

(1) பக்கங்களின் எண்ணிக்கை

(2) புதுக்கித் திருப்பிய நாள்

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

PWD துறை

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அரசாணை எண்.
மு. கோப்புத் தாள் எண்.

2063

அச்சகம்
பலவகை

நாள் : 23-7-1892 198 .

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

Shas

Local and Municipal Department.



2063/1

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—

From the Public Works Department, dated 17th June 1892, No 1201 W., passing orders on the applications for funds required under Incorporated and Elected Local for Incomplete works of 1891-92 and new works sanctioned, but not commenced.

Order dated 12 July 1892 No 1615 L. O. No.

Communicated to the District Boards of Godavari, Krishna and Simsenky with the request that the necessary allotments of funds may be sanctioned at an early date, and the fact reported to Government, in view to the Accountant-General being authorized to place the amounts at the disposal of the Public Works Department.

To
The Presidents, District Boards,
Godavari, Krishna and Simsenky.

Yours obediently,

Donald

20TH JUNE 1892, No. 424, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From C. J. LYALL, Esq., C.I.E., Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Simla, the 31st May 1892, No. 12-1556, Public.

I am directed to acknowledge the receipt of your letter, No. 193, dated the 24th March 1892, inquiring whether the orders contained in Home Department Resolution No. 22-637-53, dated the 16th March 1888, prohibiting public officers, under pain of dismissal, from taking loans from persons subject to their official authority or influence, should be regarded as cancelling the

Home Department Circular Nos. 4952-60, dated 28th October 1869.

Home Department letter, No. 1899, dated 25th April 1872.

orders marginally noted, and whether uncovenanted officers holding non-gazetted appointments are permitted to borrow money from their subordinates.

The question has arisen with reference to the case of Mr. ———, late sub-registrar of ———, in the ——— district, who was dismissed from his appointment after inquiry into a charge drawn up against him of having borrowed money from one of his subordinates. Mr. ——— argues that, being a sub-registrar only, he was not an uncovenanted officer holding a gazetted appointment, and that the orders of the Government of India issued in March 1888 do not therefore apply to him.

2. In reply I am to say that, assuming that Mr. ——— was a non-gazetted officer, the orders contained in the Resolution of 16th March 1888 had reference to gazetted officers only and were not intended to cancel the orders of the 28th October 1869 and the 25th April 1872, which apply to uncovenanted non-gazetted officers. I am to explain that the difference between the orders of the 16th March 1888, affecting gazetted officers, and those in the circular of the 28th October 1869 and 25th April 1872, affecting non-gazetted officers, is that in the former case the prohibition is absolute, while in the latter it may be relaxed in exceptional cases at the discretion of the head of the office (subject to the control of the Local Government) as explained in paragraph 3 of Home Department letter, No. 1899, of the 25th April 1872.

ORDER—dated 20th June 1892, No. 424, Public.

Ordered to be communicated to the Departments of the Secretariat and to all Heads of Departments for guidance, with reference to G.O., dated 7th April 1888, No. 375.

2. The orders of 1869 and 1872 quoted by the Government of India will be printed as an appendix to these Proceedings.

(True Extract.)

[Signature]

Chief Secretary.

To the Judicial Department (with special reference to G.O., dated 25th April 1892, No. 788, Judicial.)

„ other Departments of the Secretariat.

„ all Heads of Departments.

Exd. S. J. Pereira.

[Appendix.

APPENDIX.

G.O., dated 8th November 1869, Public.

From E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Fort St. George, dated Simla, the 28th October 1869, No. 4952.

It having been brought to the notice of His Excellency the Governor-General in Council that it is not sufficiently well understood that uncovenanted as well as covenanted servants of Government are not to be permitted to borrow money from natives resident in the district in which they may be employed, I am directed to draw the attention of His Excellency the Governor in Council to the point and to request that, if orders have not already been issued on the subject, they may now be promulgated in the sense of those of the Hon'ble the Vice-President in Council, No. 1372, dated 14th July 1834, a copy of which is herewith forwarded for facility of reference.

ENCLOSURE.

No. 1372, dated the 14th July 1834.

Ordered by the Honorable the Vice-President in Council, Judicial and Revenue Department.

The Principal Sudder Ameens, Sudder Ameens, and Moonsiffs, and the Deputy Collectors appointed under the provisions of Regulation IX of 1833, are hereby prohibited, under pain of dismissal from office, from employing or retaining on their establishment any person being their private creditor, or any relative, dependant or surety of such creditor; and from borrowing money from, or in any way incurring debt to, any zemindar, talookdar, ryot, or other person possessing real property, or residing in, or having a commercial establishment within, the city, district, or division to which their authority may extend.

If any of the Principal Sudder Ameens or other of the officers above mentioned, who may be now in debt, shall, at the expiration of one year from the publication of this order, be still indebted to any person from whom it would, at such period, be illegal for him to borrow under the above rule, it shall be incumbent on such officer to make known the circumstances to the Zillah or City Judge, or to the Collector to whom he may be subordinate, for communication to the Government, if the officer be a Principal Sudder Ameen, Sudder Ameen, or Deputy Collector, and to the Sudder Dewanee Adawlut, if the officer be a Moonsiff; and in the event of intimation not being so given, the same penalty shall attach to the said officer as if the debt had been incurred subsequently to the publication of this order.

In like manner, if any person who may be a candidate for the office of Principal Sudder Ameen, Sudder Ameen, Moonsiff, or Deputy Collector, shall, at the time of applying for such office, be indebted to any person with whom it would be illegal for him to contract a loan while holding it, it shall be incumbent on such person, in preferring his application, to make known the circumstance to the Judge of the City or District, or to the Collector, for communication to superior authority, as before stated; and failing to do so, he shall, in the event of his being appointed to the said office, be subject to the same penalty as if the debt had been contracted subsequently to his appointment.

ORDER THEREON, 8th November 1869.

Recorded, with reference to the Notification in the Fort St. George Gazette of the 26th August 1869, page 289.

(True Extract.)

(Signed) R. S. ELLIS,
Chief Secretary.

G.O., dated 13th May 1892, No. 594, Public.

46. Read the following letter from the Secretary to the Government of India, Home Department (Public), to the Chief Commissioner of Oudh, dated Fort William, 25th April 1872, No. 1899:—

I am directed to acknowledge the receipt of your letter, No. 3980, dated the 15th August last, on the subject of the ruling by which uncovenanted officers are prohibited from borrowing money from natives of the districts in which they are employed, and in reply to state as follows.

2. What the Government of India intended in the orders of the 28th October 1869 by the words "Uncovenanted officers" was generally all officers to whom the Uncovenanted Service Leave and Pension Rules are applicable, including members of ministerial establishments. And such a definition is, no doubt, better than the one suggested in paragraph 3 of your letter, viz., officers whose names appear in the Oudh Civil List. Such a limit would exclude from the operation of the rule many uncovenanted officers whom it is expedient to subject to it. That subordinate officers employed in the Revenue Settlement should consider themselves exempt from the general prohibition would be anomalous and possibly mischievous.

3. It is so difficult to fix a limit, including some and excluding others of the uncovenanted class, that the Governor-General in Council considers it right to maintain the rule as applicable to all to whom the Uncovenanted Pension and Leave Regulations apply. But it should be clearly understood that this will not interfere with the discretion of the Head of an Office in allowing his subordinate ministerial officers to borrow, in exceptional circumstances, from persons with whom transactions could under the rule be ordinarily inadmissible.

No. 1900.

Copy of the correspondence forwarded to the Government of Madras for information in continuation of letter, No. 4952, dated the 28th October 1869.

(Signed) E. C. BAYLEY,
Secy. to the Govt. of India.

No. 47. ORDER THEREON, 13th May 1872, No. 594.

Ordered that copies of the foregoing papers be furnished to the several Departments of the Secretariat for information and guidance.

2. Ordered, also, that the papers be published in the Fort St. George Gazette for general information.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Acting Secretary to Government.

To the Revenue Department.
" Military Department.
" Public Works Department.

And S. J. Pereira.

PUBLIC.

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G.O., 20th June 1892, No. 424.

JUNE.

Public Servants.

Communicating to the Departments of the Secretariat and to all Heads of Departments letter from the Government of India explaining the difference between certain orders prohibiting Public officers from taking loans from persons subject to their official authority or influence.

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2063. A. 723 July 1892
Communicated

to officers of the M.S.

Dep't. for information

Guidance, in con-

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- C. S. Galt

Suppl. Gov.

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