

[D. D.]
42
1,000-10-87

Pension Deptt. C. No 192

Government (1897) of Madras.
PUBLIC.



8th March

Regd. 8th March

1897.

Enclosures /

Spare copies

G.O., No. 116, 6th February 1897.

FEBRUARY.

Rule for regulating the Personal Conduct of Government Servants.

Enjoining to the departments of the Secretariat and to certain heads of departments a second edition of the pamphlet containing the —, and directing that application for additional copies of the pamphlet should be made to the Superintendent, Government Press.

List

Order 9th March 1897 No 192

Recorded 2/3/97

sd

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

92
5
READ—again the following paper:—

G.O., No. 102, Public, dated 8th February 1893.

ABSTRACT.—Communicating to all heads of departments under the Chief Secretary the proceedings of Government in the Revenue Department regarding the circulation of the pamphlet containing rules regulating the personal conduct of Government servants.

ORDER—No. 116, Public, dated 6th February 1897.

The second edition of the pamphlet containing the rules for regulating the personal conduct of Government servants will be furnished to the departments of the Secretariat and all heads of departments under the Chief Secretary in continuation of G.O., No. 102, Public, dated 8th February 1893 (G.O., No. 11, Revenue, dated 10th January 1893).

2. Application for additional copies of the pamphlet should be made to the Superintendent, Government Press, who will print and distribute the necessary correction slips on receipt of drafts of the same.

3. With reference to paragraph 3 of G.O., No. 426, Public, dated 12th June 1890, it is observed that the rules contained in the appendix to that order have been incorporated in the present pamphlet.

(True Extract.)

A. R. Kuepp
for Chief Secretary.

To the departments of the Secretariat. *Pension*
„ the Superintendent, Government Press.
„ all heads of departments.

RULES

REGULATING THE

PERSONAL CONDUCT OF GOVERNMENT
SERVANTS.

SECOND EDITION.

MADRAS:
PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

1897.

RULES

REGULATING THE

PERSONAL CONDUCT OF GOVERNMENT SERVANTS.

SECOND EDITION.

MADRAS:
PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

1897

CONTENTS.

PART I.—LAND HOLDING.		Page
Possession and acquisition of landed property	...	5
Management of landed property	...	6
PART II.—SPECULATIONS AND INVESTMENTS		10
PART III.—PECUNIARY RELATIONS OF GOVERNMENT SERVANTS WITH PERSONS WITHIN THEIR JURISDICTION AND WITH NATIVE CHIEFS.		
General rules	...	11
Additional rules applicable to European officials	...	12
Relations with Native chiefs and others	...	13
PART IV.—INDEBTEDNESS OF GOVERNMENT SERVANTS		13
PART V.—ACCEPTANCE OF TESTIMONIALS AND ADDRESSES BY GOVERNMENT SERVANTS		15
PART VI.—GOVERNMENT SERVANTS AND OFFICIAL DOCUMENTS		15
PART VII.—VINDICATION BY GOVERNMENT SERVANTS OF THEIR PUBLIC ACTS OR CHARACTER FROM DEFAMATORY ATTACKS		16
PART VIII.—GOVERNMENT SERVANTS AND THE PRESS		17
PART IX.—GOVERNMENT SERVANTS AND POLITICS		17
PART X.—SUBMISSION OF MEMORIALS BY GOVERNMENT SERVANTS		18
PART XI.—MISCELLANEOUS.		
Working for other employers during absence on leave	...	19
Government servants not to be employed on private business	...	19
Government servants as vakeels	...	19
Government servants as arbitrators	...	19
Acceptance of remuneration other than the salary of one's appointment	...	19
Acceptance of employment on one establishment by officers serving on another establishment	...	19
Application for appointments in the gift of Government	...	20
Consequences of voluntary retirement	...	20
Soliciting a bonus from others as an inducement to retiring	...	20
Responsibility of a Government servant for acts done by his wife	...	20
APPENDIX A.—RULES RELATING TO MEDICAL AND VACCINATION CERTIFICATES.		
Medical certificates	...	21
Vaccination certificate	...	22
APPENDIX B.—RULES FOR THE GRATUITOUS ISSUE OF MEDICINES TO GOVERNMENT SERVANTS IN CIVIL EMPLOY		23
APPENDIX C.—RULE 26		24

APPENDIX D.—RULE 33.

	Page
Extracts from 13 George III, chapter 63	26
Extracts from 33 George III, chapter 52	26
Extracts 3 and 4 William IV, chapter 85	27

APPENDIX E.—RULE 85.

Section III, 49, George III, chapter 126	27
--	----

RULES REGULATING THE PERSONAL CONDUCT OF GOVERNMENT SERVANTS.

[The rules contained in this pamphlet apply to all officers in superior service, permanent or temporary, employed under the Government of Madras, except Military officers and officers belonging to the Indian Civil Service.]

PART I.—LAND HOLDING.

2. Possession and Acquisition of Landed Property.—Officers exercising independent Judicial, Revenue or other public functions, whether of European, Eurasian or Native descent, are not debarred from acquiring or possessing landed property in British India for agricultural purposes, provided that they must not hold landed property in the districts in which they are employed. Although officers are not precluded from holding land, it is inexpedient that appointments which necessarily confer a considerable amount of power and influence on their occupants, such as those of District Munsif, Deputy Collector, and Tahsildar, should be filled by persons holding landed property within the jurisdictions attaching to such appointments.

3. (a) The term 'district' in these rules will, in the case of the following classes of officers, be taken to mean the whole of the revenue district within which such officer exercises for the time being any public function :—

- (1) Officers of the Judicial Department of, and above, the rank of District Munsif.
- (2) Officers of the Revenue Department of, and above, the rank of Deputy Collector.
- (3) Officers of the Registration Department of, and above, the rank of Registrar.
- (4) Officers of the Police Department of, and above, the rank of Assistant Superintendent.
- (5) Officers of the Salt and Abkari Department of, and above, the rank of Inspector.
- (6) Officers of the Revenue Survey Department of, and above, the rank of Assistant Superintendent.
- (7) Officers of the Revenue Settlement Department of, and above, the rank of Assistant Director.
- (8) Officers of the Forest Department of, and above, the rank of Ranger.

(9) Officers of the Educational Department employed on inspection duty of, and above, the rank of Sub-Assistant Inspector of Schools or Sub-Assistant Inspectress of Girls' Schools.

(b) In the case of other officers exercising independent Judicial or Revenue functions, such as Tahsildars, Sub-Registrars, Sub-Magistrates, Inspectors of Police or Station-house Officers, Assistant Inspectors of Salt and Abkari, Superintendents of Sea Customs, &c., the term 'district' shall be taken to mean the whole of the revenue taluk within which such officer exercises for the time being any public function.

(c) Collectors' Sheristadars and Sheristadars of District Courts, though not exercising independent functions, should, for the purposes of these rules, be treated as coming under Articles 2 and 3(a).

Note.—The rules relating to the officers of the Public Works Department are contained in the Public Works Department Code, Volume I, Appendix F.

4. When Government servants in superior service become possessed of land, or of an interest in land, within their districts by individual inheritance or as members of a family, or are transferred to districts in which they already own land, they will at once communicate all particulars respecting such land to the authority by whom they are appointed.

5. The prohibition against holding of lands in Article 2 extends also to the acquisition by purchase, bargain, mortgage, transfer or otherwise, of any interest in landed property.

6. Revenue and Judicial officers in superior service are prohibited from purchasing, directly or indirectly, any kind of property, moveable or immoveable, at sales on account of Government dues or under the orders of a Court, within the districts in which they are, for the time being, employed.

7. Large acquisitions of land on the part of officers, by purchase or otherwise, with a view to agricultural profit under the waste land rules or otherwise, will not in any case be permitted, even though the holding of such land is not contrary to the provisions of Article 2.

8. The prohibitions in Article 2 will not be held to apply to a house or houses for personal residence, with the usual out-houses, stabling and appurtenances (*e.g.*, vegetable or fruit gardens), or to public topes planted under the tope-rules. But the cultivation on lands held as appurtenances to buildings for residence, of cinchona, tea, or other products which have a commercial value, for purposes of profit (except so far as prospective profit may arise from an increase to the probable value of the estate owing to such cultivation) is strictly prohibited, as is also the sale, whether public or private, of any produce of such lands.

9. Cancelled—*vide* G.O., No. 160, Public, 30th January 1896.

10. **Management of Landed Property.**—No officer who may be in possession of landed property in British India or elsewhere, to whatever branch of the service he may belong, shall apply any portion of the time and attention which ought to be devoted to his public duties to the management of that property; nor shall longer or more frequent leaves of absence than he would otherwise receive be allowed to him in order to attend to such property.

11. The above article applies also to the management of landed property held or administered by the wife of an officer, or by any other member of his family living with, or in any other way dependent on, him.

12. In addition to the special reports required under Article 4 above, every officer in superior service shall submit to the head of his office, as also to Government in the case of Deputy Collectors, not later than the 15th January of each year, a statement in the form A appended to these rules showing all immoveable property purchased or otherwise acquired by him *up to date* whether within or without the district in which he is employed, with a declaration at foot duly signed by him to the effect that it truly represents all the landed property possessed by him or in which he is in any way interested both in the district in which he is serving and elsewhere.

Note 1.—The declaration should be in the following form:—

I, A.B., do solemnly declare that I do not at this time possess, either in my own name or in that of any other person, any land, or any beneficial interest in land, other than what is entered in this return and in those previously submitted.

Note 2.—Particulars of any landed property of which an officer may have become dispossessed during the year should also be entered in the annual return.

13. The particulars required to be furnished under Article 12 should embrace all immoveable property acquired or registered in the name of, or held, or managed by, the wife of the officer making the statement, or by any other member of his family living with, or in any other way dependent on, him. In the case of Malayali officials, who follow the Marumakkatayam law, the statement should include acquisitions of landed property by their consorts, whether such landed property comes in the shape of gifts from the husbands or is acquired by means of gifts in money, jewels or other property.

14. In the case of gazetted officers a copy of the register of lands held by them shall be maintained by the head of each department concerned. The register shall be kept in the form (B) appended to these rules and shall be revised year by year with reference to particulars furnished under Article 12 above.

15. In the case of every other officer, a statement in similar form (B), which should be revised year by year with reference to particulars furnished under Article 12 above, shall be attached to his service register, every entry or alteration in such statement being duly attested by the head of his office.

16. Candidates for appointments in superior service under Government must submit a statement, in the same form as that referred to in Articles 14 and 15, giving particulars of all landed property in which they have an interest, along with their applications for appointment, on pain of summary rejection of such applications.

17. Care should be taken that delusive entries in the returns required under these rules are not permitted. Any attempt to mislead a superior in this respect, and any failure to give full and correct information, will be punished by instant and summary dismissal from the public service.

18. Cancelled—*vide* G.O., No. 160, Public, 30th January 1896.

FORM A.

Statement of lands possessed, acquired or relinquished by

up to the 31st December 189

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

1	Name of officer.	10	Office held and in what department.	11	Date of entertainment in the public service.	12	Nature of property, i.e., whether used for purposes of agriculture or as gardens.	13	Whether acquired before or during 189	14	Whether relinquished during 189	15	Survey field.	Extent and assessment of lands.				16	Situation of land.			17	From whom acquired or in whose favour relinquished.	18	In whose name registered after acquisition or before relinquish-ment.	19	By what means and for what pur- pose acquired.	20	Year, month and day of deed.	21	Rights possessed in the land.	22	Price paid or obtained for the land.	Remarks.
														Dry.	Wet.	13	14		15	16	17													

PART II.—SPECULATIONS AND INVESTMENTS.

19. All Government servants are forbidden to engage in trade.

20. With regard to investments, other than those in land for the profits of cultivation, officers of every rank and class in the Government service are expected to abstain from any investment (though of itself unobjectionable) which interests them privately in affairs or undertakings of the kind with which their public duty is connected. Subject to this general proviso, there is no objection to Government servants holding shares in mining or other companies (including agricultural companies) having for their object the development of the resources of the country, provided that they must not take part in the management of any such company, and that they must not be employed in the districts where the operations of the company with which they may be connected are carried on.

21. In the matter of taking part in the management of a company, it has been decided that the prohibition was not intended to apply to the participation of Government officers in the direction of those companies only which are designed to develop the resources of the country, but also to preclude such officers from taking part in the direction of such institutions as banks. It has also been held that the prohibition against officers taking part in the management of a company applies to Government servants on leave equally with those in active service, but that it does not extend to officers who, with the consent of the Government of India, take service under Railway Companies working under concessions from Government, nor does it apply to the management of associations which are established *bond fide* for the purpose of mutual supply and not of trade and trade profit (provided in this latter case that the interests of Government do not suffer by the double employment of the officer concerned). Although the prohibition against taking part in the 'management' of a company cannot, taken literally, be held to debar an officer from taking part as a promoter or as one of the applicants for registration in the Memorandum of Association, the Governor-General in Council has held that the danger against which the prohibition was aimed, namely, that of official influence being abused or official trust betrayed, is, under such circumstances, not much less than if the officer took part in the management after the company has been started. Government servants are therefore distinctly forbidden to take any part in the promotion or registration of companies.

22. It is a standing order that servants of Government are required to abstain from speculative investments, but no literal definition has been laid down as to the stage at which, or circumstances under which, the holding of land or other valuable property becomes speculative. It is obviously speculative to secure a grant of land supposed to be auriferous with the object of disposing of it hereafter to companies. Habitual speculation by officials has been always held to be an evil, and the Government has reserved to itself full power to deal stringently with the practice whenever it appears to prevail. The general distinction which exists between permanent and speculative investments is sufficiently described in the extract given in the

foot-note * from Home Department letter to the Government of Bengal, No. 1495, dated 10th April 1873.

Pages 2 to 4 of the Government of India pamphlet circulated with G.O., No. 327, Public, 23rd April 1891.

PART III.—PECUNIARY RELATIONS OF GOVERNMENT SERVANTS WITH PERSONS WITHIN THEIR JURISDICTION AND WITH NATIVE CHIEFS.

23. General Rules.—All officers who hold gazetted appointments or other positions of trust and responsibility are prohibited, under pain of dismissal, from taking loans from, or otherwise placing themselves under pecuniary obligations to, persons subject to their official authority or influence, or residing, possessing property, or carrying on business within the local limits for which they are appointed. All officers in the subordinate, executive and judicial services are prohibited from lending money at interest, whether directly or through their relatives or other agents, to officers in their own or other departments or to land-holders, with or without security, within the province in which they are employed. This prohibition applies to loans to Europeans or Eurasians equally with natives, and the fact that the officer lending the money is acting as a trustee under a marriage settlement, without profit or advantage to himself, in no way affects the prohibition. In all cases in which such officers lend money, a report should be submitted by them to the heads of the departments concerned, who will satisfy themselves that not merely the letter, but also the spirit of the rules has not been contravened. If the officer is himself the head of the department, the report should be submitted to Government.

Note.—The terms "proprietor of land" and "land-holder" include owners of house property in hill stations or towns.

23-A. It is obligatory on every public servant, whether European or native, who holds a gazetted appointment or other position of trust and responsibility, to disclose to the head of his department his indebtedness to any individual or individuals resident in the district to which he may be under orders of transfer.

24. The prohibition contained in Article 23 does not extend to transactions in the ordinary course of business with Joint Stock Banks and British Firms.

25. It is not necessary or expedient to attempt to define all the transactions to which the prohibition applies. It clearly includes all

* The Government of India consider that there exists an essential difference between permanent and speculative investments; that the distinction is one of motive, and that the frequency of a man's purchases and sales may be, and usually is, very good evidence of his motive in effecting them. If an officer habitually buys and sells securities of a value notoriously fluctuating, it is clear that he is addicted to speculation, and he thereby undoubtedly lays himself open to the disapproval of Government, which can be expressed in various ways, and in a degree proportionate to the nature of the dereliction. If he engages in such pursuits to an extent which attracts public notice and unfavourable remark, so that his integrity or his application to his public duties is discussed and doubted, then he has given rise to a scandal with which the Government will have to deal.

gifts of value, loans, credits, advances, supply of articles or accommodation at unduly low rates or for insufficient consideration, and sales of property for inordinate prices, and while it is evident that no honest man will find any difficulty in applying the rule to his individual case, the Government will not be induced by any unworthy plea of non-violation of the letter of the rule to pass unpunished any disregard of its spirit, but will, on the other hand, visit such cases with its severest displeasure.

26. Article 23 will apply in the Revenue Department to all Huzur Sheristadars, Sub-Collectors' and Head Assistant Collectors' Head Clerks, Tahsildars, Taluk Head Accountants, Sub-Magistrates, Deputy Tahsildars, Forest Range officers, Superintendents of Sea Customs, Uncovenanted Assistants in Settlement Parties, Assistants in the Offices of the Board and Government and non-gazetted Officers of the Salt and Abkari Department of, and above, the rank of Sub-Inspectors, and in other departments to the non-gazetted Officers enumerated in Appendix C.

27. Without the previous sanction of the Collector or the head of the department under which they are employed, Government servants are forbidden to raise subscriptions for the building of choultries, or similar purposes.

28. **Additional Rules applicable to European Officials.**—When a European Government servant wishes to dispose of a house, bungalow, elephant, horse or carriage, or other valuable property, to any native within his jurisdiction, or within the limits of the district in which he is employed on the public service, and from which he is not about to remove, he must report his intention to the head of his department stating the facts and circumstances, and the price offered for the article to be sold. Such head will signify his approval in all ordinary cases, and apply to Government for sanction only where the property or animal to be sold comes in his opinion within the term *valuable*. The same remarks apply to purchases.

29. When a European Government servant is about to quit his station or district permanently, or for a considerable period, and wishes to dispose of his house, bungalow, elephant, carriages and horses, and the like property of value, to native purchasers, he will report his intention to the head local authority to which he may be immediately subordinate, and that authority will use its discretion in allowing the transaction, or in reporting the circumstance to the Government for further orders.

30. When a Government servant, on quitting his station or district, wishes to dispose of his furniture, household goods, live stock, &c., he is at liberty to do so either by circulating lists of such property amongst the community generally, or by having the same put up to public auction, without reference to any authority whatever. All that is necessary is, that the transaction should be open and patent to everybody on the spot.

31. Reports to Government must come through the usual official channel.

32. Articles 29–30 are applicable to European Government servants of all descriptions.

33. **Relations with Native Chiefs and others.**—The main provisions of the law forbidding the acceptance by Government servants of presents from Native Chiefs and others are contained in 13 Geo. III., Chap. 63, sections 23–24; 33 Geo. III., Chap. 52, sections 62–63; 3 and 4 Wm. IV., Chap. 85, section 76, which are printed in Appendix D.

34. The prohibition does not extend to the receipt of a few flowers or fruits, and articles of inappreciable value, although even such trifling presents should be discouraged. It does not apply to presents to Medical officers made *bona fide* for services rendered.

35. The general prohibition extends to all servants of Government—Native or European—in whatsoever department they may be serving.

36. Where presents cannot absolutely be refused without giving offence, they must be delivered up to Government, and to this rule no exception whatsoever is permissible except with the express sanction of His Excellency the Governor-General in Council, which will only be given under very special circumstances.

37. No officer of Government shall ask or accept pecuniary aid or subscriptions from Native Chiefs or officials of Native States in pursuance of private, public or semi-public objects, except with the sanction previously obtained of the Madras Government.

38. The habitual use by European officials of Durbar vehicles and animals, or those belonging to native gentlemen is prohibited. There is, however, no objection to the proffered assistance of Native Chiefs being accepted on the rare occasions of State ceremonial or when a rapid or long journey has to be made exceeding the capabilities of a reasonable private establishment. But such courtesies should be accepted as seldom as possible and only under circumstances in which an English gentleman would accept similar courtesies from another without incurring an inconvenient obligation. Officers should be careful in this respect not to expose their conduct to misconstruction.

PART IV.—INDEBTEDNESS OF GOVERNMENT SERVANTS.

39. It is undesirable that a man, who is in a chronic and hopeless condition of indebtedness, should be retained in the Government service. The anxieties attendant upon such a state must necessarily greatly detract from the value of the debtor's work, besides exposing him to temptations to dishonesty, which, in such circumstances, it is very difficult to resist.

40. Government has therefore ruled that where a portion of the salary of a Government official is constantly being attached for debt, or has been continuously under attachment for more than two years, or is attached for a sum which, under ordinary circumstances, it will require more than two years to repay, a full schedule of such officer's debts should be obtained by the head of his office and the case reported for the orders of the Board of Revenue or other controlling authority which, if he is not a gazetted officer, will decide whether he should be retained in the Government service or not, and if he is a gazetted officer, will submit the case for the orders of Government.

41. The chief points to be noted in such reports are—

- (1) the proportion of debts to salary and the extent to which they detract from the debtor's value as a Government servant;
- (2) whether the debtor's position appears to be retrievable; and
- (3) the advisability, under the circumstances, of retaining him (a) in the particular post he occupies, and (b) in any position under Government.

42. Heads of offices should impress upon their subordinates the discredit attached to having recourse to the Insolvent Debtors' Act and warn them that such a proceeding will be considered as of itself constituting a sufficient cause for exclusion from the Government service, unless it appears that the embarrassment of the insolvent was the result of unforeseen misfortunes or of circumstances over which he could exercise no control and did not proceed from dissipated and extravagant habits.

43. In cases where Government servants take the benefit of the Insolvent Debtors' Act, heads of offices should submit to the controlling authority a preliminary report expressing their opinion as to whether such persons should be suspended pending adjudication under the Act. The controlling authority will then pass orders on this point, and if the Government servants concerned are gazetted officers, copies of such orders will be submitted to Government for information.

44. Subsistence allowance, not exceeding the rates prescribed in Article 215 of the Civil Service Regulations, will be allowed to officers placed under suspension pending adjudication of their cases under the Act, but the allowance shall not be continued for a longer period than six months without the special sanction of Government. In the case of imprisonment of Government servants for debt, pay may be withheld altogether, subject to the further orders of Government.

45. Each case of insolvency should, as soon as it is adjudicated upon, be fully reported on by heads of offices, who should submit a copy of the Court's decision and of the insolvent's schedule and petition so as to admit of final orders being passed by Government in regard to the retention or otherwise of the insolvent in the public service. The order of the Court being in all cases silent as to whether insolvency was the result of extravagance or otherwise, it will be the duty of heads of offices to express their opinion on this point and to bear in mind that reinstatement with arrears of pay (where the insolvent has been suspended with reference to Article 43) or retention in service should only follow in cases in which the insolvent is practically blameless, and that the fact of Government servants standing security for friends is no excuse for insolvency.

46. An officer who has been removed from the service of Government on account of insolvency is ineligible for re-employment in any branch of the public service.

47. The above rules are not applicable to hereditary village officers, who should be dealt with under the provisions of Act III of 1895.

PART V.—ACCEPTANCE OF TESTIMONIALS AND ADDRESSES BY GOVERNMENT SERVANTS.

48. Save as otherwise provided in Articles 50—54, all servants of Government are forbidden to receive complimentary or valedictory addresses in any form; or to accept testimonials of any kind; or to attend public meetings or complimentary entertainments of a formal and public character held in their honour.

49. The Government views with disfavour all similar manifestations in the case of retired officers, when following immediately upon their retirement from active service and designed as an acknowledgment of acts done by them while in the service of Government.

50. It is not intended to prohibit such an expression of regard for the private or official character of an officer retiring from service or leaving his station or district as is involved in a farewell entertainment supported by his personal friends, even though some of these may be his official subordinates. But it is expected that the proceedings on such occasions will be substantially of a private and informal character.

51. The Madras Government is authorised to forward to an officer, who has left a station or district, the resolution of any local body recording a vote of thanks to him for help and advice afforded during his official connection with the station or district.

52. Medical officers are not prohibited from receiving pecuniary recognition of their services from a community or body of persons, which may desire to acknowledge these, but the previous sanction of the Government must be obtained by Medical officers before receiving any public complimentary address.

53. Nothing in the above rule is meant to prohibit compliance with the request of a public body that a Government officer should sit for his portrait, bust or statue in recognition of his public services, provided that the portrait, bust or statue is not intended for presentation to the officer concerned.

54. The participation of Government officers in the raising of funds for the foundation of scholarships, or for procuring a portrait, bust or statue, as a spontaneous recognition of the services of a Government officer is not forbidden; but it should be clearly understood that any solicitation on the part of officers of Government for subscriptions from any person who does not voluntarily come forward to contribute cannot be permitted.

55. The previous sanction of the Government of India must be obtained to the relaxation of these rules in any special case in which the Madras Government may think this desirable.

PART VI.—GOVERNMENT SERVANTS AND OFFICIAL DOCUMENTS.

56. Except in cases where the publication of official papers is duly authorised by Government, the communication of such documents to

the newspapers, or to any private person, except as provided for in the orders relating to giving copies to interested parties is strictly prohibited.

57. The practice of making use of official information in carrying on personal controversies is a course highly prejudicial to the public interests, and is not only at variance with the rules by which due discipline and obedience to superior authority can be adequately maintained, but is a positive breach of faith, inasmuch as no functionary has a right to reveal, without due authority from his official superiors, or the Home authorities, any fact or circumstance which may come to his knowledge in the performance of his duty, or to correspond with any one upon the instructions he may have received for his special guidance.

58. It is not for a moment intended to debar officers of Government in private life from the same freedom in the discussion of public events which is enjoyed by all Her Majesty's subjects; but when an officer has in the course of his duty become possessed of special information not yet made public, he should always be strictly on his guard against the temptation of divulging it, even to other servants of Government, when these are not officially entitled to his confidence. Irresponsible persons hearing facts of interest mentioned without reserve in the course of general conversation can scarcely be expected to refrain from repeating them to others, and thus giving them a premature and too often a garbled currency. Officers of Government are bound to be as reserved in respect to all matters that may come within their cognizance during the discharge of their public duties as lawyers, bankers, or other professional men in regard to the affairs of their clients.

PART VII.—VINDICATION BY GOVERNMENT SERVANTS OF THEIR PUBLIC ACTS OR CHARACTER FROM DEFAMATORY ATTACKS.

59. It is a standing order that without obtaining the authorization of the Government to which he is immediately subordinate no officer of Government is permitted to have recourse to the Courts for the vindication of his public acts, or of his character as a public functionary, from defamatory attacks. In giving authority to institute proceedings, the Government will decide whether the circumstances of the case are such that the Government should bear the costs of the proceedings, civil or criminal, or leave the officer to institute the prosecution or suit at his own expense; and in the latter case it will also determine, in the event of the matter being decided by the Courts in the officer's favour, whether he should be recompensed by Government the whole or any part of the costs of the action.

60. The ruling above laid down does not affect an officer's right to defend his private dealings or behaviour in any way that he may be advised; but his official reputation is in the charge of the Government which he serves, and it is for that Government to decide in each case whether the institution of proceedings to vindicate his public acts or character is necessary or expedient.

61. Under no circumstances should any Government servant submit explanations touching his official proceedings to the newspapers.

PART VIII.—GOVERNMENT SERVANTS AND THE PRESS.

62. No officer in the service of Government is permitted, without the previous sanction in writing of the Government under which he immediately serves, to become the proprietor, either in whole or in part, of any newspaper or periodical publication, or to edit or manage any such newspaper or publication. Such sanction will only be given in the case of newspapers or publications mainly devoted to the discussion of topics not of a political character, such, for instance, as art, science, or literature. The sanction will be liable to be withdrawn at the discretion of the Government.

63. Officers in the service of Government are not prohibited from contributing to the public press; but their position makes it incumbent upon them to confine themselves within the limits of temperate and reasonable discussion, and they are prohibited from making public, without the previous sanction of Government, any documents, papers, or information of which they may become possessed in their official capacity. These rules have been hitherto in most cases honourably observed. In case of departure from them, or if the Government should consider the connexion of any officer with the press to be contrary to the public interests, his liberty to contribute will be withdrawn.

64. No officer attached to any Secretariat of the Government of Madras or to any of its connected offices either at Madras or Ootacamund shall in future become the accredited correspondent of any newspaper without the permission in writing of the Chief Secretary to Government as well as that of the head of the office in which he is serving.

65. The Government of India will decide in case of doubt whether any engagements of officers with the press are consistent with the discharge of their duties to the Government.

PART IX.—GOVERNMENT SERVANTS AND POLITICS.

66. Servants of Government have not the same liberty of action as private individuals, and are bound to hold themselves aloof from any movements of a political or *quasi* political nature which are perfectly legitimate in themselves and which private persons are free to promote. Their participation in such movements is open to objection, because their connection with them is likely to create, and even to be appealed to for the purpose of creating, a false impression in the minds of ignorant persons that such movements have the countenance of Government, and because their influence with the community at large is liable to be impaired by their identifying themselves with the class by which the movement is promoted. The following rules have therefore been framed by the Government of India and should be strictly followed.

67. As a general rule no officer of Government should attend at a political meeting, where the fact of his presence is likely to be misconstrued or to impair his usefulness as an official.

68. No officer of Government may take part in the proceedings of a political meeting or agitation.

69. If in any case an officer is in doubt whether any action which he proposes to take would contravene the terms of this order, the matter should be referred to the head of the department or district, and, if necessary, to Government.

PART X.—SUBMISSION OF MEMORIALS BY GOVERNMENT SERVANTS.

70. Government servants are prohibited from combining together for the purpose of memorialising any authority to which they may be subordinate.

71. Every officer wishing to address a memorial to Government shall do so separately and not in concert with others, but this prohibition against the submission of joint memorials is not intended to apply to or affect the private interchange of individual opinions.

71-A. Every memorial should be submitted through the head of the office or department to which the officer belongs or belonged. But there is no objection to a duplicate copy being transmitted direct to Government, provided that the memorial is marked as a duplicate.

Note.—The head of the office or department will at once forward the petition to the Government through the ordinary official channel and make such remarks as he may consider necessary in regard to the accuracy of statements made and inferences drawn in the appeal petition; he will also forward such records, not submitted by the appellant, as should properly be consulted in order to the disposal of the appeal.

72. No officer may submit any memorial in respect to any matter connected with the official position which he occupies in which he is not personally interested except as the agent of some person or persons unable to act in their own behalf. The personal interest referred to in this rule may be indirect.

73. No memorial shall be submitted in a form set for general adoption, but shall be couched in the memorialists' own words and in temperate and respectful language.

74. Any memorial contravening these rules will not be taken into consideration by the authority to which it is submitted, and the officer or officers submitting such memorials will incur the serious displeasure of Government.

75. The general prohibition against the submission of joint memorials does not affect the case of any correspondence which the managers of service funds, as such, may have to conduct with Government.

76. Officers may join in combined memorials when the matter about which they wish to petition is not connected with their position as servants of Government.

PART XI.—MISCELLANEOUS.

77. Working for other employers during absence on leave.

—The Governor-General in Council has decided that, without the special orders of the Government of India, no officer of Government who is in receipt of furlough or leave allowance may take service under any other employer in India, and no officer whose services have been lent to any other employer in India can take leave or obtain leave allowances from the Government of India unless he actually quits his employment for the period of such leave.

Government of India Notification No. 3738, Finance and Commerce, 10th July 1888.

78. Government servants not to be employed on private business.—The employment of Government servants in making purchases, or in any private matters in which the receipt or expenditure of money is concerned, is most strictly prohibited. It is, however, not intended that this prohibition should preclude officers from employing Government servants to procure for them conveyance or necessary supplies while they are travelling upon duty, though in all such transactions constant vigilance is needed to prevent cheating and extortion.

79. Government servants as Vakeels.—Government servants are prohibited from practising as Vakeels except with the sanction of the head of the department in which they are employed.

80. Government servants as arbitrators.—The following are the Government of India Rules subject to which Government servants may undertake arbitrations:—(1) An officer may not act as arbitrator in any case without the sanction of his immediate superior, or unless he be directed so to act by a Court having authority to appoint an arbitrator. (2) No Government officer may act as an arbitrator in any case which is likely to come before him in any shape in virtue of any judicial or executive office which he may be holding. (3) If an officer act as arbitrator at the private request of disputants, he can accept no fees. (4) If he act by appointment of a Court of Law he may accept such fees as the Court may fix.

81. Acceptance of remuneration other than the salary of one's appointment.—It is a standing rule that unless authorized to do so by any existing rule or order of Government, no officer in the Government service shall accept any remuneration from any other Government, body or individual.

82. Acceptance of employment on one establishment by officers serving on another establishment.—There is nothing in the rules of the service to prevent an officer on one establishment seeking employment on another, but, before accepting such employment, it is incumbent upon him, whether he is on leave or not, either to resign his previous appointment or to obtain the consent of his departmental superior to his accepting such employment.

83. Applications for appointments in the gift of Government.—Representations from officers in regard to their claims to appointments in the gift of Government should be submitted only through the head of the department to whom the officers making them are subordinate.

84. Consequences of voluntary retirement.—Every officer who applies to retire before he is entitled to any pension or gratuity should submit with his application a written statement to the effect that he understands the consequences of such retirement, viz., the forfeiture of his past service and of any retiring allowance to which he would otherwise have been eligible.

85. Soliciting a bonus from others as an inducement to retiring.—No servant of Government shall enter into any pecuniary arrangement whatever which shall involve the giving or receiving of a remuneration as an inducement to retiring, from the public service. The statute law on the subject is printed in Appendix E.

86. Responsibility of a Government servant for acts done by his wife.—Officers of all grades in the public service are held responsible for acts done by their wives, which, if done by themselves, would constitute breaches of the rules for the conduct of Government servants.

G.O., No. 91, Public, 6th February 1895.

APPENDIX A.

RULES RELATING TO MEDICAL AND VACCINATION CERTIFICATES.

The following rules and instructions are issued for the guidance of Medical officers and subordinates:—

Medical Certificates.

1. Medical certificates are required by—

- (a) Candidates for the public service as to their physical fitness for Government employment;
- (b) Candidates for pension from Government service as to their unfitness for further service;
- (c) Government servants who desire leave to recruit their health.

2. Commissioned Medical officers holding Presidency appointments or in medical charge of districts or civil stations, and uncovenanted officers holding appointments as District Medical and Sanitary officers are, with the exceptions noted below, alone authorized to grant *certificates of physical fitness for the public service*. Such certificates are not to be granted by Assistant Surgeons, unless when in independent medical charge of a district, nor by Warrant Medical officers, Civil Apothecaries or Hospital Assistants, except to persons proposed to be appointed to posts carrying less than Rs. 50 a month who cannot conveniently appear before a Commissioned Medical officer or District Medical and Sanitary officer.

3. A medical certificate of fitness for the public service is not to be given to any person unless he can produce a letter or other form of requisition from the head of the office or department in which he seeks employment; and such requisition should be accompanied by a descriptive roll signed by the head of the office or department.

4. The form of certificate to be given to a candidate for employment in the public service is laid down in Article 61, Civil Service Regulations, and should contain such additional particulars regarding the candidate's physical fitness for the duties he will be expected to perform as the head of the department making the requisition required in Rule 3 above may desire to have.

5. A certificate of general health is required from candidates for admission into Government Training institutions and the Colleges of Engineering and Agriculture, and to the Salt Department Competitive and Provincial Civil Service Examinations.

6. Commissioned Medical officers holding Presidency appointments or in charge of districts or civil stations, and Uncovenanted officers holding appointments as District Medical and Sanitary officers are, with the exceptions noted below, alone authorized to grant *certificates of unfitness for further service*. Such certificates should not be granted by Assistant Surgeons, except when in independent medical charge of districts, nor by Warrant Medical officers, Civil Apothecaries or Hospital Assistants except to public servants whose pay is below Rs. 50 and who cannot conveniently

appear before a Commissioned Medical officer or a District Medical and Sanitary officer.

7. Medical officers should not grant a certificate of unfitness for further service to any Government servant, except on the requisition and with the cognizance of the head of the office or department in which he is at the time serving. Every such application for examination should be accompanied by a descriptive roll of the person to be examined, and be signed by the head of such office or department.

8. The form of the certificate to be granted to an officer applying for pension is laid down in Article 491 (a), Civil Service Regulations, and should contain such additional particulars regarding his unfitness for the proper discharge of the duties appertaining to his position in the public service as the head of his office or department may desire to have.

9. The procedure to be adopted in granting medical certificates to gazetted and non-gazetted officers applying for leave or extension or commutation of leave on medical certificate is laid down in Articles 893-907 of the Civil Service Regulations.

In cases where a Presidency Surgeon is himself the medical attendant of a non-gazetted officer, the countersignature prescribed in Article 903 of the Civil Service Regulations should be by another Presidency Surgeon.

Vaccination Certificates.

10. The persons enumerated in Rule 11 *infra* are required to produce a certificate of re-vaccination after the completion of the tenth year, or, should they not have been vaccinated in early childhood, of vaccination after reaching the age of ten years. In the event of their having suffered from small-pox before or during their tenth year, it must be certified that they were vaccinated or re-vaccinated subsequently to their having attained the age of ten. This certificate will not, however, be required from persons who bear the marks of small-pox and who produce a certificate signed by two respectable householders that to their personal knowledge the individual was attacked with small-pox after he had completed his tenth year.

11. Rule 10 *supra* applies to the following persons :—

- (1) All candidates for employment in the service of Government, in whatever branch, whether superior or inferior, permanent or temporary, except sweepers and similar menial servants and military pensioners—European and Native.
- (2) Candidates for the Provincial Civil Service Examinations.
- (3) Candidates for employment on State Railways.
- (4) Candidates for employment in the service of the Court of Wards.
- (5) Candidates for employment by District and Taluk Boards and Municipalities.
- (6) All persons applying for admission into Government Arts Colleges, Government Professional Colleges and Government Training institutions.
- (7) All claimants to hereditary village offices.
- (8) Candidates for village officers' special tests.
- (9) Applicants for appointment paid from Village Service, Pound or Irrigation Cess funds.
- (10) Candidates for the Competitive Examination for the Salt and Abkari Department.

12. Candidates for employment on subordinate Government establishments in unhealthy localities, such as Bhadrachalam, Nallamalais, Wynaad and Annamalais, are not required to produce vaccination certificates.

13. Vaccination certificates required by candidates for the public service may not be granted, except on the requisition of the head of the office or department in which the candidate seeks employment.

The following officers are empowered to grant such certificates in addition to, or in the absence of, those enumerated in Rule 2 above :—

Assistant Surgeons.
Apothecaries.

Hospital Assistants.
Deputy Inspectors of Vaccination.

14. A fee of one rupee may be levied for each vaccination certificate furnished to a candidate for employment in *superior* Government service, and may be retained by the officer who grants the certificate. Except in this particular instance, no fee or recompense of any kind is to be asked for or accepted in consideration of the grant of any of the certificates referred to in these rules.

15. A medical officer signing any of the certificates referred to in the above rules should indicate, in addition to his usual departmental designation, whether he is the Chief Medical officer of his station or district or otherwise.

APPENDIX B.

RULES FOR THE GRATUITOUS ISSUE OF MEDICINES TO GOVERNMENT SERVANTS IN CIVIL EMPLOY.

1. Servants of Government in civil employ at all stations, except Madras and Ootacamund, where there is a Government civil hospital, will be entitled to the gratuitous supply of such authorized medicines as are in store therein, but such supplies will only be given on the prescription of a Government Medical officer on duty at the station.

2. In places in which no Government civil hospital exists, prescriptions should be sent to a druggist's shop or to a Municipal or Local Fund dispensary, and the patient will be liable to pay for the supplies.

3. In Ootacamund, all non-gazetted officers drawing less than Rs. 60 a month will be entitled to the gratuitous supply of authorised medicines in store at the Police hospital, on the prescription of a Government Medical officer on duty at the station.

4. In Madras, all non-gazetted servants of Government drawing less than Rs. 60 per mensem will be entitled to the gratuitous supply of medicines for themselves when they apply at any Government hospital for medical treatment and are actually brought on the records as out-patients.

5. In cases where families of Government officers are entitled to gratuitous medical treatment, they are also entitled to the supply of Government medicines gratis under the same conditions as the officers themselves.

APPENDIX C.

RULE 26.

Hheads of Departments.	Classes of officers included in Article 26 of the Government Servants' Manual.
1. The Inam Commissioner ..	Manager.
2. The Superintendent, Revenue Survey, Madras.	(i) Sub-Assistants. (ii) Head-Surveyors. (iii) Head-clerks. (iv) Head Accountants.
3. The Superintendent, Government Central Museum.	Assistants.
4. The Government Botanist and Director of Cinchona Plantations, Parks and Gardens, Nilgiris.	(i) Curator of Government Gardens. (ii) Superintendents, Cinchona Department. (iii) Manager.
5. The Public Works Department..	All officers of the Upper Subordinate establishments and Accountants.
6. The Sanitary Commissioner ..	(i) Manager and Assistant. (ii) Head-clerk. (iii) Deputy Inspectors of Vaccination.
7. The Sanitary Engineer ..	(i) Assistant. (ii) Manager.
8. The High Cour ..	(i) Managers, Deputy Managers and Record-keepers on both sides of the High Court, and the Superintendent of Correspondence on the Appellate Side. (ii) Sheristadar, Head-clerk Nazir, and Record-keeper of the City Civil Court. (iii) Sheristadars and Head-clerks of the District and Sub-Judges' Courts. (iv) Head-clerks of District Munsif's Courts. (v) Central and Deputy Nazirs. (vi) Record-keepers and Translators in District Courts.
9. The Inspector-General of Police..	(i) Inspectors. (ii) Station-house Officers. (iii) Manager.
10. The Inspector-General of Prisons.	(i) Jailors. (ii) Deputy Jailors. (iii) Manager.
11. The Inspector-General of Registration.	(i) Sub-Registrars. (ii) Manager.
12. The Chief Presidency Magistrate.	Chief-clerk.
13. The Commissioner of Police, Madras.	(i) Superintendent. (ii) District Inspectors. (iii) Inspectors. (iv) Sub-Inspectors. (v) Manager.

Hheads of Departments.	Classes of officers included in Article 26 of the Government Servants' Manual.
14. The Madras Court of Small Causes.	(i) Head-clerk. (ii) Nazir. (iii) Treasurer.
	(a) <i>Executive Branch.</i>
15. The Surgeon-General ..	(i) Civil Apothecaries and Hospital Assistants holding independent medical charge of hospitals and dispensaries. (ii) Medical subordinates in subordinate charge of Presidency hospitals and Lunatic asylums.
	(b) <i>Ministerial Branch.</i>
	(iii) Manager, Assistant Manager and Departmental Head-clerks in the office. (iv) Manager, Superintendents of rooms, and Assistants in the Medical Store Depôts, Madras and Rangoon. (v) Stewards and Store-keepers of Presidency hospitals.
16. The Private Secretary to His Excellency the Governor.	The Manager.
17. The Superintendent of Stationery.	(i) Manager. (ii) Store-keeper. (iii) Head Accountant.
18. The Superintendent, Government Press.	(i) Superintendent. (ii) Deputy Superintendent. (iii) Assistant Superintendent.
19. The British Consular Agent, Pondicherry.	(i) Consular clerk at Pondicherry. (ii) Do. at Karikal.
20. The Resident in Travancore and Cochin.	(i) Manager and Treasury officer. (ii) Head Accountant. (iii) Treasurer of the Resident's Treasury.
21. The Paymaster, Carnatic Stipends.	Manager.
22. The Political Agent for Pudukkottai.	Chief Political clerk.
23. The Government Agent, Tanjore ..	Sirkele, Agency Department.
24. The Special Agent, South Arcot ..	Clerk of the Special Agent.
25. The Presidency Port Officer ..	Port Conservators at Calingapatam, Cuddalore, Porto Novo, Tellicherry and Cannanore.
26. The Accountant-General ..	All officers of the Subordinate Account service and Assistant Inspectors of Local Fund Accounts.

H heads of Departments.	Classes of officers included in Article 26 of the Government Servants' Manual.
27. The Director of Public Instruction.	(i) Sub-Assistant Inspectors of Schools, (ii) Sub-Assistant Inspectresses of Girls' Schools, (iii) Heads of Government schools, (iv) Head-clerks in the Offices of the Inspectors, Inspectresses and Assistant Inspectors.
28. Commissioner for Government Examinations.	Manager.

APPENDIX D.

RULE 33.

EXTRACTS FROM 13 GEORGE III., CHAPTER 63.

XXIII. And be it further enacted by the authority aforesaid, that no Governor-General or any of the council of the said United Company's Presidency of Fort William in Bengal or any Chief Justice, or any of the Judges of the Supreme Court of Judicature at Fort William aforesaid, shall, directly or indirectly, by themselves or by any other person or persons for his or their use or on his or their behalf, accept, receive or take, of or from any person or persons, in any manner, or in any account whatsoever, any present, gift, donation, gratuity or reward, pecuniary or otherwise, or any promise or engagement for any present, gift, donation, gratuity or reward.

XXIV. And be it further enacted by the authority aforesaid, that from and after the first day of August one thousand seven hundred and seventy-four no person holding or exercising any Civil or Military office under the Crown or the said United Company in the East Indies, shall accept, receive or take, directly or indirectly, by himself or any other person or persons on his behalf or for his use or benefit, of and from any of the Indian princes or powers, or their ministers or agents (or any of the natives of Asia) any present, gift, donation, gratuity or reward, pecuniary or otherwise, upon any account or on any pretence whatsoever; or any promise or engagement for any present, gift, donation, gratuity or reward.

EXTRACTS FROM 33 GEORGE III., CHAPTER 52.

LXII. And be it further enacted, that the demanding or receiving any sum of money or other valuable thing as a gift or present or under colour thereof, whether it be for the use of the party receiving the same or for or pretended to be for the use of the said Company or of any other person whatsoever, by any British subject holding or exercising any office or employment under His Majesty or the said United Company in the East Indies, shall be deemed and taken to be extortion and a misdemeanor at law,

and shall be proceeded against and punished as such under and by virtue of this Act, and the offender shall also forfeit to the King's Majesty, his heirs and successors, the whole gift or present so received or the full value thereof.

LXIII. Provided always, and be it further enacted, that the Court or jurisdiction before whom any such offence shall be tried shall have full power and authority to direct the said present or gift or any part thereof to be restored to the party who gave the same, or to order the whole or any part thereof, or of any fine which the Court shall set on the offender, to be paid or given to the prosecutor or informer, as such Court in its discretion shall think fit.

EXTRACTS FROM 3 & 4 WILLIAM IV., CHAPTER 85.

LXXVI. And be it enacted, that there shall be paid to the several officers hereinafter named the several salaries set against the names of such officers, subject to such reduction of the said several salaries respectively as the said Court of Directors, with the sanction of the said Board, may at any time think fit, that is to say,—

To the Governor-General of India, ...

To each ordinary Member of the Council of India, ...

To each Governor of the Presidencies of Fort St. George, Bombay, . .

To each Member of any Council to be appointed in any Presidency, . .

And the salaries of the said officers respectively shall commence from their respectively taking upon them the execution of their respective offices and the said salaries shall be the whole profit or advantage which the said officers shall enjoy during their continuance in such offices respectively; and it shall be, and it is hereby, declared to be a misdemeanor for any such officer to accept for his own use, in the discharge of his office, any present, gift, donation, gratuity, or reward, pecuniary or otherwise, whatsoever, or to trade or traffic for his own benefit or for the benefit of any other person or persons whatsoever.

APPENDIX E.

RULE 85.

49 GEORGE III., CHAPTER 126, SECTION III.

" III. And be it further declared and enacted, that from and after the passing of this Act, if any person or persons shall sell or bargain for the sale of, or receive, have or take any money, fee, gratuity, loan of money, reward, or profit, directly or indirectly, or any promise, agreement, covenant, contract, bond, or assurance, or shall by any way, device, or means contract or agree to receive or have any money, fee, gratuity, loan of money, reward or profit, directly or indirectly, and also if any person or persons shall purchase or bargain for the purchase of, or give or pay any money, fee, gratuity, loan of money, reward or profit, or make or enter into any promise, agreement, covenant, contract, bond, or assurance to

give or pay any money, fee, gratuity, loan of money, reward or profit, or shall by any way, means, or device contract or agree to give or pay any money, fee, gratuity, loan of money, reward or profit, directly or indirectly, for any office, commission, place or employment specified or described in the said recited Act or this Act, or within the true intent or meaning of the said Act or this Act, or for any deputation thereto, or for any part, parcel, or participation of the profits thereof, or for any appointment or nomination thereto or resignation thereof, or for the consent or consents, or voice or voices of any person or persons to any such appointment, nomination, or resignation, then and in every such case every such person, and also every person who shall wilfully and knowingly aid, abet, or assist such person therein, shall be deemed and adjudged guilty of a misdemeanor."