D
P. 8,000—5-8-08.

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 2595

DATED 14th June

[Despatch Abstract.]

Recording with reference to d.o. No. 68, 15.6.98, Proc. of the Public Dept. passing orders on certain Questions raised by the Dist. of the Nilgiris, in connection with the Rules for the personal Conduct of Govt: Servants.

BACK PAPERS.

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

FURTHER PAPERS.

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

0
18 4,000—10-7-97.

Revenue (1898) Department.

CURRENT No. 3569

From The Public Department.

Order Misc

Communicated to the Heads of Depts under the Revenue Secretariat- other than the Board of Rev: Land Rev:

SECT. GOVT. 19 MAY 98 REV. DEPT.

No. 632

Dated 6th May, 1898.

Received 15 "

Registered 16 "

Enclosures 2.

Spare copies.

Recorded

17/6/98 Mr 11.VI.98

Endt No. 2595 d/17th June 98.

Recorded with ref to d.o. No. 68/156-98

Mr 16.6.98

Mr 10.VI.98

SUBJECT.

Passing orders on certain questions raised by the Collector of the Nilgiris, in connection with the rules for the personal conduct of Govt. Servants.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Copy of letter from the Collector of the Nilgiris, Ref.on No.139/B of 98, dated 16th February 1898:-

I have the honour to solicit the orders of the Board on the following points:-

2. Under Article 23 of the rules for the Personal conduct of Government Servants "All Officers in the Subordinate Executive & Judicial Services are prohibited from lending money at interest---to officers in their own or other departments or to landholders, with or without security, within the province in which they are employed"

Officers specified in Article 3 are prohibited by Article 2 from acquiring or possessing landed property in the District in which they are employed; and by Article 5 this prohibition has been extended to the acquisition by purchase bargain, mortgage transfer or otherwise of any interest in landed property.

Lending money to a landholder on the mortgage, with or without possession, of landed property situated outside the district in which the officer is employed appears to be prohibited by Article 23, though permitted by Articles 2 & 5. I request to be informed whether money lending of the nature described above is permissible under the Rules.

3. It will be observed from Article 23 that the Officers specified therein are prohibited "from taking loans from or otherwise placing themselves under pecuniary ~~objec~~ obliga- tions to persons subject to their official authority or influence, or residing, or possessing property, or carrying on business, within the local limits for which they are appointed", but in the case of lending money the prohibition extends to the whole of the Presidency. It must be admitted that the relations or obligations between the officials & the borrowers in the latter case are not so great as in the former and yet the restrictions as regards money lending is even greater. The rule relating to money lending quoted above (as issued in the Second edition of the Manual) ~~will~~ would work great hardship in the case of native officials in the muffusal owing to the absence of banking & other facilities.

It

It is not easy for native officials far away from their native districts to purchase landed property at once, and lending money on the mortgage of landed or other security is the most common, if not, the only mode of investment open to them. In this connection I would invite the attention of the Board to the very cogent reasons urged by the Inspector-General of Registration & accepted by Government in para 8 of Government Order No.6 Revenue dated 9th January 1896 embodied in Board's Proceedings No.46 Land Revenue dated 1st February 1896. I would suggest that the Board may be pleased to ask Government to amend the rule relating to money lending on the lines suggested by the Inspector-General so to bring it into conformity with that relating to borrowing. Such an amendment will be in the interests of the subordinate native officials and will encourage straight-forward dealings on their part, while a total prohibition will lead to clandestine transactions in the names of their relatives & friends.

4. I beg also to enquire whether loans granted to persons residing outside the District in which the officers are employed prior to Government order No.116 Public dated 6th February 1897 issuing the 2nd Edition of the Manual are affected by the rule as amended by that edition of the manual.

370

1898

[illegible] DEPARTMENT.

Enclosure No. ——

In Original No. [illegible]

Copy of note of the Honourable Sir Henry Bliss, K.C.I.E., dated 20th April 1898:-

Quite so. The ~~distribution~~ × distinction seems to be - You must not lend in the province, but you may hold land in the province though not in the district. The relaxation as regards holding lands was obviously necessary, for if no person who owned land in the province could enter the public service we could not fill the public offices. I doubt, by the way, if this restriction (that land must not be held in the district) is generally observed. How, for instance, about these people in South Canara about whom we have been having ~~done~~ some correspondence lately ? Dont they all hold more or less land in the District ?.

× Cf Rules 25, and 27 of the manual.

[G. 53]
1,000—5-5-96.

Public Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper :—

Proceedings of the Board of Revenue, Land Revenue, Madras, No.768 Mis, dated 15th March 1898:-

Read - * letter from the Collector of the Nilgiris, Ref. on No.139/G.B. of 98, dated 16th February 1898.

* Copy attached.

Resolution :- Submitted for the orders of Government with reference to para 12 of G.O. 6 Revenue, dated 9-1-96.

2. With reference to the suggestion in para 3 of Mr. Stuart's letter, the Board observes that a similar proposal was made by the High Court last year and was negatived in G.O 1265 public, dated 24-9-97.

105275 9-1097 D

Order No.632, dated 6th May 1898.

The Collector will be referred to G.O.No.1265, Public, dated 24th September 1897, in which it was decided that the rule prohibiting the lending of money within the Presidency should remain unaltered.

2. With regard to the question raised in paragraph 4 of the Collectors letter, the Government regards the present rule as removing any ambiguity of meaning in the old rule, & as absolute in itself.

(True Extract)

TO

The Revenue Department with copy of H.M's note.

for Chief Secretary

" Board of Revenue (L.R.)

*When given for copying*_____
*When copied*_____ } 189 .
*When examined*_____
*When signed*_____

READ AGAIN G.O., No. DATED
189 ,

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A	
LETTER OF GOVERNMENT.								
STATEMENT WITH DITTO.								
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.								

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.