECTED WITH G.O. No. 1893, L. & M., DATED 25TH APRIL 1929.

[SUBJECT.—*Establishment schedule—Srirangam Municipal Council—Alterations considered along with the budget estimate for* 1928–29—*Validity.*]

From the Chairman, Municipal Council, Srirangam, dated the 7th November 1928, *R.C. No.* 2229-1/C-28.

The objection raised in the present case is that the Srirangam Municipal Council has not recorded specifically in its resolution approving the budget estimate for 1928–29, the fact of its approval of the establishment schedule in which certain alterations were made by the Chairman and which was presented to the Council along with the budget estimate.

2. Under section 70 (2) of the Madras District Municipalities Act, 1920, the municipal council shall sanction the establishment schedule laid before it by the Chairman with reference to section 70 (1) with or without modification. The Council's resolution on the budget which *inter alia* provides for the increase in the pay of establishment, may be taken as approval of the alterations put forward by the Chairman in the establishment schedule—vide paragraph 1 of G.O. No. 712, L. & M., dated the 23rd February 1927. The requirements of section 70 of the Act appear to have been duly complied with. Attention is solicited to the opinions of Law (Drafting) Department on page 5 of G.O. No. 3788, L. & M., dated the 31st August 1926, and on page 26 of G.O. No. 712, L. & M., dated the 23rd February 1927, which favour this view.

This is so, only if no schedule had been placed before the Council.

N.R.—17-12-28.

3. In the circumstances there does not seem to be any objection to the payments made by the Chairman according to the establishment schedule which may be presumed to have been approved by the Council along with the budget. The file may be sent to Examiner u.o. for remarks. He may be requested to withdraw the audit objection.

C.N.—9-12-28.

As the audit objection relates to the Elementary Education Fund, the file may be sent to Law (Education) for perusal before calling for the remarks of the Examiner.

S.S.—10-12-28.

Please note on the point whether the establishment schedule was for the first time introduced in the budget for 1928–29.

N. RAMAYYA SASTRIYAR—17-12-28.

With reference to Assistant Secretary's remarks above, it would appear that the establishment schedule of the Council with certain alterations was for the first time introduced in the budget for 1928–29. It does not appear that the alterations were placed before the Council separately for consideration.

It is for consideration whether the point may be made clear by a reference to the Chairman. If so, the draft memorandum is for approval.

C.N.—21-12-28. S.S.—21-12-28.

The proposed reference seems unnecessary. There is already a sanctioned establishment schedule for this municipality. The alterations required in this schedule for 1928–29 were made at the time of considering the budget. The Examiner's

NOTES TO G.O. No. 1893 L. & M., 25TH APRIL 1929

OFFICE OF EXAMINER OF LOCAL FUND ACCOUNTS.

The objection in question will be dropped.

A. R. REBELLO—22-4-29.

LOCAL SELF-GOVERNMENT (L. & M.) DEPARTMENT.

The draft order may now issue.

C.N.—23-4-29. M.P.S.J.—23-4-29. GHULAM HUSAIN—24-4-29.

[G.O. No. 1893, L. & M., dated 25th April 1929.]

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 1793, L. & M., 17th April 1929

Rules—Qualifications for officers and servants of municipal councils and local boards—Amendments—Draft amendments published.

Order—No. 1793, L. & M., dated 17th April 1929.

It has been brought to the notice of the Government that several local bodies employ only one accountant each, who is thus practically occupying the position of a head accountant without possessing the qualifications prescribed for the latter, in G.O. No. 569, L. & M., dated 1st March 1924 and in G.O. No. 1167, L. & M., dated 4th April 1925. The Government consider that in view of the important and responsible position which such an accountant holds, it is essential that he should possess the same qualifications as are prescribed for a head accountant.

2. The question has also been raised whether the qualification of the possession of a Secondary School-Leaving Certificate prescribed for managers head clerks, etc., in local board offices in rule 1 of the rules appended to G.O. No. 569, L. & M., dated 1st March 1924, should be interpreted to mean that the holder should have been declared eligible for the University course. This was the intention of the Government and they accordingly propose to amplify the rule.

3. The appended notifications will be published in the *Fort St. George Gazette*. They should be republished in all the District Gazettes in English and in the vernacular.

4. The Senior Translator to Government is requested to furnish the Superintendent, Government Press, with translations of the notifications in Tamil, Telugu, Malayalam and Kanarese for publication in the District Gazettes.

(By order of the Government, Ministry of Education and Local Self-Government)

HILTON BROWN,
Secretary to Government.

To all Collectors, to arrange for the publication of the notifications in District Gazette.
" the Inspector of Municipal Councils and Local Boards.
" the Senior Translator to Government.
" the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

743

APPENDIX.

NOTIFICATIONS.

I

The following draft of an amendment to the Notification No. 423, published in Part I-A of the *Fort St. George Gazette*, dated the 21st April 1925, which the Governor acting with Ministers proposes to make in exercise of the powers conferred by clause (*b*) of section 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), read with section 15 of the Madras General Clauses Act, 1891 (Madras Act I of 1891), is hereby published as required by clause (*a*) of section 305 of the first mentioned Act, for general information and notice is hereby given that the said draft will be taken into consideration by the Governor acting with Ministers on or after the 11th June 1929 :—

DRAFT AMENDMENT.

In the entry in column (1) of item 1 of the table subjoined to the rule in the said notification for the words "or head accountant of municipal offices" the words "or head accountant, or accountant in cases where there is only one accountant, of municipal offices" shall be substituted.

II

The following draft of amendments to the Notification No. 221, published in Part I-A of the *Fort St. George Gazette*, dated 11th March 1924, which the Governor acting with Ministers proposes to make in exercise of the powers conferred by clause (*b*) of sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), read with section 15 of the Madras General Clauses Act, 1891 (Madras Act I of 1891), is hereby published as required by clause (*a*) of section 200 of the first mentioned Act for general information and notice is hereby given that the said draft will be taken into consideration by the Governor acting with Ministers on or after the 11th June 1929 :—

DRAFT AMENDMENTS.

(1) In the entry in column (1) of item 1 of the table subjoined to the rule in the said notification for the words "or head accountant in Local Board offices" the words "head accountant, or accountant, in cases where there is only one accountant, of Local Board offices" shall be substituted.

(2) In the entry in column (2) (1) of the same item for the words "A completed Secondary School-Leaving Certificate" the words "A completed Secondary School-Leaving Certificate, the holder of which is declared to be eligible for the University course" shall be substituted.

75

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 3262, L. & M., 10th July 1929

Rules—Qualifications for officers and servants of municipal councils and local boards—Amendments—Confirmed.

READ—the following papers :—

G.O. No. 1793, L. & M., dated the 17th April 1929.

From the Chairman of the Walajapet Municipal Council, dated the 27th May 1929, R.O.C. No. 356/29.

Order—No. 3262, L. & M., dated 10th July 1929.

In G.O. No. 1793, L. & M., dated the 17th April 1929, Government published for general information and criticism the draft of certain amendments to the rules prescribing qualifications for officers and servants of municipal councils and local boards.

2. The Chairman, Municipal Council, Walajapet, has suggested that the existing account test is unsuitable for persons who wish to qualify for local fund employ. This matter is separately under consideration.

3. The draft amendments are confirmed. The appended notifications will be published in the *Fort St. George Gazette* and republished in all the district gazettes in English and in the vernacular.

4. The Senior Translator to Government is requested to furnish the Superintendent, Government Press, with translations of the notifications in Tamil, Telugu, Malayalam and Kanarese for publication in the district gazettes.

(By order of the Government, Ministry of Education and Local Self-Government)

HILTON BROWN,
Secretary to Government.

To all Collectors (for arranging for publication in district gazettes).
" all Presidents of District Boards with copies for Presidents of Taluk Boards and Presidents of Union Boards.
" all Chairmen of Municipal Councils.
" the Inspector of Municipal Councils and Local Boards.
" the Law (Drafting) Department.
" the Senior Translator to Government, through the Law (Legislative) Department.
" the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

[Appendix

APPENDIX

NOTIFICATIONS.

I

In exercise of the powers conferred on him by clause (*b*) of section 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920, the Governor acting with Ministers is pleased to make the following amendment to the Notification No. 423, published in Part I-A of the *Fort St. George Gazette*, dated the 21st April 1925 :—

AMENDMENT.

In the entry in column (1) of item 1 of the table subjoined to the rule in the said notification for the words "or head accountant of municipal offices" the words "or head accountant, or accountant in cases where there is only one accountant, of municipal offices" shall be substituted.

II

In exercise of the powers conferred on him by clause (*b*) of sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920, the Governor acting with Ministers is pleased to make the following amendments to the Notification No. 221 published in Part I-A of the *Fort St. George Gazette*, dated the 11th March 1924 :—

AMENDMENTS.

(1) In the entry in column (1) of item 1 of the table subjoined to the rule in the said notification for the words "or head accountant in local board offices" the words "head accountant, or accountant, in cases where there is only one accountant, of local board offices" shall be substituted.

(2) In the entry in column (2) (1) of the same item for the words "A completed Secondary School-Leaving Certificate" the words "A completed Secondary School-Leaving Certificate, the holder of which is declared to be eligible for the University course" shall be substituted.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 3028, L. & M., 26th June 1929

Establishment—Local bodies—Pay of unqualified men whose services are dispensed with—Instructions issued as to admissibility in audit.

Order—No. 3028, L. & M., dated 26th June 1929.

As there appear to be some doubts in the matter, Government desire to explain the position in regard to the pay of a local fund subordinate whose services are dispensed with on the ground that he does not possess the qualifications prescribed for his post. The subordinate is in any case entitled to pay until the date on which his services are actually dispensed with and the question therefore is merely when the expenditure incurred will be admitted in audit and when it will be surchargeable.

2. The case of an unqualified subordinate whom it is intended to retain in a non-educational post has to be referred to Government, and where this has been done with reasonable promptitude on the part of the President/Chairman, the pay the subordinate will be admitted in audit up to the date on which Government orders rejecting the first recommendation made on his behalf reach the former. Where there has been unreasonable delay on the part of the President/Chairman in dispensing with a subordinate's services or in referring his case for the orders of Government, his pay will be surchargeable.

3. The retention of unqualified persons in educational posts has to be decided on by the President/Chairman in consultation with the local educational officers and where this has been done with reasonable promptitude on the part of the President/Chairman, the pay of the subordinate will be admitted in audit up to the date of the orders passed in the matter for the first time. Where there has been unreasonable delay on the part of the President/Chairman in dealing with the case, the pay of the subordinate will be surchargeable.

(By order of the Government, Ministry of Education and Local Self-Government)

HILTON BROWN,
Secretary to Government.

To all Chairmen of Municipal Councils.
" all Presidents of District Boards, with copies for Presidents of Taluk Boards and Presidents of Union Boards.
" the President, Corporation of Madras.
" all Collectors (except Madras and Mettur).
" the Examiner of Local Fund Accounts.
" the Inspector of Municipal Councils and Local Boards.
" the Sanitary Engineer to Government.
" the Director of Public Instruction.
" the Surgeon-General.
" the Director of Public Health.
" the Law (Education) Department.
" the Revenue Department.

Government of Madras.

Received. 1929. Registered. 1929.

Abstract.

Allowance - Acting.

Restrictions imposed by G.O. 570 L & M. dated the 17th February 1925 - Instructions to audit authority - President, District Board, Bellary informed in the negative.

Local Self Government Department.

G.O.No. 3274 MS. L & M. dated 10th July 1929.

Read the following papers:-

From the President, District Board, Bellary, No.1608/28, dated the 27th April 1929.

From the Examiner of Local Fund Accounts, No. 272-1 dated the 28th June 1929.

O R D E R.

The remarks of the Examiner in Local Fund Accounts No.272-1 dated the 28th June 1929 are communicated to the President, District Board, Bellary.

2. Government consider that no further instructions than those contained in G.O.570 L. & M. dated the 17th February 1925 need be issued.

(By order of the Govt.Ministry of Education and Local Self Govt.)

Hilton Brown,
Secretary to Government.

To the President, District Board, Bellary (with enclosure).
,, Examiner of Local Fund Accounts.

F O R W A R D E D.
(By Order)

K. Superintendent.

Examiner's Office.

Posts in the clerical establishment of an office involve duties of the same or approximately the same character, although the incumbents of the posts may not deal with similar subjects or be doing the same kind of work. One may be compiling accounts, another posting demand registers, a third preparing bills, a fourth issuing licenses and so on, but their duties would be essentially the same, viz., clerical duties. The Fundamental Rules accordingly provide that all posts in the clerical establishment of an office shall from one cadre, that consequently such posts shall be considered to be on the same scale of pay (eventhough they may carry different rates) and that the substantive holder of a post officiating in another post shall only draw the pay of his original post. Where, however, a post, whatever be its designation, Head Clerk, Head Accountant, Manager or Superintendent, involves besides clerical duties duties of control and supervision over the rest, or a portion, of the clerical establishment the Fundamental Rules allow an officiating incumbent to draw the full presumptive pay of the post.

Under section 71(1) of the Local Boards Act, 1920, a District Board is competent to frame regulations for the grant of acting allowances to its officers and servants provided such regulations are not more favourable than those applicable to Government servants. Regulations so framed become statutory rules and are binding on the District Board.

The District Board, Bellary, having adopted the Fundamental Rules under Section 71(1) of the Act, it is not open to the President of the District Board to assign

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 3368, L. & M., 18th July 1929

Establishment—Local fund servants taking up non-remunerative posts in co-operative societies—Declared permissible under certain conditions.

READ—the following paper :—

From the President of the Madura District Board, dated the 24th May 1929, R.O.C. No. 958/29.

Order—No. 3368, L. & M., dated 18th July 1929.

The President, District Board, Madura, is informed that local fund employees are at liberty to take part in the promotion of co-operative societies but that they should not hold office in any such society or serve on any committee appointed for its management. This restriction does not, however, apply in the case of a co-operative society composed wholly of local fund employees or partly of local fund employees and partly of Government servants, provided that the employee accepts no remuneration for his services and that he obtains the permission of the head of his office, who shall, however, satisfy himself that the work undertaken will not adversely affect his official duties.

(By order of the Government, Ministry of Education and Local Self-Government)

HILTON BROWN,
Secretary to Government.

To the President of the Madura District Board.
" all other Presidents of District Boards and Chairmen of Municipal Councils.
" all Collectors.
" the Development Department.

reinstatement. While therefore Government have no objection to his being employed by the Council as a re-employed pensioner after his Provident Fund and bonus have been paid out to him. They are unable

to

Establishment - Ellore Municipal Council - P.Venkataramayya -
Ex-clerk - Reinstatement with allowances - Not agreed to.

Local Self Government

3455 MS. L & M. 25th J u l y xxxx 1929.

From the Chairman, Municipal Council, Ellore, R.C.No.
A1. 1125 of 29 dated the 22nd June 1929.

*****

O R D E R.

The Chairman, Municipal Council, Ellore, is informed that the Council was not bound to retain P.Venkataramayya in service after he had attained the age of 55, and that one he was retired from service on attaining this age, there can be no question of his reinstatement. While therefore Government have no objection to his being employed by the Council as a re-employed pensioner after his Provident Fund and bonus have been paid out to him. They are unable

to

to agree to his employment on any other basis.

(By order of the Govt.
Ministry of Education and Local Self Govt)

Hilton Brown,
Secretary to Government.

To

The Chairman,
Municipal Council,
ELLORE.

FORWARDED.
(By Order)

Superintendent.

K.

Sectt. II-15 (a)—36,000—21-1-29.

84

Received.....192 . *Registered*.....192 .

Abstract.

Establishment -- Parvatipur Union Board -- (Vizagapatam) -- Pay of the Head Clerk from the 1st September 1928 to 31st May 1929 -- admitted into the accounts of the Union Board.

Local Self Government DEPARTMENT.

G.O. No. MS. 3698 L & M., **, dated** 7th August **192** 9.

READ the following paper:—

ENCLOSURES.

No.

Read Again G.O. No. 2295 L & M., dated 15th May 1929.
From the President, Union Board, Parvatipur, No. R.C. 49/29, dated 15th June 1929.
From the President, Taluk Board, No. 153/29, dated Nil.
From the President, District Board, Vizagapatam, No. R.C. 1634/29, dated 13th July 1929.

*****

ORDER.

The attention of the President, Union Board, Parvatipur is drawn to G.O. No. 3028 L & M., dated the 26th June 1929 in accordance with which U. Venkatesam'spay as Head Clerk will be admitted in audit till the 1st June 1929.

(By Order of the Government,
Ministry of Education and Local Self Government)

Hilton Brown,
SECRETARY TO GOVERNMENT.

To The President, Union Board, Parvatipur.
through the President, District Board, Vizagapatam.
To The Examiner of Local Fund Accounts.

*****

FORWARDED.
(By Order)

T.A.M./7-8.

Superintendent.

Superintendent.

5 Copies 86

85

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 3653, L. & M., 5th August 1929

Rules—Qualifications—Revenue officers in municipalities—Amendment—Draft published.

Order—No. 3653, L. & M., dated 5th August 1929.

Government consider that a revenue officer in a municipality should possess a knowledge of accounts and that this should be provided for in a rule.

2. The appended notification giving effect to this decision will be published in the *Fort St. George Gazette*. It should be republished in all the District Gazettes in English and in the vernacular.

3. The Senior Translator to Government is requested to furnish the Superintendent, Government Press, with the translations of the notifications in Tamil, Telugu, Malayalam and Kanarese for publication in the District Gazettes.

(By order of the Government, Ministry of Education and Local Self-Government)

HILTON BROWN,
Secretary to Government.

To all Chairman of Municipal Councils.
,, all Collectors, to arrange for the publication of the notification in the District Gazettes.
,, the Inspector of Municipal Councils.
,, the Senior Translator to Government [through the Law (Legislative) Department].
,, the Superintendent, Government Press, for publication of the notification in the *Fort St. George Gazette*.

[Appendix

28

8519 2

APPENDIX

NOTIFICATION.

The following draft of an amendment to the rule prescribing the qualifications of officers and servants under municipal councils published with the notification of the Local Government in the Local Self-Government Department No. 423, dated the 4th April 1925, and published at page 162 of Part I-A of the *Fort St. George Gazette*, dated the 21st April 1925, as subsequently amended, which the Governor acting with Ministers proposes to make in exercise of the powers conferred by clause (*b*) of section 74 and clause (*a*) of sub-section 2 of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), read with section 15 of the Madras General Clauses Act, 1891 (Madras Act I of 1891), is hereby published as required by clause (*a*) of section 305 of the first mentioned Act, for general information. Notice is hereby given that the said draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received before the expiry of that period aforesaid in respect to the said draft amendment will be considered by the Governor acting with Ministers :—

DRAFT AMENDMENT.

In the entry in column (1) of item 1 of the table subjoined to the said rule, after the word 'Secretary' the words 'Revenue Officer' shall be inserted.

5 Copies. 86

GOVERNMENT OF MADRAS

Local Self Govt. Department.

MEMORANDUM:- No.31751-1/A-1/L&M, dated 31st August 1929.

Rules - Qualifications for officers and servants of Municipal Councils and Local Boards - Amendments in G.O.No.3262 L & M, dated the 10th July 1929 - date of effect.

As there appears to be a misapprehension on the point, Presidents of Local Boards and Chairmen of Municipal Councils are informed that the amendments confirmed in G.O.No.3262 L & M, dated the 10th July 1929 so far as they relate to single accountants do not apply to persons who were holding such posts substantively on the 30th July 1929, the date of the publication of the G.O. in the Fort St.George Gazette.

Hilton Brown

Secretary to Government.

To

All Presidents of District Boards with copies to Presidents of Taluk Boards and Presidents of Union Boards.
All Chairmen of Municipal Councils.
The Inspector of Municipal Councils.
The Examiner of Local Fund Accounts.

F o r w a r d e d.

(By Order)

Superintendent.

M.A.D:/-31-8-29.

87

GOVERNMENT OF MADRAS.

Abstract.

EXEMPTION -

Salem District Board - Head Clerks of District Health and Assistant Engineer's Offices - Salem and Sankari - Declined.

LOCAL SELF GOVERNMENT DEPARTMENT.

G.O.No. MS.4351, L.& M., Dated 26th September 1929.

Read the following:-

From the President, District Board, Salem, Ref.No.6368-28 dated the 9th September 1929.

O R D E R -

The action of the President, District Board in exempting the three head clerks in question from the educational qualifications for a period of one year from the 1st October 1928 was highly irregular. This exemption is said to have been based on Article 66 of the Local Boards Manual, but the latter only refers to temporary vacancies and obviously applies only to first appointments.

2. Government see no reason to exempt the head clerks in question as suggested.

(By Order of the Government,
Ministry of Education and Local Self Government)

HILTON BROWN,
Secretary to Government.

To the President, District Board, Salem.

FORWARDED.
(By Order)

Superintendent.

V.S.V.26-9.

88

Received . . . . . 1929. Registered . . . . . 1929.

Abstract.

Establishment - Srirangam Municipal Council - Suspension of Bill Collector C. Rangaswami Ayyangar pending enquiry by Chairman - Held that the appeal committee has no jurisdiction in the matter.

- -

Local Self-Government Department.

G.O. No. 4541 L[redacted]M. Dated 8th October 1929.

Read the following.-

From the Chairman, Municipal Appeal Committee, Srirangam, dated the 13th July 1929.
From -do- dated 6th August 1929.
From the Chairman, Municipal Council, Srirangam, No. R.C. 1540 C/29, dated 30th July 1929.
From -do- -do- dated 21st August 1929.
From the Chairman, Municipal Appeal Committee, dated 22nd August 1929.
From -do- -do- dated 24th August 1929.
From the Chairman, Municipal Council, Srirangam, No. 1540 C-29, dated 14th September 1929.

O r d e r.-

Government agree with the Chairman, Municipal Council, Srirangam, that the suspension of Bill Collector C. Rangaswami Ayyangar pending enquiry into his conduct did not amount to punishment for the purposes of the appeal rules and that the Appeal Committee had therefore no jurisdiction in the matter.

(By order of the Govt., Ministry of Education and Local Self-Government)

Chulam Husain,
Assistant Secretary.

To the Chairman, Municipal Council, Srirangam.
with records returned.
To Mr. A. Rangaratnam Pillai.)Members of the Municipal
To Mr. K. Kasturirenga Ayyangar) Appeal Committee, Srirangam.

F o r w a r d e d.

(By order)

Superintendent.

MVI

89 90

Sectt. II-15 (b)—20,000—21-1-29.

Received ..... 192 . *Registered* ..... 192 .

Abstract.

ESTABLISHMENT - Anantapur District - Single clerks of Union Boards - President informed that the rules in G.O.No.569, L.& M., dated the 1st March 1924 are not applicable.

LOCAL SELF GOVERNMENT DEPARTMENT.

G.O. No. MS.4601, L.& M. , dated 11th October 192 9.

READ the following paper:—

ENCLOSURES.

No. .....

From the President, District Board, Anantapur, Glc.No. 1591/29, dated the 3rd September 1929.

O R D E R-

The President, District Board, Anantapur, is informed that the qualifications prescribed in G.O.No. 569, L.& M., dated the 1st March 1924 do not apply to an employee who is the only clerk in a Union Board Office and that District Inspectors of Local Fund Accounts are being instructed accordingly.

(By Order of the Government,
Ministry of Education & Local Self Govt.)

GHULAM HUSAIN,
Assistant Secretary.

To the President, District Board, Anantapur.
" Examiner of Local Fund Accounts.

FORWARDED.
(By Order)

Superintendent.

v.s.v.11-10.

90

GOVERNMENT OF MADRAS

Received.....1929. Registered.....1929.

Abstract

Establishment - Palni Municipal Council - Pay of Municipal Manager- Orders passed.

LOCAL SELF GOVERNMENT DEPARTMENT

G.O.No.4703 L&M/MS. Dated 18th October 1929.

Read the following papers:-

From the Chairman, Municipal Council, Palni, No.472 C-29, dated the 25th July 1929.
--------do-------- dated 15th August 1929.

O R D E R:-

The Chairman, Municipal Council, Palni is informed that the manager of his office can, in the absence of the specific sanction of the council be started only at the minimum of the scale of pay sanctioned for him.

2. The persistent delay by the Council in the consideration of the question of the manager's initial pay is most unbusiness like and Government trust that a decision will be arrived at in the matter at an early date.

(By Order of the Govt, Ministry of Education and Local Self Govt)

Hilton Brown,
Secretary to Government.

To

The Chairman, Municipal Council, Palni.
Copy to the Examiner of Local Fund Accounts.

F o r w a r d e d.

(By Order)

Superintendent.

M.A.D:/-18-10-29.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 4603, L. & M., 11th October 1929

Rules—Qualifications for Revenue officers in municipalities—Amendment—Confirmed.

READ—the following papers :—

G.O. No. 3653, L. & M., dated the 5th August 1929.

From the Chairman of the Vizianagram Municipal Council, dated the 25th September 1929, L. Dis. No. 29.

Order—No. 4603, L. & M., dated 11th October 1929.

In G.O. No. 3653, L. & M., dated the 5th August 1929, Government published for general information and criticism the draft of an amendment to the rules prescribing qualifications for officers and servants of municipal councils so as to cover Revenue officers. No objection to the amendment proposed has been received by Government and it is accordingly confirmed. The appended notification will be published in the *Fort St. George Gazette* and republished in all the District Gazettes in English and in the vernacular.

2. The Senior Translator to Government is requested to furnish the Superintendent, Government Press, with translations of the notifications in Tamil, Telugu, Malayalam and Kanarese for publication in the District Gazettes.

(By order of the Government, Ministry of Education and Local Self-Government.)

HILTON BROWN,
Secretary to Government.

To all Collectors for arranging for publication in District Gazettes.
,, all Chairmen of Municipal Councils.
,, all Inspector of Municipal Councils.
,, the Law (Drafting) Department.
,, the Senior Translator to Government , through Law (Legislative) Department.
,, the Superintendent, Government Press, for publication of the notification in the *Fort St. George Gazette*.

Forwarded to the

(By order)

Superintendent.

[Appendix

APPENDIX.

NOTIFICATION

In exercise of the powers conferred on him by clause (*b*) of section 71 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 192 , the Governor acting with Ministers is pleased to make the following amendment to Notification No. 423 published at page 162 of Part I-A of the *Fort St. George Gazette*, dated the 21st April 1925.

Amendment.

In the entry in column (1) of item 1 of the table subjoined to the rule in the said notification, after the word 'Secretary' the words 'Revenue officer' shall be inserted.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 4695, L. & M., 17th October 1929

Rules—Qualifications for officers and servants of municipal councils and local boards—Draft published.

Order—No. 4695, L. & M., dated 17th October 1929.

Government have reconsidered the question of the qualifications to be insisted on in the case of Secretaries, Managers, Revenue Officers, Head Clerks and Accountants of local bodies and have decided to do away with the general educational qualification, retaining only the accounts qualification. This will enable those persons who were or are specially permitted to take the account test and have qualified or qualify in it to hold the posts in question and thus benefit by their qualification.

2. The appended notifications will accordingly be published in the *Fort St. George Gazette*. They should be republished in all the District Gazettes in English and in the vernacular.

3. The Senior Translator to Government is requested to furnish the Superintendent, Government Press, with translations of the notifications in Tamil, Telugu, Malayalam and Kanarese for publication in District Gazettes.

(By order of the Government, Ministry of Education and Local Self-Government)

HILTON BROWN,
Secretary to Government.

To all Presidents of District Boards with copies to Presidents of Taluk Boards and Presidents of Union Boards.
,, all Chairmen of Municipal Councils.
,, all Collectors
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Senior Translator to Government through Law (Legislative).
,, the Law (Drafting).
,, the Superintendent, Government Press, for publication of notifications in the *Fort St. George Gazette*.

94

APPENDIX

NOTIFICATIONS.

I

The following draft of an amendment to the rule prescribing the qualifications of officers and servants under municipal councils published with the notification of the Local Government in the Local Self-Govern nent Department No. 423, dated the 4th April 1925, at page 162 of Part I-A of the *Fort St. George Gazette*, dated the 21st April 1925, as subsequently amended which the Governor acting with Ministers proposes to make in exercise of the powers conferred by clause (*b*) of section 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), read with section 15 of the Madras General Clauses Act, 1891 (Madras Act I of 1891) is hereby published as required by clause (*a*) of section 305 of the first mentioned Act, for general information. Notice is hereby given that the said draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received before the expiry of the period aforesaid with respect to the said draft will be considered by the Governor acting with Ministers: —

Draft Amendment.

In the entry in column (2) of item 1 of the table subjoined to the said rule, the figures and words "(1) A completed Secondary School-Leaving Certificate, the holder of which is declared to be eligible for the University course or the Matriculation Examination of the Madras University or a corresponding examination of any other University; and (2)" shall be omitted.

II

The following draft of an amendment to the rule prescribing the qualifications of officers and servants under local boards published with the notification in the Local Self-Government Department No. 220, dated the 1st March 1924, at pages 82–83 of Part I-A of the *Fort St. George Gazette*, dated the 11th March 1924 as subsequently amended, which the Governor acting with Ministers proposes to make in exercise of the powers conferred by clause (*b*) of sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920) read with section 15 of the Madras General Clauses Act, 1891 (Madras Act I of 1891) is hereby published as required by clause (*a*) of section 200 of the first mentioned Act for general information. Notice is hereby given that the said draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received before the expiry of the period aforesaid with respect to the said draft will be considered by the Governor acting with Ministers: —

Draft Amendment.

In column (2) of item (1) of the table subjoined to the said rule, entry (1) consisting of the figure and words "(1) A completed Secondary School-Leaving Certificate or the Matriculation Examination of the Madras University or a corresponding examination of any other University" and the figure "(2)" in entry (2) shall be omitted.

GOVERNMENT OF MADRAS

95

Received.....1929. Registered.....1929.

Abstract.

Allowance - Acting - East Godavari District Board - to certain clerks in lower grades acting in higher grades - Not agreed to

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Local Self-Government Department.

G.O.No.4795 L & M.,MS., dated the 24th October 1929.

Read the following paper:-

From the President,District Board, East Godavari,

No.3019, dated the 2nd September 1929.

O R D E R :-

Government are unable to accept the view that the posts of clerk on a higher scale of pay carry duties of greater responsibility and of a different character than those on a lower one. They are therefore unable to agree to the acting allowance proposed.

(By Order of the Govt., Ministry of Education and Local Self-Government).

Ghulam Husain

Assistant Secretary.

To the President,District Board,East Godavari.

Copy to the Examiner of Local Fund Accounts.

F o r w a r d e d.

(By Order)

Superintendent.

N.M.

96

Government of Madras, —

Received 1929 Registered 1929

Abstract.-

C.S.R.-Articles 514 and 521

Re-employed pensioners - increases in pay to be communicated to the Accountant-General - Fresh sanction to be obtained.

Finance (Pension) Department.

G.O.No.Ms.920 Dated 4th November 29

Read the following:-

G.O.No.523 Finance, dated 24th June 1918

G.O.No.663 Finance (Pension) dated 13th August 1929

From the Accountant-General, No.Pen.Mis.12-352,dated 23rd October 1929.

ORDER.In Government Orders No.523 Finance, dated 24th June 1918 and 663 Finance (Pension) dated 13th August 1929 the power to deter mine under Article 514 and 521 Civil Service Regulations the amounts of pay and pension to be drawn by pensioners during re-employment - was delegated to Heads of Departments and certain subordinate authorities. They are informed that increases in the pay of pensioners - after re-employment should be communicated to the Accountant-General and that fresh sanction is necessary each time such an increase of pay is granted.

(By order of the Governor in Council)
E. C. W o o d,
Deputy Secretary to Government.

To All Heads of Departments.
" Departments of the Secretariat (all Sections)
" All Collectors.

The Accountant-General.

All Presidents of District Boards (with copies for Presidents of Taluk Boards and Union Boards).
" Chairmen of Municipal Councils.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

MUNICIPAL OFFICE
20 DEC 1939
VI

G.O. No. 4291, 2nd November 1939

Rules—Holidays to local bodies—Confirmed.

READ—the following papers :—

G.O. No. 2107, L.A., dated 30th May 1939.

From the Commissioner of the Srirangam Municipality, dated 28th June 1939, L. Dis. No. 4733/39.

From the President of the West Godavari District Board, dated 6th August 1939, Rc. No. A-1-1748/39.

From the Commissioner of the Ootacamund Municipality, dated 18th August 1939, Roc. No. A-1-2573/39.

From the Commissioner of the Tellicherry Municipality, dated 18th August 1939, Roc. No. A-2-6886/39.

From the Commissioners of other municipalities.

Order—No. 4291, L.A., dated 2nd November 1939.

In G.O. No. 2107, L.A., dated 30th May 1939, draft rules regulating the grant of holidays by local bodies to the institutions under their control were published for general information. Certain objections and suggestions received on the draft rules have been considered. They have been found unacceptable. The draft rules are now confirmed.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards (with copies for presidents of major panchayats).
,, all Executive Authorities of Municipalities (through the Chairmen of Municipal Councils).
,, all Collectors (except Madras).
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Education and Public Health Department.
,, the Public Department.
,, the Legal Department.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by clause (*g*) of section 74 and clause (*a*) of sub-section (2) of section 303 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 rule regulating the grant of holidays by municipal councils to the institutions under their control.

RULE.

The offices and institutions under the control of municipal councils shall be permitted to observe only such public and special local holidays as may be sanctioned by the Government of Madras from time to time in respect of Government offices and institutions:

Provided that the grant of holidays to educational institutions under the control of municipal councils shall be regulated in accordance with the Madras Educational Rules:

Provided further that no municipal council shall grant to offices and institutions under its control any holiday other than those sanctioned to Government offices and institutions without the previous sanction of the Government of Madras.

II

In exercise of the powers conferred by clause (i) of sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 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 rule regulating the grant of holidays by local boards to the institutions under their control.

RULE.

The offices and institutions under the control of local boards shall be permitted to observe only such public and special local holidays as may be sanctioned by the Government of Madras from time to time in respect of Government offices and institutions:

Provided that the grant of holidays to educational institutions under the control of local boards shall be regulated in accordance with the Madras Educational Rules:

Provided further that no local board shall grant to offices and institutions under its control any holiday other than those sanctioned to Government offices and institutions without the previous sanction of the Government of Madras.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 4480, L.A., 9th November 1938

Rules—Municipal councils and district boards—Establishments—Amendment—Confirmed.

READ—the following paper:—

G.O. No. 3031, L.A., dated 8th August 1938.

Order—No. 4480, L.A., dated 9th November 1938.

In G.O. No. 3031, L.A., dated 8th August 1938, Government published for general information the draft of an amendment to the rules relating to establishments under municipal councils and district boards. No objection or suggestion has been received and the amendment is hereby confirmed.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Executive Authorities of all Municipal Councils (through the Chairmen of Municipal Councils concerned).
,, all Presidents of District Boards.
,, all Collectors (except the Collector of Madras).
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer (through the Chief Engineer, Public Works Department).
,, the Public (Political) Department.
,, the Legal Department.
,, the Education and Public Health Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by sections 73 and 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and rule 37 of Schedule IV to the said Act, the Government of Madras are hereby pleased to make the following amendment to the rules relating to establishments under municipal councils published with Local Self-Government Department Notification No. 687, dated the 2nd June 1936, at pages 316 to 318 of Part I-A of the *Fort St. George Gazette*, dated the 16th June 1936, as subsequently amended:—

AMENDMENT.

After sub-rule (5) of rule 7 of the said rules, the following sub-rule shall be inserted, namely:—

"(6) A person who has completed his period of probation and is awaiting confirmation shall, unless his increment is withheld as a measure of punishment, be entitled to draw the increments earned by him from time to time in the time-scale of pay, if any, applicable to the post concerned, including his period of probation."

II

In exercise of the powers conferred by section 70, sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and clause (*a*) of sub-rule (1) of rule 1-C of Schedule V to the said Act, the Government of Madras are hereby pleased to make the following amendment to the rules relating to establishments under district boards published with Local Self-Government Department Notification No. 688, dated the 2nd June 1936, at pages 318 to 320 of Part I-A of the *Fort St. George Gazette*, dated the 16th June 1936, as subsequently amended:—

AMENDMENT.

After sub-rule (5) of rule 8 of the said rules, the following sub-rule shall be inserted, namely:—

"(6) A person who has completed his period of probation and is awaiting confirmation shall, unless his increment is withheld as a measure of punishment, be entitled to draw the increments earned by him from time to time in the time-scale of pay, if any, applicable to the post concerned, including his period of probation."

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 585, 13th February 1939

Rules—Appointment and punishment of officers and servants of local boards—Modification by presidents of panchayat boards of punishments inflicted on their staff—Amendment confirmed.

READ—the following paper:—

G.O. No. 4417, L.A., dated 7th November 1938.

Order—No. 585, L.A., dated 13th February 1939.

In G.O. No. 4417, L.A., dated 7th November 1938, Government published for general information the draft of an amendment to the rules relating to the appointment and punishment of officers and servants of local boards. No objection or suggestion has been received and the amendment is hereby confirmed.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards with copies to Presidents of Panchayat Boards (ex-unions) and the Valparai Panchayat Board.
,, all Collectors.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer, through the Chief Engineer, Public Works Department.
,, the Public (Political) Department.
,, the Education and Public Health Department.
,, the Legal Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notification in the *Fort St. George Gazette*.

[Appendix

APPENDIX

NOTIFICATION.

In exercise of the powers conferred by sections 70 and 72 and clause (*a*) of sub-section (2) of section 199 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 rules relating to the appointment and punishment of officers and servants of local boards published with Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451 to 453 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, as subsequently amended:—

AMENDMENT.

In rule 12 of the said rules, for the words "without the previous sanction of the president of the district board," the words "without the previous sanction of the Inspector of Municipal Councils and Local Boards" shall be substituted.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 3662, 14th September 1938

Rules—District boards—Establishments—Amendment—Confirmed.

READ—the following papers:—

G.O. No. 1973, L.A., dated the 30th May 1938.

File of replies and criticisms received.

Order—No. 3662, L.A., dated 14th September 1938.

In G.O. No. 1973, L.A., dated the 30th May 1938, Government published for general information and criticism the draft of an amendment to the rules relating to establishments under district boards. The amendment has now been modified so as to confine it expressly to engineering establishments. The amendment as thus revised is hereby confirmed.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards.
" all Collectors (except Collector of Madras).
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Director of Public Instruction.
" the Director of Public Health.
" the Surgeon-General.
" the Sanitary Engineer.
" the Public (Political) Department.
" the Legal Department.
" the Education and Public Health Department.
" the Principal, Indian Medical School.
" the Superintendent, Government Press, for publication of the notification in the *Fort St. George Gazette*.

[Appendix

[Appendix

" the Public (Political) Department.
" the Education and Public Health Department.
" the Legal Department.
" the Principal, Indian Medical School.
" the Superintendent, Government Press, for publication of the notification in the *Fort St. George Gazette*.

[Appendix

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by section 70, sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and clause (*a*) of sub-rule (1) of rule 1-C of Schedule V to the same Act, the Government of Madras are hereby pleased to make the following amendment to the rules relating to establishments under district boards published with Local Self-Government Department Notification No. 688, dated the 2nd June 1936, at pages 318 to 320 of Part I-A of the *Fort St. George Gazette*, dated the 16th June 1936, as subsequently amended:—

AMENDMENT.

In sub-rule (3) of rule 8 of the said rules, before the Explanation, the following proviso shall be inserted, namely:—

"Provided that the order laid down in this sub-rule may, for special reasons, be departed from in the case of engineering establishments, with the previous sanction of the Provincial Government."

Government of Madras

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

934 E.P.H. 28-4-37

G.O. No. 3400, 26th September 1938

Rules—Appointment and punishment of officers and servants of local boards—Medical establishments—Amendment—Confirmed.

READ—the following paper:—

G.O. No. 2185, P.H., dated 15th June 1938.

Order—No. 3400, P.H., dated 26th September 1938.

In G.O. No. 2185, P.H., dated 15th June 1938, the Government published for general information and criticism a draft amendment to the rules relating to the appointment and punishment of officers and servants of district boards.

2. No objections or suggestions have been received in respect of the draft amendment. It is now confirmed.

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

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To all Presidents of District Boards.
,, the Inspector of Municipal Councils and Local Boards.
,, all Collectors except Madras.
,, the Examiner of Local Fund Accounts.
,, the Surgeon-General.
,, the Legal Department.
,, the Principal, Indian Medical School.
,, the Local Administration Department.
,, the Public (Political) Department.
,, the Superintendent, Government Press (for publication of the notification in the Gazette).

[Appendix

,, the Public (Political) Department.
,, the Education and Public Health Department.
,, the Legal Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notification in the *Fort St. George Gazette*.

[Appendix

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by section 70 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Government of Madras are hereby pleased to make the following amendment to the rules relating to the appointment and punishment of officers and servants of district boards, published with Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451–453 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, as subsequently amended:—

AMENDMENT.

In the provisos to clauses (*a*) and (*b*) of rule 1 of the said rules, for the words "in a permanent vacancy," the words "in a permanent or in a non-permanent vacancy" shall be substituted.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT.

G.O. No. 4378, 4th November 1938

Rules—Appointment and punishment of officers and servants of local boards—Appeals from servants of panchayat boards—Amendment—Confirmed.

READ—the following papers:—

G.O. No. 2291, L.A., dated 20th June 1938.

The file of replies and criticisms received.

Order—No. 4378, L.A., dated 4th November 1938.

In G.O. No. 2291, L.A., dated the 20th June 1938, Government published for general information the draft of an amendment to the rules relating to the appointment and punishment of officers and servants of local boards so as to vest in the Inspector of Municipal Councils and Local Boards, the power of disposal of appeals from the servants of panchayat boards which is now being exercised by presidents of district boards. The proposal has been objected to by some presidents of district boards on the ground that it amounts to a curtailment of their authority. Government do not consider this a sufficient reason for not making the change proposed and they have decided to confirm the draft amendment.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards with copies to Presidents of Panchayat Boards (ex-unions) and the Valparai Panchayat Board.
" all Collectors.
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Director of Public Instruction.
" the Director of Public Health.
" the Surgeon-General.
" the Sanitary Engineer.
" the Public (Political) Department.
" the Education and Public Health Department.
" the Legal Department.
" the Principal, Indian Medical School.
" the Superintendent, Government Press, for publication of the notification in the *Fort St. George Gazette*.

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by sections 70 and 72 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Government of Madras are hereby pleased to make the following amendment to the rules relating to the appointment and punishment of officers and servants of local boards published with Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451–453 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936 as subsequently amended :—

AMENDMENT.

For clause (*a*) of sub-rule (2) of rule 9 of the said rules, the following clause shall be substituted, namely :—

" (*a*) in the case of an order passed by the president of a panchayat, to the Inspector of Municipal Councils and Local Boards; and ".

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

G.O. No. 1265, 6th June 1938

Rules—Local bodies—Disposal of appeals from teachers—Delegation of power to Director of Public Instruction—Amendment—Confirmed.

Order—No. 1265, Education, dated 6th June 1938.

In G.O. No. 445, Education, dated the 22nd February 1938, the Government published for general information and criticism a draft of an amendment to the rules relating to the appointment and punishment of officers and servants of local boards and municipal councils. They have examined the suggestions received and are pleased to issue the amendment as slightly revised in the appendix to this order.

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

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To the Director of Public Instruction.
,, Presidents of District Boards.
,, Collectors.
,, the Executive Authorities of Municipal Councils (through the Chairmen of Municipal Councils concerned).
,, the Local Administration Department.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Legal Department.
,, the Superintendent, Government Press (for publication of the notifications in the Gazette).

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by sections 70 and 72 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Government of Madras are hereby pleased to make the following amendment to the rules relating to the appointment and punishment of officers and servants of local boards, published with Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451–453 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, as subsequently amended.

AMENDMENT.

For clause (*b*) of sub-rule (2) of rule 9 of the said rules, the following clause shall be substituted, namely:—

"(*b*) in the case of an order passed by the president of a district board,

(i) in respect of a member of the teaching establishment of a school, to the Director of Public Instruction:

Provided that if the appeal is preferred by the headmaster, or relates to the post of headmaster, of a high school, such appeal shall lie to the Government of Madras; and

(ii) in respect of any other officer or servant, to the Government of Madras."

II

In exercise of the powers conferred by sections 73 and 75 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Government of Madras are hereby pleased to make the following amendment to the rules relating to the appointment and punishment of officers and servants of municipal councils, published with Local Self-Government Department Notification No. 935, dated the 18th August 1936, at pages 453–454 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, as subsequently amended.

AMENDMENT.

For the first paragraph of sub-rule (1) of rule 8 of the said rules, the following paragraph shall be substituted, namely:—

"Against all orders of the executive authority imposing punishments other than those referred to in rule 7, an appeal shall lie—

(i) to the Director of Public Instruction, if the order relates to a member of the teaching establishment of a school:

Provided that if the appeal is preferred by the headmaster, or relates to the post of headmaster, of a high school, such appeal shall lie to the Government of Madras; and

(ii) to the Government of Madras, if the order relates to any other officer or servant."

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 2181, 11th June 1938

Rules—Appointment and punishment of officers and servants of local boards and municipal councils—Amendment—Confirmed.

READ—the following papers:—

G.O. No. 752, L.A., dated 3rd March 1938.

From the President of the Salem District Board, dated 21st March 1938, R.O.C. No. 912/38-A-5.

Order—No. 2181, L.A., dated 11th June 1938.

In G.O. No. 752, L.A., dated the 3rd March 1938, Government published for general information the draft of an amendment to the rules relating to appointment and punishment of officers and servants of local boards and municipal councils. No objections to the proposed amendment nor suggestions for its modification have been received by Government and the amendment is accordingly confirmed.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards with copies to Presidents of Panchayat Boards (ex-unions) and the Valparai Panchayat Board.
,, the Executive Authorities of all Municipal Councils (through the Chairmen of Municipal Councils concerned).
,, all Collectors.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer.
,, the Education and Public Health Department.
,, the Public (Political) Department.
,, the Legal Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

[Appendix

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by sections 70 and 72 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Government of Madras are hereby pleased to make the following amendment to the rules relating to the appointment and punishment of officers and servants of local boards published with Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451–453 of Part I-A of the *Fort St George Gazette*, dated the 1st September 1936:—

AMENDMENT.

In rule 4 of the said rules, the words "of a political offence, or" shall be omitted.

II

In exercise of the powers conferred by sections 73 and 75 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Government of Madras are hereby pleased to make the following amendment to the rules relating to the appointment and punishment of officers and servants of municipal councils published with Local Self-Government Department Notification No. 935, dated the 18th August 1936, at pages 453–454 of Part I-A of the *Fort St George Gazette*, dated the 1st September 1936:—

AMENDMENT.

In rule 3 of the said rules, the words "of a political offence, or" shall be omitted.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 2182, 11th June 1938

Rule—Establishment—Local boards and municipal councils—Conviction for offences in connexion with non-co-operation and civil disobedience movements—Not to be treated as a bar for appointment—Confirmed.

READ—the following papers:—

G.O. No. 751, L.A., dated 3rd March 1938.

From the President of the Salem District Board, dated 21st March 1938, R.O.C. No. 912/38-A5.

Order—No. 2182, L.A., dated 11th June 1938.

In G.O. No. 751, L.A., dated the 3rd March 1938, Government published for general information the draft of a rule removing the ban on employment in the service of local boards and municipal councils, of persons convicted for offences in connexion with the non-co-operation and civil disobedience movements. No objections to the proposed rule nor suggestions for its amendment have been received by Government and the rule is accordingly confirmed.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards with copies to Presidents of Panchayat Boards (ex-unions) and the Valparai Panchayat Board.
,, the Executive Authorities of Municipal Councils (through the Chairmen of Municipal Councils concerned).
,, all Collectors.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer.
,, the Education and Public Health Department.
,, the Public (Political) Department.
,, the Legal Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

APPENDIX

NOTIFICATIONS.

I

In exercise of the powers conferred by sections 70 and 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Government of Madras are hereby pleased to make the following rule:—

RULE.

Notwithstanding anything contained in any rule for the time being in force, no person shall be disqualified for appointment under a local board by reason only of his conviction for an offence committed in furtherance of the non-co-operation or civil disobedience movement.

II

In exercise of the powers conferred by sections 73 and 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Government of Madras are hereby pleased to make the following rule:—

RULE.

Notwithstanding anything contained in any rule for the time being in force, no person shall be disqualified for appointment under a municipal council by reason only of his conviction for an offence committed in furtherance of the non-co-operation or civil disobedience movement.

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

G.O. No. 1496 28th June 1938

Rules—Local bodies—Establishments—Appointment and punishment of officers—Amendments—Confirmed.

Order—No. 1496, Education, dated 28th June 1938.

In G.O. No. 229, Education, dated 28th January 1938, the Government published for general information and criticism certain amendments to the rules relating to the appointment and punishment of officers and servants of local boards and municipal councils. They have examined the suggestions received and are pleased to issue the amendments as revised in the appendix to this order.

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

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To the Presidents of District Boards [with copies to Presidents of Panchayat Boards (ex-unions) and the Valparai Panchayat Board].
" Executive Authorities of Municipal Councils (through the Chairmen of Municipal Councils concerned).
" Collectors.
" Inspector of Municipal Councils and Local Boards.
" Examiner of Local Fund Accounts.
" Director of Public Instruction.
" Director of Public Health.
" Surgeon-General.
" Sanitary Engineer.
" Public Department.
" Local Administration Department.
" Legal Department.
" Principal, Indian Medical School.
" Superintendent, Government Press (for publication of the notifications in the Gazette).

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by section 70, sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and clause (*a*) of sub-rule (1) of rule 1 (*c*) of Schedule V to the same Act, the Government of Madras are hereby pleased to make the following amendments to the rules relating to establishments under district boards, published with Local Self-Government Department Notification No. 688, dated the 2nd June 1936, at pages 318–320 of Part I-A of the *Fort St. George Gazette*, dated the 16th June 1936:—

AMENDMENTS.

In rule 18 of the said rules—

(i) in sub-rule (*a*), after Explanation (2), the following provisos shall be inserted, namely:—

"Provided that teachers in elementary and secondary schools shall constitute separate units:

Provided further that for the purposes of clauses (1), (3) and (4), assistants in the L.T. or B.Ed. grade in the scale of Rs. 65—5/2—100 in secondary schools shall be grouped according to the subjects they teach. If any such assistant teaches more than one subject he shall, for the purpose of grouping, be deemed to teach such subject as the president of the district board may, in consultation with the District Educational Officer or, as the case may be, the Inspectress of Girls' Schools, determine. But where the grouping is likely to cause hardship to the existing assistants with a service of not less than five years in the L.T. or B.Ed. grade the unit for discharge or reversion shall be the group of assistants in the L.T. or B.Ed. grade taken as a whole if the district board can make satisfactory arrangements with the existing staff for the teaching of all the subjects under the Secondary School-Leaving Certificate scheme in accordance with the provisions of rule 13 of the Madras Educational Rules."; and

(ii) to sub-rule (*b*), the following proviso shall be added, namely:—

"Provided that no permanent teacher in a secondary school, in the secondary grade, shall be discharged or reverted to provide an appointment for an assistant in the L.T. or B.Ed. grade discharged under clause (4) aforesaid, unless it be to provide an appointment for an assistant in the L.T. or B.Ed. grade who has been promoted from the secondary grade, and who before such promotion held a substantive post in the secondary grade."

II

In exercise of the powers conferred by sections 73 and 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and rule 37 of Schedule IV to the same Act, the Government of Madras are hereby pleased to make the following amendments to the rules relating to establishments under municipal councils, published with Local Self-Government Department Notification No. 687, dated the 2nd June 1936, at pages 316—318 of Part I-A of the *Fort St. George Gazette*, dated the 16th June 1936:—

AMENDMENTS.

In rule 17 of the said rules—

(i) in sub-rule (*a*), after Explanation (2), the following provisos shall be inserted, namely:—

"Provided that teachers in elementary and secondary schools shall constitute separate units:

Provided further that for the purposes of clauses (1), (3) and (4), assistants in the L.T. or B.Ed. grade in the scale of Rs. 65—5/2—100 in secondary schools shall be grouped according to the subjects they teach. If any such assistant teaches more than one subject he shall, for the purpose of grouping, be deemed to teach such subject as the Executive Authority may, in consultation with the District Educational Officer or, as the case may be, the Inspectress of Girls' Schools, determine. But where the grouping is likely to cause hardship to the existing assistants with a service of not less than five years in the L.T. or B.Ed. grade the unit for discharge or reversion shall be the group of assistants in the L.T. or B.Ed. grade taken as a whole if the Executive Authority can make satisfactory arrangements with the existing staff for the teaching of all the subjects under the Secondary School-Leaving Certificate scheme in accordance with the provisions of rule 13 of the Madras Educational Rules."; and

(ii) to sub-rule (*b*), the following proviso shall be added, namely:—

"Provided that no permanent teacher in a secondary school, in the secondary grade, shall be discharged or reverted to provide an appointment for an assistant in the L.T. or B.Ed. grade discharged under clause (4) aforesaid, unless it be to provide an appointment for an assistant in the L.T. or B.Ed. grade who has been promoted from the secondary grade, and who before such promotion held a substantive post in the secondary grade.

III

In exercise of the powers conferred by sections 70 and 72 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Government of Madras are hereby pleased to make the following amendments to the rules relating to the appointment and punishment of officers and servants of local boards, published with Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451–453 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, as subsequently amended:—

AMENDMENTS.

In rule 1 of the said rules—

(i) in clause (*g*), the word "and" occurring at the end shall be omitted; and

(ii) after clause (*h*), the following word and clause shall be inserted, namely:—

"and

(*i*) to be a teacher in the L.T. or B.Ed. grade of the high school department of a secondary school under a district board except in consultation with the District Educational Officer in the case of boys' schools and the Inspectress of Girls' Schools in the case of girls' schools."

IV

In exercise of the powers conferred by sections 73 and 75 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Government of Madras are hereby pleased to make the following amendments to the rules relating to the appointment and punishment of officers and servants of municipal councils published with Local Self-Government Department Notification No. 935, dated the 18th August 1936, at pages 453–454 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, as subsequently amended:—

AMENDMENTS.

In rule 1 of the said rules—

(i) in clause (*e*), the word "and" occurring at the end shall be omitted;

(ii) clause (*h*) shall be relettered as clause (*f*) and in that clause as so relettered the word "and" shall be added at the end; and

(iii) after clause (*f*) as so relettered, the following clause shall be added, namely:—

"(*g*) to be a teacher in the L.T. or B.Ed. grade of the high school department of a secondary school under a municipal council except in consultation with the District Educational Officer in the case of boys' schools and the Inspectress of Girls' Schools in the case of girls' schools."

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 756, 24th February 1938

Rules—Appointment and punishment of officers and servants of local boards and municipal councils—Amendment—Confirmed.

READ—the following paper:—

G.O. No. 2577, P.H., dated 18th December 1936.

Order—No. 756, P.H., dated 24th February 1938.

In G.O. No. 2577, P.H., dated 18th December 1936, the Government published for general information and criticism an amendment to the rules relating to the appointment and punishment of officers and servants of local boards and municipal councils. They have examined the suggestions received thereto and are pleased to issue the amendment as revised in the appendix to this order.

2. The suggestion of the Commissioner of the Tuticorin Municipality regarding the further amendment of the rules in G.O. No. 3648, L.S.G., dated 18th August 1936, is separately under consideration.

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

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To all Presidents of District Boards.
" all Executive Authorities of Municipalities (through Chairmen of Municipal Councils).
" all Collectors.
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Director of Public Instruction.
" the Director of Public Health.
" the Surgeon-General.
" the Sanitary Engineer.
" the Public (Political) Department.
" the Legal Department.
" the Principal of Indian Medical School.
" the Superintendent, Government Press, for publication of the notifications in the Gazette.

[Appendix

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by sections 70 and 72 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Government of Madras are hereby pleased to make the following amendment to the rules relating to the appointment and punishment of officers and servants of local boards published with Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451–453 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936:—

AMENDMENT.

In rule 1 of the said rules—

(i) the word "and" at the end of clause (*f*) shall be omitted; and

(ii) after clause (*g*), the following word and clause shall be added, namely:—

" ; and

(*h*) to be a woman medical officer, a health visitor or a midwife for maternity and child welfare work under a local board, except in consultation with the Director of Public Health, provided that in cases of emergency, temporary appointments for a period not exceeding three months, may be made in consultation with the Health Officer concerned, the Director of Public Health being consulted if the appointment is continued beyond a period of three months."

II

In exercise of the powers conferred by sections 73 and 75 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Government of Madras are hereby pleased to make the following amendment to the rules relating to the appointment and punishment of officers and servants of municipal councils published with Local Self-Government Department Notification No. 935, dated the 18th August 1936, at pages 453–454 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936:—

AMENDMENT.

In rule 1 of the said rules—

after clause (*e*), the following word and clause shall be added, namely:—

" ; and

(*h*) to be a woman medical officer, a health visitor or a midwife for maternity and child welfare work under a municipal council, except in consultation with the Director of Public Health, provided that in cases of emergency, temporary appointments for a period not exceeding three months, may be made in consultation with the Health Officer concerned, the Director of Public Health being consulted if the appointment is continued beyond a period of three months."

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 316, 29th January 1938

Rules—District Board—Establishments—Amendment—Confirmed.

READ—the following papers:—

G.O. No. 3985, L.A., dated 26th October 1937.

From the President of the South Ramnad District Board, dated 14th December 1937, R.O.C. No. A-1-1227.

Order—No. 316, L.A., dated 29th January 1938.

In G.O. No. 3985, L.A., dated the 26th October 1937, Government published for general information the draft of an amendment to the rules relating to establishments under district boards. The President, District Board, South Ramnad, has made certain suggestions. They are not acceptable to Government. The amendment as published is hereby confirmed.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards.
,, all Collectors.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer.
,, the Public (Political) Department.
,, the Legal Department.
,, the Education and Public Health Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notification.

APPENDIX

NOTIFICATION.

In exercise of the powers conferred by section 70, sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and clause (*a*) of sub-rule (1) of rule 1-C of Schedule V to the same Act, the Government of Madras are hereby pleased to make the following amendment to the rules relating to establishments under district boards published with Local Self-Government Department Notification No. 688, dated the 2nd June 1936, at pages 318 to 320 of Part I-A of the *Fort St. George Gazette*, dated the 16th June 1936, as subsequently amended :—

AMENDMENT.

After sub-rule (2) of rule 8 of the said rules, the following sub-rule shall be inserted, namely :—

"(2-A) If within the period of probation a probationer fails to pass the test, if any, which he is required by or under any rules to pass within such period, the appointing authority shall forthwith terminate his probation and revert him to his permanent post if he is already a permanent local board officer or servant, or discharge him from the service of the local board in other cases :

Provided that if he has appeared within the period of probation for the test and the results of the test are not known before the expiry of such period, he shall continue to be on probation until the publication of the results of the test."

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 2340, 15th September 1937

Rules—Appointment and punishment of officers and servants of municipal councils—Medical establishments—Amendment—Confirmed.

READ—the following paper :—

G.O. No. 1377, P.H., dated 10th June 1937.

Order—No. 2340, P.H., dated 15th September 1937.

In G.O. No. 1377, P.H., dated 10th June 1937, the Government published for general information and criticism a draft of an amendment to the rules relating to appointment and punishment of officers and servants of municipal councils.

No objections or suggestions have been received in respect of the proposed amendment. The draft amendment is now confirmed.

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

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To all Executive Authorities of Municipalities.
,, the Inspector of Municipal Councils and Local Boards.
,, all Collectors except the Collector of Madras.
,, the Examiner of Local Fund Accounts.
,, the Surgeon-General.
,, the Legal Department.
,, the Principal of Indian Medical School.
,, the Local Administration Department.
,, the Public (Political) Department.
,, the Superintendent, Government Press (for publication of the notificaion in the Gazette).

APPENDIX

NOTIFICATION

In exercise of the powers conferred by section 73 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Provincial Government are hereby pleased to make the following amendment to the rules relating to appointment and punishment of officers and servants of municipal councils, published with Local Self-Government Department Notification No. 935, dated the 18th August 1936, at pages 453–454 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936 :—

AMENDMENT.

In clause (*e*) of rule 1 of the said rules, for the words "and of the District Medical Officer in the case of any other hospital or dispensary," the following words shall be substituted, namely : "and in the case of any other hospital or dispensary with the Civil Surgeon in the Municipality or if there is no such officer in the Municipality, with the District Medical Officer."

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT.

G.O. No. 1054, 15th September 1936

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

1210 Publ 4-4-38

G.O. No. 926, 6th March 1937

Rules—Municipal Councils—Establishments—Amendment—Confirmed.

READ—the following paper :—

G.O. No. 61, L.S.G., dated the 5th January 1937.

Order—No. 926, L.S.G., dated 6th March 1937.

In G.O. No. 61, L.S.G., dated 5th January 1937, Government published for general information the draft of an amendment to the rules relating to establishments under municipal councils. No objection or suggestion was received and the amendment is hereby confirmed.

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

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To the Executive Authorities of all Municipal Councils (through the Chairmen of Municipal Councils concerned).
,, all Collectors.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, Sanitary Engineer.
,, the Public Department.
,, the Legal Department.
,, the Education and Public Health Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication in the *Fort St. George Gazette*.

[Appendix

(By order)

Superintendent.

[Appendix

APPENDIX

NOTIFICATION.

In exercise of the powers conferred by sections 73 and 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and rule 37 of Schedule IV to the same Act, the Governor acting with Ministers is pleased to make the following amendment to the rules relating to establishments under municipal councils published with Local Self-Government Department Notification No. 687, dated the 2nd June 1936, at pages 316 to 318 of Part I-A of the *Fort St. George Gazette*, dated the 16th June 1936:—

AMENDMENT.

In Explanation (2) to sub-rule (*a*) of rule 17 of the said rules, the words "by the same authority" at the end shall be omitted.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT.

G.O. No. 4054, 15th September 1936

Rule—Qualifications of officers and servants of district boards—Amendments relating to Secretaries—Confirmed.

READ—the following papers:—

G.O. No. 2876, L.S.G., dated 6th July 1936.

From the President of the South Arcot District Board, dated the 3rd August 1936, No. G.R. 297.

Order—No. 4054, L.S.G., dated 15th September 1936.

In G.O. No. 2876, L.S.G., dated the 6th July 1936, Government published for general information, the draft of certain amendments to the rule relating to qualifications of officers and servants of district boards.

2. Government have considered the suggestions received from the President, District Board, South Arcot, on the draft amendments and these are not acceptable to them. The amendments are accordingly confirmed.

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

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Presidents of District Boards.
" all Collectors.
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Director of Public Instruction.
" the Director of Public Health.
" the Surgeon-General.
" the Sanitary Engineer.
" the Public Department.
" the Education and Public Health Department.
" the Legal Department.
" the Principal, Indian Medical School.
" the Superintendent, Government Press, for publication of the notification in the gazette.

Forwarded to the

(By order)

Superintendent.

APPENDIX

NOTIFICATION.

In exercise of the powers conferred by clause (*c*) of sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Governor acting with Ministers is hereby pleased to make the following amendments to the rule prescribing the qualifications of officers and servants under district boards published with Local Self-Government Department Notification No. 1523 at page 562 of Part I-A of the *Fort St. George Gazette*, dated the 3rd December 1935:—

AMENDMENTS.

In the table subjoined to the said rule—

(i) items (1), (2) and (3) shall be renumbered (2), (3) and (4), respectively, and the following shall be inserted as item (1), namely:—

Description of post. (1)	*Qualifications.* (2)
"(1) Secretary ..	A pass in Part I of the Account test prescribed for subordinate officers in Government service, within the period of probation, unless he has already passed in the said part in addition to the general educational qualification specified in column (2) against item (3) below,"; and

(ii) in item (2) as so renumbered, the word "Secretary" in column (1) shall be omitted, and for the word, brackets and figure "item (2)," in column (2), the word, brackets and figure "item (3)" shall be substituted.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

G.O. No. 114, 7th January 1937

Rules—District boards—Establishments—Removal of age-limit for appointment of Secretaries—Amendment confirmed.

READ—the following papers:—

G.O. No. 4986, L.S.G., dated the 14th November 1936.

From the Ex-officio President of the Salem District Board, dated 20th December 1936, R.O.C. No. 5076.

Order—No. 114, L.S.G., dated 7th January 1937.

In G.O. No. 4986, L.S.G., dated the 14th November 1936, Government published for general information the draft of an amendment to the rules relating to establishments under district boards.

2. No objection or suggestion having been received, the amendment is hereby confirmed.

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

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Presidents of District Boards.
,, all Collectors.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer.
,, the Public Department.
,, the Legal Department.
,, the Education and Public Health Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notification.

APPENDIX

NOTIFICATION.

In exercise of the powers conferred by section 70, sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and clause (*a*) of sub-rule (1) of rule 1-C of Schedule V to the same Act, the Governor acting with Ministers is hereby pleased to make the following amendment to the rules relating to establishments under district boards published with Local Self-Government Department Notification No. 688, dated the 2nd June 1936, at pages 318 to 320 of Part I-A of the *Fort St. George Gazette*, dated the 16th June 1936 :—

AMENDMENT.

After the proviso to rule 7 of the said rules, the following proviso shall be added, namely :—

"Provided also that nothing contained in this rule shall apply to the appointment of a person as Secretary."

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

G.O. No. 3648, 18th August 1936

Rules—Appointment and punishment of officers and servants of local boards and municipal councils—Confirmed.

READ—the following papers :—

G.O. No. 2178, L. & M., dated 8th June 1935.

File of replies received.

Order—No. 3648, L.S.G., dated 18th August 1936.

In G.O. No. 2178, L. & M., dated 8th June 1935, Government published for general information, the draft of the rules relating to appointments and punishments of officers and servants of local boards and municipal councils.

2. Government have considered the suggestions received and have made certain additions and alterations to the rules. The rules as thus revised are hereby confirmed.

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

(By order of the Government, Ministry of Education and Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Presidents of District Boards with copies to Presidents of Panchayat Boards (ex-unions) and the Valparai Panchayat Board.
,, the Executive Authorities of all Municipal Councils (through the Chairmen, Municipal Councils concerned).
,, all Collectors.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer.
,, the Revenue Department.
,, the Education and Public Health Department.
,, the Legal Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

APPENDIX

NOTIFICATIONS.

I

In exercise of the powers conferred by sections 70 and 72 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and in supersession of the rules published with Local Self-Government Department Notification No. 1407, dated the 8th September 1932, at pages 925 of Part I-A of the *Fort St. George Gazette*, dated the 20th September 1932, as subsequently amended, the Governor acting with Ministers is hereby pleased to make the following rules relating to the appointment and punishment of officers and servants of local boards:—

RULES.

1. No person shall be appointed—

(*a*) to be a medical officer in an Ayurvedic, Unani, Siddha or Homœopathic hospital or dispensary under the administrative control of a local board or to be a reserve medical officer in the service of a district board for employment in any such hospital or dispensary except in consultation with the Principal, Indian Medical School, Madras:

Provided that where a stipendiary of the local board concerned who has undergone training in the Indian Medical School, Madras, and whom the Principal of the said School does not consider to be unsuitable for appointment, is available, no person other than such stipendiary shall be appointed in a permanent vacancy except with the special sanction of the Local Government;

(*b*) to be a medical officer in any other medical institution under the administrative control of a local board or to be a reserve medical officer in the service of a district board for employment in any such institution, except in consultation with—

(i) the District Medical Officer, if the person is a Government medical officer whose services have been placed at the disposal of the local board under section 74 of the Act; and

(ii) the Surgeon-General, in other cases:

Provided that where a stipendiary of the local board concerned who has undergone training in the Stanley Medical School, Madras, or in the Lady Willingdon Medical School for Women, Madras, and whom the Surgeon-General does not consider to be unsuitable for appointment, is available, no person other than such stipendiary shall be appointed in a permanent vacancy except with the special sanction of the Local Government;

(*c*) to be a sanitary inspector or vaccinator under a local board except in consultation with the District Health Officer;

(*d*) to be a draughtsman, overseer, or assistant engineer under a local board except in consultation with the District Engineer;

(*e*) to be a compounder, midwife, nurse or nursing orderly (ward attendant) under a local board except in consultation with the Principal, Indian Medical School, Madras, in the case of an Ayurvedic, Siddha, Unani or Homœopathic hospital or dispensary and with the District Medical Officer in the case of any other hospital or dispensary;

(*f*) to be an assistant panchayat officer under a local board except in consultation with the Inspector of Municipal Councils and Local Boards; and

(*g*) to be a secretary under a district board except with the previous approval of the Local Government.

2. Where a district board maintains a reserve staff of medical officers, nurses, compounders, midwives or vaccinators, persons from such reserve staff, if available, shall be appointed to fill up non-permanent vacancies in the respective categories of appointments under the administrative control of panchayats in the district. Any member of the reserve staff so appointed shall, during the period of his employment under the panchayat, retain a lien on his appointment in the cadre of the reserve staff to which he belongs and be regarded as a person whose services are temporarily lent to the panchayat.

Explanation.—The provisions of rule 1 regarding consultation shall not apply in the case of appointments made under this rule.

3. Where an officer or servant of a local board is found guilty of any negligence or breach of rules or orders, in consequence of which pecuniary loss has been caused to the board, the president of the board may, in addition to any other punishment which may be inflicted in respect of such negligence or breach, order that the whole or a portion of the loss shall be made good by such officer or servant.

4. No officer or servant of a local board who is convicted of a political offence, or of an offence involving moral turpitude shall be retained in the service of the board except with the special sanction of the Local Government.

5. No order of dismissal, of removal, of reduction, of suspension not being one pending inquiry, or withholding increments or promotion, including stoppage at an efficiency bar shall be passed on an officer or servant of a local board (other than an order based on facts which have led to his conviction in a criminal court) unless he has been informed in writing of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case. He shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires or if the authority concerned so directs, an oral inquiry shall be held. At that inquiry oral evidence shall be heard as to such of the allegations as are not admitted and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the person conducting the enquiry may, for special and sufficient reasons to be recorded in writing, refuse to call a witness. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof:

Provided that this rule shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him:

Provided also that where there is a difficulty in observing exactly the requirements of this rule, all or any of the provisions thereof may, in exceptional cases for special and sufficient reasons to be recorded in writing, be waived with the previous sanction of the Local Government:

Provided further that any punishment inflicted on an assistant panchayat officer shall be subject to the approval of the Inspector of Municipal Councils and Local Boards:

Provided further that no punishment shall be inflicted on any member of the establishments specified in column (1) of the table below excluding non-technical staff, except in consultation with the officer mentioned in the corresponding entry in column (2) thereof:—

Establishment. (1)	Officer to be consulted. (2)
Establishment in a medical institution including reserve staff.	District Medical Officer or Civil Surgeon in respect of establishment in medical institutions of Western medicine and the Principal, Indian Medical School, in respect of establishment in institutions of Indian medicine.
Engineering establishment.	District Board Engineer.
Electrical Engineering establishment-	Electrical Engineer.
Public Health establishment.	District Health Officer.
Water-works or Drainage establishment.	Sanitary Engineer to Government.

Explanation I.—The discharge or reversion to a lower post—

(i) of a person appointed on probation, during the period of probation, or

(ii) of a person engaged under contract. in accordance with the terms of his contract, or

(iii) of a person appointed otherwise than under contract, to hold a temporary appointment, on the expiration of the period of the appointment

does not amount to removal or dismissal or to reduction within the meaning of this rule.

Explanation II.—The discharge or reversion to a lower post of any person officiating in any post—

(i) if made in accordance with such general or special rules or orders as the Local Government may issue in that behalf, does not amount to removal or dismissal or to reduction within the meaning of this rule, and

(ii) if not so made, shall amount to removal or reduction, as the case may be, within the meaning of this rule.

6. Where the Training-School Leaving Certificate of a teacher in a local board school is suspended or cancelled by the Director of Public Instruction, Madras, the president of the local board concerned shall suspend such teacher during the period for which his certificate is so suspended or dismiss him, as the case may require. The provisions of rule 5 shall not apply to the suspension or dismissal of a teacher under this rule.

7. The president of a local board may suspend any officer or servant of the board pending inquiry into his conduct, provided that the period of suspension shall not exceed three months in the aggregate. During the period of his suspension, such officer or servant shall be paid a subsistance allowance the amount of which shall not exceed one-fourth of his salary.

8. No appeal shall lie against the orders of the president of a local board imposing any one or more of the following punishments, namely:—

(*a*) censure;

(*b*) a fine not exceeding five rupees, or a recovery of any sum not exceeding five rupees under rule 3;

(*c*) suspension or dismissal under rule 6; or

(*d*) suspension pending inquiry under rule 7.

9. (1) An appeal shall lie against all orders of the president of a local board imposing punishments other than those referred to in rule 8:

Provided that the discharge or reversion of any person shall not be deemed to be an order imposing a punishment within the meaning of this sub-rule in cases falling under—

(*a*) clause (i) of Explanation I to rule 5 unless the discharge of reversion was, in the opinion of the appellate authority referred to in sub-rule (2) of this rule, made on any ground other than inefficiency or misconduct;

(*b*) clauses (ii) and (iii) of the same Explanation; and

(*c*) clause (i) of Explanation II to rule 5.

(2) An appeal under sub-rule (1) shall lie—

(*a*) in the case of an order passed by the president of a panchayat, to the president of the district board and

(*b*) in the case of an order passed by the president of a district board, to the Local Government.

(3) Notwithstanding anything contained in the preceding rules, the Local Government or such officer as they may empower in this behalf may call for the records relating to the punishment of any officer or servant of a local board and pass such orders as may be deemed fit.

(4) All orders passed on appeal under sub-rule (2) and all orders passed under sub-rule (3) shall be given effect to by the president of the local board concerned.

10. Every officer or servant of a local board preferring an appeal shall do so separately and in his own name.

11. No appeal preferred under these rules shall be entertained unless it is preferred within six months from the date on which the appellant received the order appealed against:

Provided that the appellate authority may entertain an appeal after the expiration of such period if it is satisfied that there was reasonable cause for the delay.

12. The president of a panchayat or of a district board shall not cancel or modify any order of punishment, whether passed by himself or by any of his predecessors in office without the previous sanction of the president of the district board or of the Local Government, as the case may be.

Explanation.—Nothing contained in this rule shall be deemed to affect the operation of sub-rule (4) of rule 9.

13. Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, and shall be complete in itself.

14. Every appeal shall be submitted through the head of the office, if any, to which the appellant belongs or belonged and through the authority from whose order the appeal is preferred. A copy of the appeal may however, be sent direct to the appellate authority specified in sub-rule (2) of rule 9.

15. Whenever under these rules, the approval or sanction of, or consultation with, any authority is required, such approval or sanction shall be accorded in writing, and such consultation shall take place by written correspondence. If the advice of the authority required to be consulted is not accepted by the appointing authority, the appointing authority shall record his reasons therefor in writing and communicate a copy of the same to the authority required to be consulted and to the Local Government.

16. These rules shall apply to all posts, excluding those which are paid for from contingencies or the maximum pay of which does not exceed fifteen rupees under a local board, whether permanent, temporary or officiating and to all persons holding such posts.

II

In exercise of the powers conferred by sections 73 and 75 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and in supersession of the rules published with Local Self-Government Department Notification No. 1408, dated the 8th September 1932, at pages 925 to 926 of Part I-A of the *Fort St. George Gazette*, dated the 20th September 1932, as subsequently amended, the Governor acting with Ministers is hereby pleased to make the following rules relating to appointment and punishment of officers and servants of municipal councils:—

RULES.

1. No person shall be appointed—

(*a*) to be a medical officer in an Ayurvedic, Unani, Siddha or Homœopathic hospital or dispensary under the administrative control of a municipal council, except in consultation with the Principal, Indian Medical School, Madras:

Provided that where a stipendiary of the municipal council concerned who has undergone training in the Indian Medical School, Madras, and whom the Principal of the said School does not consider to be unsuitable for appointment, is available, no person other than such stipendiary shall be appointed whether in a permanent or in a non-permanent vacancy except with the special sanction of the Local Government;

(*b*) to be a medical officer in any other medical institution under the administrative control of a municipal council except in consultation with—

(i) the District Medical Officer, if the person is a Government medical officer, whose services have been placed at the disposal of the municipal council under section 77 of the Act; and

(ii) the Surgeon-General, in other cases:

Provided that where a stipendiary of the municipal council concerned who has undergone training in the Stanley Medical School, Madras, or

in the Lady Willingdon Medical School for Women, Madras, and whom the Surgeon-General does not consider to be unsuitable for appointment, is available, no person other than such stipendiary shall be appointed whether in a permanent or in a non-permanent vacancy except with the special sanction of the Local Government;

(*c*) to be a sanitary inspector or vaccinator under a municipal council except in consultation with the Municipal Health Officer if there is one or the District Health Officer in other cases;

(*d*) to a post in the public works, the water works or the drainage department of the municipal council, except in consultation with the Municipal Engineer if there is one and in the case of posts the maximum salary of which is not less than fifty rupees per mensem, except also in consultation with the Sanitary Engineer to Government;

(*e*) to be a compounder, midwife, nurse or nursing orderly (ward attendant) under a municipal council, except in consultation with the Principal, Indian Medical School, Madras, in the case of an Ayurvedic, Siddha, Unani or Homœopathic hospital or dispensary and of the District Medical Officer in the case of any other hospital or dispensary.

2. Where an officer or servant of a municipal council is found guilty of any negligence or breach of rules or orders, in consequence of which pecuniary loss has been caused to the council, the executive authority may, in addition to any other punishment which may be inflicted in respect of such negligence or breach, order that the whole or a portion of the loss shall be made good by such officer or servant.

3. No officer or servant of a municipal council who is convicted of a political offence or of an offence involving moral turpitude, shall be retained in its service except with the special sanction of the Local Government.

4. No order of dismissal, of removal, of reduction, of suspension not being one pending inquiry, or withholding increments or promotion, including stoppage at an efficiency bar shall be passed on an officer or servant of a municipal council (other than an order based on facts which have led to his conviction in a criminal court) unless he has been informed in writing of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case. He shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires or if the authority concerned so directs an oral inquiry shall be held. At that inquiry oral evidence shall be heard as to such of the allegations as are not admitted and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the person conducting the inquiry may, for special and sufficient reasons to be recorded in writing, refuse to call a witness. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof:

Provided that this rule shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him:

Provided also that where there is difficulty in observing exactly the requirements of this rule, all or any of the provisions thereof may, in exceptional cases, for special and sufficient reasons to be recorded in writing, be waived with the previous sanction of the Local Government:

Provided further that no punishment shall be inflicted on any member of the establishments specified in column (1) of the table below excluding non-technical staff, except in consultation with the officer mentioned in the corresponding entry in column (2) thereof:—

Establishment. (1)	Officer to be consulted. (2)
Establishment in a medical institution including reserve staff.	District Medical Officer or Civil Surgeon in respect of establishment in medical institutions of Western medicine and the Principal, Indian Medical School, in respect of establishment in institutions of Indian medicine.
Engineering establishment.	Municipal Engineer if there is one.
Electrical Engineering establishment.	Electrical Engineer.
Public Health Establishment.	Municipal Health Officer if there is one or the District Health Officer of the district in which the municipality is situated.
Water-works or Drainage establishment.	Sanitary Engineer to Government.

Explanation I.—The discharge or reversion to a lower post—

(i) of a person appointed on probation, during the period of probation; or

(ii) of a person engaged under contract, in accordance with the terms of his contract, or

(iii) of a person appointed otherwise than under contract, to hold a temporary appointment on the expiration of the period of the appointment

does not amount to removal or dismissal or to reduction within the meaning of this rule.

Explanation II.—The discharge or reversion to a lower post of any person officiating in any post—

(i) if made in accordance with such general or special rules or orders as the Local Government may issue in that behalf, does not amount to removal or dismissal, or to reduction within the meaning of this rule; and

(ii) if not so made, shall amount to removal or reduction, as the case may be, within the meaning of this rule.

5. Where the Training-School Leaving Certificate of a teacher in a municipal school is suspended or cancelled by the Director of Public Instruction, Madras, the executive authority of the municipal council concerned shall suspend such teacher during the period for which his certificate is so suspended or dismiss him, as the case may require. The provisions of rule 4 shall not apply to the suspension or dismissal of a teacher under this rule.

6. The executive authority of a municipal council may suspend any officer or servant of a municipal council pending inquiry into his conduct, provided that the period of suspension shall not exceed three months in the aggregate. During the period of his suspension, such officer or servant shall be paid a subsistence allowance the amount of which shall not exceed one-fourth of his salary.

7. No appeal shall lie against the orders of the executive authority imposing any one or more of the following punishments, namely:—

(*a*) censure;

(*b*) a fine not exceeding five rupees, or a recovery of any sum not exceeding five rupees under rule 2;

(*c*) suspension or dismissal under rule 5; or

(*d*) suspension pending inquiry under rule 6.

8. (1) An appeal shall lie to the Local Government against all orders of the executive authority imposing punishments other than those referred to in rule 7:

Provided that the discharge or reversion of any person shall not be deemed to be an order imposing a punishment within the meaning of this sub-rule in cases falling under—

(*a*) clause (i) of Explanation I to rule 4 unless the discharge or reversion was, in the opinion of the Local Government, made on any ground other than inefficiency or misconduct;

(*b*) clauses (ii) and (iii) of the same Explanation; and

(*c*) clause (i) of Explanation II to rule 4.

(2) Notwithstanding anything contained in the preceding rules the Local Government or such officer as they may empower in this behalf may call for the records relating to the punishment of any officer or servant of a municipal council and pass such orders as may be deemed fit.

(3) All orders passed on appeal under sub-rule (1) and all orders passed under sub-rule (2) shall be given effect to by the executive authority.

9. Every officer or servant of a municipal council preferring an appeal shall do so separately and in his own name.

10. No appeal preferred under these rules shall be entertained unless it is preferred within six months from the date on which the appellant received the order appealed against:

Provided that the appellate authority may entertain an appeal after the expiration of such period if it is satisfied that there was reasonable cause for the delay.

11. The executive authority of a municipal council shall not cancel or modify any order of punishment whether passed by himself or by any of his predecessors in office without the previous sanction of the Local Government.

Explanation.—Nothing contained in this rule shall be deemed to affect the operation of sub-rule (3) of rule 8.

12. Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, and shall be complete in itself.

13. Every appeal shall be submitted through the head of the office, if any, to which the appellant belongs or belonged and through the authority from whose order the appeal is preferred. A copy of the appeal may, however, be sent direct to the appellate authority, namely, the Local Government.

14. Whenever under these rules, the approval or sanction of, or consultation with, any authority is required, such approval or sanction shall be accorded in writing, and such consultation shall take place by written correspondence. If the advice of the authority required to be consulted is not accepted by the appointing authority, the appointing authority shall record his reasons therefor in writing and communicate a copy of the same to the authority required to be consulted and to the Local Government.

15. These rules shall apply to all posts, excluding those which are paid for from contingencies or the maximum pay of which does not exceed fifteen rupees, under a municipal council whether permanent, temporary or officiating and to all persons holding such posts.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

G.O. No. 2342, 2nd June 1936

Rules—Municipal councils and district boards—Establishments—Confirmed.

READ—the following papers :—

G.O. No. 70, L. & M., dated 7th January 1936.

The file of criticisms and suggestions received.

Order—No. 2342, L.S.G., dated 2nd June 1936.

In G.O. No. 70, L. & M., dated the 7th January 1936, Government published for general information the drafts of the revised rules relating to establishments under municipal councils and district boards.

2. Government have considered the suggestions received and have made certain additions and alterations to the rules. The rules as thus revised are hereby confirmed.

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

(By order of the Government, Ministry of Education and Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To the Executive Authorities of Municipal Councils (through the Chairmen of Municipal Councils concerned).
,, all Presidents of District Boards.
,, all Collectors.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer.
,, the Revenue Department.
,, the Legal Department.
,, the Education and Public Health Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

[Appendix

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by sections 73 and 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and rule 37 of Schedule IV to the same Act and in supersession of the rules published with Local Self-Government Department Notification No. 1816, at pages 1106 to 1107 of Part I-A of the *Fort St. George Gazette*, dated the 20th December 1932, as subsequently amended, the Governor acting with Ministers is pleased to make the following rules relating to establishments under Municipal Councils:—

RULES.

1. The cost of special engineering establishments, if any, entertained to execute works carried out partly or wholly from provincial grants shall not exceed ten per cent of the estimated gross expenditure on such works. The cost of works carried out by a Government department should, however, be excluded for purposes of this calculation.

2. Every proposal under section 70 of the Act shall be accompanied by a proposition statement which shall be in such form as may be laid down by the Local Government from time to time and shall include—

(i) the present cost of the establishment or section thereof to which the proposal relates;

(ii) the cost of such establishment or section if the proposal is given effect to; and

(iii) details regarding the number, salary, fees and allowances of the post or posts which it is proposed to add or alter.

3. All posts, permanent or temporary, the creation of which is sanctioned by a municipal council shall, unless the resolution of the council specifies a different date, take effect from the 1st day of April following the date of the resolution.

4. When a municipal council passes a resolution prohibiting the continuance of any appointment made by the executive authority under clause (*a*) of the proviso to section 73 of the Act, effect shall be given to such resolution within three days of the passing thereof.

5. The salary, fees and allowances attached to any temporary post, whether created by the council or by the executive authority—

(*a*) shall not exceed the minimum salary, fees and allowances attached to the permanent post, if any, with similar duties; and

(*b*) shall be specified in the resolution of the council or the order of the executive authority as the case may be:

Provided that in exceptional circumstances, such as the occurrence of an epidemic, the remuneration permissible under this rule may be exceeded by not more than twenty-five per cent, if a person possessing the special qualifications required is not available for less.

6. No person whose age exceeds thirty years shall be appointed to any post included in the ministerial service under a municipal council:

Provided that nothing contained in this rule shall apply to the appointment of a person by transfer from any service under the municipal council or of any other local body in the Presidency of Madras.

7. (1) Every appointment to a post in superior service shall be subject to probation for a period of two years on duty within a continuous period of three years. Such probation may be either in the said post or in any other post with similar duties.

Explanation.—For the purpose of this sub-rule the expression 'superior service' has the same meaning as in the Fundamental Rules.

(2) The appointing authority may, before the expiry of the period of probation, for reasons to be specified in writing, terminate the probation of any person and revert him to his permanent post if he is already a permanent municipal officer or servant, or discharge him from the municipal service in other cases.

(3) The order in which persons who are on probation and persons who have completed their period of probation shall be discharged or reverted for want of vacancies shall be—

first, the persons who are on probation, in order of juniority, and

second, the persons who have completed their period of probation, in order of juniority.

Explanation.—For the purpose of this sub-rule, juniority as between persons who are on probation shall be determined by the total length of their service which counts for probation and as between persons who have completed their period of probation, by the dates on which the probation was completed.

(4) Persons who have been discharged or reverted for want of vacancies under sub-rule (3) shall be reappointed as vacancies arise in the inverse of the order laid down in that sub-rule:

Provided that nothing contained in this sub-rule shall be deemed to give any such person a right to be reappointed in preference to another who has been discharged or reverted later under clauses (1), (3) or (4) of sub-rule (*a*) of rule 17 and who is entitled to reappointment under rule 21.

(5) A person who has completed his period of probation shall be confirmed at the earliest opportunity. Where there are two or more such probationers, the probationer who completed his period of probation earliest shall be confirmed first.

8. No person who has been dismissed from the service of Government or of any local authority, shall be entertained on the municipal staff except with the previous sanction of the Local Government.

9. Certificates of age, health and vaccination shall be obtained by the executive authority from every officer or servant appointed for the first time to a post in municipal service. The council may, in individual cases, except in the case of ministerial servants, dispense with the production of a certificate and may, by a resolution, exempt any other specified class of servants from the operation of this rule.

10. (1) Security shall be taken from the officers and servants of municipal councils specified below for an amount not being less than that indicated against each:—

(*a*) Engineers, supervisors, overseers and sub-overseers—150 per cent of the amount of imprest allowed;

(*b*) storekeepers—Rs. 100; and

(*c*) bill-collectors—Rs. 200.

(2) In all other cases the executive authority shall demand such security as the council may consider necessary but the amount of the security so demanded shall not exceed the amount of cash and the money value of valuables handled or likely to be handled by such officer or servant.

11. (1) Save as otherwise provided in these rules or in any other rules in force, for the time being, the conditions of service of all officers and servants of a municipal council shall, where no regulations have been framed by the council under section 74 of the Act, be the same as those of Government servants of similar standing and status in respect of the following matters, namely:—

(*a*) leave and leave allowances;

(*b*) travelling allowance; and

(*c*) superannuation and retirement.

(2) Any powers assigned to the Local Government and the head of the department in the provisions applicable to such Government servants shall be exercised by the council and its executive authority respectively.

(3) In the case of officers and servants employed on or after the 4th September 1933, the Madras Leave Rules, 1933, as for the time being in force shall apply.

12. No order sanctioning an advance increment to any officer or servant of a municipal council shall take effect unless and until it has been confirmed by the Local Government.

13. (1) A municipal council may permit any of its officers and servants to leave its service permanently and enter the service of any other municipal council or local board in the Presidency of Madras. It may also allow its officers and servants to count for leave their previous service under any other municipal council or local board.

(2) In such a case the municipal council whose service the officer or servant leaves, shall determine and communicate to the local body whose service he enters, the period of leave and the amount of leave allowances of the officer or servant for which the municipal council may accept liability according to its service regulations.

(3) The local body whose service the officer or servant enters may grant any leave and leave allowances admissible to him according to its service regulations but it shall not make the municipal council which granted the permission under sub-rule (1) liable either for a longer period of leave or for a larger amount of leave allowances than that communicated under sub-rule (2).

(4) The difference, if any, that may be required to make up the leave allowances due to the officer or servant shall be borne by the local body granting the leave.

(5) The local body granting the leave shall pay the leave allowances of the officer or servant from its own funds in the first instance and arrange to recover from the municipal council concerned the amount of leave allowances which the latter is liable to pay.

14. No officer or servant of a municipal council in superior service whether ministerial or non-ministerial shall be retained in its service after he has attained the age of fifty-five years:

Provided that nothing contained in this rule shall apply to the employment in the public interest and with the previous sanction of the Local Government, for a period not exceeding one year at a time, of persons who have retired from the service of any local body in the Presidency of Madras or of the Government, after attaining the age of fifty-five years.

Explanation.—'Superior service' for the purposes of this rule has the same meaning as in the Fundamental Rules.

15. A service book shall be maintained in such form as may be laid down by the Local Government from time to time for every officer or servant of a municipal council who is entitled to pension or who subscribes to the provident fund established and maintained by the council.

16 (1) The executive authority shall be responsible for the correct and up-to-date maintenance of the service book of every officer or servant of the municipal council and he shall record an annual certificate of verification in the service book as early as possible after the end of every year.

(2) The executive authority may authorize, the municipal engineer, health officer and the medical officer in charge of hospitals or dispensaries to record annual verification certificate on the service books of employees working under them.

17. (*a*) When any post or posts are abolished, persons shall be selected for discharge or reversion from the unit concerned in the following order, namely:—

(1) acting persons who have not completed their period of probation, in order of juniority;

(2) persons with thirty years of service qualifying for pension or provident fund, in order of seniority;

(3) persons who have completed their period of probation, in order of juniority; and

(4) permanent officers or servants not coming under category (2), in order of juniority:

Provided that no officer or servant shall be discharged on the abolition of any appointment unless he cannot be provided for otherwise.

Explanation (1).—An appointment the pay of which is reduced shall be deemed to be abolished within the meaning of this sub-rule.

Explanation (2).—The unit for purposes of selection of persons for discharge or reversion shall be the group of holders of posts of the same grade or of higher grades, if any, to which transfers, appointments or promotions are normally made by the same authority.

Explanation (3).—For the purposes of this sub-rule, juniority or seniority shall be determined—

(i) in cases falling under clause (1), according to the total length of service which counts for probation;

(ii) in cases falling under clause (2), according to the length of service qualifying for pension or for provident fund;

(iii) in cases falling under clause (3), according to the dates on which the probation was completed; and

(iv) in cases falling under clause (4), according to the position in the service list.

(*b*) Where a person to be discharged under clause (4) of sub-rule (*a*) holds a post in a grade to which promotions are normally made from a lower grade, he shall, if he so desires, instead of being discharged, be reverted to such lower grade and be placed at the top thereof and sub-rule (*a*) shall then be applied to the selection of persons for discharge or reversion from such lower grade.

18. Reasonable notice shall be given to an officer or servant in permanent employ before he is discharged under rule 17. If, in any case, notice of at least three months is not given and the officer or servant has not been provided with other employment on the date on which his services are dispensed with, a gratuity not exceeding his emoluments for the period by which the notice actually given falls short of three months shall, with the sanction of the authority competent to dispense with the services of the officer or servant concerned, be paid to him in addition to the gratuity to which he may be entitled under the rules in that behalf.

19. (1) Unless it contains an express statement to the contrary, an order for the abolition of an appointment or for the reduction of the emoluments of an appointment shall not be brought into operation before the expiry of three months after notice has been given to the officer or servant whose services are to be dispensed with, on such abolition or reduction.

(2) The executive authority shall be responsible for avoiding any unnecessary delay in giving such notice.

(3) In the case of an officer or servant on leave, the order shall not be brought into operation before the leave expires.

20. Any person who is discharged or reverted under sub-rule (*a*) of rule 17 shall, within six months after the date on which he was informed of the order of discharge or reversion, be entitled to appeal against such order on the ground that that sub-rule has not been complied with, to the authority to whom an appeal from an order dismissing him would lie.

21. When candidates are required for employment in any post in a unit, preference shall be given to persons discharged or reverted from such posts in the unit otherwise than under clause (2) of sub-rule (*a*) of rule 17, so long as such persons desirous of such appointment are available, appointments being made in the inverse of the order in which they were discharged or reverted from such unit:

Provided that in the case of a person who did not on the date of his discharge or reversion hold the post substantively, he possesses the qualifications, if any, prescribed for the post or has, before discharge or reversion, been exempted by competent authority from the possession of such qualifications:

Provided also that if the appointing authority considers it undesirable that any specified person should be appointed under this rule, such authority may, for reasons to be recorded in writing and communicated to the person concerned, refuse to appoint him; and an appeal shall lie from such refusal as if it were an order of dismissal:

Provided further that nothing contained in this rule shall be deemed to give any person discharged or reverted under clause (1) or (3) of sub-rule (*a*) of rule 17 a right to be reappointed in preference to another who has been discharged or reverted later under sub-rule (3) of rule 7 and who is entitled to reappointment under sub-rule (4) of that rule.

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22. Any person eligible for re-employment under rule 21, shall be entitled to appeal to the authority to whom an appeal from an order dismissing him would lie, on the ground that some person who should have been re-employed later has been re-employed before him. Such appeal shall be preferred within six months after the date on which such other person was re-employed.

23. The provisions of rules 21 and 22 shall, with effect on and from the date of the coming into operation of this rule, apply to persons discharged or reverted before that date but on or after the 1st January 1932, as if the said persons had been discharged or reverted in accordance with the provisions of rule 17.

Explanation.—Nothing contained in this rule shall be deemed to invalidate any re-employment or appointment made before the date on which this rule came into operation.

II

In exercise of the powers conferred by section 70, sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and clause (*a*) of sub-rule (1) of rule 1-C of Schedule V to the same Act and in supersession of the rules published with Local Self-Government Department Notification No. 1410, at pages 927 to 928 of Part I-A of the *Fort St. George Gazette*, dated the 20th September 1932, as subsequently amended, the Governor acting with Ministers is pleased to make the following rules relating to establishments under district boards:—

RULES.

1. (1) The power of the district board to frame regulations under sub-section (1) of section 71 of the Act shall be subject to the following conditions, namely:—

(*a*) A draft of the regulations both in English and in a vernacular language of the district shall be published in the district gazette and shall also be affixed on the notice board of the office of the district board for the information of persons likely to be affected thereby;

(*b*) there shall be published with the draft a notice specifying that it will be taken into consideration after six weeks from such publication;

(*c*) the district board shall consider any objection or suggestion which may be received from any person with respect to the draft before the expiry of such period; and

(*d*) all regulations both in English and in a vernacular language of the district shall be published in the district gazette and shall also be affixed on the notice board of the office of the district board.

(2) The procedure in sub-rule (1) shall be adopted in regard to alteration or cancellation of any regulation framed by the district board.

2. The cost of special engineering establishments, if any, entertained to execute works carried out partly or wholly from provincial grants shall not exceed 10 per cent of the estimated gross expenditure on such works. The cost of works carried out by a Government department should, however, be excluded for purposes of this calculation.

3. Every proposal under section 67 of the Act shall be accompanied by a proposition statement which shall be in such form as may be laid down by the Local Government from time to time and shall indicate—

(i) the present cost of the establishment or section thereof to which the proposal relates;

(ii) the cost of such establishment or section if the proposal is given effect to; and

(iii) details regarding the number, salary, fees and allowances of the post or posts which it is proposed to add or alter.

4. All posts, permanent or temporary, the creation of which is sanctioned by a district board shall, unless the resolution of the board specifies a different date, take effect from the 1st day of April following the date of the resolution.

5. Where a district board passes a resolution prohibiting the continuance of any appointment made by the president under clause (*a*) of the proviso to section 70 of the Act, effect shall be given to such resolution within seven days of the passing thereof.

6. The salary, fees and allowances attached to any temporary post, whether created by the board or by the president—

(*a*) shall not exceed the minimum salary, fees and allowances attached to the permanent post, if any, with similar duties; and

(*b*) shall be specified in the resolution of the board or the order of the president, as the case may be:

Provided that in exceptional circumstances, such as the occurrence of an epidemic, the remuneration permissible under this rule may be exceeded by not more than 25 per cent, if a person possessing the special qualifications required is not available for less.

7. No person whose age exceeds thirty years shall be appointed to any post included in the ministerial service under a district board:

Provided that nothing contained in this rule shall apply to the appointment of a person by transfer from any service under the district board or of any other local body in the Presidency of Madras.

8. (1) Every appointment to a post in superior service shall be subject to probation for a period of two years on duty within a continuous period of three years. Such probation may be either in the said post or in any other post with similar duties:

Provided that the period of service in a post to which a person is appointed temporarily under rule 2 of the Madras District Boards (Communal Representation) Rules, 1935, shall not count towards his probation.

Explanation.—For the purpose of this sub-rule, the expression 'superior service' has the same meaning as in the Fundamental Rules.

(2) The appointing authority may, before the expiry of the period of probation, for reasons to be specified in writing, terminate the probation of any person and revert him to his permanent post if he is already a permanent local board officer or servant, or discharge him from the service of the local board in other cases.

(3) The order in which persons who are on probation and persons who have completed their period of probation shall be discharged or reverted for want of vacancies shall be—

first, the persons who are on probation, in order of juniority, and

second, the persons who have completed their period of probation, in order of juniority.

Explanation.—For the purposes of this sub-rule, juniority as between persons who are on probation shall be determined by the total length of their service which counts for probation, and as between persons who have completed their period of probation by the dates on which the probation was completed.

(4) Persons who have been discharged or reverted for want of vacancies under sub-rule (3) shall be reappointed as vacancies arise in the inverse of the order laid down in that sub-rule:

Provided that nothing contained in this sub-rule shall be deemed to give any such person a right to be reappointed in preference to another who has been discharged or reverted later under clause (1), (3) and (4) of sub-rule (*a*) of rule 18 and who is entitled to reappointment under rule 22.

(5) A person who has completed his period of probation shall be confirmed at the earliest opportunity. Where there are two or more such probationers, the probationer who completed his period of probation earliest shall be confirmed first.

9. No person who has been dismissed from the service of Government or of any local authority, shall be entertained on the staff of a district board except with the previous sanction of the Local Government.

10. Certificates of age, health and vaccination shall be obtained by the president of a district board, from every officer or servant appointed for the first time to a post in local board service. The district board may, in individual cases, except in the case of ministerial servants, dispense with the production of a certificate and may, by a resolution, exempt any other specified class of servants from the operation of this rule.

11. (1) Security shall be taken from the officers and servants of district boards specified below for an amount not being less than that indicated against each:—

(*a*) Overseers—150 per cent of the amount of imprest allowed; and

(*b*) storekeepers in the office of the district engineers—Rs. 100.

(2) The president may demand such security as he may consider necessary from any other officer or servant of the board, but the amount of the security so demanded shall not exceed the amount of cash and the money value of valuables handled or likely to be handled by such officer or servant.

12. (1) Save as otherwise provided in these rules or in any other rules in force, for the time being, the conditions of service of all officers and servants of a district board shall, where no regulations have been framed by the district board under section 71 of the Act, be the same as those of Government servants of similar standing and status in respect of the following matters, namely:—

(*a*) salary and allowance;

(*b*) leave and leave allowance;

(*c*) travelling allowance; and

(*d*) superannuation and retirement.

(2) Any powers assigned to the Local Government and the head of the department in the provisions applicable to such Government servants shall be exercised by the board concerned and its president respectively.

(3) In the case of officers and servants employed on or after the 4th September 1933, the Madras Leave Rules, 1933, as for the time being in force shall apply.

13. No order sanctioning an advance increment to any officer or servant of a district board shall take effect unless and until it has been confirmed by the Local Government.

14. No officer or servant of a district board in superior service, whether ministerial or non-ministerial, shall be retained in its service after he has attained the age of fifty-five years:

Provided that nothing contained in this rule shall apply to the employment in the public interest and with the previous sanction of the Local Government, for a period not exceeding one year at a time, of persons who have retired from the service of any local body in the Presidency of Madras or of the Government, after attaining the age of fifty-five years.

Explanation.—'Superior service' for the purposes of this rule has the same meaning as in the Fundamental Rules.

15. A service book shall be maintained in such form as may be laid down by the Local Government from time to time for every officer or servant of a district board who is entitled to pension or who subscribes to the provident fund established and maintained by the district board.

16. (1) The president of the district board shall be responsible for the correct and up-to-date maintenance of the service book of every officer and servant of the board. Such president shall record an annual certificate of verification in the service book as early as possible after the end of every year.

(2) The president may authorize district engineers, district health officers, secretaries, district panchayat officers and medical officers in charge of hospitals or dispensaries to record annual verification certificate on the service books of employees working under them.

17. (1) The president of every district board shall, early in April each year, prepare a detailed statement of all permanent posts under the board existing on the 1st April and forward it to the auditor appointed under section 120 of the Act, not later than the 15th April.

(2) The president of every district board shall forward to the Accountant-General—

(*a*) not later than the 15th May each year, a consolidated statement showing all posts on the staff of the district board and on the staff of all panchayats in the district in respect of which pensionary contribution was being paid with the previous sanction of the Local Government in the preceding year; and

(*b*) not later than the 15th day of each month, a consolidated statement of all changes made during the month immediately preceding, in the sanctioned strength and rates of pay of the posts specified in clause (*a*).

(3) The statements referred to in sub-rule (1) and clauses (*a*) and (*b*) of sub-rule (2) shall be in such form as may be laid down by the Local Government from time to time.

18. (*a*) When any post or posts are abolished, persons shall be selected for discharge or reversion from the unit concerned in the following order, namely:—

(1) acting persons who have not completed their period of probation, in order of juniority;

(2) persons with thirty years of service qualifying for pension or provident fund, in order of seniority;

(3) persons who have completed their period of probation, in order of juniority; and

(4) permanent officers or servants not coming under category (2), in order of juniority:

Provided that no officer or servant shall be discharged on the abolition of any appointment unless he cannot be provided for otherwise.

Explanation (1).—An appointment the pay of which is reduced shall be deemed to be abolished within the meaning of this sub-rule.

Explanation (2).—The unit for purposes of selection of persons for discharge or reversion shall be the group of holders of posts of the same grade or of higher grades, if any, to which transfers, appointments or promotions are normally made by the same authority.

Explanation (3).—For the purpose of this sub-rule juniority or seniority shall be determined—

(i) in cases falling under clause (1), according to the total length of service which counts for probation;

(ii) in cases falling under clause (2), according to the length of service qualifying for pension or for provident fund;

(iii) in cases falling under clause (3), according to the dates on which the probation was completed; and

(iv) in cases falling under clause (4), according to the position in the service list.

(*b*) where a person to be discharged under clause (4) of sub-rule (*a*) holds a post in a grade in which promotions are normally made from a lower grade, he shall, if he so desires, instead of being discharged, be reverted to such lower grade and be placed at the top thereof and sub-rule (*a*) shall then be applied to the selection of persons for discharge or reversion from such lower grade.

19. Reasonable notice shall be given to an officer or servant in permanent employ before he is discharged under rule 18. If, in any case, notice of at least three months is not given and the officer or servant has not been provided with other employment on the date on which his services are dispensed with, a gratuity not exceeding his emoluments, for the period by which the notice actually given falls short of three months shall, with the sanction of the authority competent to dispense with the service of the officer or servant concerned, be paid to him in addition to the gratuity to which he may be entitled under the rules in that behalf.

20. (1) Unless it contains an express statement to the contrary, an order for the abolition of an appointment or for the reduction of the emoluments of an appointment shall not be brought into operation before the expiry of three months after notice has been given to the officer or servant whose services are to be dispensed with, on such abolition or reduction.

(2) The president shall be responsible for avoiding any unnecessary delay in giving such notice.

(3) In the case of an officer or servant on leave the order shall not be brought into operation before the leave expires.

21. Any person who is discharged or reverted under sub-rule (*a*) of rule 18 shall, within six months after the date on which he was informed of the order of discharge or reversion, be entitled to appeal against such order on the ground that that

sub-rule has not been complied with, to the authority to whom an appeal from an order dismissing him would lie.

22. When candidates are required for employment in any post in a unit, preference shall be given to persons discharged or reverted from such posts in the unit otherwise than under clause (2) of sub-rule (*a*) of rule 18, so long as such persons desirous of such appointment are available, appointments being made in the inverse of the order in which they were discharged or reverted from such unit:

Provided that in the case of a person who did not on the date of his discharge or reversion hold the post substantively, he possesses the qualifications if, any, prescribed for the post or has, before discharge or reversion, been exempted by competent authority from the possession of such qualifications:

Provided also that if the appointing authority considers it undesirable that any specified person should be appointed under this rule, such authority may, for reasons to be recorded in writing and communicated to the person concerned, refuse to appoint him; and an appeal shall lie from such refusal as if it were an order of dismissal:

Provided further that nothing contained in this rule shall be deemed to give any person discharged or reverted under clause (1) or (3) of sub-rule (*a*) of rule 18 a right to be reappointed in preference to another who has been discharged or reverted later under sub-rule (3) or rule 8 and who is entitled to reappointment under sub-rule (4) of that rule.

23. Any person eligible for re-employment under rule 22 shall be entitled to appeal to the authority to whom an appeal from an order dismissing him would lie, on the ground that some person who should have been re-employed later has been re-employed before him. Such appeal shall be preferred within six months after the date on which such other person was re-employed.

24. The provisions of rules 22 and 23 shall, with effect on and from the date of the coming into operation of this rule, apply to persons discharged or reverted before that date but on or after the 1st January 1932, as if the said persons had been discharged or reverted in accordance with the provisions of rule 18.

Explanation.—Nothing contained in this rule shall be deemed to invalidate any re-employment or appointment made before the date on which this rule came into operation.

25. Nothing contained in rules 7, 22 and 23 shall be deemed to affect in any manner the operation of rule 8 of the Schedule to the Madras Local Boards and Elementary Education (Amendment) Act, 1934, or of any directions issued by the Local Government in pursuance of the said rule 8.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Local and Municipal)

G.O. No. 4448, L. & M., 29th October 1935

Rules—Qualifications of officers and servants of municipal councils and district boards—Confirmed.

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2364
16-6-39

READ—the following papers:—

G.O. No. 2437, L. & M., dated the 26th June 1935.

The file of criticisms received.

Order—No. 4448, L. & M., dated 29th October 1935.

In G.O. No. 2437, L. & M., dated the 26th June 1935, Government published for general information and criticism, the rules prescribing qualifications for officers and servants of municipal councils and district boards.

2. One of the suggestions received on the draft rules is for the prescription of general educational qualification in respect of the chief ministerial officers specified in the rules, so as to secure a high standard of efficiency. In accepting this suggestion the Government also consider that it is desirable to prescribe the general educational qualification in respect of all the other ministerial establishments under municipal councils and district boards. Suitable additions to the rules have accordingly been made. The other suggestions received on the draft rules are not acceptable to Government.

3. The rules as thus revised are confirmed. The appended notifications will be published in the *Fort St. George Gazette*.

4. Government are pleased to lay down the following instructions in regard to the application of the new rules:—

(i) The prescription of the general educational qualification will not adversely affect the appointment in future to the posts of secretary, manager, etc., of persons who had acquired the account test qualification before the date of coming into force of the new rules, i.e., the date of their publication in the *Fort St. George Gazette*. It will not also adversely affect the continuance in service of persons who are holding officiating appointments on the date of coming into force of the new rules and who are eligible to be confirmed hereafter, after the completion of their period of probation.

(ii) Persons who commenced their probation before the coming into force of the new rules but were discharged from service on account of retrenchment or for want of vacancies will retain their claim for re-appointment in future in accordance with the rules relating to re-employment issued with G.O. No. 5062, L. & M., dated 23rd November 1934.

(iii) Nothing in these rules will adversely affect the re-employment as clerks of ex-taluk board servants whose names have been included in the waiting lists issued by Government under rule 8 of the transitional provisions of the Madras Local Boards and Elementary Education (Amendment) Act, 1934 (Act No. II of 1934).

(iv) The exemption granted by Government under the old rules, to persons in the service of municipal councils and district boards will hold good so long as the individuals hold posts in respect of which such exemption was granted.

(v) Persons to whom temporary exemption was granted by the executive authorities of municipal councils and the presidents of district boards prior to the coming into force of the new rules, will be eligible to continue in their posts until the expiry of the term of such exemption.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To the Executive Authorities of all Municipal Councils (through the Chairmen of Municipal Councils concerned).
,, the Presidents of District Boards.
,, all Collectors.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer.
,, the Revenue Department.
,, the Law (Drafting) Department.
,, the Principal of Indian Medical School.
,, the Superintendent, Government Press, for publication of the notifications in the Gazette.

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by clause (*b*) of section 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and in supersession of Local Self-Government Department Notification No. 423, dated the 4th April 1925, published at page 162 of Part I-A of the *Fort St. George Gazette*, dated the 21st April 1925, as subsequently amended, the Governor acting with Ministers is hereby pleased to make the following rule prescribing the qualifications of officers and servants under municipal councils:—

RULE.

No person shall be appointed to any of the posts under a municipal council specified in column (1) of the subjoined table, unless he possesses the qualification laid down in the corresponding entry in column (2) thereof.

Table.

Description of post. (1)	Qualification. (2)
(1) Secretary, revenue officer, manager, superintendent, head clerk, head accountant or where there is only one accountant, the accountant and the head ministerial officer (by whatever designation he may be called) of municipal offices.	Part I of the Account Test prescribed for subordinate officers in Government service, in addition to the general educational qualification specified in column (2) against item (2) below.
(2) All other ministerial posts under municipal councils.	Matriculation Examination of the University of Madras or a completed Secondary School-Leaving Certificate issued under the authority of the Government of Madras or any equivalent examination held by any of the other Universities mentioned in the annexure.

ANNEXURE.

[Referred to in column (2) against item (2) of the above table.]

Indian Universities.

The Universities of Allahabad, Bombay, Calcutta, Dacca, Delhi, Lucknow, Madras, Nagpur, Patna, the Punjab and Rangoon.
The Aligarh Muslim University.
The Andhra University.
The Annamalai University.
The Benares Hindu University.
The Mysore University.
The Osmania University.

British and Welsh Universities.

The Universities of Birmingham, Bristol, Cambridge, Durham, Leeds, Liverpool, London, Manchester, Oxford, Sheffield and Wales.

Scottish Universities.

The Universities of Aberdeen, Edinburgh, Glasgow and St. Andrews.

Irish Universities.

The University of Dublin (Trinity College) and the Queen's University of Belfast.

II

In exercise of the powers conferred by clause (*c*) of sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and in supersession of Local Self-Government Department Notification No. 221, dated the 1st March 1924, published at page 83 of Part I-A of the *Fort St. George Gazette*, dated the 11th March 1924, as subsequently amended, the Governor acting with Ministers is hereby pleased to make the following rule prescribing the qualifications of officers and servants under district boards:—

RULE.

No person shall be appointed to any of the posts under a district board specified in column (1) of the subjoined table unless he possesses the qualifications laid down in the corresponding entry in column (2) thereof.

Table.

Description of post. (1)	Qualifications. (2)
(1) Secretary, manager of the District Board Engineer's office, superintendent, accountant and upper division clerks.	Part I of the Account Test prescribed for subordinate officers in Government service in addition to the general educational qualification specified in column (2) against item (2) below.
(2) All other ministerial posts under district boards.	Matriculation Examination of the University of Madras or a completed Secondary School-Leaving Certificate issued under the authority of the Government of Madras or any equivalent examination held by any of the other Universities mentioned in the Annexure.
(3) Assistant Panchayat officers.	(*a*) A degree of a University mentioned in the Annexure. *Provided* that the Inspector of Municipal Councils and Local Boards may, subject to the approval of the Local Government, exempt for reasons to be recorded in writing, any person, who is or was in the service of a district or taluk board from the possession of this qualification, if he had passed the Intermediate Examination in Arts or the Matriculation Examination of the University of Madras or had obtained a completed Secondary School-Leaving Certificate issued under the authority of the Government of Madras or any equivalent examination held by any other University mentioned in the Annexure; and (*b*) a pass in Part I of the Account Test prescribed for subordinate officers in Government service, within the period of probation, unless he has already passed in the said part.

ANNEXURE.

[Referred to in column (2) against items (2) and (3) of the above table.]

Indian Universities.

The Universities of Allahabad, Bombay, Calcutta, Dacca, Delhi, Lucknow, Madras, Nagpur, Patna, the Punjab and Rangoon.
The Aligarh Muslim University.
The Andhra University.
The Annamalai University.
The Benares Hindu University.
The Mysore University.
The Osmania University.

British and Welsh Universities.

The Universities of Birmingham, Bristol, Cambridge, Durham, Leeds, Liverpool, London, Manchester, Oxford, Sheffield and Wales.

Scottish Universities.

The Universities of Aberdeen, Edinburgh, Glasgow and St. Andrews.

Irish Universities.

The University of Dublin (Trinity College) and the Queen's University of Belfast.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 2364, 16th June 1939

Rule—Qualifications of officers and servants of Municipal Councils and Local Boards—Amendments—Confirmed.

READ—the following paper :—

G.O. No. 1086, L.A., dated 17th March 1939.

Order—No. 2364, L.A., dated 16th June 1939

In G.O. No. 1086, L.A., dated the 17th March 1939, Government published for general information the draft of certain amendments to the rule relating to qualifications of officers and servants of municipal councils and local boards.

2. Government have considered the suggestions received on the draft amendments and find that they are not acceptable to them. The amendments are accordingly confirmed.

3. Savings similar to those in paragraph 4 of G.O. No. 4448, L. & M., dated 29th October 1935, will be operative in the application of the amendments to the rules confirmed in this order.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 2855, 19th July 1939

Rule—Madras Local Boards Act, 1920—Maximum amount of expenditure that may be incurred by a district board on ministerial and other establishments—Cancelled.

READ—the following paper :—

G.O. No. 1384, L.A., dated 5th April 1939.

Order—No. 2855, L.A., dated 19th July 1939.

In G.O. No. 1384, L.A., dated the 5th April 1939, the Government published for general information the draft of a rule cancelling the rule regarding the maximum amount of expenditure which may be incurred by a district board on ministerial and other establishments. No objection or suggestion having been received, the rule is hereby confirmed.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards.
,, all Collectors except Madras.
,, the Inspector of Municipal Councils and Local Boards.
,, the Surgeon-General.
,, the Director of Public Health.
,, the Examiner of Local Fund Accounts.
,, the Chief Engineer, Public Works Department.
,, the Principal, Indian Medical School.
,, the Legal Department.
,, the Education and Public Health Department.
,, the Public (Political) Department.
,, the Superintendent, Government Press, for publication of the notification in Part I-A of the *Fort St. George Gazette*.

[Appendix

APPENDIX

NOTIFICATION

In exercise of the powers conferred by clause (*a*) of sub-rule (1) of rule 1 C of Schedule V to, and clause (*a*) of sub-section (2) of section 199 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 rule cancelling the rule regarding the maximum amount of expenditure which may be incurred by a district board on ministerial and other establishments published with Local Self-Government Department Notification No. 811 at page 512 of Part I-A of the *Fort St. George Gazette*, dated the 24th May 1932:—

RULE.

The rule regarding the maximum amount of expenditure which may be incurred by a district board on ministerial and other establishments published with Local Self-Government Department Notification No. 811, at page 512 of Part I-A of the *Fort St. George Gazette*, dated the 24th May 1932, is hereby cancelled.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 2364, 16th June 1939

Rule—Qualifications of officers and servants of Municipal Councils and Local Boards—Amendments—Confirmed.

READ—the following paper:—

G.O. No. 1086, L.A., dated 17th March 1939.

Order—No. 2364, L.A., dated 16th June 1939

In G.O. No. 1086, L.A., dated the 17th March 1939, Government published for general information the draft of certain amendments to the rule relating to qualifications of officers and servants of municipal councils and local boards.

2. Government have considered the suggestions received on the draft amendments and find that they are not acceptable to them. The amendments are accordingly confirmed.

3. Savings similar to those in paragraph 4 of G.O. No. 4448, L. & M., dated 29th October 1935, will be operative in the application of the amendments to the rules confirmed in this order.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Commissioners of all the Municipalities (through the Chairmen of Municipal Councils concerned).
,, all Presidents of District Boards with copies to Presidents of Panchayat Boards (ex-unions) and the Valparai Panchayat Board.
,, all Collectors (except Madras).
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Sanitary Engineer (through Chief Engineer, Public Works Department).
,, the Public Department.
,, the Education and Public Health Department.
,, the Legal Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by clause (*b*) of section 74 and clause (*a*) of sub-section (2) of section 303 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 rule prescribing the qualifications of officers and servants under municipal councils published with Local Self-Government Department Notification No. 1522, at page 562 of Part I-A of the *Fort St. George Gazette*, dated the 3rd December 1935:—

AMENDMENT.

In the entry in column (2) against item (2) of the table subjoined to the said rule, after the words "issued under the authority of the Government of Madras," the words and brackets "(the holder of which is declared to be eligible for the University course)" shall be inserted.

II

In exercise of the powers conferred by clause (*c*) of sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 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 amendments to the rule prescribing the qualifications of officers and servants under district boards and the preamble thereto, published with Local Self-Government Department Notification No. 1523, at page 562 of Part I-A of the *Fort St. George Gazette*, dated the 3rd December 1935, as subsequently amended:—

AMENDMENTS.

(i) In the said rule and in the preamble thereto, for the word "district" the word "local" shall be substituted.

(ii) In the table subjoined to the said rule—

(*a*) in the entry in column (2) against item (3), after the words "issued under the authority of the Government of Madras" the words and brackets "(the holder of which is declared to be eligible for the University course)" shall be inserted; and

(*b*) after item (4), the following item shall be inserted, namely:—

"(5) All other ministerial posts under panchayat boards.	Matriculation examination of the University of Madras or a completed Secondary School-Leaving Certificate issued under the authority of the Government of Madras or any equivalent examination held by any of the other Universities mentioned in the Annexure."

(iii) In the heading to the Annexure to the said rule, for the expression "items (2) and (3)" the expression "items (3), (4) and (5)" shall be substituted.

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 2144, 14th June 1939

Health Officers—Municipalities without Health Officers or where Health Officers are temporarily absent from duty—Executive authorities authorized to function as Health Officers under section 11 of the Madras Public Health Act, 1939.

Order—No. 2144, P.H., dated 14th June 1939.

In exercise of the powers conferred by section 11 of the Madras Public Health Act, 1939 (Madras Act III of 1939), His Excellency the Governor of Madras is hereby pleased to authorize the executive authority of every municipality wherein no Health Officer is employed, or wherein the Health Officer is absent from duty, to exercise the powers of a Health Officer under the said Act in that municipality until a Health Officer for that municipality is appointed under section 9, or until the Health Officer who is absent from duty returns to duty, as the case may be.

2. Executive authorities of municipalities are informed that in view of the authorization contained in paragraph 1 of this order the Health Officers of the districts will not function as Health Officers in the areas above referred to [vide section 3 (14) of the Madras Public Health Act, 1939].

(By order of His Excellency the Governor)

G. H. COOKE,
Secretary to Government.

To all Executive Authorities of Municipalities, through the Chairmen.
" all Collectors.
" all Presidents, District Boards.
" the Director of Public Health.
" the Local Administration Department.
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 2138, 1st June 1939

Establishment—Local boards—Ministerial—District boards—Secretary—Appointments in leave and temporary vacancies—To be made on the lower scale of pay.

READ—the following papers :—

G.O. No. 3033 [89-S], L. & M., dated 22nd June 1934.

G.O. No. 980, L. & M., dated 11th March 1936.

Order—No. 2138, L.A., dated 1st June 1939.

Appointments to the post of secretary under district boards in substantive, temporary or officiating vacancies are now being made in the scale of pay of the post sanctioned for each district board. The presidents of district boards are informed that, in future, the appointments to the post in leave vacancies or on a temporary basis should be made only in the lower scale of pay of Rs. 125—10/2—175 irrespective of the higher sanctioned scale. Appointments in the higher scale of pay where it has been sanctioned, should be made only in filling substantive vacancies on a regular basis. Every appointment to the post of secretary, in any capacity is subject to the previous approval of Government under rule 1 (*g*) of the rules in G.O. No. 3648, L.S.G., dated 18th August 1936.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 5093, 20th December 1938

Delegation—The Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920—Of powers—Made to the Inspector of Municipal Councils and Local Boards.

Order—No. 5093, L.A., dated 20th December 1938.

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

(By order of His Excellency the Governor)

L. J. MacIver,
Secretary to Government.

To the Inspector of Municipal Councils and Local Boards.
" all Collectors.
" all Executive Authorities of Municipalities.
" all Presidents of District Boards.
" the Examiner of Local Fund Accounts.
" the Surgeon-General.
" the Director of Public Health.
" the Sanitary Engineer.
" the Education and Public Health Department.
" the Finance Department.
" the Legal Department.
" the Revenue Department.
" the Superintendent, Government Press (for publication of the notifications in the *Fort St. George Gazette*, dated the 20th December 1938).

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by section 363 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Government of Madras are hereby pleased to delegate the following powers to the Inspector of Municipal Councils and Local Boards :—

Provision of the Act.	*Powers delegated.*
(1)	(2)
Section 70 (3) ..	(1) Power to fix or alter the number, designations and grades of, and the salaries, fees and allowances payable to, the officers and servants of any municipal council or any class of such officers and servants except the following :— (i) Electrical Engineers, (ii) Municipal Engineers, overseers, draughtsmen and tracers, (iii) Teaching staff employed in educational institutions, (iv) Staff employed in libraries, (v) Technical staff employed for public health work, and (vi) Staff employed in medical institutions. (2) Power to accord previous sanction to any municipal council to vary the number, designations, grades, salaries, fees or allowances as fixed or altered in pursuance of the power referred to in item (1) above.

II

In exercise of the powers conferred by section 233 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Government of Madras are hereby pleased to delegate the following powers to the Inspector of Municipal Councils and Local Boards :—

Provision of the Act.	*Powers delegated.*
(1)	(2)
Section 67 (3) ..	(1) Power to fix or alter the number, designations and grades of, and the salaries, fees and allowances payable to, the officers and servants of any district board or any class of such officers or servants, except the following :— (i) Secretary, Superintendent and Accountant, (ii) Manager, District Board Engineer's office, (iii) Assistant Engineers, overseers, draughtsmen and tracers, (iv) Electrical Engineers, (v) Teaching staff employed in educational institutions, (vi) Staff employed in libraries, (vii) Technical staff employed for public health work, and (viii) Staff employed in medical institutions. (2) Power to accord previous sanction to any district board to vary the number, designations, grades, salaries, fees or allowances as fixed or altered in pursuance of the power referred to in clause (1) above.

Forwarded to the

(By order)

Superintendent.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 3631, 13th September 1938

District Panchayat Officers—Regulations relating to recruitment, pay, allowances and conditions of Service—Re-issued.

READ—the following paper :—

G.O. No. 2932, L. & M., dated 20th June 1934.

Order—No. 3631, L.A., dated 13th September 1938

In exercise of the powers conferred by clause (*d*) of section 73-A of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and of all other powers hereunto enabling, and in supersession of Local Self-Government Department Notification No. 902, dated the 10th July 1934, published at pages 286 to 289 of Part I-A of the *Fort St. George Gazette*, dated the 10th July 1934, as subsequently amended, the Government of Madras are hereby pleased to make the following regulations regarding the methods of recruitment, conditions of service, pay and allowances and discipline and conduct of District Panchayat Officers :—

1. *Regulations.*—In these regulations, unless there is anything repugnant in the subject or context—

(1) a person is said to be 'appointed to the Service' when in accordance with these regulations, he discharges for the first time the duties of a post borne on the cadre of the Service or commences the probation prescribed for members thereof;

(2) 'approved probationer' means a member of the Service who has satisfactorily completed, or is deemed under clause (*g*) or clause (*h*) of regulation 6 to have satisfactorily completed his period of probation and awaits appointment as a full member of the Service;

(3) 'cadre' means the sanctioned strength of the Service;

(4) 'discharge of a probationer' from the Service during the period of his probation means, reverting him to his permanent post or dispensing with his Services, as the case may require;

(5) 'full member of the Service' means a member of the Service who has been appointed substantively to a permanent post borne on the cadre thereof;

(6) 'Government' means the Government of Madras;

(7) 'Inspector' means the Inspector of Municipal Councils and Local Boards;

(8) 'languages' means Tamil, Telugu, Malayalam, Kanarese and Hindustani;

(9) 'member of the Service' means a probationer, an approved probationer or a full member of the Service;

(10) 'period of probation' of a member of the Service means the period of probation prescribed in these regulations, together with—

(*a*) the period until the issue of an order by the Government under clause (*e*) of regulation 6, declaring the probationer to have satisfactorily completed his period of probation, or

(*b*) the period referred to in clause (*g*) or clause (*h*) of regulation 6 on the expiry of which, the probationer is deemed to have satisfactorily completed his period of probation, or

(*c*) the period until an order discharging the probationer under clause (*c*), clause (*d*) or clause (*f*) of regulation 6, takes effect;

(11) 'probationer' means a member of the Service who has not completed the period of his probation;

(12) 'scheduled classes' means the communities mentioned in Annexure I to these regulations; and

(13) 'Service' means the Madras District Panchayat Officers' Service.

2. *Constitution.*—The Service shall consist of thirty District Panchayat Officers.

3. *Recruitment.*—(*a*) Appointment to the Service shall be made by the Government and shall be by direct recruitment or by transfer from Government, local board or municipal service.

(*b*) Candidates for appointment to the Service shall be selected by the Inspector subject to the approval of the Government.

4. Where it is necessary in the public interest to fill up immediately a vacancy in a post borne on the cadre of the Service, the Inspector may appoint a person included in the list of candidates selected for appointment to the Service for a period or periods not exceeding three months altogether in the case of any individual. The period of such Service shall count for probation only to such extent as may be approved by the Government.

5. *Qualifications.*—No person shall be eligible for appointment to the Service unless he—

(i) is either a British subject as defined in section 1 of the British Nationality and Status of Aliens Act, 1914, or a subject of a State in India who has resided in the Province of Madras for a period of not less than ten years immediately preceding the date of his application;

(ii) is a graduate of a university mentioned in Annexure II to these regulations;

(iii) has not attained the age of thirty years on the date of his appointment to the Service :

Provided that the Government may for special reasons exempt any person belonging to the scheduled classes from the requirement of this clause:

Provided further that nothing contained in this clause shall apply to appointment by transfer;

(iv) satisfies the Government that he is of sound health, active habits and free from bodily defect or infirmity unfitting him for the Service; and

(v) satisfies the Government that his character and antecedents are such as to qualify him for the Service.

6. *Probation.*—(*a*) Every person appointed to the Service shall, from the date on which he joins duty, be on probation for a total period of two years on duty within a continuous period of three years and shall not be eligible for appointment as a full member of the Service until he has been on such probation :

Provided that the Government may direct that any such person shall be on probation for such further total period not exceeding one year on duty as they may think fit; and the prescribed period of probation shall, in the case of such a person, be deemed to have been extended accordingly for all the purposes of these regulations.

Provided also that persons who were appointed District Panchayat Officers by the Government before the date on which these regulations come into force shall be entitled to count towards their probation—

(i) the service, if any, rendered by them as District Panchayat Officers before the 6th December 1933, up to a maximum of one year; and

(ii) the service rendered by them as District Panchayat Officers from or after the 6th December 1933.

(*b*) A probationer shall within the period of probation, pass in Part I of the Account Test prescribed for subordinate officers in Government service unless he has already passed in the said Part or has before the commencement of his probation been exempted by the Government from passing in the said Part.

(*c*) At any time before the expiry of the prescribed period of probation, the Government may, at their discretion, terminate the probation of a probationer and discharge him from the Service.

(*d*) If within the prescribed period of probation, a probationer fails to pass the Account Test referred to in clause (*b*), the Government shall forthwith, by order, discharge him from the Service:

Provided that if such a probationer has appeared within the prescribed period of probation for the test and the results of the test are not known before the expiry of such period, he shall continue to be on probation until the publication of the results of the test. In case the probationer fails to pass the test, the Government shall forthwith, by order, discharge him from the Service.

(*e*) If at the end of the prescribed period of probation, the Government consider the probationer to be suitable for full membership of the Service, they shall as soon as possible or in cases falling under the proviso to clause (*d*) as soon as possible after the probationer has passed the test for which he has appeared, issue an order declaring the probationer to have satisfactorily completed his period of probation. On the issue of such order, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation.

(*f*) If at the end of the prescribed period of probation, the Government do not consider the probationer suitable for full membership of the Service, they shall, by order, discharge him from the Service.

(*g*) In cases not falling under the proviso to clause (*d*), if no order is issued by the Government under clause (e) within three months after the expiry of the prescribed period of probation, the probationer shall be deemed to have saitsfactorily completed his period of probation on the date of the expiry of the prescribed period of probation.

(*h*) In cases falling under the proviso to clause (*d*), if the candidate has passed the test for which he has appeared and no order is issued by the Government under clause (*e*) within three months after the expiry of the prescribed period of probation or within one month of the publication of the results of the test, whichever is later, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation.

7. *Discharge or reversion for want of vacancies.*—(*a*) The order in which probationers and approved probationers shall be discharged or reverted for want of vacancies shall be—

(i) first, the probationers in order of juniority; and

second the approved probationers in order of juniority;

provided that the above order may be departed from, for special reasons or in cases where such order would involve administrative inconvenience.

(ii) Approved probationers and probationers who have been reverted or discharged for want of vacancies shall be reappointed as vacancies arise, in the inverse of the order laid down in sub-clause (i):

provided that the order laid down in this sub-clause may be departed from with the consent, express or implied, of the person or persons having a preferential right to appointment, under this sub-clause:

provided further that the said order may also be departed from, for special reasons or in cases where such order would involve administrative inconvenience.

(*b*) The order of reappointment laid down in sub-clause (ii) of clause (*a*) shall not apply to appointments under regulation 4.

(*c*) For the purposes of this regulation, juniority as between probationers and as between approved probationers shall be determined in accordance with regulation 11.

8. (*a*) There shall be paid—

(i) to a probationer a pay at the minimum rate admissible to a full member of the Service,

(ii) to an approved probationer or a full member of the Service a pay calculated at the rate of Rs. 150 a month rising by biennial increments of Rs. 10 each to a maximum of Rs. 180, and

(iii) to a person appointed under regulation 4, a pay calculated at the rate of Rs. 100 a month or the pay drawn by him in his substantive post on the date of such appointment, whichever is higher, subject to a maximum of Rs. 150 a month.

(*b*) A member of the Service shall be eligible to draw increments from the date on which he completes his period of probation satisfactorily and shall also be entitled to count the period of probation for purposes of increment if he has passed by such date the test referred to in clause (*b*) of regulation 6. If he has not passed the test by such date, he will, on passing the test, be eligible to draw increments and be entitled to count for purposes of increment his previous service including the period of probation.

9. *Language test.*—A member of the Service shall, within two years after the completion of the period of his probation, pass the test in one of the languages of the Province other than his mother tongue, unless he has already passed such test. If a member of the Service fails to pass the test within the time allowed, his increments shall be liable to be stopped until he passes the test but such stoppage shall not operate to postpone future increments after he has passed the test.

Provided that a member of the Service whose mother tongue is one of the said languages and who has taken another of the said languages for his University degree shall not be required to pass the test.

10. *Appointment of full members.*—An approved probationer shall, if a substantive vacancy in the permanent cadre of the Service exists, be appointed by the Government to be a full member of the Service at the earliest possible opportunity; and if such vacancy existed from a date previous to the issue of the order of appointment, he may be so appointed with retrospective effect from such date or, as the case may be, from such subsequent date from which he was continuously on duty as a member of the Service:

Provided that where more than one approved probationer is available for such appointment as full member, the seniormost approved probationer shall be appointed.

11. *Seniority in the Service.*—(*a*) The seniority of a member of the Service shall be determined by the date of his first appointment to the Service:

Provided that if any portion of the Service of a member does not count towards his probation, his seniority shall be determined by the date of the commencement of his Service which counts towards probation.

(*b*) Where the date by which seniority is determined under clause (*a*) is the same in the case of two or more members of the Service, their seniority *inter se* shall be determined by the Government.

(*c*) A member of the Service shall, unless he is reduced in seniority as a punishment, retain seniority in the Service as determined by clauses

(*a*) and (*b*) throughout his Service, notwithstanding any delay in the completion of his probation or in his appointment as a full member of the Service.

12. *Pay.*—There shall be paid to a full member of the Service a pay calculated at the rate of Rs. 150 a month, rising by biennial increments of Rs. 10 each to a maximum of Rs. 180.

13. *Transfers and postings.*—Probationers, approved probationers and full members of the Service shall be liable to transfer to any part of the Province of Madras for the performance of the duties for which the Service is constituted. Postings and transfers shall be made by the Government on the recommendation of the Inspector:

Provided that postings and transfers of persons appointed to temporary vacancies under regulation 4 shall be made by the Inspector.

14. *Transit pay and travelling allowance.*—The transit pay and travelling allowance as per the Madras Travelling Allowance Rules, of a member of the Service who is transferred from one district board to another shall be paid from the funds of the district board to which he is posted and in case of reversion to his permanent post, by the local body of which he is the permanent servant and in the case of Government servants by the district board from whose Service he reverts.

15. There shall be paid to a member of the Service for a minimum touring of twenty days in a month a fixed travelling allowance calculated at the rate of Rs. 60 a month if employed in a local fund district which is coterminous with a revenue district and of Rs. 50 a month if employed in any other local fund district. In other respects the grant of the fixed travelling allowance shall be governed by the Madras Travelling Allowance Rules issued from time to time by the Government.

16. In respect of a member of the Service the president of the district board concerned shall be the controlling officer for purposes of travelling allowance. The approval of the Inspector shall be obtained before the president of a district board disallows any claim for travelling allowance made by any member of the Service.

17. *Pension or provident fund.*—The members of the Service shall not be eligible for pension, but shall subscribe to the provident fund maintained by district boards:

Provided that persons who were under any pensionary scheme at the time of their appointment to the Service, shall continue to remain under such scheme and shall be governed by the Pension Rules for the time being in force.

18. *Leave and leave salary.*—(*a*) The leave and leave salary of the members of the Service shall be regulated—

(i) by the Fundamental Rules, if at the time of their appointment, being in Government, local board or municipal service, they were, or shall be, governed by the Fundamental Rules and had not elected, or shall not have elected, to be governed by the Madras Leave Rules, 1933; and

(ii) in all other cases, by the Madras Leave Rules, 1933.

(*b*) The leave salary payable to a member of the Service shall be met in the first instance from the funds of the district board under which he was serving immediately prior to his going on leave and any other local body or bodies under which the officer had previously served shall contribute to such leave salary in such proportions as may be fixed by the Inspector.

19. *Discipline and conduct.*—In matters affecting discipline and conduct, the members of the Service shall be under the immediate supervision of the Inspector subject to the control of the Government and shall be governed by the rules regulating the conduct of the members of the Provincial and Subordinate Services under the administrative control of the Government.

20. The Inspector may censure, or withhold increments from any member of the service for any breach of departmental rules or discipline or for carelessness, unfitness, neglect of duty or other misconduct. He may also suspend temporarily from duty members of the Service for any serious offence or misdemeanour pending a report of the case to, and the decision of the Government thereon.

21. Where a member of the Service is found guilty of any negligence or breach of rules or orders, in consequence of which pecuniary loss has been caused to the Government or any local body, the Government may in addition to any punishment which may be inflicted in respect of such negligence or breach, order that the whole or a portion of the loss shall be made good by such member.

22. No member of the Service who is convicted of an offence involving moral turpitude shall be retained in the Service except with the special sanction of the Government.

23. Save as otherwise provided, no member of the Service shall be reduced to a lower stage in the time-scale, suspended, removed or dismissed except by the Government.

24. No order of dismissal, removal, reduction to a lower stage in the time-scale or suspension, not being one pending inquiry, or withholding increments shall be passed on a member of the Service (other than an order based on facts which have led to his conviction in a criminal court) unless he has been informed in writing of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case. He shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires or if the authority concerned so directs, an oral inquiry shall be held. At that inquiry oral evidence shall be heard as to such of the allegations as are not admitted and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the person conducting the inquiry may, for special and sufficient reasons to be recorded in writing, refuse to call a witness. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof:

Provided that this rule shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him:

Explanation.—The discharge

(*a*) of a person appointed on probation during the period of probation, or

(*b*) of a person appointed otherwise than under contract to hold a temporary appointment or a permanent appointment temporarily, on the expiration of the period of the appointment does not amount to removal or dismissal within the meaning of this regulation.

25. (*a*) An appeal shall lie to the Government against any order of punishment imposed by the Inspector except an order of censure.

(*b*) Every District Panchayat Officer preferring an appeal shall do so separately and in his own name.

(*c*) No appeal preferred under these regulations shall be entertained unless it is preferred within six months from the date on which the appellant received the order appealed against:

Provided that where the person concerned has absconded or where it is for any other reason impracticable to communicate with him, the period of six months referred to in this regulation shall be counted from the date of the order appealed against:

Provided further that the Government may entertain an appeal after the expiration of such period if they are satisfied that there was reasonable cause for the delay.

(*d*) Every appeal preferred under this regulation shall be submitted to the Government through the Inspector and shall contain all material statements and arguments relied on by the appellant and shall be complete in itself.

26. (*a*) A service book shall be maintained in such form as may be laid down by the Government from time to time for every member of the Service who is entitled to pension or who subscribes to the Provident Fund established and maintained by the district board. The president of the district board shall be responsible for the correct and up-to-date maintenance of the service book of every member of the Service in the district. Such president shall record an annual certificate of verification in the service book as early as possible after the end of every calendar year.

(*b*) The service books of the members of the Service who are appointed as Commissioners of municipalities shall be maintained by the Inspector. The Inspector shall record an annual certificate of verification in the service book after obtaining a certified copy of the services of such person from the chairman of the municipality concerned.

27. Except to the extent expressly provided in these regulations, the Fundamental Rules issued from time to time under the authority of the Government, shall apply to the members of the Service.

ANNEXURE I.

Scheduled classes.

[Referred to in clause (12) of regulation 1].

Race, tribe or caste.

1 Adi-Andhra.
2 Adi-Dravida.
3 Adi-Karnataka.
4 Ajila.
5 Aranadan (also * P.T.).
6 Aruntbuthiyar.
7 Baira.
8 Bakuda.
9 Bandi.
10 Bariki.
11 Battada.
12 Bavuri.
13 Bellara.
14 Byagari.
15 Chachati.
16 Chakkiliyan.
17 Chalavadi.
18 Chamar.
19 Chandala.
20 Charuman.
21 Dandasi.
22 Devandrakulathan.
23 Dombo (also * P.T.).
24 Ghasi.
25 Godagali.
26 Godari.
27 Godda.
28 Gosangi.
29 Haddi.
30 Hasla.
31 Holeya.
32 Jaggali.
33 Jambuvulu.
34 Kadan (also * P.T.).
35 Kalladi.
36 Kanakkan.
37 Karimpalan (also * P.T.).
38 Kattunayakan (also * P.T.).
39 Kodalo.
40 Koosa.
41 Koraga.
42 Kudiya (also * P.T.).
43 Kudubi (also * P.T.).
44 Kudumban.
45 Kuravan.
46 Kurichchan (also * P.T.).
47 Kuraman (also * P.T.).
48 Madari.
49 Madiga.
50 Maila.
51 Mala.
52 Mala Dasu.
53 Malasar (also * P.T.).
54 Matangi.
55 Mavilan (also * P.T.).
56 Moger.
57 Muchi.
58 Mundala.
59 Nalakayava.
60 Nayadi.
61 Pagadai.
62 Paidi.
63 Painda.
64 Paky.
65 Pallan.
66 Pambada.
67 Panidi.
68 Panchama.
69 Paniyan.
70 Panniyandi.
71 Pano (also * P.T.).
72 Paraiyan.
73 Paravan.
74 Pulayan.
75 Puthirai Vannan.
76 Raneyar.
77 Relli.
78 Samagara.
79 Samban.
80 Sapari.
81 Semman.
82 Thoti.
83 Tiruvalluvar.
84 Valluvan.
85 Valmiki.
86 Vettuvan.

* P.T. = Primitive Tribe.

ANNEXURE II.

[Referred to in regulation 5.]

Indian Universities.

The Universities of Allahabad, Bombay, Calcutta, Dacca, Delhi, Lucknow, Madras, Nagpur, Patna, the Punjab and Rangoon.

The Aligarh Muslim University.
The Andhra University.
The Annamalai University.
The Benares Hindu University.
The Mysore University.
The Osmania University.

British and Welsh Universities.

The Universities of Birmingham, Bristol, Cambridge, Durham, Leeds, Liverpool, London, Manchester, Oxford, Sheffield and Wales.

Scottish Universities.

The Universities of Aberdeen, Edinburgh, Glasgow and St. Andrews.

Irish Universities.

The University of Dublin (Trinity College) and the Queen's University of Belfast.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards.
,, all Collectors, except the Collector of Madras.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Superintendent, Government Press, for publication in the *Fort St. George Gazette*.
,, the Education and Public Health Department.

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 2466, 7th July 1938

Establishment—Public Health—Local board and municipal councils—Pay of Sanitary Inspector and conveyance allowance of certain servants—Revision—Ordered.

READ—the following papers :—

G.O. No. 1884, P.H., dated 17th December 1934.

G.O. No. 646, P.H., dated 10th March 1937.

From the Director of Public Health, dated 21st February 1938, No. 6419-E-38-1.

Order—No. 2466, P.H., dated 7th July 1938.

In partial modification of the orders in G.Os. No. 2884, P.H., datde the 17th December 1934, and No. 646, P.H., dated the 10th March 1937, the Government in exercise of the power conferred on them by sub-section (3) of section 67 of the Madras Local Boards Act, 1920, and by sub-section (3) of section 70 of the Madras District Municipalities Act, 1920, hereby fix the following scales of pay and allowances for the Sanitary Inspectors under the control of district boards and municipal councils in the Province :—

Sanitary Inspectors under district boards—Rs. 55—5/2—85—4/2—105.

Sanitary Inspectors under district boards will be allowed to draw fixed travelling allowance of Rs. 22 per mensem each in cases where their jurisdiction corresponds to that of the Health Inspector. In other cases they will be paid travelling allowance as per the Madras Travelling Allowance Rules or a conveyance of Rs. 3 per mensem.

Sanitary Inspectors under municipal councils—Rs. 55—5/2—85—4/2—105 plus a conveyance allowance of Rs. 3 per mensem.

2. The presidents of district boards and the executive authorities of municipalities are informed that if the existing pay of an incumbent conforms to any stage in the new scale of pay, it should be fixed at that stage, but that if it exceeds any stage it should be fixed at the next stage below that pay and the incumbent of the post should be granted personal pay equal to the difference, the personal pay being absorbed in the next increment. If the existing pay of any incumbent exceeds the maximum of the new scale of pay, it should be fixed at this maximum and a personal pay equal to the difference between the new and the existing pay should be granted to him.

3. The Government also direct that with effect from the 1st May 1938, the conveyance allowance granted to other servants in the public health establishments under municipal councils and local boards for the maintenance of a bicycle be reduced to Rs. 3 per mensem.

4. The orders in this Government Order in so far as they relate to the pay of the Sanitary Inspectors will come into force on the 1st July 1937.

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To all Executive Authorities of Municipalities (through the Chairmen).
,, all Presidents of District Boards.
,, all Collectors.
,, the Surgeon-General.
,, the Director of Public Health.
,, the Inspector of Municipal Councils and Local Boards.
,, the Accountant-General.
,, the Examiner of Local Fund Accounts.

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 3739, 14th October 1939

Rules—Qualifications for medical officers, nurses, nursing orderlies, compounders and midwives in the employ of local boards and municipal councils—Amendments—Published.

READ—the following papers :—

G.O. No. 1435, P.H., dated 5th July 1932.

G.O. No. 1086, P.H., dated 19th May 1933.

G.O. No. 2744, P.H., dated 21st October 1935.

G.O. No. 714, P.H., dated 4th March 1936.

G.O. No. 1187, P.H., dated 7th August 1936.

Order—No. 3739, P.H., dated 14th October 1939.

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

(By order of His Excellency the Governor)

G. H. COOKE,
Secretary to Government.

To all Presidents of District Boards.
,, all Executive Authorities of Municipalities.
,, all Collectors except the Collector of Madras.
,, the Surgeon-General.
,, the Director of Public Health.
,, the Principal, Indian Medical School.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Legal Department.
,, the Superintendent, Government Press, for publication of the notifications in the Gazette.

[Appendix

APPENDIX.

NOTIFICATIONS.

The following draft of certain amendments to the rules published with Local Self-Government Department Notification No. 1459, dated the 21st October 1935 at page 534 of Part I-A of the *Fort St. George Gazette*, dated the 19th November 1935, which it is proposed to make in exercise of the powers conferred by clause (*c*) of sub-section (1) of section 71 and clause (*b*) of section 74 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920) and section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920) is hereby published as required by clause (*a*) of section 200 and section 304 of the said Act for general information.

Notice is hereby given that the said draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENTS.

In the said rules—

(1) in rule 1, for the words "Local Government," the words "Government of Madras (hereinafter referred to as Government)" shall be substituted; and

(ii) In rule 2, for the words "Local Government" in both places where they occur, the word "Government" shall be substituted.

The following draft of certain amendments to the rule published with Local Self-Government Department Notification No. 1041, dated the 5th July 1932, at page 656 of Part I-A of the *Fort St. George Gazette*, dated the 12th July 1932, as subsequently amended, which it is proposed to make in exercise of the powers conferred by section 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920) is hereby published as required by clause (*a*) of section 304 of the said Act for general information.

Notice is hereby given that the said draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENTS.

In the said rule—

(i) for the words "Local Government" in the first place where they occur the words "Government of Madras (hereinafter referred to as Government)" shall be substituted; and

(ii) for the words "Local Government" in the second place where they occur, the word "Government" shall be substituted.

The following draft of certain amendments to the rule published with Local Self-Government Department Notification No. 1042, dated the 5th July 1932, at pages 656–657 of Part I-A of the *Fort St. George Gazette*, dated 12th July 1932, as subsequently amended, which it is proposed to make in exercise of the powers conferred by section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920) is hereby published as required by clause (*a*) of section 200 of the said Act for general information.

Notice is hereby given that the said draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENTS.

In the said rule—

(i) for the words "Local Government" in the first place where they occur, the words "Government of Madras (hereinafter referred to as Government)" shall be substituted; and

(ii) for the words "Local Government" in the other two places where they occur, the word "Government" shall be substituted.

MUNICIPAL OFFICE
20 OCT 1939
VIRUDHUNAGAR

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 3682, 22nd September 1939

Leave—Contribution payable for leave-salary in respect of servants of local boards and municipal councils transferred to foreign service—Rate revised.

READ—the following paper:—

G.O. No. 236, Finance, dated 14th July 1939.

Order—No. 3682, L.A., dated 22nd September 1939.

In G.O. No. 236, Finance, dated 14th July 1939, the contribution for leave-salary to be recovered in respect of a Government servant (other than an inferior servant) transferred to foreign service who is governed by the Madras Leave Rules, 1933, has been fixed at the rate of eleven per cent of pay drawn in foreign service with effect from 1st July 1939. It is hereby directed that the same rate of contribution for leave-salary shall apply with effect from 1st September 1939, in the case of servants of local boards and municipal councils and the Corporation of Madras (other than inferior servants) who are governed by the Madras Leave Rules, 1933, and who are in foreign service including service as Municipal Commissioner.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards.
„ the Executive Authorities of all Municipalities, through Chairmen of Municipal Councils.
„ the Commissioner, Corporation of Madras, through the Mayor.
„ the Inspector of Municipal Councils and Local Boards.
„ the Examiner of Local Fund Accounts.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

MUNICIPAL OFFICE
2 C NOV 1939

G.O. No. 3779, 29th September 1939

Delegation—The Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920—Of powers regarding staff of local bodies to the Inspector of Municipal Councils and Local Boards—Amended.

READ—the following paper :—

From the Director of Public Instruction, dated 4th May 1939, No. C. 1049-G-39.

Order—No. 3779, L.A., dated 29th September 1939.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Inspector of Municipal Councils and Local Boards.
,, all Collectors (except the Collector of Madras).
,, all Executive Authorities of Municipalities (through Chairmen of Municipal Councils).
,, all Presidents of District Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Surgeon-General.
,, the Director of Public Health.
,, the Superintending Engineer (Public Health) (through the Chief Engineer, Public Works Department).
,, the Education and Public Health Department.
,, the Legal Department.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette*.

[Appendix

APPENDIX.

NOTIFICATIONS.

I

In exercise of the powers conferred by section 363 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 Local Administration Department Notification No. 1380, dated 20th December 1938, published at page 843 of Part I-A of the *Fort St. George Gazette*, dated 20th December 1938:—

AMENDMENT.

In the said notification for the entry "(iii) Teaching staff employed in educational institutions" the entry "(iii) Staff employed in educational institutions" shall be substituted.

II

In exercise of the powers conferred by section 233 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 Local Administration Department Notification No. 1381, dated 20th December 1938, published at page 843 of Part I-A of the *Fort St. George Gazette*, dated 20th December 1938:—

AMENDMENT.

In the said notification for the entry "(v) Teaching staff employed in educational institutions" the entry "(v) Staff employed in educational institutions" shall be substituted.

Government of Madras

MUNICIPAL OFFICE
- NOV 1939
VIRUDHUNAGAR.

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 2975, 18th August 1939

Establishment—Public Health—Appointments to public health staff—Position of appointment committees of municipal councils—Instructions issued.

READ—the following paper:—

From the Commissioner, Bezwada Municipality, dated 18th April 1939, No. A-2-1995/39.

Order—No. 2975, P.H., dated 18th August 1939.

The Commissioner, Bezwada Municipality, is informed that appointments to public health establishments of municipal councils are now governed by section 14 (2) of the Madras Public Health Act, 1939, save as otherwise provided in Chapter II of that Act or in any rules or regulations made thereunder. The appointment committees of municipal councils have no longer any jurisdiction in respect of those appointments.

2. The question of framing regulations under section 8 (2) of the Madras Public Health Act in respect of appointments to the Public Health establishments of municipalities and local boards is separately under consideration.

(By order of His Excellency the Governor)

G. H. COOKE,
Secretary to Government.

To the Commissioner of the Bezwada Municipality (through the Chairman of the Municipal Council).

Copy to all other Commissioners of Municipalities (through the Chairmen of Municipal Councils).
" all Presidents of District Boards.
" all Presidents of Panchayat Boards (through the Presidents of District Boards).
" the Director of Public Health.
" the Inspector of Municipal Councils and Local Boards.
" the Local Administration Department.

MUNICIPAL
20 NOV 1939
VIRUDHUNAGAR

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

Memo. No. 28995/B-39-2, 25th October 1939

Seniority lists of teachers in schools under local bodies.

READ—the following paper :—

From the President, District Board, Vizagapatam, dated 15th August 1939, R.C. No. 2581/38-A-7.

Memorandum—No. 28995-B/39-2, Education, dated 25th October 1939.

It has been brought to the notice of Government that many local bodies are now determining the seniority of teachers in accordance with service lists prepared with reference to paragraph 5 of G.O. No. 5062, L. & M., dated the 23rd November 1934. District Boards and Municipal Councils are informed that this Government Order was intended to determine the seniority of Taluk Board establishments absorbed in the establishments of District Boards and should not be applied to teachers. Teachers in *each cadre* should in future be arranged in the service lists separately for elementary schools and secondary schools in the following order :—

(1) Permanent teachers, with reference to the length of service qualifying for pension or for Provident Fund.

(2) Acting teachers who have completed their probation, with reference to the date of completion of probation.

(3) Acting teachers who have not completed probation, with reference to the total service in each case which counts for probation.

G. H. COOKE,
Secretary to Government.

To the President, District Board, Vizagapatam.
" Presidents of District Boards.
" Executive Authorities of Municipal Councils through Chairmen.
" Director of Public Instruction.
" Examiner of Local Fund Accounts.

(*b*) persons qualified *to be elected as councillors.*

(2) No person whose name does not appear *in the electoral roll as qualified to* vote shall *vote at an election and no person whose name does not appear in the roll as qualified to be elected shall be nominated as a candidate for election.*

Personal and representative voting.

51. *The name of a person may be entered in the electoral roll as qualified to vote either in his personal capacity or in the capacity of a representative of a company, firm, association, body of two or more guardians or trustees, joint family or other body possessing joint rights, or in both capacities.*

Provided that (a) in the case of a person claiming to be qualified to vote as representative of a body such body has given him written authority to vote on its behalf;

(b) a joint family may not authorize any person other than one of its members to vote on its behalf.

Explanation.—A body possessing joint rights may not authorize more than one person as its representative on the electoral roll but if that person dies or becomes incapacitated at any time it may make a fresh authorization.

General qualifications to vote.

52. *No person shall be included in the electoral roll as qualified to vote unless*

(a) he is a British subject or a subject of a State in India:

Provided that the Governor in Council may with the sanction of the Government of India exclude from the scope of this restriction any aliens or class of aliens.

(*b*) *he* has attained the age of twenty-one years *in the year preceding that in which the electoral roll is published;*

(c) he, or the body as representative of which he claims inclusion has paid the taxes, if any, due by him or it for such preceding year.

Personal qualifications to vote

53. *No person shall be included in the electoral roll as qualified to vote in his personal capacity at the election for a division unless he has resided in such division for one hundred and twenty days in the aggregate in the year preceding that in which the electoral roll is published and either*

(a) has paid in such preceding year such tax as may be prescribed as a qualification in this behalf, or

(b) has for more than six months in such preceding year occupied a house in the city of such annual value as may be prescribed in this behalf, or

(*c*) is a graduate of some University in His Majesty's dominions, or

(*d*) *is a pensioned officer of the Indian Army, or*

(*e*) *is a holder of any title or decoration prescribed by the Governor in Council to be a qualification for inclusion.*

Explanation (1).—*A person shall be deemed to have made the payment required by clause* (*a*) *if he has paid the prescribed tax as sole mortgagee, tenant, guardian, or executor, or as sole administrator or trustee, not being the Administrator-General or Official Trustee.*

Explanation (2).—*Not more than one person shall be included as qualified under clause* (*b*) *by the occupancy of any single house.*

Qualifications to vote as representative.

54. *No person shall be included in the electoral roll as qualified to vote as the representative of a body unless such body*

(*a*) *has in the year preceding that in which the electoral roll is published carried on business in the division for one hundred and twenty days in the aggregate, provided that if the body does not carry on business the residence of any member thereof in the division for such period shall suffice; and*

(*b*) *has in such preceding year paid such tax as may be prescribed as a qualification in this behalf* or *occupied a house in the city of the prescribed annual value for the prescribed period.*

Explanation.—A body shall be deemed to have made the payment of the tax required by clause (*b*) *if it has paid the prescribed tax as mortgagee or tenant.*

Restriction of plural voting.

55. *If at the election for any division a person has voted in his personal capacity or a body has exercised the franchise through its representative, such person and such body shall not be entitled to vote in a personal capacity or to exercise the franchise through a representative, as the case may be, at any election for any other division till an ordinary election has been held in all the other divisions.*

56. *No person who is of unsound mind or a deaf-mute shall be qualified to vote and no person shall be qualified to vote during the period for which he has been declared to be disqualified by a judicial order passed under section 76, and still in force.*

Qualification of candidates.

57. No person shall be qualified for election as *a councillor* unless *such person*—

(*a*) is of the male sex;

(*b*) *is a British subject or a subject of a State in India;*

(*c*) has *attained the age of twenty-five years in the year preceding that in which the electoral roll is published;*

(*d*) has *a knowledge of* the English language *sufficient for intelligent participation in the proceedings of the council, the President's decision on the question being conclusive;*

(*e*) *has resided* in the city or within two miles of the limits thereof *for one hundred and twenty days in the aggregate in the year preceding that in which the electoral roll is published;*

and unless he or a joint family of which he is a member—

(*f*) *has in such preceding year paid such tax as may be prescribed as a qualification in this behalf or occupied a house in the city of the prescribed annual value for the prescribed period*

Provided that the Governor in Council may, with the sanction of the Government of India, exclude from the scope of the restriction in clause (*b*) *any alien or class of aliens.*

Explanation.—A person or a joint family shall be deemed to have made the payment required by clause (*f*) *if he or the family has paid the prescribed tax as mortgagee or tenant.*

Disqualification of candidates.

58. (1) A person shall be disqualified for election or appointment *as a councillor* if such person—

(*a*) has been at any time sentenced by any court to transportation, imprisonment or whipping for any non-bailable offence, such sentence not having been subsequently reversed or quashed, or

(*b*) is at the date of *nomination*, election or appointment—

(i) *of unsound mind, a deaf-mute or a leper;*

(ii) an uncertificated bankrupt or undischarged insolvent;

(iii) interested in *a subsisting* contract made with, or *any* work *being* done for, the corporation *except* as a shareholder (*other than a director*) in an incorporated company *or as a legal practitioner;*

(iv) an officer or servant holding office under this Act, *a judge of the Small Cause Court* or a presidency magistrate; or

(v) *already a councillor whose term of office as such will not expire before his fresh election or appointment can take effect.*

Provided that a person shall not be deemed to have any share or interest in

such a contract or *work* as aforesaid by reason only of his having a share or interest in—

(i) any lease, sale or purchase of *immovable property* or any agreement for the same ; or

(ii) any agreement for the loan of money or any security for the payment of money only ; or

(iii) any newspaper in which any advertisement relating to the affairs of the corporation is inserted ; or

(iv) *the sale to the corporation of any articles in which he regularly trades, or the purchase from the corporation of any articles, to a value in either case not exceeding five thousand rupees in the aggregate in any year during the period of the contract or work.*

(2) Notwithstanding anything contained in clause (*a*) of sub-section (1), the *Governor in Council* may direct that such sentence shall not operate as a disqualification.

(3) *No person shall be qualified for election or appointment during the period for which he has been declared to be disqualified by a judicial order passed under section 76, and still in force.*

Disqualification of councillors.

59. *Subject to the provisions of section 60, a councillor shall cease to be a councillor if he—*

(*a*) *is* sentenced by *a* court to *such punishment as is described in section 58, sub-section (1), clause (a) ;*

(*b*) *becomes of unsound mind, a deaf-mute, or a leper ;*

(*c*) becomes a bankrupt or insolvent ;

(*d*) *subject to the proviso to section* 58, *sub-section (1)*, acquires any interest in any *subsisting* contract made with or work *being done* for the corporation *except* as a shareholder (*other than a director*) in an *incorporated* company, *or is employed as paid legal practitioner on behalf of the corporation ;*

(*e*) *is appointed to any office or post referred to in section 58, sub-section (1), clause (b), sub-clause (iv) ;*

(*f*) *is declared to be disqualified from holding office by a judicial order passed under section* 76, *and still in force ;*

(*g*) *ceases to reside in the city or within two miles thereof ;* or

(*h*) fails to attend *the meetings of the council during three consecutive months :*

Provided that, where a person *ceases to be a councillor under clause (a) or clause (f)*, he shall be restored to office for such

portion of the period for which he was elected or appointed as may remain unexpired at the date of such restoration, if and when *the* sentence *or order* is annulled on appeal or revision *or* the disqualification caused by *the* sentence is removed by an order of the Governor in Council as provided in section *58, sub-section (2)*.

Provided further that, in the case of a person who has ceased to be *a councillor* in consequence of failure to attend *meetings*, the *council* may, in their discretion, restore such person to office at the next general meeting held after such person has ceased to be a *councillor*.

Decision of questions of disqualification of councillors by the chief judge of Small Cause Court.

60. (1) *Whenever it is alleged that any councillor has become disqualified for office under clause (b), clause (d) or clause (g) of section 59, and such councillor does not admit the allegation, or whenever any councillor is himself in doubt whether or not he has become disqualified for office, such councillor or any other councillor may, and the commissioner, at the request of the council, shall, apply to the chief judge of the Small Cause Court.*

(2) *The said chief judge, after making such inquiry as he deems necessary, shall determine whether or not such councillor has become disqualified for being a councillor, and his decision shall be final.*

(3) *Pending such decision the councillor shall be deemed to be qualified.*

General Rules for Election and Appointment.

Elections of divisional councillors.

61. (1) *The term of office of divisional councillors shall, save as otherwise expressly provided, be three years beginning and expiring at noon on the first day of November.*

(2) *Vacancies arising by efflux of time in the office of divisional councillor shall be filled at ordinary elections, which shall be fixed by the commissioner to take place on such days in the months of August and September next preceding the vacancies as he thinks fit.*

(3) *A vacancy arising otherwise than by efflux of time in the office of divisional councillor shall be filled at a casual election which shall be fixed by the commissioner to take place as soon as may be after the occurrence of the vacancy :*

Provided that no casual election shall be held to fill a vacancy occurring within six months before the ordinary date of retirement and that such vacancy shall be filled at the next ordinary election.

(4) *A divisional councillor elected at a casual election shall enter upon office forthwith but shall hold office so long only as the*

councillor in whose place he is elected would have been entitled to hold office if the vacancy had not occurred.

Procedure on failure of election.

62. (1) *If from any cause no councillor is elected at an ordinary election held under section 61, the retiring councillor shall, if willing to serve, be deemed to have been re-elected,*

(2) *if, in any such case, the retiring councillor is not willing to serve, or*

if at a casual election no councillor is elected,

the commissioner shall without delay inform the council, and thereupon the council may appoint a qualified person to fill the vacancy, and if the council fail within fifteen days after receipt of such information to appoint a person as aforesaid, the commissioner shall fix a day for a fresh election.

(3) *The term of office of a councillor appointed, elected or deemed to have been re-elected under this section shall expire at the time at which it would have expired if he had been elected at the ordinary or the casual election, as the case may be.*

Election of same person for more than one division.

63. (1) If any person has been elected for more divisions than one, he shall within *twenty-four hours* from the date of the last of such elections intimate to the *commissioner* the division for which he chooses to serve.

(2) In default of such intimation the *commissioner* shall notify the division for which such person shall serve.

(3) The said person shall be deemed to have been elected only for the division so chosen or so notified as the case may be; *and the vacancies thereby arising in the representation of other divisions shall be filled by fresh elections.*

Procedure in case of equality of votes.

64. If there is an equality of votes between two or more candidates, the candidate who paid the highest amount on account of *municipal taxation, exclusive of any amount paid as tax leviable under section 128*, for and during the year preceding that of the election shall be *deemed to have been* elected and if the said candidates have paid equal amounts as aforesaid *or have paid no property tax*, the *commissioner* shall *after notice to all such candidates decide by drawing lots which candidate* shall be *deemed to have been elected.*

Power of Local Government to make election rules.

65. (1) *The Governor in Council may make rules regulating the procedure with regard to divisional elections.*

(2) *Without prejudice to the generality of sub-section (1) such rules may—*

(*a*) *regulate the preparation, revision and publication of the electoral roll;*

(*b*) *invalidate the election of any person who has not obtained a prescribed minimum number of votes;*

(*c*) *provide for the adjudication by the Court of Small Causes of disputes relating to the electoral roll or arising out of elections.*

Term of office of councillors other than divisional councillors.

66. Every *councillor other than a divisional councillor* shall, *save as otherwise expressly provided*, hold office for a term of three years from the date of the *Fort St. George Gazette* wherein his election or appointment was notified.

Filling vacancy in office of councillor other than divisional councillor.

67. Whenever a vacancy *occurs in the office of a councillor other than a divisional councillor* a successor shall forthwith be elected or appointed in the same manner *as the councillor who previously held such office.*

Election Offences.

Offences in respect of electoral list.

68. (1) *Every person who by claiming a qualification to vote or to be elected which he knows he does not possess or by using false documents or by a false declaration or by any other deceitful means procures the improper entry of any name in the electoral roll or the improper omission of any name therefrom shall be punished with imprisonment of either description which may extend to three months or with fine or with both.*

(2) *Every municipal officer or servant or polling officer who wilfully makes or procures any improper entry in the electoral roll or any improper omission therefrom shall be punished with imprisonment of either description which may extend to six months or with fine or with both.*

Bribery.

69. (1) *Every person who with intent to procure in the interests of himself or any other person the vote of any voter or his abstention from voting or the withdrawal of a candidate—*

(*a*) *offers, promises or gives to any person any property, money, valuable security, public or private employment or any gratification whatever other than a benefit affecting the public in general, or*

(*b*) *offers, promises or gives to any person the means of obtaining an electoral qualification for himself or any other person,*

shall be punished with imprisonment of either description which may extend to six months or with fine or with both.

(2) *Every voter or candidate who accepts any such offer, promise or gift as a motive or reward for voting or abstaining from voting or for withdrawing his candidature shall be punished with the same punishment.*

Undue influence.

70. *Every person who*—

(*a*) *threatens any voter or candidate with injury to his person, reputation or property, or to the person or reputation of any one in whom he is interested with intent*—

(i) *to induce such voter to vote for any candidate or to abstain from voting, or*

(ii) *to induce such candidate to withdraw his candidature, or*

(*b*) (i) *commits wrongful restraint,*

(ii) *spreads rumours which he knows to be false, and materially affecting a candidate or his election or*

(iii) *employs any deceitful means,*

and thereby prevents the free exercise of the right of any voter or candidate,

shall be punished with imprisonment of either description which may extend to six months or with fine or with both.

Fraudulent voting and personation.

71. (1) *Every person who applies for a ballot paper at an election, having already voted once at the same election or knowing that he is not qualified to vote thereat, shall be punished with imprisonment of either description which may extend to six months or with fine or with both.*

(2) *Every person who applies for a ballot paper in the name of any other person living or dead, or of a fictitious person, shall be punished with the same punishment.*

Infringement of secrecy of election.

72. *Every polling officer, clerk or other person in attendance at the polling room who, except for some purpose authorized by law, communicates to any person any information showing directly or indirectly for which candidate any voter has voted, and every person who by any improper means procures any such information, shall be punished with imprisonment of either description which may extend to six months or with fine or with both.*

Offences by polling officers.

73. *Every polling officer who permits a person to vote knowing that such person is not entitled to vote, or who prevents a person from voting knowing that such person is entitled to vote, shall be punished with imprisonment of either description which may extend to six months or with fine or with both.*

Falsifying result of election.

74. *Every person who in the course of electoral operations attempts to falsify the record of an election by removing, destroying, altering or fabricating nomination papers or voting papers or by any other act*

30 OCT 1939

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT.

G.O. No. 3700, 22nd September 1939

Rules—Municipal Councils and district boards—Establishments—Amendments—Draft published.

READ—the following papers :—

G.O. No. 276, L. & M., dated 25th January 1935.

G.O. No. 2342, L.S.G., dated 2nd June 1936.

G.O. No. 2133, L.S.G., dated 4th June 1937.

G.O. No. 229, L.A., dated 19th January 1939.

Order—No. 3700, L.A., dated 22nd September 1939.

It is proposed to embody in the statutory rules relating to establishments under municipal councils and district boards, the instructions issued with paragraphs 3 and 4 of G.O. No. 276, L. & M., dated the 25th January 1935, as amended by G.O. No. 229, L.A., dated the 19th January 1939, with certain modifications and the instructions issued with G.O. No. 2133, L.S.G., dated the 4th June 1937, together with some other amendments to the rules.

2. The new rules proposed in the draft amendments as to seniority will not affect the seniority of persons in any grade in which they have completed their period of probation satisfactorily before the coming into force of the said new rules.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Executive Authorities of all municipalities (through the Chairmen of Municipal Councils concerned).
,, all Presidents of District Boards.
,, all Collectors (except Collector of Madras).
,, 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 Surgeon-General.
,, the Superintending Engineer (Public Health) through Chief Engineer Public Works Department.
,, the Public (Political) Department.
,, the Legal Department.
,, the Education and Public Health Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notifications in the *Fort St. George Gazette.*

[Appendix

The following draft of certain amendments to the rules relating to establishments under district boards which it is proposed to make in exercise of the powers conferred by section 73 and 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and rule 37 of Schedule IV to the said Act, is hereby published as required by clause (*a*) of section 304 of the said Act, for general information.

Notice is hereby given that the draft will be further proceeded with after the expiry of six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid, will be considered by the Government of Madras.

DRAFT AMENDMENT.

1. For the *explanation* to sub-rule (3) of rule 7 of the said rules, the following *explanation* shall be substituted, namely:—

"*Explanation.*—For the purpose of this sub-rule, juniority as between persons who are on probation in a grade and as between persons who have completed their period of probation in a grade shall be determined with reference to the date of first appointment which counts for probation in that grade. Where the date by which seniority is determined is the same in the case of two or more members of a grade their seniority *inter se* shall be determined by the order of preference, if any, previously laid down in their case. If no such order of preference has been laid down, or in case of doubt, seniority shall be determined by the executive authority."

2. After rule 7 of the said rules, the following rules shall be inserted, namely:—

"7-A. Where it is necessary in the public interest or for administrative reasons, to entertain temporarily in a vacancy, a person whom it may not be desirable to entertain as a probationer, the appointing authority may for reasons to be clearly recorded, appoint such person temporarily with a proviso to the effect that the person so appointed shall not be deemed to be a probationer for that post.

"7-B. (1) The posts of Manager and Head Accountant shall be selection posts and all other ministerial posts shall be non-selection posts.

(2) Promotions to selection posts shall be made on grounds of qualifications and merit, seniority being considered only where the qualifications and merit are approximately equal.

(3) Promotions to non-selection posts shall be made in accordance with strict seniority except—

(i) Where a senior does not possess the qualifications prescribed for holding the higher post or is definitely proved to be incompetent to hold such post, or

(ii) where on account of his proved serious misconduct it is considered undesirable to promote him.

(4) Non-promotion to a non-selection post shall be deemed to be withholding of promotion within the meaning of the rules relating to appointment and punishment of officers and servants of municipal councils."

3. In rule 8 of the said rules, after the words "or of any local authority" the words "or who has been debarred from employment in the service of Government" shall be inserted.

4. In *explanation* (3) to sub-rule (*a*) of rule 17 of the said rules—

(i) in clause (i) for the words "according to the total length of service which counts for probation" the words "according to the date of first appointment which counts for probation in the grade concerned" shall be substituted; and

(ii) in clause (iii) for the words "according to the dates on which the probation was completed" the words "according to the date of first appointment which counts for probation in the grade concerned" shall be substituted.

II

The following draft of certain amendments to the rules relating to establishments under district boards which it is proposed to make in exercise of the powers conferred by section 73, sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), and clause (*a*) of sub-rule (1) of rule 1-C of Schedule V to the said Act, is hereby published, as required by clause (*a*) of section 200 of the said Act, for general information.

Notice is hereby given that the draft will be further proceeded with after the expiry of six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid, will be considered by the Government of Madras.

DRAFT AMENDMENTS.

For the *explanation* to sub-rule (3) of rule 8 of the said rules, the following *explanation* shall be substituted, namely:—

"*Explanation.*—For the purpose of this sub-rule, juniority as between persons who are on probation in a grade and as between persons who have completed their period of probation in a grade shall be determined with reference to the date of first appointment which counts for probation in that grade. Where the date by which seniority is determined is the same in the case of two or more members of a grade their seniority *inter se* shall be determined by the order of preference, if any, previously laid down in their case. If no such order of preference has been laid down or in case of doubt, seniority shall be determined by the President of the District Board."

2. After rule 8 of the said rules, the following rules shall be inserted, namely:—

"8-A. Where it is necessary in the public interest or for administrative reasons to entertain temporarily in a vacancy, a person whom it may not be desirable to entertain as a probationer, the appointing authority may, for reasons to be clearly recorded, appoint such person temporarily with a proviso to the effect that the person so appointed shall not be deemed to be a probationer for that post.

"8-B. (1) The posts of Secretary, Superintendent and Accountant in the office of the District Board and the post of Manager in the office of the District Board Engineer shall be selection posts. All other ministerial posts and the posts of first grade Overseers and draughtsmen shall be non-selection posts.

(2) Promotions to selection posts shall be made on grounds of qualifications and merit, seniority being considered only where the qualifications and merit are approximately equal.

(3) Promotions to non-selection posts shall be made in accordance with strict seniority except—

(i) where a senior does not possess the qualifications prescribed for holding the higher post or is definitely proved to be incompetent to hold such post, or

(ii) where on account of his proved serious misconduct it is considered undesirable to promote him.

(4) Non-promotion to a non-selection post shall be deemed to be withholding of promotion within the meaning of the rules relating to appointment and punishment of officers and servants of local boards."

3. In rule 9 of the said rules, after the words "or of any local authority" the words "or who has been debarred from employment in the service of Government" shall be inserted.

4. In *Explanation* (3) to sub-rule (*a*) of rule 18 of the said rules—

(i) in clause (i) for the words "according to the total length of service which counts for probation," the words "according to the date of first appointment which counts for probation in the grade concerned" shall be substituted; and

(ii) in clause (iii) for the words "according to the dates on which the probation was completed," the words "according to the date of first appointment which counts for probation in the grade concerned" shall be substituted.

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 4000, 1st November 1939

Establishment—Public Health—Local bodies—Punishing authority—Position explained.

Order—No. 4000, P.H., dated 1st November 1939.

In the annexure to G.O. No. 2926, P.H., dated 16th August 1939, His Excellency the Governor of Madras was pleased to direct that the rules and orders which, immediately before the Madras Public Health Act, 1939, came into force, were applicable to members of the public health establishments of local authorities in regard to their punishment and their right to appeal against punishments, should continue to apply to them until regulations providing for those matters were made under sub-section (2) of section 8 of the Act. It is possible that the above order may be construed as keeping alive the provisions in the Madras District Municipalities and the Madras Local Boards Acts regarding the powers of the executive authorities to impose punishments on members of the public health establishments. Such a construction would be in conflict with the provisions in section 14 (2) of the Madras Public Health Act, 1939, under which the authority competent to impose punishments is the Health Officer. With reference to section 144 of the Madras Public Health Act, the provisions in section 14 of the Act would prevail, so far as matters relate to the public health establishments. All the executive authorities of local bodies are accordingly informed that it should be clearly understood that, so far as the members of the public health establishments are concerned, the authority to impose punishments is the Health Officer. The punishments made by the Health Officer would however be subject to the approval of the executive authority concerned and appeals from the Health Officer's order of punishment will be governed by the rules and orders which were applicable to members of the public health establishments of local authorities before the Madras Public Health Act, 1939, came into force.

(By order of His Excellency the Governor)

G. H. COOKE,
Secretary to Government.

To the Executive Authorities of all Municipalities (through the Chairmen of Municipal Councils concerned).
" all Presidents of District Boards (with copies for Presidents of Panchayat Boards).
" the Director of Public Health.
" the Inspector of Municipal Councils and Local Boards.
" the Local Administration Department.
" the Examiner of Local Fund Accounts.
" the Chief Engineer (General, Buildings and Roads).
" the Superintending Engineer (Public Health).

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 4120, 7th November 1939

Rules—Madras Public Health Act, 1939—Section 136—Appeal against the orders of Health Officers—Draft published.

Order—No. 4120, P.H., dated 7th November 1939.

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

(By order of His Excellency the Governor)

G. H. Cooke,
Secretary to Government.

To the Director of Public Health.
" Surgeon-General.
" Examiner of Local Fund Accounts.
" Inspector of Municipal Councils and Local Boards.
" Local Administration Department.
" Legal Department.
" Executive Authorities of all Municipalities (through Chairmen).
" Presidents of District Boards (with copies for Presidents of Panchayat Boards).
" Commissioner, Corporation of Madras (through the Mayor).
" Superintendent, Government Press (for publication of the notification in the *Fort St. George Gazette*).

[Appendix

APPENDIX.

NOTIFICATION.

The following draft of certain rules which it is proposed to make in exercise of the powers conferred by sections 128 and 136 of the Madras Public Health Act, 1939 (Madras Act III of 1939), is hereby published, as required by clause (*a*) of sub-section (1) of section 130 of the said Act, for general information.

Notice is hereby given that the draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT RULES.

1. (1) An appeal shall lie—

(*a*) to the local authority from any notice or order issued or other action taken or proposed to be taken by the Health Officer under sections 24, 28, 29, 30, 31, 32, 38, 39, 40 (2), 77 (2) (*a*), 95 (2), 97, 99 or 111 of the Madras Public Health Act, 1939;

(*b*) to the Director of Public Health from any order issued by the Health Officer under section 113 of the said Act; and

(*c*) to the Health Officer from any order issued by any officer of the Public Health Department below the rank of Health Officer under section 26 of the said Act.

(2) Such appeal shall be preferred within fifteen days after the date of the receipt of the notice, order or proceeding against which the appeal is preferred.

2. The Provincial Government may at any time, either *suo motu* or on application, call for and examine the record of any order passed by, or any proceedings recorded by, a local authority, the Director of Public Health or a Health Officer under rule 1 for the purpose of satisfying themselves as to the legality or propriety of such order, or as to the regularity of such proceedings, and may pass such order in reference thereto as they think fit.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

Memo. No. 20285-3-A, 22nd September 1942

Establishment—Municipal councils—Miscellaneous—Chingleput—Health Officer's clerk and staff employed in parks and gardens—Debit of cost—Instructions issued.

READ—the following papers:—

From the Commissioner of Chingleput Municipality, dated 20th July 1942, Roc. No. 3631-A/41.

Endorsement from the Chairman, Municipal Council, Chingleput.

Memorandum No. 20285-3-A, L.A., dated 22nd September 1942.

The Commissioner, Chingleput Municipality, is informed that clerks employed under Health Officers are included in the "General office establishment." Their pay is therefore debitable to that head of account and not to "Public Health."

2. The pay of the staff employed in parks and gardens should be debited to the head "Remunerative enterprises" in the same manner as receipts from parks and gardens are credited to that head.

V. N. KUDVA,
Secretary to Government.

To the Commissioner, Chingleput Municipality (through the Chairman, Municipal Council).

Copy to the Commissioners of all other municipalities (through the Chairmen, Municipal Councils, concerned.)
" all Presidents, District Boards (with copies for Major Panchayat Boards).
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Education and Public Health Department.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

MUNICIPAL OFFICE
11 DEC 1939
VIRUDHUNAGAR

G.O. No. 4253, 1st November 1939

Rule—Qualifications of officers and servants of municipal councils—Amendment—Draft published.

READ—the following papers :—

G.O. No. 4448, L. & M., dated 29th October 1935.

From the Inspector of Municipal Councils and Local Boards, dated 5th October 1939, L. Dis. No. 13101/39.

Order—No. 4253, L.A., dated 1st November 1939.

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

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Commissioners of all Municipalities (through the Chairmen of Municipal Councils concerned).
,, all Collectors (except Madras).
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Director of Public Instruction.
,, the Director of Public Health.
,, the Surgeon-General.
,, the Superintending Engineer through Chief Engineer, Public Works Department (Public Health).
,, the Public Department.
,, the Education and Public Health Department.
,, the Legal Department.
,, the Principal, Indian Medical School.
,, the Superintendent, Government Press, for publication of the notification in the *Fort St. George Gazette*.

[Appendix

APPENDIX.

NOTIFICATION.

The following draft of an amendment to the rule prescribing the qualifications of officers and servants under municipal councils published with Local Self-Government Department Notification No. 1522, at page 562 of Part I-A of the *Fort St. George Gazette*, dated the 3rd December 1935, as subsequently amended, which it is proposed to make in exercise of the powers conferred by clause (*b*) of section 74 and clause (*a*) of sub-section (2) of section 303 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), is hereby published as required by clause (*a*) of section 304 of the said Act, for general information.

Notice is hereby given that the draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENT.

In the entry in column (1) against item (1) of the table subjoined to the said rule, after the words "where there is only one accountant, the accountant" the words "upper division clerks" shall be inserted.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 4849, 11th December 1939

Establishment—Municipal Councils—Grant of leave to inferior and menial servants —G.O. No. 150 M., dated 26th January 1920, to be followed.

READ—the following papers :—

I

G.O. No. 150 M., dated 26th January 1920.

Read—the following :—

G.O. No. 1180 M., dated 26th July 1918.
G.O. No. 1680 M., dated 20th October 1919.

Order—No. 150 M., dated 26th January 1920.

In modification of the orders read above the Government are pleased to permit municipal chairmen to sanction leave of absence on full pay to all inferior servants including menials and to appoint substitutes for them subject to the conditions :—

(i) that the period of absence does not exceed a month in each case or in any one year ; and

(ii) that the leave is necessitated by the illness of the servant concerned or of some member of his family.

It should be borne in mind that this special leave on full pay is intended to take the place of privilege leave and should not be granted in addition to it.

(True extract)

F. J. RICHARDS,
Acting Secretary to Government.

To all Chairmen of Municipal Councils.
,, all Collectors.
,, the Accountant-General.
,, the Director of Public Instruction.
,, the Surgeon-General.
,, the Sanitary Commissioner.
,, the Sanitary Engineer.
,, the Local and Municipal (Legislative) Department.
Copy to the Special Officer.

II

From the Commissioner, Tiruvannamalai Municipality, dated 17th November 1939, R.O.C. No. 2315-A/39.

Endorsement from the Chairman, Municipal Council, Tiruvannamalai, dated 20th November 1939.

Order—No. 4849, L.A., dated 11th December 1939.

The Commissioner, Tiruvannamalai Municipality, is informed that the grant of leave and leave allowances to inferior and menial servants should be regulated in accordance with the orders in G.O. No. 150 M., dated 26th January 1920.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Commissioner, Tiruvannamalai Municipality (through the Chairman, Municipal Council).
,, all other Executive Authorities of Municipal Councils (through the Chairmen of Municipal Councils concerned).
,, the Inspector of Municipal Councils and Local Boards.
,, the Director of Public Health.
,, the Examiner of Local Fund Accounts.
,, the Education and Public Health Department.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. 4977, 18th December 1939

Rules—Gratuity for servants under local bodies—Amendments—Confirmed.

READ—the following papers :—

G.O. No. 2852, L.A., dated 19th July 1939.

File of objections and suggestions received.

Order—No. 4977, L.A., dated 18th December 1939.

In G.O. No. 2852, L.A., dated 19th July 1939, certain draft amendments to the rules regulating the grant of gratuities by municipal councils and local boards to their officers and servants were published for general information. The suggestions received from certain local bodies have been considered and found unacceptable. The draft amendments as published are hereby confirmed.

2. The appended notifications will be published in English in the *Fort St. George Gazette*. They should be republished in all the District Gazettes in English and in the language of the district.

3. The Senior Translator to Government is requested to furnish the Superintendent, Government Press, with translations of the notifications in Tamil, Telugu, Malayalam and Kanarese for publication in the District Gazettes.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To all Presidents of District Boards (with copies for major Panchayats).
,, all Executive Authorities of Municipal Councils (through Chairmen of Municipal Councils).
,, all Collectors (except Madras).
,, the Inspector of Municipal Councils and Local Boards.
,, the Director of Public Instruction.
,, the Director of Town-Planning.
,, the Surgeon-General.
,, the Superintending Engineer (Public Health) (through the Chief Engineer).
,, the Examiner of Local Fund Accounts.
,, the Legal Department.
,, the Revenue Department.
,, the Education and Public Health Department.
,, the Superintendent, Government Press (for publication of the notifications in the *Fort St. George Gazette*).

[Appendix

APPENDIX

NOTIFICATIONS.

I

In exercise of the powers conferred by clause (*d*) of section 74 and clause (*a*) of sub-section (2) of section 303 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 amendments to the rules regulating the grant of gratuities by municipal councils to their officers and servants published with Local Administration Department Notification No. 308, dated the 28th October 1937, at pages 587–589 of Part I-A of the *Fort St. George Gazette*, dated the 9th November 1937 :—

AMENDMENTS.

In the said rules—

(i) for clause (iii) of rule 1, the following clause shall be substituted, namely :—

"(iii) 'inferior service' and 'superior service' mean service in the posts classified as inferior and superior respectively in Annexure I to these rules";

(ii) for sub-rule (2) of rule 9, the following sub-rule shall be substituted, namely :—

"(2) Subject to the provisions of rules 2 to 5 and 11 compensation or invalid gratuity may be paid to servants in inferior service at the rate of one month's pay for each year of service subject to the following restrictions, namely :—

(*a*) no gratuity shall be paid in respect of the first five years of service; and

(*b*) the gratuity shall not in any case exceed twenty months' pay.

Gratuity under this rule shall be calculated on the pay drawn at the time of retirement.";

(iii) in sub-rule (2) of rule 15, for the words "in the form annexed to these rules" the words and figures "in the form in Annexure II to these rules" shall be substituted; and

(iv) the Annexure shall be numbered as Annexure II and the following shall be inserted as Annexure I, namely :—

"ANNEXURE I.

Posts in superior service.	*Posts in inferior service.*
Accountants.	Attenders.
Assistant Accountants.	Attendants in hospitals and dispensaries and farms.
Agricultural Assistant or Demonstrator.	
Assistant Surgeons.	
Apothecaries.	
Assessors.	
Avenue or Garden Superintendent.	
Assistant Panchayat Officer.	
Bill Collectors.	
Birth and Death Registrars.	
Clerks under local bodies.	Cattle Superintendents.
Compounders.	Cycle orderly or peon.
Cinema operators.	Choultry maniam or gumasta or amin or kuckdar or manager.
Collection Superintendent.	
Cashiers in Electric department.	
Chatram Tahsildars.	
Chatram Revenue Inspectors.	
Chatram Foresters.	
Chatram Superintendent.	
Dog Inspector, Distraining Officer (Coonoor Municipal Council).	Driver.† Daffadars. Dhais in hospitals.
Driver and * driver of lorries in Electric department and driver * and assistant driver of lorries * in municipalities and those borne on regular establishment in district boards prior to 7th November 1935, of pumping plants in waterworks and sewage pumping stations and Electrical Power-house Draftsman, Drainage Supervisor or Superintendent.	
Educational officers.	
Electrician.*	Electrician.†
Encroachment officers.	Engine fitter in Electric department.†
Entertainment tax supervisors.	
Engine fitter in Electric department.*	
Farm Superintendent (Dairy).	Foreman in Power-house, Electric department.†
Fitters.*	
Foreman in the Power-house (Electric department) and Workshops.*	
Filter Operators.	
Head driver (Electric department).*	Head driver.† Helpers in Electric department.
Headmasters.	
Health visitors.	
Hackney Carriage Inspectors.	
Instrument repairer * (Electric department).	Instrument repairer.†
Instructors in Weaving, Commercial, Manual Training, Physical Training, Music, Turning, Foundry, Smithy, Spinning, Textile, Dyeing, Religious, Horticultural, Engraving, Woodwork, etc.	
Inspectors—Local fund or licence, anti-mosquito, meat.	
Licence Superintendents.	Librarians, gardeners.
Leprosy officers.	Laboratory peon or attender.
Lighting Superintendent or Inspector.	Line Foreman (Electric department).†
Line Supervisor.	Line Inspector (Electric department).†
Line Foreman or Line-man and jointer.	Lascar (Electric department) (includes Helper, Switcher).
Line Inspectors.*	
Lorry driver.*	
Managers.	
Munshis.	Muchis.
Medical Officers (Allopathic, L.I.M., Ayurvedic, Unani).	Meter cleaner or helper.
Midwives.	
Masters—Drawing, drill, etc.	
Mechanics.	
Meter Readers or Assistant Readers or repairers.	
Meter Tester or Metermen.	
Market Superintendent or Supervisor, Sergeant.	
Malarial officer.	
Nurses.	Nursing Orderlies.
Overseers and Sub-overseers.	Oiler (Electric department).
Principal.	Peons.
Professors.	Power-house coolie.
Pandits.	
Public Works Supervisors.	
Physicians (Ayurvedic and Unani dispensaries).	
Power-house Assistants.	
Propagandists.	
Park Supervisor.	
Range officers.	Radio operator.
Revenue officers.	
Revenue Inspectors.	
Record-keepers.	
Road Inspectors.	
Rural Reconstruction Supervisors.	
Secretaries.	Switchmen.
Superintendents.	Switchboard operator.†
Sanitary and Assistant Inspectors.	Switcher. Sub-station helper.
Sub-Assistant Surgeons.	
Shroff and Assistant Shroffs.	
Surveyors.	
Supervisors or Superintendents of Schools.	
Shorthand typists or writer or stenographers.	
Switch Board Operator.*	
Supervisor of Forests.	
Stenographers.	
Stockers.	
Storekeepers.	
Superintendents of Workshops.	
Tracers.	Turncocks.
Teachers.	Telephone Call Boy (Electric department).
Typists.	
Town-Planning Supervisor or Overseers.*	Testing Assistant.†
Testing Assistant or Inspectors.	
Tap Inspectors or Sergeants.	
Tax Supervisors or Inspectors.	
Vaccinators.	
Vehicle Inspectors.	
Veterinary Surgeon or Inspector or officer.	
Water-works Superintendents or Inspectors.	Wireman.†
Warrant officers.	
Wireman.*	
Woman Medical Officer, Maternity and Child Welfare.	

* When the pay or maximum pay exceeds Rs. 20 per mensem.

† When the pay or maximum pay does not exceed Rs. 20 per mensem."

II

In exercise of the powers conferred by clause (*c*) of sub-section (1) of section 71 and clause (*a*) of sub-section (2) of section 199 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 amendments to the rules regulating the grant by local boards of gratuity to their officers and servants published with Local Administration Department Notification No. 309, dated the 28th October 1937, at pages 589–591 of Part I-A of the *Fort St. George Gazette*, dated the 9th November 1937 :—

AMENDMENTS.

In the said rules—

(i) for clause (iii) of rule 1, the following clause shall be substituted, namely :—

"(iii) 'inferior service' and 'superior service' mean service in the posts classified as inferior and superior respectively in Annexure I to these rules";

(ii) for sub-rule (2) of rule 9, the following sub-rule shall be substituted, namely :—

"(2) Subject to the provisions of rules 2 to 5 and 11 compensation or invalid gratuity may be paid to servants in inferior service at the rate of one month's pay for each year of service subject to the following restrictions, namely :—

(*a*) no gratuity shall be paid in respect of the first five years of service; and

(*b*) the gratuity shall not in any case exceed twenty months' pay.

Gratuity under this rule shall be calculated on the pay drawn at the time of retirement.";

(iii) In sub-rule (2) of rule 15, for the words "in the form annexed to these rules" the words and figures "in the form in Annexure II to these rules" shall be substituted; and

(iv) the annexure shall be numbered as Annexure II and the following shall be inserted as Annexure I, namely :—

"ANNEXURE I.

Posts in superior service.	*Posts in inferior service.*
Accountants.	Attenders.
Assistant Accountants.	Attendants in hospitals and dispensaries and farms.
Agricultural Assistant or Demonstrator.	
Assistant Surgeons.	
Apothecaries.	
Assessors.	
Avenue or Garden Superintendent.	
Assistant Panchayat Officer.	
Bill Collectors.	
Birth and Death Registrars.	
Clerks under local bodies.	Cattle Superintendents.
Compounders.	Cycle orderly or peon.
Cinema operators.	Choultry maniam or gumasta or amin or kuckdar or manager.
Collection Superintendent.	
Cashiers in Electric department.	
Chatram Tahsildars.	
Chatram Revenue Inspectors.	
Chatram Foresters.	
Chatram Superintendent.	
Dog Inspector, Distraining Officer (Coonoor Municipal Council).	Driver.† Daffadars. Dhais in hospitals.
Driver and * driver of lorries in Electric department and driver * and assistant driver of lorries * in municipalities and those borne on regular establishment in district boards prior to 7th November 1935, of pumping plants in waterworks and sewage pumping stations and Electrical Power-house Draftsman, Drainage Supervisor or Superintendent.	
Educational officers.	
Electrician.*	Electrician.†
Encroachment officers.	Engine fitter in Electric department.†
Entertainment-tax supervisors.	
Engine fitter in Electric department.*	
Farm Superintendent (Dairy).	Foreman in Power-house (Electric department).†
Fitters.*	
Foreman in the Power-house (Electric department) and Workshops.*	
Filter Operators.	
Head driver (Electric department).*	Head driver.† Helpers in Electric department.
Shorthand typists or writer or stenographers.	
Switch Board Operator.*	
Supervisor of Forests.	
Stenographers.	
Stockers.	
Storekeepers.	
Superintendents of Workshops.	
Tracers.	Turncocks.
Teachers.	Telephone Call Boy (Electric department).
Typists.	
Town-Planning Supervisor or Overseers.*	Testing Assistant.†
Headmasters.	
Health visitors.	
Hackney Carriage Inspectors.	
Instrument repairer * (Electric department).	Instrument repairer.†
Instructors in Weaving, Commercial, Manual Training, Physical Training, Music, Turning, Foundry, Smithy, Spinning, Textile, Dyeing, Religious, Horticultural, Engraving, Woodwork, etc.	
Inspectors—Local fund or licence, anti-mosquito, meat.	
Licence Superintendents.	Librarians, gardeners.
Leprosy officers.	Laboratory peon or attender.
Lighting Superintendent or Inspector.	Line Foreman (Electric department).†
Line Supervisor.	Line Inspector (Electric department).†
Line Foreman or Line-man and jointer.	Lascar (Electric department) (includes Helper, Switcher).
Line Inspectors.*	
Lorry driver.*	
Managers.	
Munshis.	Muchis.
Medical Officers (Allopathic, L.I.M., Ayurvedic, Unani).	Meter cleaner or helper.
Midwives.	
Masters—Drawing, drill, etc.	
Mechanics.	
Meter Readers or Assistant Readers or repairers.	
Meter Tester or Metermen.	
Market Superintendent or Supervisor, Sergeant.	
Malarial officer.	
Nurses.	Nursing orderlies.
Overseers and Sub-overseers.	Oiler (Electric department).
Principal.	Peons.
Professors.	Power-house coolie
Pandits.	
Public Works Supervisors.	
Physicians (Ayurvedic and Unani dispensaries).	
Power-house Assistants.	
Propagandists.	
Park Supervisor.	
Range officers.	Radio operator.
Revenue officers.	
Revenue Inspectors.	
Record-keepers.	
Road Inspectors.	
Rural reconstruction supervisors.	
Secretaries.	Switchmen.
Superintendents.	Switchboard operator.†
Sanitary and Assistant Inspectors.	Switcher. Sub-station helper.
Sub-Assistant Surgeons.	
Shroff and Assistant Shroffs.	
Surveyors.	
Supervisors or Superintendents of Schools.	
Testing Assistant or Inspectors.	
Tap Inspectors or Sergeants.	
Tax Supervisors or Inspectors.	
Vaccinators.	
Vehicle Inspectors.	
Veterinary Surgeon or Inspector or officer.	
Water-works Superintendents or Inspectors.	Wireman.†
Warrant officers.	
Wireman.*	
Woman Medical Officer, Maternity and Child Welfare.	

* When the pay or maximum pay exceeds Rs. 20 per mensem.

† When the pay or maximum pay does not exceed Rs. 20 per mensem."

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

MUNICIPAL OFFICE
6 DEC 1939
VIRUDHUNAGAR

G.O. No. 3979, 31st October 1939

Rules—Madras Public Health Act, 1939—Establishment of local authorities—Assignment in case of emergencies.

READ—the following paper :—

From the Director of Public Health, dated 31st August 1939, No. 31784-1-Act.

Order—No. 3979, P.H., dated 31st October 1939.

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

(By order of His Excellency the Governor)

G. H. COOKE,
Secretary to Government.

To the Director of Public Health.
" Examiner of Local Fund Accounts.
" Inspector of Municipal Councils and Local Boards.
" Local Administration Department.
" Legal Department.
" Executive Authorities of all Municipalities, (through Chairmen).
" Presidents of District Boards (with copies for Presidents of Panchayat Boards).
" Commissioner, Corporation of Madras, (through the Mayor).
" Superintendent, Government Press, (for publication in the *Fort St. George Gazette*).

[Appendix

...Madras Local Boards Act, 1920, or ...suspension will be issued to the commissioner, as the case may be.

3. Presidents of district boards and commissioners of municipalities should take note that the Government will not hesitate to take severe action in the case of such delays.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Executive Authorities of all Municipalities, through the Chairmen of Municipal Councils.
" all Presidents of District Boards.
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Director of Public Instruction.
" the Education and Public Health Department.

APPENDIX.

NOTIFICATION.

The following draft of certain rules which it is proposed to make in exercise of the powers conferred by clause (*b*) of sub-section (1) of section 13 and section 128 of the Madras Public Health Act, 1939 (Madras Act III of 1939), is hereby published, as required by clause (*a*) of section 130 of the said Act, for general information.

Notice is hereby given that the draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT RULES.

1. The assignment by the Director of Public Health of members of the public health establishment under clause (*b*) of sub-section (1) of section 13 of the Madras Public Health Act, 1939 (hereinafter referred to as the Act) to any local area for temporary duty shall ordinarily be made from any other local area in the same district or from a local area in an adjoining district.

2. Whenever action is taken under clause (*b*) of sub-section (1) of section 13 of the Act the Director of Public Health shall communicate the action taken by him to the local authorities concerned.

3. The establishment assigned for temporary duty in a local area under rule 1 shall work under the supervision and disciplinary control of the Health Officer for that area.

4. The travelling allowance and the transit pay of a member of the public health establishment of a local area assigned for temporary duty in another local area both in respect of the journey to the latter local area and the journey therefrom after the temporary duty to the former local area shall be borne by the local authority of the latter local area.

MUNICIPAL
20 DEC 1939
VIRUDHUNAGAR

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Public Health)

G.O. No. 3751, 16th October 1939

Establishment—Assistant Health Officers of Municipal Councils—Regulations under section 8 (2) of the Madras Public Health Act—Published.

Order—No. 3751, P.H., dated 16th October 1939.

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

(By order of His Excellency the Governor)

G. H. Cooke,
Secretary to Government.

To the Director of Public Health.
,, the Surgeon-General.
,, the Accountant-General, through the Finance Department.
,, the Finance Department.
,, all Executive Authorities of Municipalities, through Chairmen.
,, all Collectors.
,, the Inspector of Municipal Councils and Local Boards.
,, the Examiner of Local Fund Accounts.
,, the Local Administration Department.
,, the Legal Department.
,, the Superintendent, Government Press, for publication of notification in the *Fort St. George Gazette*.

[Appendix

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by sub-section (2) of section 8 of the Madras Public Health Act, 1939 (Madras Act III of 1939), His Excellency the Governor of Madras is hereby pleased to make the following regulations regarding the appointment and conditions of service of Assistant Health Officers employed by municipal councils:—

REGULATIONS.

1. These regulations may be called "the Municipal Assistant Health Officers (Appointment and Conditions of Service) Regulations, 1939."

2. In these regulations, unless there is anything repugnant in the subject or context, "Government" means the Government of Madras.

3. No person shall be eligible for appointment as Assistant Health Officer under a municipal council unless he possesses the qualifications prescribed for appointment as Second-class Health Officer in the Madras Public Health Subordinate Service.

4. When an Assistant Health Officer has to be appointed, the Director of Public Health shall, on the application of the municipal council concerned, forward to such authority a list containing the names of three persons whom he considers suitable for appointment. The municipal council shall appoint one of the persons from such list, as Assistant Health Officer, subject to the approval of the Government.

5. If a municipal council requires the services of a Government servant for employment as Assistant Health Officer, his services shall ordinarily be lent to such authority for a period not exceeding five years:

Provided that the Government servant may at any time be withdrawn if his services are required by the Government.

6. The scale of pay of Municipal Assistant Health Officers shall be the same as that of Second-class Health Officers in the Madras Public Health Subordinate Service.

7. If a Government servant is appointed as Assistant Health Officer, the municipal council shall pay to such Government servant the pay he is entitled to receive under regulation 6 and shall also pay to the Government such contribution towards the pension and leave allowances of such Government servant as may be fixed by the Government.

The travelling allowance of the Government servant for his journeys in connexion with his joining the appointment under a municipal council and rejoining an appointment in the Government service after reversion from his appointment under the municipal council shall be met from the funds of the municipal council concerned. His transit pay shall also be met from the funds of the municipal council.

8. No Government servant employed as Assistant Health Officer under a municipal council shall be removed from such employment without the consent of the Government.

Government of Madras

LOCAL ADMINISTRATION DEPARTMENT

RECEIVED OFFICE
6 - NOV 1939
VIRUDHUNAGAR

G.O. No. 4104, 23rd October 1939

Appeals—Servants of local bodies—Delays in transmission—Orders issued.

READ—the following paper :—

G.O. No. 1701, L.A., dated 9th May 1938.

Order—No. 4104, L.A., dated 23rd October 1939.

In G.O. No. 1701, L.A., dated the 9th May 1938, the Government impressed on the presidents of district boards and the executive authorities of municipalities the necessity for the prompt transmission with their remarks of the appeals of their subordinates to the appellate authority. It was stated in that Government Order that the Government would view with severe displeasure any delay of over one month. In spite of the above orders, delays considerably in excess of one month in the transmission of appeals have been noticed in several cases. In order to check such delays in the future, it has been decided to adopt the following procedure.

2. (1) Presidents of district boards and executive authorities of municipalities should see that the appeals are stamped with the date stamp of their office immediately on their receipt. Every advance copy of an appeal will be similarly stamped with the date stamp immediately on receipt in the Government department.

(2) If, in any case, it is found that the appeal cannot be submitted within a month of the date of receipt in the office of the local body, a report explaining the cause of the delay and stating the probable date by which the appeal will reach the Government, should be submitted to Government and an extension of time should be applied for.

(3) One month after the date of receipt by the Government of the advance copy of an appeal, a memorandum reminder will be issued to the president of district board or the executive authority of the municipality concerned A second reminder which will be in demi-official form will be issued fifteen days after the issue of the memorandum reminder informing the president, district board, or the executive authority as the case may be that if the appeal is not received with his remarks within a specified time action will be taken against him as shown in sub-paragraph (4).

(4) If the appeal is not received or if no reply is received satisfactorily explaining the delay within the time specified to any of the reminders mentioned in sub-paragraph (3), a notice to show cause against removal from office will be issued to the president, district board, under section 43 of the Madras Local Boards Act, 1920, or a notice of suspension will be issued to the commissioner, as the case may be.

3. Presidents of district boards and commissioners of municipalities should take note that the Government will not hesitate to take severe action in the case of such delays.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

To the Executive Authorities of all Municipalities, through the Chairmen of Municipal Councils.
" all Presidents of District Boards.
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Director of Public Instruction.
" the Education and Public Health Department.