

Public (1896) Department.

ORDINARY PRINTED.

G.O., No. 200

DATED 8th Feb. 1896

INDEXED

[Despatch Abstract.]

PERSONAL CONDUCT OF PUBLIC SERVANTS.

Directing the attention of all Government servants to the provisions of the statute law forbidding them from entering into pecuniary arrangements as an inducement to retiring from the public service, and ordering the insertion of such a rule in the Government Servants' Manual and its publication in the Fort St. George and all District Gazettes.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

No. 200, PUBLIC, 8TH FEBRUARY 1896.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From the Acting Registrar of the High Court of Judicature, Appellate Side, Madras, dated 6th December 1895, No. 3520.

ORDER—No. 200, Public, dated 8th February 1896.

A case having recently occurred in which a Government servant accepted a payment of a sum of money from his juniors as an inducement to retire from the service, His Excellency the Governor in Council directs the attention of all Government servants to the provisions of the statute law relating to this subject, which are as follows :—

Section III, 49 George III, c. 126.

“ 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.”

2. The following will be added as Rule 85 to the Government Servants' Manual :—

“ 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.”

3. The rule will be published for information and guidance in the Fort St. George and all District Gazettes.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Hon'ble the Chief Justice of the High Court, with C.L.
„ the Departments of the Secretariat.
„ all Heads of Departments under the Chief Secretary.
„ all Collectors.
„ the Superintendent, Government Press.
Gazette.

Gobt. of {1896} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., No. 200, 8th February 1896.

JANUARY.

Personal Conduct of Government
Servants.

Directing the attention of all Government servants to the provisions of the statute law forbidding them from entering into pecuniary arrangements as an inducement to retiring from the public service, and ordering the insertion of this rule in the Government Servants' Manual and its publication in the Fort St. George and all District Gazettes.

13TH FEBRUARY 1884, No. 243, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper:—

From A. MACKENZIE, Esq., C.S., Secretary to the Government of India, Home department (Public), to the Chief Secretary to Government, dated Calcutta, 29th December 1883, No. 55-1864.

The Governor-General in Council considers it desirable to republish, for general information, the orders issued by the Government of India in Notification No. 216 (General department), dated 9th September 1842, prohibiting civil and military servants of the Government from entering into pecuniary arrangements with members of the service or department to which they belong in connection with the resignation of any appointment held by them. Officers of Government are warned that any violation of these orders will be severely visited on the offender.

ENCLOSURE.

No. 216.

NOTIFICATION.

Fort William.

GENERAL DEPARTMENT.

The 9th September 1842.

It having come to the knowledge of Government that very erroneous impressions are entertained on the subject of pecuniary arrangements referable to the resignation of appointments, the Honorable the President in Council is pleased to give notice that all such arrangements are prohibited, and that on proof of any appointment, civil or military, having been resigned under such circumstances, the nomination consequent on such resignation will be cancelled and the parties concerned suspended the service in Public Orders pending the pleasure of the Honorable the Court of Directors.

By order of the Honorable the President in Council,

E. A. BUSHBY,
Secy. to the Govt. of India.

ORDER—dated 13th February 1884, No. 243, Public.

The Right Honorable the Governor in Council directs that the foregoing papers be communicated to all officers of the civil and military departments and published in the Official Gazette. It is observed, however, that the Notification of 1842 has already been republished in the Fort St. George Gazette, dated 23rd May 1882. His Excellency in Council further resolves that a copy of the above notification be forwarded to each member of the Covenanted Civil Service for information and guidance, and that

the special attention of all officers concerned be drawn to the following provisions of the law relating to this subject:—

Section III, 49 George III, c. 126.

“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.”

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To Departments of Secretariat.
„ Heads of Departments.
„ Members of the Covenanted Civil Service.

Gobt. of (1884) Madras.

PUBLIC.

Issued

Recd.

Encl.

G.O., 13th February 1884, No. 243.

FEBRUARY.

Trafficking in appointments.

Communicating and directing publication in the Gazette of papers received from the Government of India, prohibiting civil and military servants of the Government from entering into pecuniary arrangements with members of the service or department to which they belong, in connection with the resignation of any appointment held by them, &c.

Judicial {1395} Department.

No.

FROM

The Registrar of the High Court
of Judicature, Appellate Side,
Madras.

Dated 6th December } 1895.
Received

UNDER SECRETARY
No. 3520
Enc. one

Forwarding for orders
with the opinion of the
High Court Copy of a
letter from the District
Judge South Canara
suggesting the issue of a
rule prohibiting the
practice of accepting or
giving remuneration
an inducement to
retire from service.

Encl.

*Transferred to the Public
Dept.*

Ap. Under Secretary.

20/12/95

To the Public Dept.

No. 1089.

District Court,
South Canara,
31st October 1895.

From W. C. Holmes Esquire,
District Judge,
South Canara.

To The Chief Secretary to the
Government of Madras.
Through the Registrar of the High Court,
Madras.

Sir,
I have the honor to acknowledge the receipt of G. O. No. 1220 Pension, dated 19th October 1895, rejecting the pension application of A. Venkattramanaya, late Head clerk, District Munsif's Court, Puttur, for his misconduct in accepting Rs. 400 from clerks junior to him as an inducement to retire from the service.

2. In connection with this matter I beg to bring to your notice that there is no rule in the pamphlet entitled "Rules regulating the Personal conduct of Public Servants" which was, in December 1893, issued to each non-jazzetted officer in the Public Service, and to suggest that a distinct rule prohibiting the practice of accepting or giving remuneration as an inducement to retire from service, should be

Every letter, whether printed or in manuscript, should be docketed and abstracted on the back; and the abstract should state clearly the purport of the letter and not merely its title subject.

Enclosures and statements also, whether sent with letters, or merely under cover, should be numbered, docketed and abstracted. The headings of statements should be written in full to prevent mistakes. (G. O. 5th April 1893, No. 289, Public.)

he framed and issued as an addendum to the pamphlet. The importance of doing so will be manifest from the fact that a number of clerks in the Putnam Denunzio's Court appear to have acted in complete ignorance of the rule, and indeed, so far as I could ascertain by searching the records of this office, no written rule on the subject has been issued.

I have &c,
(Signed) W. C. Holmes,
District Judge.

(True Copy)

High Court of Judicature,
Appellate Side,

Madras, 6th December 1893

Good hunter
by Registrar.

6.12-

Enclosure No. I, to letter from the
High Court of Judicature, Appellate Side, Madras,
dated 6 December 1895, No. 3520.

Copy of letter from the District
Judge South Canara
suggesting the issue of a
rule prohibiting the
practice of accepting
or giving remuneration
as an inducement to
retire from service.

No. 3520

High Court of Judicature,
Madras, 6th December 1895.

From D. W. G. Currie Esquire,
Acting Registrar of the High Court
of Judicature, Appellate Side,
Madras.

To The Honorable Mr. J. F. Price, C.S.I.,
Chief Secretary to Government,
Fort Saint George.

Honorable Sir,

I am directed to forward,
for the consideration and orders of the
Government, copy of a letter from the Dis-
trict Judge of South Canara dated 31st ultimo,
No. 1089, in which he suggests that
a distinct rule prohibiting the practice
of accepting or giving remuneration, as
an inducement to retire from service,
should be framed and issued as an ad-
dendum to the Rules regulating the per-
sonal conduct of Public Servants. I am to
observe that the High Court considers that
the impropriety of such conduct must be
sufficiently obvious without any special rule.

I have the honor to be,
Honorable Sir,

your most obedient servant

C. Goddard

Acting Registrar.

1,000-5-11-93

Public DEPARTMENT

C. No. 4336

FOR ORDERS.

In connection with the recent case in which the Head Clerk of the Dt. Amara's Court of Patna was denied a pension as consequence of his having accepted Rs. 400 from clerks junior to him as an inducement to retire from service, the Dt. Judge of S. Benares suggests that a distinct rule prohibiting the practice of accepting or giving remuneration as an inducement to retire should be framed and issued as an addendum to the Public Service Manual. The High Court considers that the impropriety of such conduct must be sufficiently obvious without any special rule. Attention is invited to G.O. No. 345 Pub., d/ 13-2-84, and orders are requested whether or not an addition shall be made to the Public Service Manual.

An order is under issue on the Rev: dept. transferring the disposal of questions connected with the Manual to the Public dept:

I consider that it would be desirable to make the rule suggested: which is obvious to the General is given not so to the private officials
15/1/96

Remuneration by the Head Clerk of the Dt. Amara's Court of Patna was denied a pension as consequence of his having accepted Rs. 400 from clerks junior to him as an inducement to retire from service, the Dt. Judge of S. Benares suggests that a distinct rule prohibiting the practice of accepting or giving remuneration as an inducement to retire should be framed and issued as an addendum to the Public Service Manual. The High Court considers that the impropriety of such conduct must be sufficiently obvious without any special rule. Attention is invited to G.O. No. 345 Pub., d/ 13-2-84, and orders are requested whether or not an addition shall be made to the Public Service Manual.

RV
2/1/96

Personal Conduct of Govt
Servants.

from Orders

H.C.
Let me see
proof complete
please.
J.D.B.
27/11/96

N. 123 Public, 27th January 1896

No. 123, Public, 27th January 1896.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following paper:—

From the Acting Registrar of the High Court of Judicature, Appellate Side,
Madras, dated 6th December 1895, No. 3520.

Transferred to the Public Department.

FORT ST. GEORGE,
20th December 1895.

(Signed) W. FRANCIS,
Ag. Under Secy. to Govt.

ORDER—No. 123, Public, dated 27th January 1896.

A case having recently occurred in which a Government servant accepted a bribe of Rs. 100 from his juniors as an inducement to retire from the service, His Excellency the Governor in Council directs the attention of all Government servants to the provisions of the statute law relating to this subject, which are as follows:—

Section III, 49 George III, c. 126.

"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 or rewards for offices, guilty of a misdemeanor."

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."

2. The following will be added as Rule 85 to the Government Servants' Manual:—

"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."

3. The rule will be published for information and guidance in the Fort St. George and all District Gazettes.

(True Extract)

W. FRANCIS,
Chief Secretary.

To the Hon'ble the Chief Justice of the High Court, with C.L.
" the Departments of the Secretariat.
" all Heads of Departments under the Chief Secretary.
" all Collectors.
Exd. A. Editt.

J.D.B.
5/2/96

Gobt. of {1896} Madras.
PUBLIC.

[G.]
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100-2-1-00.

Public DEPARTMENT.

List showing the distribution of the Proceedings of Government
dated 8 February 1896 No. 200.

Issued

Recd.

Encl.

200 8th February

G.O., No. 189, 27th January 1896.

JANUARY.

Personal Conduct of Government Servants.

Directing the attention of all Government servants to the provisions of the statute law forbidding them from entering into pecuniary arrangements as an inducement to retiring from the public service, and ordering the insertion of this rule in the Government Servants' Manual and its publication in the Fort St. George and all District Gazettes.

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	Advocate-General	1
	Government Solicitor	1
	Administrator-General	1
	Sheriff of Madras	1
	Government Pleader	1
	Registrar of Joint Stock Companies	1
PUBLIC.	Surgeon-General	6
	Meteorological Reporter	1
	President, Board of Examiners	1
	Private Secretary to the Right Honorable the Governor	1
	Government Astronomer	1
	Chemical Examiner	1
	Protector of Emigrants	1
	Superintendent, Government Press	1
	Tamil Translator to Government	1
	Telugu do. to do.	1
	Malayalum do. to do.	1
	Canarese do. to do.	1
	Hindustani do. to do.	1
	British Consular Agent, Pondicherry	1
	Superintendent, Archaeological Survey	1
	Government Epigraphist	1
POLITICAL.	Resident in Travancore and Cochin	6
	Paymaster, Carnatic Stipends	1
	Political Agent, Pudukota	1
	Do. Sandur	1
	Do. Banganapalli	1
	Government Agent, Tanjore	1
	Special Agent, South Arcot	1
ECCLESIASTICAL.	The Right Reverend the Bishop of Madras	1
	Venerable Archdeacon of Madras	1
	Senior Chaplain of the Church of Scotland	1
FINANCIAL.	Accountant-General	6
	Commissioner of Paper Currency	1
	Superintendent of Stationery	1

23
Dated
13/2/96

Dated
15/2/96

EDUCATIONAL
Director of Public Instruction
Commissioner for Government Examinations
Superintendent, Government Central Museum

THE DISTRICT MAGISTRATE OF

Anantapur
North Arcot (Chittoor)
South Arcot (Cuddalore)
Bellary
South Canara (Mangalore)
Chingleput (Saidapet)
Coimbatore
Cuddapah
Ganjam (Chatrapur)
Godavari (Cocanada)
Kistna (Masulipatam)
Kurnool
Madura
Malabar (Calicut)
Nilgiris (Ootacamund)
Nellore
Salem
Tanjore
Tinnevelly
Trichinopoly
Vizagapatm

DISTRICT AND SESSIONS JUDGE
OF

North Arcot (Chittoor)
South Arcot (Cuddalore)
Bellary
South Canara (Mangalore)
Chingleput
Coimbatore
Cuddapah
Ganjam (Berhampore)
Godavari (Rajahmundry)
Kistna (Masulipatam)
Kurnool
Madura
North Malabar (Tellicherry)
South Malabar (Calicut)
Nellore
Nilgiris (Ootacamund)
Salem
Tanjore (Tanjore)
Tinnevelly (Palamecottah)
Trichinopoly
Vizagapatam

Pub 4640200 d/8 February 1896.

Depto
13/2/96

The Collectors of

The District Magistrates of

Anantapur. 8
North Arcot, Chittoor. 8
South Arcot, Cuddalore. 8
Bellary. 8
South Canara, Mangalore. 8
Chingleput, Saidapet. 8
Coimbatore. 8
Cuddapah. 8
Ganjam, Chatrapur. 8
Godavari, Cocanada. 8
Kistna, Masulipatam. 8
Kurnool. 8
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Madura. 8
Malabar, Calicut. 12
Nilgiris, Ootacamund. 8
Nellore. 8
Salem. 8
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Tinnevelly. 8
Trichinopoly. 8
Vizagapatam. 8