

(1) பக்கங்களின் எண்ணிக்கை 4

(2) புதுக்கித் திருப்பிய நாள் 4/12

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 9

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

PWD துறை

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அரசாணை எண்.
மு. கோப்புத் தாள் எண். 2066

அச்சகம்
பலவகை

நாள் : 25-7-1882

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மடிக்கலோ கண்டபடி கையாளலோ கூடாது

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For General Distribution.]

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Circular No. 2 P.W.
GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
GENERAL.

Simla, the 6th July 1892.

Pecuniary relations of Government officers with persons subject
to their authority.

The Governments of Madras and Bombay, Public Works Department, General and Railway Branches.
The Governments of Bengal, the North-Western Provinces and Oudh, and the Punjab.
The Chief Commissioners of the Central Provinces, Burma, Assam, and Coorg.
The Resident at Hyderabad.
The Agents to the Governor General for Central India, Rajputana, and Baluchistan.
The Accountant General, Public Works Department.
The Director General of Railways.
The Consulting Engineers to the Government of India for Railways, Calcutta, Central Division, and Lucknow.
The Director General of Telegraphs.

The following is forwarded to the Local Governments, Administrations, and officers marginally noted, for information, in continuation of Public Works Department Circular No. 1 P.W., dated the 24th April 1888.

By order,

G. H. D. WALKER,
Under-Secy. to the Govt. of India.

From—E. C. BAYLEY, Esq., C.S.I., Secretary to the Government of India,
To—The Chief Secretary to the Government of Fort St. George, No. 4952,
Bombay, " 4953,
" Secretary to the Government of North-Western Provinces " 4954,
Punjab, " 4955,
" Chief Commissioner of Oudh, " 4956,
" " Central Provinces, " 4957,
" " British Burmah, " 4958,
" " Coorg, " 4959,
" Resident at Hyderabad, " 4960.

Dated Simla, the
28th October 1892.

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 native residents in the district in which they may be employed, I am directed to draw* your attention 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.

* Madras } The attention of His Excellency the Governor in
Bombay } Council.
North-Western Provinces } The attention of His Honour the
Punjab } Lieutenant Governor.
Oudh }
Central Provinces }
British Burma } Your attention.
Coorg }
Hyderabad }

No. 1372, dated the 14th July 1834.

Orders by the Hon'ble the Vice-President in Council, Judicial and Revenue Department.

The Principal Sudder Ameens, and Munsiffs 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, dependent, 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 Dewannee 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 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 will 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.

No. 1899, dated the 25th April 1872.

From—E. C. BAYLEV, Esq., C.S.I., Secretary to the Government of India,
To—The Chief Commissioner of Oudh.

I am directed to acknowledge the receipt of your letter No. 3980, dated the 28th 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 would, under the rule, be ordinarily inadmissible.

No. 12 Public 1500, dated 31st May 1892.

From—C. J. LYALL, Esq., C.I.E., Secretary to the Government of India, Home Department,
To—The Chief Secretary to the Government of Madras.

I am directed to acknowledge the receipt of your letter No. 193, dated the 24th March 1892, enquiring whether the orders contained in Home Department Resolution No. 22, 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 canceling the orders marginally noted, and whether Uncovenanted officers holding non-gazetted appointments are permitted to borrow money from their subordinates.

2. In reply, I am to say that 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.

No. 12 Public 1500-1501

Copy forwarded to Local Governments and Administrations for information and guidance.

No. 12 Public 1501

Copy forwarded to the Public Works Department for information.

2066/11

No 2066. W of 25th July 1892

Recorded with
reference to S.O. 2063 W
dated 23rd July 1892.

(Sd) J. P.

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