

Public (1897) Department.

ORDINARY PRINTED.

G.O., No. 1265

DATED 24. 9. 97.

INDEXED.

[Despatch Abstract.]

Rules for the personal Conduct of Public Servants.

Stating that the amendment proposed in G.O. No. 160 Pub & 30th January '96 to Art. 23 of the — prohibiting Govt Servants from lending money only to the landlords within the sphere of their official influence, can not be effected without the previous sanction of the Govt of India; and that the rule as it at present stands must therefore be followed.

46/1/97

Government (1897) of Madras.
PUBLIC.

FURTHER PAPERS.

G.O.	No.	Initiation	Date	G.O.	No.	De
C 021064/97						

Recd.

Enclosures

Regd.

1897.

Spare copies

G.O., No. 1265, 24th September 1897.

SEPTEMBER.

Rules for the Personal Conduct of Public Servants.

Stating that the amendment proposed in G.O., No. 160, Public, dated 30th January 1896, to Article 23 of the — prohibiting Government servants from lending money only to the landlords within the sphere of their official influence cannot be effected without the previous sanction of the Government of India; and that the rule, as it at present stands, must therefore be followed.

No. 1265, PUBLIC, 24TH SEPTEMBER 1897.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From D. W. G. COWIE, Esq., Registrar of the High Court of Judicature, to the Chief Secretary to Government, dated Madras, 19th August 1897. Ref. on Cur. No. 1506.

On the 19th May last the District Munsif of Badagara, in the North Malabar district, lent certain sums of money to landholders in the Trichinopoly district, and, in conformity with G.O., No. 160, Public, dated 30th January 1896, declared that the parties with whom he had these monetary transactions were in no way within the sphere of his official influence.

2. The High Court considers that the loans are contrary to the provisions of Article 23 of the Rules for the Personal Conduct of Government Servants (2nd edition, circulated with G.O., No. 116, Public, dated 6th February 1897) since they are loans made within the *Province* in which the lender is employed.

3. As Article 23, however, has not been amended in accordance with paragraph 8 of G.O., No. 6, Revenue, dated 9th January 1896, adopted in G.O., No. 160, Public, dated 30th January 1896, whereby such loans are forbidden only within the sphere of an officer's official influence, I am directed to suggest that the article in question should be amended accordingly.

ORDER—No. 1265, Public, dated 24th September 1897.

Subsequently to the issue of G.O., No. 160, Public, dated 30th January 1896, it has been brought to the notice of Government that the prohibition against money-lending to landholders contained in Article 23 of the Rules for the Personal Conduct of Public Servants, as it at present stands, is based upon orders of the Government of India, and cannot be modified without the sanction of that Government for which His Excellency the Governor in Council does not see sufficient reason to apply. The amendment proposed cannot therefore be effected.

(True Extract.)

Chief Secretary.

To the Hon'ble the Chief Justice, with C.L.
 „ the Departments of the Secretariat.
 „ all Heads of Departments.

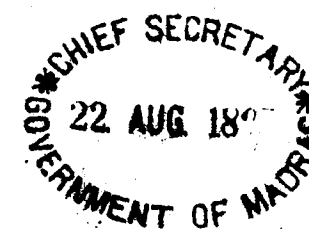
END. W. D. Mura.

~~Judicial~~
 Public

1897)

Department.

CURRENT No.



From

The Registrar,

High Court of Judicature,
 Madras.

Order

No.

Dated 19th August 1897.

Received 22

Registered

Enclosures —

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SUBJECT.

Requesting that Article 23 of the Rules for the Personal conduct of Government Servants, 2nd Edition, may be amended in accordance with G.O., No. 6, Revenue, dated 9th January 1896, adopted in G.O., No. 160, Public, dated 30th January 1896.

BACK PAPERS.

G.O.	No.	Department.	Date.
	160	Pub	30-1-96
	116	"	6-2-97
	Hopes file on the subject.		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Public DEPARTMENT.

Cy No. 3154

SUBJECT.

Rules for the personal conduct
of public servants

H. E. THE GOVERNOR.

THE HON'BLE ~~MR.~~ BLISS, C.I.E.

THE HON'BLE MR. GROSE, C.I.E.

FOR ORDERS.

The Registrar of the High Court suggests that para 23 of the Rules for the personal conduct of Govt. servants should be amended in accordance with the decision contained in G.O. no 6 Rev^d 9/1/96 (L)

That G.O. para 8 (a) decided that the ^{prohibition} ~~prohibition~~ as to lending money to landholders which had previously ^{to all persons} extended throughout the Presidency, should in future apply to persons within the sphere of the official influence of the Govt. servant concerned.

Revenue having arrived at this decision transferred the subject to Public which in G.O. no 160 d 30/1/96 decided

to amend the manual
accordingly. When the
revised manual was
published, in January of
this year, the para in
question ^{was} ~~was~~ ^{was} ~~was~~
& this particular alteration
^{was} ~~was~~ ^{was} ~~was~~
had not been made.

The question now arises
whether Govt. had authority
to make the alteration in
question. It is submitted
that it had not.

In its resolution no 2 R.
87-103 d 16 Jan? 1890 the R
Govt of India decided to
apply to all uncorrupted
officers in the subordinate
executive and judicial services
the rules regarding money
lending which had previously
applied to Covenanted &
District Civil Servants. The
rule ran "Such officers are
hereby prohibited from
lending money at interest
- - - to landholders - -
within the province in which
they are employed.

Indi G.O. 8991. P
d. 20/12/90.

5
This resolution was communicated
to the Govt. for information
& guidance. It was subsequently
the Govt of India explained
that this prohibition applied
to all executive & judicial
servants of Govt. to whom the
term "officer" is usually
applied.

The substance of this
resolution was incorporated
in para 23 of the Public
Servants manual 1893 (Indi
copy put inside G.O. no
116 Pub. d. 6/2/97)

In the Revenue G.O.
no 6 ^{of 1891} referred to above
it was decided that it
would be sufficient if
officers were prohibited
from lending money within
the sphere of their official
influence. It seems plain
that this amendment ran
counter to the orders of the
Govt of India, whose sanction
should have been obtained.
Orders are solicited in the

Sheth's the Govt of India
 should not be asked
 to sanction the proposed
 alteration, the reasons
 assigned by Mr. I.G. of
 Registration being laid
 before it; as Sheth's the
 Registrar may be informed
 that the rule as it at
 present stands is correct
 and must be followed

It appears to me that the

rule as it at present stands
 15/9/97 is correct. There is
 much in the remarks of the Secy of
 Regn upon which the change of
 the wording of the rule was
 made
 10/9/97

Sanctioned the para
 8 of the G.O. at L

I don't see how we can alter
 the rule, as was intended, without
 India's orders, for which it hardly
 seems worth while to apply -
 17/9/97 20/9/97

[G.
 24.]
 791-28-10-36.

Public DEPARTMENT.

Papers to be read in proceedings:--

Again G.O., dated 189 , No.
 Again G.O., dated 189 , No.
 Current No. 3114 of 1897, dated 19th Aug. from The Registrar, High Court. - A
 " " " 189 " " "
 " " " 189 " " "

ORDER.

Subsequently to the issue of G.O. No.
 160 Public, dated 30th January 1896, it
 has been brought to the notice of Govern-
 ment that the prohibition against money
 lending to landholders contained in
 Article 25 of the rules for the personal
 conduct of public servants, as at pre-
 sent stands, is based upon orders of the
 Government of India, and cannot be modi-
 fied without the sanction of the Govt. For which I is
 Ld. Secy the Governor in Council does
 not see sufficient reason to apply. The
 amendment proposed cannot therefore be
 effected.

(from orders)

AL.
 23/9/97

19/9/97

To

The Hon'ble the G.J. with G.L. Secy
 " Depts. of the Secretariat.
 All Heads of Depts.

Def. 2/10/97

DEPARTMENT.

List showing the distribution of the Proceedings of Government
No. 1267 dated 24th Sept 97

	Revenue Department	..	..	..	30
	Public Works Department	..	..	..	50
	Marine Department	..	..	..	5
	Local and Municipal Department	..	..	..	5
	Pension Department	..	..	..	30
JUDICIAL	Honourable the Chief Justice with C.L.	..	..	..	27
	Inspector-General of Police	..	..	..	25
	Do. of Prisons	..	..	..	2
	Do. of Registration	..	..	..	2
	Chief Presidency Magistrate	..	..	..	2
	Commissioner of Police	..	..	..	2
	Judges of the Madras Court of Small Causes	..	..	..	1
	Advocate-General	..	..	..	1
	Government Solicitor	..	..	..	1
	Administrator-General	..	..	..	1
	Sheriff of Madras	..	..	..	1
	Government Pleader	..	..	..	1
	Crown Prosecutor	..	..	..	1
	Registrar of Joint Stock Companies	..	..	..	1
PUBLIC	Surgeon-General	..	..	..	2
	Meteorological Reporter	..	..	..	1
	President, Board of Examiners	..	..	..	1
	Private Secretary to His Excellency the Governor	..	..	..	1
	Government Astronomer	..	..	..	1
	Protector of Emigrants	..	..	..	1
	Superintendent, Government Press	..	..	..	1
	Tamil Translator to Government	..	..	..	1
	Telugu do. to do.	..	..	..	1
	Malayalam do. to do.	..	..	..	1
	Canarese do. to do.	..	..	..	1
	Hindustani do. to do.	..	..	..	1
POLITICAL	British Consular Agent, Pondicherry	..	..	..	1
	Superintendent, Archaeological Survey	..	..	..	1
	Government Epigraphist	..	..	..	1
	Resident in Travancore and Cochin	..	..	..	1
	Paymaster, Carnatic Stipends	..	..	..	1
	Political Agent, Pudukkottai (Trichinopoly)	..	..	..	1
	Do. Sandur (Bellary)	..	..	..	1
	Do. Banganapalli (Kurnool)	..	..	..	1
	Government Agent, Tanjore	..	..	..	1
	Special Agent, South Arcot	..	..	..	1
ECCELESIASTICAL	The Right Reverend the Bishop of Madras	..	..	..	2
	Venerable the Archdeacon of Madras	..	..	..	2
	Senior Chaplain, Church of Scotland	..	..	..	1
FINANCIAL	Accountant-General	..	..	..	4
	Commissioner of Paper Currency	..	..	..	1
	Superintendent of Stationery	..	..	..	1
	Postmaster General	..	..	..	1

Sept 25/10/97

30. Sept 97/97

Sept 97/97

EDUCATIONAL.

Director of Public Instruction
 Commissioner for Government Examinations
 Superintendent, Government 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)
 Nellore
 Nilgiris (Ootacamund)
 Salem
 Tanjore
 Tinnevely
 Trichinopoly
 Vizagapatam

THE 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
 Tinnevely (Palamcottah)
 Trichinopoly
 Vizagapatam