

Marine (1897) Department.

G.O., No. 654

DATED 22 July 1897

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19-8-97*

[Despatch Abstract.]

*Rules Regulating the personal conduct of Govt Servants.
Proc: Public Dept Courts, Govt of India
Resolution directing submission of a report by
Civil Officers on transfer to a new district of the
preexisting indebtedness if any to individuals
resident therein and making an addition to
the effect to the —, Comd to the P. P. Mar*

[2000-26-30-97]

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Rules regulating the Personal Conduct of Government Servants.

Communicating to the departments of the Secretariat, &c., and publishing in the *Fort St. George Gazette* the Government of India Resolution directing submission of a report by Civil officers on transfer to a new district of their pre-existing indebtedness, if any, to individual resident therein; and making an addition to that effect to the —.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—again the following papers:—

G.O., No. 375, Public, dated 7th April 1888.

Read—the following paper:—

Extract from the Proceedings of the Government of India, in the Home Department (Public), under date Calcutta, 16th March 1888, No. 637—22-638.

Read—

Home Department Circular letter, No. 4952—4960, dated 28th October 1869, requesting that, if orders had not already been issued prohibiting uncovenanted as well as covenanted servants of Government from borrowing money from Native residents in their districts, they should be promulgated.

Read—

Home Department Circular letter, No. 51—2361-68, dated 14th October 1887, to Local Governments and Administrations except Bengal and the North-Western Provinces, inquiring whether any orders had been issued prohibiting the borrowing of money by Covenanted Civil Servants from persons residing, possessing property, or carrying on business within the districts to which such Civil Servants may be appointed.

Read—also the following letters:—

From the Government of Madras, No. 1540, dated the 17th November 1887, and enclosures.

Resolution—

From the replies to Home Department Circular of the 14th October 1887, it appears that there are no uniform executive orders on the subject of the pecuniary relations of Government officers with persons who are subject to their authority, and as the Regulation VII of 1823 applies only to Covenanted Civil Servants and only to such officers when serving in certain portions of the Bengal Presidency, the Governor-General in Council considers it desirable that definite instructions should now issue with the object of making the liability in this matter of all officers holding civil appointments the same throughout India. The Governor-General in Council is accordingly pleased to direct that the following rules shall be strictly observed in future:—

- (1) All Covenanted Civil Servants, Statutory Civilians, Uncovenanted Officers who hold gazetted appointments and Military Officers in civil employ are prohibited under pain of dismissal from taking loans from, or otherwise placing themselves under pecuniary obligations to, persons subject to the official authority or influence of such Government officers, or residing, possessing property, or carrying on business within the local limits for which such Government officers are appointed.

- (2) This prohibition does not extend to transactions in the ordinary course of business with Joint Stock Banks and British firms.

Order—

Ordered that a copy of this Resolution be forwarded to Local Governments and Administrations for information and guidance, and that a copy be forwarded to all Departments of the Government of India for information.

(True Extract.)

(Signed) W. M. YOUNG,
Offg. Secy. to the Govt. of India.

To the Government of Madras.

Order—No. 375, Public, dated 7th April 1888.

Ordered to be communicated to the Departments of the Secretariat and to all Heads of Departments, and to be published in the *Fort St. George Gazette*.

(True Extract.)

(Signed) H. E. STOKES,
Chief Secretary.

To the Departments of the Secretariat.
„ all Heads of Departments.

G.O., No. 60, Public, dated 30th January 1890.

Read—the following paper:—

Extract from the Proceedings of the Government of India in the Home Department (Public), dated Calcutta, 16th January 1890, No. 2-R—87-103.

Read—

Home Department Resolution No. 11—426-437, dated the 17th March 1882.

Resolution—

Section 2 of Regulation XXXVIII of 1793 prohibits Covenanted Civil Servants from lending money, directly or indirectly, to any proprietor or farmer of land, or dependent taluqdar or under-farmer, or raiyat or their sureties; and by Home Department Resolution of 17th March 1882, read in the preamble, this prohibition has been extended to Natives of India appointed to an office ordinarily reserved for members of the Covenanted Civil Service under the provisions of 33 Vict., Cap. III, Section 6.

2. Instances have recently been brought to the notice of the Government of India in which uncovenanted gazetted officers of Government have lent large sums of money at various, and sometimes very high, rates of interest, to landholders of the province, and even of the district in which they are serving. It appears to the Governor-General in Council very desirable that this practice should be discontinued at once. His Excellency in Council is accordingly pleased to direct that the existing rules on the subject, which apply to Covenanted Civil Servants and Members of the Statutory Civil Service, shall be extended to all uncovenanted officers in the subordinate executive and judicial services of the Government. Such officers are hereby prohibited from lending money at interest, whether directly or through relatives or other agents to landholders, with or without security, within the province in which they are employed.

Order—

Ordered that a copy of this Resolution be forwarded to all Local Governments and Administrations for information and guidance, and that a copy be also forwarded to all Departments of the Government of India for information.

(True Extract.)

(Signed) A. P. MacDONNELL,
Secretary to the Government of India.

To the Government of Madras.

Order—No. 60, Public, dated 30th January 1890.

Communicated to departments of Government and to officers under the Public Department concerned, in view to the issue of the necessary orders.

(True Extract.)

(Signed) J. GROSE,
Ag. Chief Secretary.

To Departments of Government.
„ Heads of Departments under Public.

G.O., No. 1227, Public, dated 17th November 1896.
„ „ 1251 „ „ 25th „ „

Read—also the following paper:—

Extract from the Proceedings of the Government of India, in the Home Department (Public), under date Simla, the 9th June 1897, No. 1032—49.

Read—again—

Home Department Resolution, No. 22—637-653, dated the 16th March 1888.

Letter to the Government of the North-Western Provinces and Oudh, No. 32-Public—1541, dated 9th October 1896, with endorsements to the other Local Governments and Administrations (except Madras and Bombay) and letters to the Governments of Madras and Bombay and the Registrar of the High Court, Calcutta, of the same date.

Read also—

Letter from the Government of the North-Western Provinces and Oudh, No. 21, dated the 7th January 1897.

Letter to the Government of the North-Western Provinces and Oudh, No. 194, dated 19th February 1897.

Letter from the Government of the North-Western Provinces and Oudh, No. 298, dated the 20th March 1897.

Resolution.—It has been brought to the notice of the Government of India that Home Department Resolution No. 22—637-653, dated the 16th March 1888, conveying orders on the subject of the pecuniary relations of Government officers with persons who are subject to their authority, makes no provision, such as is contained in section 6 of Regulation VII of 1823, for the case of pre-existing indebtedness on the part of Civil officers to individuals resident in districts to which they may be posted. The Governor-General in Council considers such a provision desirable, and is accordingly pleased to direct that the following rule shall be added to the rules laid down in the Resolution quoted above:—

3. Any such officer, as is referred to in Rule 1, who is appointed or transferred to a post in which he will be in a position to exercise official influence or authority over any person to whom he is under any pecuniary obligation or to a post with local jurisdiction within the limits of which any person to whom he is under any pecuniary obligation, resides, possesses property or carries on business, shall be bound to declare, without delay, the circumstance to the officer to whom he is immediately subordinate for report to the Government, and failing to do so shall be subject to the same penalty as if the obligation were incurred after his appointment or transfer.

Order.—Ordered that a copy of this Resolution be forwarded to Local Governments and Administrations for information and guidance, and to the Registrar of the High Court, Calcutta, for information, and that a copy be also forwarded to all Departments of the Government of India for information.

(True Extract.)

(Signed) J. P. HEWETT,
Secretary to the Government of India.

To the Government of Madras.

ORDER—No. 886, Public, dated 6th July 1897.

Communicated to the departments of the Secretariat, to all Heads of Departments, to all Members of the Indian Civil Service, and ordered to be published in the *Fort St. George Gazette*.

2. The following addition will be made to article 23-A of the “Rules regulating the Personal Conduct of Government Servants”:—

Insert in the last line between the words “may be” and “under orders” the words “appointed or.” After the word “transfer,” add “Failure to do so shall subject him to the same penalty as if the obligation were incurred after his appointment or transfer.”

(True Extract.)

C. P. Hewett
for Chief Secretary.

To all Members of the Indian Civil Service (Madras).
„ the Departments of the Secretariat.
„ all Heads of Departments.
Gazette.

5. S. C. sent to mndm. Office