

3. **Presentation of Petitions to Parliament.**—*H. D. Notification No. 1910, dated the 5th September, 1904.*—The following despatch from the Secretary of State for India, No. 11, dated the 5th August, 1904, and enclosures, on the subject of a Special Report of the Select Committee on Public Petitions, are published for general information:—

I forward for the information of Your Excellency in Council a copy of a question asked in the House of Commons, on the 19th ultimo, by Sir Charles Dalrymple and of the answer given to it on the subject of the Report of the Select Committee on Petitions.

2. I also forward copies of the Report and request that Your Excellency in Council will issue such orders as you may deem most expedient with a view to carrying out the recommendations of the Committee.

Copy of question asked in the House of Commons, by Sir Charles Dalrymple, No. 30, dated the 19th July, 1904.—To ask the Secretary of State for India, if he has observed a special Report of the Select Committee on Petitions in reference to petitions presented to this House from India; and if he will call the attention of the Government of India to the Report in order that Petitioners may be put upon their guard and may better understand the limited effect of Petitions.

Answer—A copy of the Report will be forwarded to the Government of India with instructions that, so far as is possible, steps may be taken for carrying out the recommendations of the Committee.

Special Report of the Select Committee on Public Petitions.—*Orders by the House of Commons to be printed, 29th June, 1901.*

Your Committee have had under their observation a considerable number of Petitions from fellow-subjects in India, which are evidently presented under misapprehension, in the belief that Parliament must take action upon them. Nothing follow, beyond printing the Petition in the Appendix to the Report of the Committee, unless the subject of the Petition is of such urgency and importance (which is scarcely ever the case) as to be formally brought before the House of Commons on the motion of a Member.

This misapprehension probably arises from the fact that the word Petition in the Indian vernaculars means generally any appeal, application, memorial, etc., and people in India assume that Parliament can deal with judicial disputes and decisions for which the final authority is the Privy Council, and with executive acts of the local administration, in respect to which the final authority is the Secretary of State for India in Council. In regard to both these classes of cases the Select Committee on Public Petitions can take no action.

It has come to the knowledge of the Committee that much expense is incurred by such Petitioners through the employment of legal or other advisers, as many of the Petitions are framed like legal appeals, and to some of them fee stamps are affixed, as in the case of judicial appeals. It would appear that a class of legal practitioners may, possibly in ignorance of the functions of the Committee, even encourage the transmission of Petitions, and make considerable profit out of them, at the expense of persons uninformed as to the procedure of Parliament on Petitions.

Consequently, in the interest of the Petitioners themselves, and to save them unnecessary expenditure, as well as disappointment, when their Petitions bring them no redress, the Committee desire by means of this Report that Petitioners may be put upon their guard, and that the limited result of petitioning may be better understood. *30th June, 1904.*

HOUSE OF COMMONS.

PUBLIC PETITIONS

Every Member presenting a petition to the House must affix his name at the beginning thereof (*Vide Commons' Journals, 1883, March 20, 1883, February 19*).

Every petition must be written and not printed or lithographed (*Vide Commons' Journal, 1793, May 6, 1817, March 12*).

Every petition must contain a prayer (*Vide Commons' Journal, 1843, July 10*).

Every petition must be signed by at least one person on the skin or sheet on which the petition is written (*Vide Commons Journals, 1817, March 12*).

His signature will not be counted (*Vide Appointment of the Select Committee on Public Petitions, 1879, February, 18*).

Every petition must be written in the English language, or be accompanied by a translation certified by the Member who shall present it (*Vide Commons' Journals, 1821, March 16, March 21*).

Every petition must be signed by the parties whose names are appended thereto by their names or marks, and by no one else, except in case of incapacity by sickness (*Vide Commons Journals, 1675, November 8, 1689, November 14; 1774, June 2, 1826, December 13, 1836, June 28*).

No letters, affidavits, or other documents may be attached to any petitions (*Vide Commons Journals, 1826, February 20, November 28, 1856, March 14*).

No erasures or interlineations may be made in any petition (*Vide Commons Journals, 1827, March 2, 1831, August 12*).

No reference may be made to any Debate in Parliament (*Vide Commons' Journals, 1822, March 28*).

No application may be made for any grant of public money, except with the consent of the Crown (*Vide Standing Orders*).

No application may be made for a charge upon the revenues of India, except with the consent of the Crown (*Vide Standing Orders*).

All petitions, after they have been ordered to lie upon the Table, are referred to the Committee on Public Petition, without any question being put, but if any such petition relate to any matter or subject with respect to which the Member presenting it has given notice of a Motion, and the said petition has not been ordered to be printed by the Committee, such Member may, after notice given, move that such petition be printed with the votes. (*Vide Standing Orders*).

A member cannot present a petition for himself. It is quite competent to any Honourable member to petition the House, but then his petition ought to be presented by another Member (*Vide Rule, Order and Form, of Proceedings of the House of Commons*).

Memo—Every petition offered to be presented to the House should be addressed "To The Honourable the Commons of the United Kingdom of Great Britain and Ireland" in Parliament assembled.

H. D. Cir. No. 1018-1114, dated the 30th June, 1889 — A case having recently occurred in which a memorial addressed to the House of Commons was withheld under (old) Rule XII, clause (3) of the Rule for the submission of memorials to Her Majesty the Queen, Empress of India, of to the Right Honourable the Secretary of State for India, His Lordship, while expressing the opinion that memorials addressed to Parliament cannot be withheld under the Rules above referred to which do not properly apply to such memorials, has decided that if a petition against the orders of the Secretary of State for India is prepared for presentation to Parliament it should be submitted to the House of Parliament, to which it is addressed through the medium of some unofficial member of the House, and not through the Secretary of State

4 **Transmission of letters to His Majesty the King-Emperor or to Members of the Royal Family.**—H D No 1377, dated the 25th June, 1887 — All letters or communications addressed to His Majesty the King-Emperor, to Members of the Royal Family or to high officials of His Majesty's Government in England by public bodies or associations in British India, or by individuals resident in British India, shall be sent through the local Governments and administrations concerned to the Home Department of the Government of India for transmission to their destinations. The receipt of letters otherwise transmitted will not be acknowledged

5 **Submission of presents to His Imperial Majesty.**—Secretary of State Des No 87, dated the 17th June, 1861 — His Majesty is more gratified by the receipt of a simple letter of friendship from one of the Princes of India than of the richest present which the country can supply. If, disregarding this suggestion, they should still in any case propose to send presents to England, the proposal should be discouraged and if the presents still, as is very improbable, be sent through the Government, they will be disposed of and return gifts sent in the usual way. Under no circumstances will any person in the service of the Government be permitted to receive charge of presents from any Indian Princes for the purpose of conveying them to England.

H D Cir No 446, dated the 23rd March 1897 — **Offer of presents for His Majesty the King-Emperor** from Natives of India who are Princes or Chiefs should be submitted through the local Governments concerned to the Government of India. As a general rule the offer of such presents should be discouraged as contrary to established usage

6. **Bengal Government Notification No. 16572 Misc., dated the 20th December, 1929.**—The following revised instructions framed by the Government of Bengal to regulate the submission, receipt and transmission of petitions and other papers of the same class to the local Government are published for general information in supersession of all instructions on the subject issued from time to time.

General explanations.

1. These instructions apply, so far as may be, to all memorials, letters and applications, etc., addressed to the local Government.

2. These instructions do not apply to cases covered by the rules regulating appeals issued by the Secretary of State under section 96B (2) of the Government of India Act or by the local Government in exercise of the powers delegated to it under those rules.

Section I.—As to the submission of petitions to the local Government by private persons or public bodies.

1. Every petition to the local Government should ordinarily be forwarded through the District Officer or local representative of the department of Government concerned, with the subject-matter of the petition. Petitions from persons within that portion of Calcutta which is outside the jurisdiction of the District Magistrate, 24-Parganas, should be submitted either through the Commissioner, Presidency Division, or through the Commissioner of Police, Calcutta, according to the nature of the subject matter of the petition.

2. A petition may be in manuscript or typed or in print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or when the petitioners are numerous, by signature of one or more of them and it must conclude with a specific prayer.

3. Every petition should be accompanied by a letter addressed to the officer concerned requesting its transmission to the local Government and when any order is appealed against, by a copy of that order, as well as of any orders passed in the case by subordinate authorities.

4. Communications on matters connected with bills before the local Legislature may be in the form of a petition to the local Government and must be forwarded to the Secretary to Government in the administrative department concerned.

Section II.—As to the submission of petitions by officers in civil employ

5. Every officer in civil employ wishing to petition the local Government should do so separately:

Provide that nothing in this instruction shall apply to representations submitted by recognised associations of Government servants in accordance with such rules as may from time to time be prescribed by the local Government.

*NOTE (1) —The term "civil employ" includes employment by a local authority

NOTE (2).—For the purposes of this section a petitioner is considered to be an "officer in civil employ," if he has been previously in civil employ and if his petition relates to any matter connected with his position while in such employ or the circumstances in which he left it

6. Every petition from an officer in civil employ should be submitted through the head of the office or department to which the petitioner belongs or belonged, and should be forwarded by him through the usual official channel.

7. No officer in civil employ may submit a petition in respect of any matter connected with his official position unless he has some personal interest in the matter.

8. No notice will be taken of a petition relating to any matter connected with the official prospects or position of an officer in civil employ unless it is submitted by the officer himself.

Section III—As to the transmission or withholding of petitions addressed to the local Government.

9. Save as provided by rule 11, every petition to the local Government shall be forwarded by the officer concerned with a concise statement of the material facts and (unless there are special reasons for not doing so) an expression of opinion.

10. When the petition is not in English, the officer concerned should transmit a translation with it.

11. District Officers, Commissioners of Divisions and heads of departments are vested with discretionary power to withhold petitions addressed to the local Government in the following cases:—

(1) When a petition is illegible or unintelligible or contains language which, in the opinion of the officer concerned, is disloyal, disrespectful or improper.

(2) When a previous petition has been disposed of by the local Government and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.

(3) When a petition is a mere application for relief, pecuniary or otherwise, which is presented by a person manifestly possessing no claim or advancing a claim of an obviously unsubstantial character, or is so belated that its consideration is clearly impossible.

(4) When a petition is an application for employment from a person not in the service of Government or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government, or by persons engaging in any profession or employment.

(5) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.

NOTE.—In the following cases, namely:—

(a) When a petition is an appeal from a judicial decision in a case in which the Government has reserved any discretion of interference, or

(b) When a petition is an appeal from a judicial decision in a suit to which the Government was a party, or

(c) When a petition is practically a prayer for mercy or pardon, or contains such a prayer,

the petition must be transmitted to the local Government unless it falls under clause (10) of this rule, or unless it is a petition of the kind referred to in clause (c) and the case is one which the officer concerned is competent to dispose on its own responsibility.

(6) When a petition is an appeal against a decision which by any law or rule having the force of law is declared to be final.

RULES FOR SUBMISSION OF PETITIONS TO GOVERNMENT OF BENG

(7) When a petition is addressed by an officer still in the public service and has reference to his prospective claim for pension, except as provided in article 915 of the Civil Service Regulations.

(8) When a petition is a representation against the non-exercise by a subordinate authority of a discretion vested in it by law or rule.

(9) When a petition is an application in a case for which the law provides a different or specific remedy, or in regard to which the time limited by law for making the application has been exceeded.

(10) When a petition relates to a subject on which a Commissioner, District Officer, or head of a department is competent to pass orders and no previous application for redress has been made to him.

(11) When the petition refers to matters in which the petitioner has not a direct personal interest, unless it is a petition of the kind described in the note to clause (5).

(12) When the petition is a representation against an order against which under the appeal rules published by the Secretary of State in Council under section 96-B (2) of the Government of India Act, or by the local Government in exercise of the powers delegated to it under those rules, no appeal lies.

(13) If a petition is withheld, the petitioner should be informed of the fact, and the reason for it.

(14) A list of petitions withheld under rule 11, with the reasons for withholding them, shall be forwarded quarterly in the form below to the local Government in the department concerned by the withholding officer through the proper channel.

[Form referred to in rule 14 above.] **Statement of petitions addressed to the withheld by the during the quarter ending 19 .**

No. 1	Name and residence of petitioner. 2	Date of petition 3	Authority addressed. 4	Subject of petition. 5	Rule under which withheld. 6	Number and date of previous order passed. 7	Remarks. 8

NOTE 1.—These rules do not apply to ministerial officers attached to the Civil Courts nor to officers of the Police Department other than the ministerial officers of that department. The appointment, punishment and removal of the former class of officers are regulated by the provisions of Chapter VI of the Bengal, North-West Province and Assam Civil Courts Act, 1887, while separate rules have been framed for officers of the Police Department other than ministerial officers.

NOTE 2.—These rules apply to public servants, whether in permanent or temporary employ.

7. **Foreign and Political Department Notification No. 569-G., dated the 22nd October, 1928.**—In supersession of the notification of the Government of India in the Foreign and Political Department No. 1367-G., dated the 10th August, 1915, the following revised **Foreign and Political Department Memorial Rules** are published for general information:—

I.—MEMORIALS, ETC., ADDRESSED TO THE GOVERNOR-GENERAL
IN COUNCIL.

1. Every memorial must be submitted to the Political Officer of the State, within whose jurisdiction the subject-matter has arisen, accompanied by a copy of the order appealed against and by a letter requesting its transmission to the authority to which it is addressed.

2. Memorials may be transmitted either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet.

3. Subject to the exceptions hereinafter contained, every memorial received, which conforms to the above rules, should be forwarded by the Political Officer through the usual official channel, with a concise statement of material facts, and, unless there be special reasons to the contrary, an expression of opinion.

4. Memorials, together with their accompanying documents, should be in English. If the accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist on each sheet.

N. B.—The transmitting officer should examine such translations and, if they are found to be incorrect or faulty, notice the fact in sending on the memorial.

5. Every memorial should be accompanied by copies of all the orders passed in the case by the authorities who have dealt with it in India.

6. Local Governments, Administrations, and Political Officers* in direct subordination to the Foreign and Political Department of the Government of India are vested with discretionary power to withhold memorials addressed to the Governor-General in Council in the following cases:—

- (1) When the memorial is illegible or unintelligible.
- (2) When the memorial contains language which, in the opinion of the authority who would otherwise forward it, is disloyal, disrespectful, or improper.
- (3) When a previous petition of the memorialist (which term includes a rejoinder submitted by the memorialist in answer to a previous petition of some other party) has been disposed of by the Secretary of State for India in Council or the Governor-General in Council, and the petition discloses no new facts*or

*Political Officers who are not Heads of Local Administrations, except the Agent to the Governor-General in the States of Western Indian and the Resident in Kashmir, may not exercise the discretionary power to withhold memorials of the kind referred to in clause (7) of Rule 6. [Added by Foreign Political Department Notification No. 450-G., dated the 25th July, 1933.]

circumstances which afford grounds for a reconsideration of the case.

- (4) When the memorial relates to a matter which is within the competence of the Local Government, Administration, or Political Officer to dispose of, and no application has previously been made to such Government, Administration, or Political Officer for redress.
- (5) When the memorial is an appeal preferred more than six months after the date on which the memorialist was informed of the orders against which he appeals, provided that the Local Government, Administration or Political Officer, as the case may be, may, at their or his discretion, extend the period to twelve months, if the delay will facilitate a settlement of the dispute or other good cause is shown.
- (6) When the memorial refers to matters in which the memorialist is not personally interested.
- (7) When the memorial refers to a case which turns entirely on questions of fact and the Political Officer and Local Government or Local Administration are in agreement. (Added by Foreign and Political Department Notification No. 450-G., dated the 25th July, 1933.)

7. Provided they do not contravene the conditions specified in the preceding section, memorials which are appeals against orders passed by Local Governments, Administrations, and Political Officers in direct subordination to the Foreign and Political Department of the Government of India, in the exercise of political control in territories not included in British India, shall be forwarded, except in the following cases in which a discretionary power to withhold the memorials may be exercised:—

- (1) When the order appealed against has been passed by the Local Government, Administration, or Political Officer at a recognised Court of Appeal in regard to a judgment or order of any Court of civil or criminal jurisdiction established or continued by the Governor-General in Council in such territories.
- (2) When the order appealed against is a mere refusal to exercise political control in regard to a judgment or order of any special court established by the Governor-General in Council in such territories, from which court there is, by its constitution, no appeal, though a general political control over it is declared or understood to exist.
- (3) When the order appealed against is a mere refusal to interfere in a matter of purely internal policy with the action or orders of the Ruler of an Indian State, of which the memorialist is a subject: provided that the State is one in which it is not customary for the British Government to intervene in matters of internal policy, and that the matter complained of does not disclose a state of misrule so gross that the Paramount Power would be called upon to interfere.

N.B.—This rule applies to a temporary administration established in an Indian State by the Governor-General in Council when the temporary administration is appointed to exercise the same powers and occupy the same position as the State Administration which it supersedes.

Note—Memorials which are analogous to applications under Chapter XXIX of the Criminal Procedure Code and appeals for the exercise of the prerogative of pardon must be transmitted. But this provision will not affect the procedure in regard to memorials from persons under a capital sentence, prescribed in the Foreign and Political Department circular letter No. 45-G., dated the 12th January, 1917.

8. Memorials from persons* in such territories which are not covered by these rules may be treated under the memorial rules of the Home Department when they are applicable.

**E.g.*, petitions from Government servants about dismissal, pensions, etc.

9. Memorialists who desire to appeal against the orders of the Government of Bombay in political cases shall have the option of addressing such appeals either to the Governor-General in Council or to the Secretary of State for India in Council, and such appeals shall be forwarded subject to the provisions of rules 6 and 7. This rule shall not apply to—

- (a) *Giras* cases. In these cases the decision of the local Government shall ordinarily be considered as final, and no appeal shall lie to the Governor-General in Council, an appeal to the Secretary of State for India in Council only being admissible with the permission of the local Government which should be previously obtained.
- (b) Memorials of the class specially reserved in rule III of the rules published with the Home Department Notification No. F-472-II-I-23, dated the 21st June, 1924.†
- (c) Memorials which involve questions affecting the status, dignity or powers of a Ruling Chief or his relations with the Paramount Power (including questions of succession or adoption) and with other Chiefs.

In the case of (b) and (c), memorials must be addressed to the Governor-General in Council.

10. The Agent to the Governor General, Western India States, is vested with discretionary power to withhold memorials addressed to the Governor-General in Council in the following cases:—

- (a) When the memorial is an appeal against an order passed by himself under rule 18 of the *Giras* Court Rules published in Western India States Agency Notification No. 21, dated the 17th April, 1926.

†Superseded by the Home Department Notification No. F 6/7/33-II, dated the 19th June, 1933, printed on page 53, *ante*.

- (b) When the memorial is an appeal against an order passed by himself under the Political Courts Rules published in the Western India States Agency Notification No. 30, dated the 26th April, 1926, as amended by Notification No. 54, dated the 29th July, 1932, against which no further appeal lies to the Governor-General in Council unless the Agent to the Governor-General certifies that the case is a fit one for further appeal, and he does not so certify; (Substituted by Foreign and Political Department Notification No. 450-G., dated the 25th July, 1933)

II.—MEMORIALS, ETC., ADDRESSED TO HIS MAJESTY THE KING-EMPEROR OF INDIA, OR TO THE SECRETARY OF STATE FOR INDIA IN COUNCIL.

1. Every memorial must be submitted to the Political Officer of the State within whose jurisdiction the subject-matter has arisen, accompanied by a copy of the order appealed against and by a letter requesting its transmission to the authority to which it is addressed

2. Memorials may be transmitted either in manuscript or in print, but must, with all accompanying documents be properly authenticated by the signature of the memorialist on each sheet

3. Subject to the exceptions hereinafter contained, every memorial received which conforms to the above rules should be forwarded by the Political Officer through the usual official channel with a concise statement of material facts, and, unless there be special reasons to the contrary, an expression of opinion.

4. Memorials, together with their accompanying documents, should be in English. If the accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist on each sheet.

N B —The transmitting officer should examine such translations, and, if they are found to be incorrect or faulty, notice the fact in sending on the memorial.

5. Every memorial should be accompanied by copies of all the orders passed in the case by the authorities who have dealt with it in India.

6. Local Governments Administrations, and Political* Officers in direct subordination to the Foreign and Political Department of the Government of India are vested with discretionary power to withhold memorials addressed to His Majesty or to the Secretary of State in Council in the following cases:—

- (1) When the memorial is illegible or unintelligible.
- (2) When the memorial contains language which, in the opinion of the authority who would otherwise forward it, is disloyal, disrespectful, or improper
- (3) When a previous petition of the memorialist (which term includes a rejoinder submitted by the memorialist in answer to a previous petition of some other party) has been disposed of by the

*Political Officers who are not Heads of Local Administrations may not exercise discretionary power to withhold memorials of the kind referred to in clauses (7) and (8) of Rule 6

Secretary of State in Council and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.

- (4) When the memorialist has not previously appealed to the Governor-General in Council (or the Government of Madras, Bombay or Bengal, as the case may be) and received the decision of the Governor-General (or Governor) in Council upon it.
- (5) When the memorial is an appeal preferred more than six months after the date on which the memorialist was informed of the orders against which he appeals provided that the Local Government, Administration, or Political Officer, as the case may be, may at their or his discretion extend the period to twelve months, if the delay will facilitate a settlement of the dispute, or other good cause is shown.
- (6) When the memorial refers to matters in which the memorialist is not personally interested.
- (7) When the memorial is in effect an appeal in a boundary case between Indian States in which the decision, original or appellate of the Political Officer has been passed after enquiry on the spot and confirmed on appeal by the Local Government, Local Administration or the Government of India, as the case may be.
- (8) Cases which turn entirely on questions of fact, where the Political Officer and Local Government or Local Administration are in agreement.

7. Provided they do not contravene the conditions specified in the preceding section, memorials which are appeals against orders passed by the Governor-General in Council (or Governor in Council in Madras, Bombay or Bengal, as the case may be) in the exercise of political control in territories not included in British India, shall be forwarded, except in the following cases in which a discretionary power to withhold the memorials may be exercised:—

- (1) When the order appealed against has been passed by the Governor-General in Council or the Government of Madras, Bombay or Bengal (as the case may be), as a recognised Court of Appeal in regard to a judgment or order of any Court of civil or criminal jurisdiction established or continued by the Governor-General in Council in such territories.
- (2) When the order appealed against is a mere refusal to exercise political control in regard to a judgment or order of any special Court established by the Governor-General in Council in such territories, from which Court there is, by its constitution, no appeal, though a general political control over it is declared or understood to exist.
- (3) When the order appealed against is a mere refusal to interfere in a matter of purely internal policy with the action or orders of the Ruler of an Indian State, of which the memorialist is a

subject: provided that the State is one in which it is not customary for the British Government to intervene in matters of internal policy, and that the matter complained of does not disclose a state of misrule so gross that the Paramount Power would be called upon to interfere.

- N. B.*—This rule applies to a temporary administration established in an Indian State by the Governor-General in Council when the temporary Administration is appointed to exercise the same powers and occupy the same position as the State Administration which it supersedes.

Note (1)—Memorials which are analogous to applications under Chapter XXIX of the Criminal Procedure Code, provided that they do not contravene the conditions specified in section 6 above, must be transmitted.

- (2) Memorials which contain a prayer for the exercise of the prerogative of pardon must be transmitted by the Governments of Madras, Bombay and Bengal to the Governor-General in Council who will transmit them to the Secretary of State for India in Council unless the Governor-General thinks fit to grant the prayer in virtue of his authority to exercise this prerogative on His Majesty's behalf. The provision of this note will not affect the procedure in regard to memorials from persons under a capital sentence, prescribed in the Foreign and Political Department circular letter No. 45-G., dated the 12th January, 1917.

8. Memorials from persons,* in such territories which are not covered by these rules, may be treated under the memorial rules of the Home Department when they are applicable.

**E.g.*, petitions from Government servants about dismissal, pensions, etc.

9. Memorialists who desire to appeal against the orders of the Government of Bombay, in political cases shall have the option of addressing such appeals either to the Governor-General in Council or to the Secretary of State for India in Council, and such appeals shall be forwarded subject to the provisions of rules 6 and 7. This rule shall not apply to—

- (a) *Giras* cases. In these cases the decision of the local Government shall ordinarily be considered as final, and no appeal shall lie to the Governor-General in Council, an appeal to the Secretary of State for India in Council only being admissible with the permission of the local Government which should be previously obtained ;
- (b) Memorials of the class specially reserved in rule III of the rules published with the Home Department Notification No. F-472-II-I-23, dated the 21st June, 1924 ;*

*Superseded by Home Department Notification No. F.6/7/33-I, dated the 19th June, 1933, printed on page 58, *ante*.

- (c) Memorials which involve questions affecting the status, dignity or powers of a Ruling Chief or his relations with the Paramount Power (including questions of succession or adoption) and with other Chiefs.

In the case of (b) and (c), memorials must be addressed to the Governor-General in Council.

10. Discretionary power to withhold memorials addressed to His Majesty or the Secretary of State for India in Council may be exercised in the following cases:—

- (a) When the memorial is an appeal against an order passed by the Governor-General in Council on a previous memorial relating to an order of the Agent to the Governor-General in the States of Western India under rule 18 of Giras Court Rules published in the Western India States Agency Notification No. 21, dated the 17th April, 1926.
- (b) When the memorial is an appeal against an order passed by the Governor-General in Council on a previous memorial relating to an order of the Agent to the Governor-General in the States of Western India under rule 6 (a) of the Political Courts Rules published in the Western India States Agency Notification No. 30, dated the 26th April, 1926.
- (c) When the memorial is an appeal against an order passed by the Governor-General in Council under rule 3 of the Giras Court Rules published in the Western India States Agency Notification No. 22, dated the 17th April, 1926.
- (d) When the memorial is an appeal against an order passed by the Governor-General in Council under rule 8 of the Political Courts Rules published in the Western India States Agency Notification No. 30, dated the 26th April, 1926.

III.—List of memorials to the Secretary of State for India in Council and of petitions to the Governor-General in Council withheld under the discretionary powers conferred by the above rules will be forwarded quarterly to the Government of India in the Foreign and Political Department.

IV.—When a petition or memorial is withheld, the writer should be informed of the fact and of the reason for withholding it.

CHAPTER V.

WEARING OF FOREIGN ORDERS AND MEDALS AND USE OF UNIFORMS

1 Foreign and Political Department Notification No. 257-H., dated the 21st April, 1930. The following Regulations, respecting **Foreign Orders and Medals**, which have been revised by command of His Majesty the King-Emperor of India, are published for general information. These Regulations supersede those published in the Notification No. 310-H., dated the 22nd May, 1928.

A

Regulations respecting Foreign Orders and Medals applicable to persons in the Service of the Crown.

Orders

1. No person in the Service of the Crown shall accept or wear the Insignia of any Foreign Order without having previously obtained His Majesty's permission to do so, signified either

(a) By Warrant under the Royal Sign-Manual, or

(b) By restricted permission conveyed through the Keeper of His Majesty's Privy Purse.

2. When permission is given by Warrant under the Royal Sign-Manual, the Insignia of the Foreign Order may be worn at all times and without any restriction.

When restricted permission is given the Insignia may only be worn on the occasions specified in the terms of the letter from the Keeper of His Majesty's Privy Purse conveying the Royal sanction.

3. Full and unrestricted permission by Warrant under the Royal Sign-Manual is contemplated in the following cases.—

For a Decoration conferred—

(a) For distinguished services in the saving of life,

(b) On an Officer in His Majesty's Naval, Military or Air Forces lent to a Foreign Government, on an Officer in His Majesty's Naval, Military or Air Forces attached by His Majesty's Government to a Foreign Navy, Army or Air Force during hostilities, or on any British Official lent to a Foreign Government and not in receipt of any emoluments from British public funds during the period of such loan.

4. Restricted permission is particularly contemplated for Decorations which have been conferred in recognition of personal attention to a foreign Sovereign, the Head of a Foreign State or a member of foreign Royal Family on the occasion of state or official visits by such personages.

5. Restricted permission will generally be given for Decorations conferred in the following cases —

(1) On British Ambassadors or Ministers abroad when the King pays a State visit to the country to which they are accredited.

NOTE—A State visit is defined as one on which the King is accompanied by a Minister or High Official in attendance.

(2) On members of Deputations of British Regiments to Foreign Heads of States ;

(3) On Members of Special Missions when the King is represented at a Foreign Coronation, Wedding, Funeral, or similar occasion ; or on any Diplomatic Representative when specially accredited to represent His Majesty on such occasions (but not on the members of his staff).

Restricted permission will *not* be given to—

- (a) British Ambassadors or Ministers abroad when leaving ;
- (b) British Officers attending Foreign Manœuvres ;
- (c) Naval Officers of British Squadrons visiting Foreign Waters.

6. Both in the case of full and of restricted permission the matter will be submitted to the King by His Majesty's Principal Secretary of State for Foreign Affairs who shall be under no obligation to consider applications for permission unless the desire of the Head of a Foreign State to confer upon a British subject the Insignia of an Order is notified to him before the Order is conferred, either through the British Diplomatic Representative accredited to the Head of the Foreign State or through his Diplomatic Representative of the latter at the Court of St. James.

In no case can applications be considered in respect of decorations conferred more than five years previously, or offered in connexion with services or events so long prior to the nomination.

7. When His Majesty's Principal Secretary of State for Foreign Affairs shall have taken the King's pleasure on any such application, and shall have obtained His Majesty's permission for the person in whose favour it has been made to wear the Insignia of a Foreign Order, he shall signify the same to His Majesty's Principal Secretary of State for the Home Department, in order that he may cause a Warrant, if it be a case for the issue of a Warrant as defined in Rule 2, to be prepared for the Royal Sign-Manual.

When such Warrant shall have been signed by the King, a notification thereof shall be inserted in the "Gazette."

Persons in whose favour such Warrants are issued will be required to pay to His Majesty's Principal Secretary of State for the Home Department a stamp duty of 10 s.

8. The Warrant signifying His Majesty's permission may, at the request and at the expense of the person who has obtained it, be registered in the College of Arms. Every such Warrant as aforesaid shall contain a clause providing that His Majesty's licence and permission does not authorise the assumption of any style, appellation, rank, precedence, or privilege appertaining to a Knight Bachelor of His Majesty's Realms.

Medals.

9. Medals, with the exceptions specified below, and State decorations not carrying membership of an Order of Chivalry are subject to the Regulations in the same manner as Orders, but permission is given by Letter and not by Royal Warrant,

10. Medals for saving or attempting to save life at sea or on land, whether conferred on behalf of the Head or Government of a Foreign State or by private Life Saving Societies or Institutions may be accepted and worn without restriction.

Subject, however, in case of members of His Majesty's Naval, Military or Air Forces, to any restrictions imposed by the King's Regulations for those services as to the wearing of such medals with uniform.

Applications for His Majesty's permission to wear other Medals conferred by Private Societies or Institutions and Commemorative Medals cannot be entertained.

11. The King's unrestricted permission to accept and wear a Foreign War Medal will only be given to (1) Members of His Majesty's Naval, Military or Air Forces, if serving with a Foreign Army, Navy or Air Force with His Majesty's licence, and (2) Military, Naval or Air Attachés or officers and other ranks and ratings officially attached to Foreign Armies, Navies or Air Forces during hostilities.

General.

12. Ladies are subject to the Regulations in all respects in the same manner as men.

B

Regulations Respecting Foreign Orders and Medals applicable to persons NOT in the Service of the Crown.

Orders

1. No subject of His Majesty shall accept or wear the Insignia of any Foreign Order without having previously obtained His Majesty's permission to do so, signified either:

(a) By Warrant under the Royal Sign-Manual, or

(b) By restricted permission conveyed through the Keeper of His Majesty's Privy Purse.

2. When permission is given by Warrant under the Royal Sign-Manual, the Insignia of the Foreign Order may be worn at all times and without any restriction

When restricted permission is given, the Insignia may only be worn on the occasions specified in the terms of the letter from the Keeper of His Majesty's Privy Purse conveying the Royal sanction.

3. Full and unrestricted permission by Warrant under the Royal Sign-Manual will only be given in the case of Decorations earned by services in the salaried employment of the foreign Government concerned by honorary consular services of not less than three years' duration, or by distinguished services in the saving of life. Such services must have been rendered, at least in part, within the period of five years immediately preceding the notification prescribed by Rule 5 below.

4. Restricted permission will ordinarily be given in all other cases, except where consideration of general policy or public interest must be held

to preclude permission, provided, however, that such permission shall not be in the case of Decorations conferred or offered more than five years before the date of application for permission, and, further that the bestowal of the Decoration has been made the subject of an official communication through one of the channels prescribed in Rule 5.

5. Both in the case of full and of restricted permission the matter will be submitted to the King by His Majesty's Principal Secretary of State for Foreign Affairs, who shall be under no obligation to consider applications for permission unless the desire of the Head of a Foreign State to confer upon a British subject the Insignia of an Order, is notified to him before the Order is conferred either through the British Diplomatic Representative accredited to the Head of the Foreign State, or through the Diplomatic Representative of the latter at the Court of St. James.

6. When His Majesty's Principal Secretary of State for Foreign Affairs shall have taken the King's pleasure on any such application, and shall have obtained His Majesty's permission for the person in whose favour it has been made to wear the Insignia of a Foreign Order, he shall signify the same to His Majesty's Principal Secretary of State for the Home Department, in order that he may cause a Warrant, if it be a case for the issue of a Warrant as defined in Rule 2, to be prepared for the Royal Sign-Manual.

When such Warrant shall have been signed by the King, a notification thereof shall be inserted in the "Gazette."

Persons in whose favour such Warrants are issued will be required to pay to his Majesty's Principal Secretary of State for the Home Department a stamp duty of 10 s.

7. The Warrant signifying His Majesty's permission may, at the request and at the expense of the person who has obtained it, be registered in the College of Arms. Every such Warrant as aforesaid, shall contain a clause providing that His Majesty's licence and permission does not authorise the assumption of any style appellation, rank, precedence, or privilege appertaining to a Knight Bachelor of His Majesty's Realms.

Medals

8. Medals, with the exceptions specified below, and State Decorations not carrying membership of an Order of Chivalry, are subject to the Regulations in the same manner as Orders, but permission to wear is given by Letter and not by Royal Warrant. No permission is needed to accept a Foreign Medal if it is not to be worn.

9. Medals for saving or attempting to save life at sea, or on land, whether conferred on behalf of the Head or Government of a Foreign State or by the private Life Saving Societies or Institutions, may be accepted and worn without restriction.

10. Applications for His Majesty's permission to wear other Medals, conferred by private Societies or Institutions and Commemorative Medals cannot be entertained.

11. His Majesty will not grant permission to wear any Foreign War

Medal if the person on whom it is to be or has been conferred was during the war acting in contravention of the Foreign Enlistment Act.

General.

12. Ladies are subject to the Regulations in all respects in the same manner as men.

Home Department Notification No. F. 215/23, dated the 31st May, 1923, as subsequently amended. The following rules regarding the use of uniform by officers in civil employ are published for general information, in supersession of all previous orders on the subject.

Rules regarding the use of uniform by officers in civil employ.

[These rules do not apply to officers holding political appointments, whose uniform will continue to be regulated by the orders issued in the Foreign and Political Department (*Vide* page 91, *et seq.*)]

I.—The uniform to be worn by officers in civil employ will be that shown in the schedule appended to these rules, but in the case of Indian gentlemen, who hold any of the offices therein specified, a *pagri* may be substituted for the cocked hat, helmet or forage cap prescribed in the rules, or the national dress which they are accustomed to wear, on ceremonial occasions may be worn in place of uniform. Indian gentlemen appointed to be Members of Council and Ministers may wear the alternative official dress described in the schedule in place of uniform so long as they hold such appointments.

Provided that—

(1) Privy* Councillors and First and Second Class Uniform.—The wearing of the Full Dress Coat is optional, as the Levee Coat may be substituted for it, at the option of the wearer, on all occasions when Full Dress is prescribed, and

(2) In lieu of Uniform or Court Dress, the alternative Dress described in the schedule may be worn at all evening functions when Uniform or Court Dress is prescribed.

II.—Civil officers who do not hold purely political appointments, but merely have some political work to do in addition to the ordinary duties of their office, are not entitled to wear political uniform.

III.—An officer is not entitled to continue to wear the uniform of an office which he has ceased to hold.

IV.—(a) A Military officer who is appointed substantively to any civil office for which uniform is prescribed shall wear the uniform of that office.

Exception.—Royal Engineer officers and officers of the Indian Medical Service in civil employ, who are liable to recall to military duty and are required to maintain their military uniform, are not required to wear civil uniform, but shall wear military uniform on all occasions when military officers wear uniform.

*H. D. Notification No. F. 444/26-Public, dated the 30th May, 1927.

(b) On all State and other occasions when military officers wear uniform, military officers who are in permanent civil employ, but who do not hold an appointment which carries the right to wear civil uniform, may at their option wear either military uniform or plain clothes.

Exception.—Royal Engineer officers, officers of the Indian Medical Service and the Survey of India and Cantonment Magistrates wear military uniform on all occasions when military officers wear uniform.

(c) Military officers who are temporarily in civil employ shall wear their military uniform, but may, if they desire, wear plain clothes instead of mess uniform, on occasions when the latter is worn by officers in military employ.

V.—An officer appointed temporarily to an office, for which a uniform is prescribed, need not wear that uniform.

*VI.—Civil officers who, on retirement or resignation from the service, wish to wear the uniform to which they are entitled when last on duty in India shall make a written application for permission to do so—

(1) to the Under Secretary of State, India Office Whitehall, London, if permission is sought to wear the uniform at the Court of His Majesty the King-Emperor.

(2) to the Secretary to the Government of India, Home Department, if permission is sought to wear the uniform in India.

VII.—Members of the Indian Civil Service, and Indian Gentlemen appointed to be Members of an Executive Council and Ministers, when on leave in England, or otherwise present there during their service, will be permitted to wear their uniform at the Court of His Majesty the King-Emperor.

VIII.—All persons in possession of Civil Uniform made in accordance with the old Regulations may continue to wear such uniform as heretofore.

IX.—An officer may wear the class of Uniform to which he is personally entitled when such Uniform is of a higher class than that to which he is entitled by virtue of the office he holds.

SCHEDULE.

†I. The following officers wear, for Full and Levee Dress, the Privy Councillor's Uniform:—

Privy Councillors.

II. The following officers wear, for Full and Levee Dress, Uniform of the First Class, as described below:—

Presidency Governors and Governors of other Provinces.

Ordinary Members of the Executive Council of the Governor-General.

III. The following officers may wear Full and Levee Dress of the Second Class as described below as an alternative to the Dress prescribed for them.—

The Presidents, Council of State and Legislative Assembly.

*H. D. Notification, No. F 270/25-Public, dated the 7th July, 1925.

†H. D. Notification, No. F.444/26-Public, dated the 30th May, 1927

IV. The following officers wear, for Full and Levee Dress, Uniform of the Third Class as described below:—

(1) Members of the Executive Councils of Governors and Ministers.

(2) Secretaries, Joint Secretaries, Additional Secretaries, Deputy Secretaries, Additional Deputy Secretaries, Under Secretaries and Additional Under Secretaries to the Government of India other than those serving in the Foreign and Political Department; and in the Army Department, when officers of the Army.

*(3) The Chief Commissioner of Railways, the Financial Commissioner and Members, Railway Board, and the Directors and the Secretary, Railway Board.

(4) Financial Adviser and Deputy Financial Advisers (Military Finance), the Solicitor and Assistant Solicitor to the Government of India, and Actuary to the Government of India and the **Director, Regulation and Forms in the Army Department.

(5) Heads and other officers of Departments subordinate to the Government of India, viz.:—

Auditor-General.

†Members, Central Board of Revenue.

Commissioner, Northern India Salt Revenue,

Controller and Deputy Controllers of the Currency,

Accountants-General,

Comptroller, Assam,

‡Vice-Chairman of the Imperial Council of Agricultural Research,

Expert Advisers to the Imperial Council of Agricultural Research,

Director of the Imperial Institute of Agricultural Research, Pusa,

Secretary to the Imperial Council of Agricultural Research,

Chief Auditors of State Railways,

Collectors of Customs,

Inspector-General and Assistant Inspector-General of Forests,

Educational Commissioner with the Government of India,

Surveyor-General of India,

Director-General of Archaeology in India,

Agricultural Adviser to the Government of India,

Public Health Commissioner with the Government of India,

Director, Intelligence Bureau, Home Department,

Director and Assistant Director of Public Information with the Government of India,

Census Commissioner,

§The Private Secretary to His Excellency the Viceroy when not an officer of the Army or a Member of the Political Department of the Government of India,

*H. D. Notification, No. F.687/24-Public, dated the 23rd September, 1924.

**H. D. Notification, No. F.9/8/32, dated the 20th February, 1932.

†H. D. Notification No. F.215/23-Public, dated the 21st November, 1923.

‡H. D. Notification, No. D.668/30-Public, dated the 13th February, 1930.

§H. D. Notification, No. F.586/27-Public, dated the 11th April, 1928.

- ¶ Chief Commissioners of Delhi and the Andaman and Nicobar Islands,
- Director-General of Commercial Intelligence,
- ¶¶ Director-General of Posts and Telegraphs,
- Financial Adviser, Posts and Telegraphs,
- Chief Engineer, Posts and Telegraphs,
- Senior Deputy Director-General,
- Postmasters-General,
- Deputy Director-General, Postal Services,
- Deputy Director-General, Telegraphs,
- Director of Wireless,
- Directors of Telegraph Engineering,
- Electrical Engineer-in-Chief.
- Consulting Engineer to the Government of India,
- * The Controller of Civil Accounts,
- Director, Geological Survey of India,
- Director-General of Observatories,
- Controller of Printing, Stationery and Stamps,
- Chief Controller of Stores, Indian Stores Department,
- † The Director of Commercial Audit,
- Director of Purchase and Intelligence, Indian Stores Department,
- Director of Inspection, Indian Stores Department,
- ‡ The Chairman and Members of the Public Service Commission,
- § The Secretary to the Public Service Commission,
- || The Director of Civil Aviation in India,
- ** Directors of Agriculture,
- †† Director of Railway Audit and Director of Army Audit.

(6) Secretaries to local Governments and Deputy Secretaries in the Political Departments of local Governments.

(7) Certain Heads of Departments and other officers under local Governments, *viz.* :—

- Members of Boards of Revenue,
- Financial Commissioners,
- Commissioners of Divisions,
- Agency Commissioner, Madras,
- Commissioners of Customs, Salt, Opium and Abkari in Bombay,
- Directors of Public Instruction,

NOTE.—The Presidents of Provincial Legislative Councils may wear Full and Levée Dress Uniform of the Third Class as an alternative to the Dress prescribed for these officers.

- ¶ H. D. Notification, No. D.1096/C., dated the 22nd January, 1924
- ¶¶ H. D. Notification, No. F.9127/32, dated the 12th January, 1933.
- * H. D. Notification, No. F. 49/5/1/26-Public, dated the 29th July, 1926.
- † H. D. Notification, No. F. 9/3/30-Public, dated the 2nd July, 1930.
- ‡ H. D. Notification, No. F. 236/26-Public, dated the 18th May, 1926.
- § H. D. Notification, No. F. 236/26-Public, dated the 23rd November, 1926.
- || H. D. Notification, No. F. 49/7/27-1-Public, dated the 16th May, 1927.
- †† H. D. Notification, No. F. 9/7/30-Public, dated the 2nd September, 1930.
- ** H. D. Notification, No. F. 9/3/30-Public, dated the 9th September, 1930.

Inspectors-General of Prisons (when not Military Medical Officers),
Settlement Commissioners,
Chief Conservators of Forests,
Private Secretaries to the Governors of Madras, Bombay and Bengal
when not Officers of the Army or Members of the Political Department
of the Government of India,

¶ Chief Engineers of the P. W. D.

**V. The following Officers wear for Full and Levee Dress, Uniform of the Fifth Class as described below:—

1. Private Secretaries to the Governors of Provinces other than Madras, Bombay and Bengal when not Officers of the Army or Members of the Political Department of the Government of India.

2. Under Secretaries to local Governments in the Political Department,

††3. Assistant Private Secretary to H. E. the Viceroy.

DESCRIPTION OF CIVIL UNIFORM.

FULL DRESS.

[*Extract from the publication†† entitled " Dress and Insignia worn at Court " (page 37).] **

***Coat for Privy Councillors and 1st and 2nd classes.*—Blue cloth, single-breasted, stand collar. The collar and gauntlet cuffs are of black velvet, and the pocket flaps, of blue cloth. Nine buttons up the front showing between the two embroidered edges (which are made to hook), two at the waist behind, and two at the bottom of the back skirts. White silk linings. A white collar may be worn inside the collar of the coat.

**Gold oakleaf embroidery on the fronts as follows:—

Privy Councillors, not more than five inches wide, 1st class not more than four and a half inches wide, and the second class not more than four inches wide at the base of each front, but to spread across the chest according to figure.

The embroidery on the cuffs should not exceed the following widths:—
" Privy Councillor's, 5 inches, 1st class 4½ inches, 2nd class 4 inches. The Privy Councillor's has a purl edging, the 1st class a wavy edging and the 2nd a saw edge."

The collar, pocket flaps, back, skirts, back skirts and side edges are also embroidered.

Buttons.—Gilt, mounted, The Royal Arms with supporters §§Coat and buttons for 3rd and 5th classes—

The same as for Levee Dress.

¶H. D. Notification, No. F. 410/26-Public, dated the 23rd September, 1926.

**H. D. Notification, No. F. 444/26-Public, dated the 30th May, 1927.

††H. D. Notification, No. F. 310/25-Public, dated the 30th May, 1925.

‡‡Harrison and Sons, Limited, 44, St. Martins Lane, Edition, 1921.

§§H. D. Erratum, No. F. 508/26-Public, dated the 11th August, 1926.

**Hat.*—Privy Councillor's Black beaver cocked hat, black silk cockade. Treble gold bullion loop and tassels with hangers. Hangers now take the form of ornaments fixed on the top of the tassels, which do not hang. White ostrich feather border.

1st class. As above, with gold tassels without hangers.

2nd class. As above, with double gold bullion loop, gold tassels without hangers.

3rd and 5th classes. As above, with plaited gold bullion loop, and black ostrich feather border. No tassels.

Breeches.—White kerseymer with three covered buttons at the knees.

Hose.—White silk.

Shoes.—Black patent leather.

Sword.—Of Regulation pattern with black scabbard and gilt mountings.

Sword Knot.—Gold lace strap with bullion tassel.

Sword Belt.—White web, with white cloth frog.

Buckles (knee and shoe).—Gilt, Rose, Shamrock and Thistle pattern.

Gloves.—White.

LEVEE DRESS.

(Extract from the same publication, pages 37-38.)

Coat.—Blue cloth, single-breasted, stand collar. The collar and gauntlet cuffs are of black velvet, and pocket flaps of blue cloth. Nine buttons up the front (to button), and two at the waist behind, and two at the bottom of the back skirt. Black silk linings. A white collar may be worn inside the coat.

Buttons.—Gilt, mounted, the Royal Arms (without supporters), surmounted by the Imperial Crown.

**The Privy Councillor's and 1st and 2nd classes have gold embroidery on the collar, cuffs, pocket flaps and between the buttons at the waist behind, as on the full dress coat.*

The 3rd and 5th classes have embroidery on the collar, cuffs, back, and pocket flaps. The gold oakleaf embroidery for the two classes is the same on the cuffs and pocket flaps, one inch wide within a "saw" edge. The back embroidery is also identical in both classes. The collar of the 3rd class has a saw edge and front embroidery $4\frac{1}{2}$ inches long, and that of the 5th class a saw edge only.

Trousers.—Blue cloth, with Gold Oakleaf Lace on the side seams. The width of the lace as follows:—

**Privy Councillors and 1st and 2nd classes, $2\frac{1}{2}$ inches.*

3rd and 5th classes, $1\frac{3}{4}$ inches.

Boots.—Plain, patent, with Military fronts and elastic sides.

Hat.—

Sword —

Sword Knot.—

Sword Belt.—White web, with blue cloth frog.

Gloves.—White.

} The same as for full dress.

**H. D. Notification, No F 444/26-Public, dated the 30th May, 1927.*

For Mourning.—A black crepe band $3\frac{1}{4}$ inches wide, worn above the elbow on the left arm.

NOTE.—(i) The full dress coat for the 3rd and 5th classes is the same as the levée dress coat prescribed for these classes.

(ii) On certain ceremonial occasions in England, Full Dress is sometimes worn with trousers, *viz.*, at Royal Weddings and when His Majesty opens Parliament. It may similarly be so worn in India when specially ordered.

The two classes of uniform should be worn on the following occasions respectively :—

Full Dress.—State Balls and Drawing Rooms, and all State ceremonies in the evening at which ladies are present

Levée Dress.—State dinners, Levées and official arrivals and departures.

(iii) The hat described under Full Dress should not be worn in the day-time : but the helmet described under Undress below.

UNDRESS—(Morning).

(The details of this uniform are the same as provided in the rules of 1911.)

Coat.—Blue cloth (frock) with black silk lining, black velvet collar and cuffs, and buttons, gilt mounted. The Royal Arms (without supporters) surmounted by the Imperial Crown. Three buttons on each side of coat, four on cuffs, two at waist behind, none at bottom of back skirts.

Waistcoat.—White marcella, single-breasted, with five or six small buttons as above.

Hat.—Helmet, white Wolseley regulation, with white top button and white silk *pagri* with gold fringe. Gilt chin-chain, lined with white leather, with rose-hook fixed on first seam of crown from centre of back on right side about three inches from centre of top button, according to scaled pattern.

Overalls.—Blue cloth, with gold oakleaf lace one inch wide, and straps.

Sword.—Mameluke pattern. Brass scabbard.

Sword Knot.—Round gold cord strap with bullion tassel.

Sword Belt.—One and a half inches wide. Lining of red Morocco leather. Sling, Russian leather one inch wide on red Morocco leather, covered with gold oakleaf lace.

Forage Cap.—As for staff officers in the army, blue cloth with gold embroidered peak on black patent leather and band of gold oakleaf lace $1\frac{3}{4}$ inches wide round the cap. The cap to be fitted with a removable white pique cover, which should always be worn.

Great coat and Cape.—Blue milled cloth. Double-breasted, two rows of gilt buttons down front, six in each row. Stand and fall collar of black velvet, four inches deep with fly to cover band of cape. Loose round cuffs six inches deep, pockets at sides with flaps. Two openings at side seams, with pointed flap, 11 inches long, and three gilt buttons. Sword slit on left side. Opening behind about 25 inches long, and gusset extending to bottom with a tab and button to close it when worn on foot. Cloth back strap with gilt buckle, two inches wide, to confine the coat at waist.

Cape of same cloth as coat. Four medium gilt buttons down front to fasten at neck with small strap and buckle. Lined black.

N. B.—The great coat may be worn without the cape at option.

Boots.—Plain Wellington.

Spurs.—Box, brass, swan-necked.

Gloves.—White dog-skin.

NOTE.—The helmet described above should be worn with Full Dress and Levée Dress in the daytime and not the hat described under Full Dress.

Officers who provide themselves with undress uniform need not, unless they so desire, also provide themselves with the great coat and cape described in these Regulations.

MESS DRESS.

Coat.—Blue cloth evening coat, black lining. Black velvet collar and cuffs. Facings plain black silk. Buttons as in morning undress, three on each side of coat, two at waist behind, four on cuffs, none at bottom of back skirts.

Waincoat.—White marcella, single-breasted, without collar, with three or four small buttons as above.

Trousers.—Plain black cloth.

NOTE.—Members of the Viceregal Staff wear in place of the coat described above a Blue Evening Dress Coat with black velvet collar. "Star of India" blue silk facings and skirt linings, with silk linings to match. Three buttons, gilt mounted. The Royal Cypher and Imperial Crown, on each front, two at waist behind and four small buttons on each cuff.

HOT WEATHER UNIFORM.

Patrol coat.—White cotton drill, stand and fall collar fastened with one hook and eye. Five gilt medium buttons down front, two patch breast pockets with box plait, one inch wide in centre and pointed flaps with small gilt button in each. Sleeves plain with pointed cuffs 5 inches high at point and 2½ inches behind.

Rank will be designated by shoulder cords and number of buttons on cuffs as follows:—

Shoulder cords.—Of gold wire Lancer shoulder strap cords, on each shoulder.

For Governors, and Ordinary Members of the Executive Council of the Governor-General—four cords twisted.

For officers entitled to wear 3rd class uniform—two cords twisted.

For officers entitled to wear 5th class uniform—two cords straight.

Buttons on cuffs.—For Governors, and Ordinary Members of the Executive Council of the Governor-General—four buttons.

For officers entitled to wear 3rd class uniform—three buttons.

For officers entitled to wear 5th class uniform—two buttons.

Overalls.—White cotton drill overalls with black leather foot straps.

Buttons.—Governors, and Ordinary Members of the Executive Council of the Governor-General wear gilt mounted buttons with the Royal Arms, with supporters. The buttons to be worn with the 3rd and 5th classes of uniform should be gilt, mounted, bearing the Royal Arms without supporters, surmounted by the Imperial Crown

Helmet, boots, spurs, forage cap, sword and sword belt.—As for undress. Belt to be worn under the coat.

NOTE—This uniform will be worn in substitution either for the full dress or undress uniform during such periods of the year as the local Government may prescribe. Local Governments are authorised to declare that officers need not provide themselves with it unless an occasion arises when they will require it. When the uniform is worn as full dress, medals and decorations will be worn. When it is worn as undress ribbons only will be worn

HOT WEATHER EVENING DRESS UNIFORM.

Mess Jacket—White drill, roll collar, sleeves plain with pointed cuffs, five inches high at point and 2½ inches behind. Shoulder cords and small gilt buttons on cuffs as prescribed for Hot Weather Uniform

Waistcoat—White marcella as for Mess Dress. A plain dark-blue kamaband may be worn if preferred

Overalls—White drill with black leather foot straps. White drill trousers may be worn if preferred. If overalls are worn plain military boots (patent leather) must be worn

Tie—Black silk

NOTE—The possession of this uniform is optional, and it may be worn in substitution for Mess Dress during such periods as the local Government may prescribe

ALTERNATIVE DRESS FOR EVENING FUNCTIONS ONLY

The following may be worn in lieu of Uniform or Court Dress at evening functions only—

An ordinary black evening dress coat

Black or white evening dress waistcoat

Breeches—Plain black evening dress material or stockinet, with three small black cloth or silk buttons, and small jet or black buckles at the knee.

Hose—Black silk.

Shoes—Plain court with bows, no buckles.

Tie—White evening dress bow neck-tie.

ALTERNATIVE OFFICIAL DRESS FOR USE BY INDIAN GENTLEMEN APPOINTED

MEMBERS OF EXECUTIVE COUNCILS OR MINISTERS.

Coat.—Blue cloth buttoned from neck to below waist and then falling loose to knees. Nine buttons up the front to button. Black silk lining.

Buttons—Gilt, mounted, The Royal Arms (without supporters), surmounted by the Imperial Crown.

The collar and cuffs of black velvet. Gentlemen entitled to wear 2nd class uniform have an edging of purl embroidery on velvet collar and cuffs. Gentlemen entitled to wear 3rd class uniform have no embroidery on collar and cuffs.

Trousers.—White, or white pyjamas.

Head-dress.—Distinctive national head-dress worn on ceremonial occasions.

Socks.—Black silk.

Shoes.—Black patent leather with gilt Buckle, Rose, Shamrock and Thistle pattern.

*Alternative official dress for use by Burmese gentlemen appointed Members of Executive Councils or Ministers in a Governor's Province—

Patrol coat.—The same as for Hot Weather Uniform for officers entitled to wear 3rd class uniform.

Pasoe.—Pink embroidered silk.

Head-dress.—Silk pink gaungbaung.

Socks.—Black silk.

Shoes.—Black patent leather (without buckles).

Sword and sword belt, Shoulder cords, Buttons on cuffs and Buttons.—The same as for Hot Weather Uniform for officers entitled to wear 3rd class uniform.

DRESS TO BE WORN BY THE PRESIDENTS OF THE COUNCIL OF STATE
AND OF THE LEGISLATIVE ASSEMBLY AND BY PRESIDENTS OF
LEGISLATIVE COUNCILS IN GOVERNORS' PROVINCES.

I.—Ordinary occasions when the Council or Assembly is sitting.

A Judge's coat and waistcoat, dark trousers. Or for Indians (in the alternative),

Black chapkan, with white or black trousers.

Overall.—A black silk Gown.

White cambric bands.

II.—Occasions when levee or full dress is prescribed.

The Velvet Court Dress (old style) as described below.

Or for Indians (in the alternative),

Black chapkan, with white or black trousers.

Overall.—For the President of the Council of State and the President of the Legislative Assembly—State robe of black satin damask trimmed with gold: for the Presidents of Legislative Councils—Black Silk Gown, with full bottomed wig, lace bands and white gloves.

Indians may wear, instead of the wig, the Head-dress usually worn on ceremonial occasions.

III.—Evening functions when levee or full dress is not prescribed.

Mess dress, as described in the description of Civil Uniform.

Or, for Indians (in the alternative),

Chapkan, with white or black trousers, and also Choga or Jubba if customarily worn on ceremonial occasions.

VELVET COURT DRESS (OLD STYLE).

Coat.—Black Silk Velvet, stand collar, pigeon breasted. Seven buttons on Right front and seven notched holes on the Left. The fronts meet edge to edge at a point on the breast, where they are secured with a hook and eye. Gauntlet cuffs, with three notched holes and buttons. Three-pointed flaps on waist seam, with three buttons, one under each point. Six buttons behind, that is, two at the waist, two at centre of skirts, and two at the bottom of the skirts. Body of the coat should be lined with White Silk and the skirts with Black. Pockets in the breast and in the tails.

Buttons.—Cut Steel.

Black Silk.—"Wig-bag" is attached to the coat at the back of the neck, hanging over the collar.

Housetcoat.—White Satin or Black Silk Velvet. No collar. Four buttons. Skirted fronts, three-pointed flaps to the pockets, with a button under each point.

Breeches.—Black Silk Velvet, with three small steel buttons, and cut steel buckles at the knees.

Hose.—Black Silk.

Shoes.—Black Patent Leather, with cut steel buckles.

Hat.—Black Beaver or Silk Cocked Hat, with a steel loop on a black silk cockade or rosette.

Sword.—Sling Sword, with cut steel hilt and black scabbard with steel mountings.

Sword Belt.—Black Silk Web with slings.

Gloves.—White.

Lace Frill and Ruffles.

3. Dress Regulations for Officers of the Political Department of the Government of India (1932).

I.—These regulations apply only to officers serving in the Secretariat of the Foreign and Political Department and to officers on the graded list of the Political Department of the Government of India.

II.—For the purpose of these regulations officers are divided into three classes.—

Class I.—The Secretaries in the Foreign and Political Department, Agents to the Governor-General and Residents of the 1st and 2nd class and officers of the Political Department of the Government of India of 23 years' civil service and upwards.

Class II.—Officers of the Political Department of the Government of India of 10 years' civil service and upwards.

Class III.—Officers of the Political Department of the Government of India of less than 10 years' civil service.

III.—FULL DRESS AND LEVEE DRESS UNIFORM.

The Full Dress uniform prescribed for all three classes is as given below: the only difference between the classes is in the pattern of the embroidery on the collar of the coat.

Coatee.—Dark blue cloth, single-breasted, stand collar. The collar and gauntlet cuffs are of black velvet, and pocket flaps of blue cloth. Nine buttons up the front (to button), two at the waist behind and two at the bottom of the back skirts. Black silk lining. A white collar may be worn inside the coat.

Class I—Embroidered in gold according to the pattern of the 3rd class English Civil Levee uniform.

Class II.—Embroidered in gold according to the pattern of the 4th class English Civil Levee uniform.

Class III.—Embroidered in gold according to the pattern of the 5th class English Civil Levee uniform.

Buttons.—Gilt, mounted, the Royal Arms with supporters

NOTE—Wherever the words 'gilt buttons' occur hereafter, it is to be understood that this pattern of button, in three sizes, is referred to, and no other.

Head-dress—Black beaver cocked hat, black silk cockade, with plaited gold bullion loop and black ostrich feather border. No tassels

Breeches.—White kerseymer with three covered buttons and gilt buckles at the knees.

Hose.—White silk.

Shoes.—Black patent leather with gilt buckles

Sword.—English pattern with black scabbard and gilt mountings

Sword Knot.—Gold lace strap with bullion tassel.

Sword Belt.—White web, with white cloth frog

Gloves.—White kid.

Levee dress will be the same as that prescribed for Full Dress with the following exceptions:—

(i) *Trousers.*—Dark-blue cloth, with gold oakleaf lace on the side seams $1\frac{3}{4}$ inches wide, with straps.

(ii) *Boots*—Patent leather, Wellington

(iii) *Sword Belt*—White web, with blue cloth frog.

NOTE 1.—The helmet prescribed for use with the "Undress Uniform" should be worn with "Levee Dress" in the day time, and not the beaver cocked hat referred to above

NOTE 2.—Full dress is usually worn at Investitures, State balls, concerts and drawing rooms and at State ceremonies in the evening

Levee dress is worn at Levees and official visits, official arrivals and departures.

At State ceremonies at which full dress (with trousers) or Levee dress is prescribed, an officer on mounted duties will wear the undress uniform prescribed below for mounted duties

NOTE 3.—In lieu of full or levee head-dress, Indian gentlemen may, if they so desire, wear a white pugri with $\frac{1}{2}$ inch gold French braid

IV.—UNDRESS UNIFORM FOR ALL CLASSES.

Frock Coat.—Blue cloth, double-breasted, roll collar, trimmed with $\frac{1}{4}$ inch black mohair braid on edges and collar, and five loops of the same braid on each side of the breast, fastening with netted cap buttons. Back-pleat edged with black mohair braid, forming a crow's foot at top, two cap buttons at waist. Sleeves ornamented with $\frac{1}{4}$ inch black mohair braid, forming a crow's foot six inches from bottom of cuff. Shoulder straps of twisted gold cord, fastening with a small gilt button.

False Vest.—White cloth, no collar, V-shape opening, about $1\frac{1}{4}$ inches, to show the knot of a black silk scarf, edged with gold Russia braid, fastening with hooks and eyes.

Forage Cap.—As for staff officers in army with gold embroidered Lion and Crown badge, with the following exceptions:—

Classes II and III.—Peak black patent leather, with a row of gold embroidery with usual twisted purl edging $\frac{1}{4}$ inch total width.

Class I.—Same as for Classes II and III, but the embroidery on peak to be $\frac{3}{4}$ inch wide.

The band for each class to be of white cloth.

The Forage cap to be fitted with a removable white *piqué* cover and a similar khaki drill cover for use as circumstances require.

Great Coat and Cape.—Dark blue cloth, double-breasted. Two rows of gilt buttons down front, six buttons in each row and 6 inches apart across. Stand and fall collar of black velvet. Loose round cuffs, 6 inches deep. Pockets at sides with flaps. The coat to reach within a foot of the ground, with an opening behind about 26 inches long, and a gusset extending to the bottom with a tab and button to close it when worn on foot. Blue cloth back strap with gilt buckle two inches wide to confine the coat at waist. Two openings at side seams, with pointed flaps 11 inches long and three gilt buttons. Sword slit on left side. The coat to be lined with scarlet Italian or Rattinet. Cape of blue cloth to reach to the knuckles. Lined black. Four medium gilt buttons down front to button through, and a gilt hook and chain at the neck. The cape should button on to the collar of the coat; but the coat and cape may be worn together or separately.

Helmet.—White Wolseley regulation, gilt spike and floral base. Puggri white muslin, with $\frac{1}{4}$ inch gold French braid showing $\frac{1}{4}$ inch from top edge of puggri. Chin-strap of light metal gilt on white leather. Chin-strap to be worn looped up except on mounted duties.

Overalls.—Blue cloth, with gold oak-leaf lace, one inch wide, with straps.

Boots.—Wellington.

Spurs.—Box, brass, swan-necked.

Sword.—Mameluke pattern, brass scabbard.

Sword Belt.—Gold oakleaf lace, $1\frac{1}{4}$ inch wide, with slings one inch wide, on white Morocco leather. Waist plate round gilt clasp. Royal coat-of-arms on centre-piece, universal ends.

Gloves.—White dog-skin.

(For mounted duties.)

Breeches.—Blue cloth, with gold oak-leaf lace, one inch wide.

Boots.—Black leather knee boots, military pattern.

Spurs.—Brass, swan necked, with chains and straps.

Saddlery.—Plain hunting saddle and bridle.

NOTE 1.—In lieu of a helmet, Indian gentlemen may, if they so desire, wear a white puggi with $\frac{1}{4}$ inch gold French braid

NOTE 2 —Medal ribbons will be worn with undress uniform.

V.—EVENING DRESS FOR ALL CLASSES.

Coat.—Blue cloth evening coat, white silk facings one inch from edge of lapel, white silk lining, black velvet collar and cuffs, gilt buttons, four small gilt buttons on cuffs.

Waistcoat.—White marcella, single breasted, with three or four small gilt buttons.

Trousers.—Plain black cloth.

Shoes.—Black Oxford.

Tie.—White.

VI.—HOT WEATHER UNIFORM FOR CLASS III.

Coat.—White cotton drill patrol coat Stand and fall collar. Five medium gilt buttons down front. Two patch breast pockets with box pleat and pointed flap, each buttoned with a small gilt button. On shoulders a double line of white round cord (not twisted) with a small gilt button at top.

Sleeves trimmed with a chevron of white cotton one inch braid traced above and below, and finishing in a knot, both above and below the chevron point.

FOR CLASSES I AND II.

As for Class III with the following additions:—

Collar to be edged with white cotton one inch braid with a row of tracing braid inside, forming an eye in each corner, and back to have white cotton one inch braid down side body seams with a row of tracing braid on each side, forming three eyes at top at angles formed by braid.

Shoulder straps of gold twisted cord.

Trousers.—White cotton drill, with black leather foot-straps.

Forage Cap.—Same as for undress uniform.

Helmet, Boots, Spurs, Sword and Sword Belt —Same as prescribed for undress uniform. Belt to be worn under the coat.

Gloves.—Gloves are not worn with the Hot Weather Uniform.

NOTE.—This uniform will be worn during the hot weather months in substitution either for the full dress or undress uniform prescribed above. When the

uniform is worn as full dress. medals and decorations will be worn. When it is worn as undress, ribbons only to be worn.

VII.—HOT WEATHER EVENING DRESS UNIFORM FOR ALL CLASSES.

White drill mess jacket, roll collar, sleeves plain with pointed cuffs 5 inches high at point and $2\frac{1}{2}$ inches behind. Three small gilt buttons on cuffs.

Shoulder cords as for hot weather uniform.

White waistcoat as for ordinary evening dress uniform ; or a plain white *kamarband* may be worn if preferred.

White drill overalls, with black leather foot-straps, or trousers without foot-straps, as directed for any particular station.

Tie.—Black.

NOTE.—Spurs should be worn when overalls are worn

VIII.—SERVICE DRESS. FOR ALL CLASSES.

Coat.—Plain khaki, open at the throat, with two breast and two side pockets, without shoulder-straps or badges of rank but with white cloth tabs sewn on to the reverse of collar, $2\frac{1}{2}$ inches long \times $1\frac{1}{4}$ inches wide, pointed at the outer end, a loop of gold Russia braid in centre of tab, with a gilt stud at the end near the point. Medium leather covered buttons in front and small on pockets.

Shirt.—Khaki.

Tie —Khaki.

Breeches.—Khaki, or drab Bedford cord.

Helmet.—Regulation khaki, without a spike or chain, leather chin strap.

Sword.—Regulation cavalry pattern, with wooden scabbard, covered with brown leather.

Belt.—Brown leather, Sam Browne pattern.

Boots.—Brown, field boots, or brown laced ankle boots with brown gaiters or puttees.

Spurs.—Jack, nickel-plated.

Cap.—Same as for undress uniform.

Gloves —Brown regulation.

NOTE 1.—On service, the ordinary undress uniform will be used as full dress.

NOTE 2.—When on active service with troops, Political officers may, if they hold permanent or temporary Military rank, wear plain khaki shoulder straps with their badges of Military rank, if they so desire.

NOTE 3.—In lieu of a khaki helmet, Indian gentlemen may, if they so desire, wear a khaki puggri.

IX.—Officers now in possession of the uniform previously prescribed may continue to wear it until such time as their present uniform requires renewal. It should, however, be observed that the old pattern uniform can be converted in accordance with the present Regulations with little difficulty or expense.

X.—Officers are not obliged to provide themselves with Service dress until ordered on service.

XI.—Military officers may wear their military uniform, if preferred, until such time as they are permanently brought on to the graded list of the Political Department. Military officers who hold an *ex-officio* political appointment conjoined with a military appointment, such as the Commandant of the Mewar Bhil Corps, etc., will wear their military uniform.

XII.—The possession of the hot weather evening dress uniform is optional.

XIII.—Officers of the Political Department of the Government of India, when on leave in England or otherwise present there during their service, will be permitted to wear their uniform at the Court of His Majesty the King-Emperor

XIV.—Retired officers who, when last on duty in India, were entitled to wear uniform, will be permitted to wear their uniform at the Court of His Majesty the King-Emperor and when living in India, at Government Houses and on any occasion on which, before their retirement, they would have worn it.

XV.—Officers whose retirement is due to misconduct will not enjoy the privilege conferred by rule XIV

CHAPTER VI.

I. REPORTS OF IMPORTANT OCCURRENCES.

*The Government of India require the Local Government to submit to them early information regarding **matters of political or administrative importance, or events which have excited public interest.** It has occasionally happened that the Government of India have obtained the first news of such events from the newspapers, and it is obviously very undesirable that the Governor-General in Council should remain in ignorance of important events until they become generally known.

2. It is equally necessary that the Local Government should have early information regarding such matters; and there are many occurrences which are of importance from the local point of view, though not so serious as to call for report to the Government of India.

Commissioners or heads of departments should therefore remember the desirability of keeping the Local Government regularly informed of any occurrences of special interest within their cognizance or of any action of importance taken by them. This applies not only to cases which, though of importance, would in ordinary course be disposed of on their authority, but also to **cases which must ultimately be disposed of by the Local Government,** but which extend over a considerable period and in the progress, as well as the final disposal, of which the Local Government may be interested. These orders are not intended to restrict the jurisdiction or fetter the discretion of officers, but merely to impress upon them the desirability, not so much of formal submission of official references, as of frequent and intimate communication of all questions of general interest and policy between them and the Local Government.

3. * * * The following instructions are, however, laid down for the general guidance of officers concerned

4. Occurrences of the following classes should be reported at once by the Deputy Commissioner (or District Magistrate) to the Commissioner, and by the latter to the local Government:—

- (1) Riots which involve a serious breach of the public peace.
- (2) All collisions between Europeans of all classes and Indians. (This includes accidents which result in serious injury, but excludes alleged assaults regarding which there is no confirmation, or assaults of a purely insignificant character.
- (3) Outrages which have a political aspect.
- (4) Calamities, such as floods or earthquakes, which cause serious damage to life or property.
- (5) All other events which have a political or administrative importance or of a class that may be expected to excite public interest.

*For references, to authority *vide* at the end of para. 9. page 99 *post.*

(b) Any cases not coming under these heads, but falling under the following classes:—

- (a) All special serious crimes.
 - (b) Professional dacoities, that is, attacks by armed men in numbers on houses or travellers.
 - (c) Murders of peculiar atrocity.
 - (d) Fire-raising in towns.
 - (e) Serious defalcations of public money.
 - (f) Accidents with severe loss of life.
 - (g) Attempts to derail trains.
 - (h) Serious injury caused by shooting parties.
 - (i) Mail robberies.
 - (j) Occurrences regarding which the Deputy Commissioner (or District Magistrate) is required by special rules to submit a report to any of the departments subordinate to the Government of India, as in the case of certain explosions and mining accident.
5. The reports will be by telegram.—
- (i) in all serious cases falling under heads 1 to 5 of the preceding paragraph ;
 - (ii) in all cases of any description when the occurrences are such as are almost certain to form the subject of telegrams to the public press.

When the Deputy Commissioner's (or District Magistrate's) report is by telegram, a duplicate copy should be sent to the Chief Secretary to the Government.

6. In other cases the first report may be by demi-official letter addressed to the Chief Secretary by name, but it should be recollected that the demi-official form is adopted in such cases merely to prevent the delay that might be caused by official reference. If the correspondence is prolonged, it should be brought into official form at the earliest opportunity that the nature of the case admits of.

In cases where the occurrence is not considered of a sufficiently serious character to require the submission of further details, it should be stated that the report is a final one.

7. Occurrences falling under heads (1) to (5) of paragraph 4 above will be reported by the Local Government to the Government of India by telegram in the first instance. If the occurrence is not considered of a sufficiently serious character to call for further report, it will be stated that no further report seems necessary. In more serious cases, in which it is necessary for the local Government to pass orders, an official report will be forwarded to the Government of India, stating the decision at which the Local Government has arrived when all the facts were before it.

8. These orders do not affect the rules for the submission of reports by District Superintendents and the Inspector-General of Police.

9. **REPORTS TO MILITARY AUTHORITIES OF POLITICAL OUTRAGES.**—On the occurrences of outrages which have a political aspect, Commissioners of Divisions should, even when no military officer, soldier or follower is concerned, send intimation to the Officer Commanding the station when outrages occur at places where troops are stationed, or to the General Officer Commanding the district, when they occur at places where there are no troops, but no detailed report need be communicated to the military authorities by the local civil officers unless their co-operation is required.

(Government of India, Home Department No 254, dated the 31st January, 1899, No 1907, dated the 29th August, 1899, No 2083, dated the 10th August, 1900 and No 3770, dated the 14th December, 1900, Government of Bengal No. 587 P D, dated the 14th June, 1904, U P Manual I, III, Government of Punjab No 19 1604, dated the 2nd December, 1901, and C P Book Circular IV, 1)

2 GRANT OF SHOOTING PASSES FOR SPORTING PURPOSES.

Home Department Resolution No 1158-84, dated the 27th September, 1895—In Resolution No 1755-70, dated the 24th September, 1879, Local Governments and Administrations were requested to **instruct district officers to take every opportunity of warning Englishmen** and others against entering on standing crops for sporting purposes unless they first obtained the permission of the owners to do so. The Government of India have recently had brought to their notice a case in which an European, while out shooting, caused the death of two natives—in an affray arising out of the fact that he shot peafowl in the vicinity of a village. The rules issued by the military authorities for regulating the grant of shooting passes to British soldiers provide all the safeguards that are practicable to prevent **affrays between soldiers and villagers**; but there are at present no orders ensuring that such warnings shall be given as may, so far as is possible, duly direct and regulate the conduct of **sportsmen** other than soldiers. The Governor-General in Council accordingly desires that instructions should be issued by Local Governments and Administrations to District Officers to warn sportsmen, whether Europeans or others (1) against trespassing on standing crops without the consent of the owners, (2) against shooting peafowl, or other birds or animals which are looked upon as sacred, in the vicinity of villages or habitations, (3) against shooting domestic animals, such as dogs or pigs, and (4) generally against shooting in the immediate vicinity of villages, temples and mosques.

Home Department Letter No 3476, dated the 31st December, 1900—I am directed to forward a copy of the revised rules* for the grant of shooting passes to British soldiers in India which have been approved by the Governor-General in Council and published in the *Gazette of India* of the 27th October, 1900, and to request that the special attention of the local civil officers concerned in the administration of the rules may be drawn to them.

2. These rules are drawn up chiefly for the guidance of the military authorities, but their successful working cannot be insured without the co-

*These rules have since been revised and published by the Army Department in a pamphlet form.

operation of the civil officers. The Governor-General in Council, therefore, considers it necessary that the duties of the latter class of officers respecting this matter should be clearly laid down.

3. In the revised rules it has been provided that the Commanding Officer of a Regiment or Detachment is at once to send to the District Magistrate the substance of any report (together with a copy of the complaint, if any), that may be made by the member of a shooting party who is in charge of the party, on their return to quarters, respecting any breach of the rules, any affray with natives, or any mishap which may have occurred during the absence of the party. The Government of India consider it necessary that the District Officer also should communicate to the Commanding Officer immediate information of any breach of the rules by men under his command that may be reported to the civil authorities. Cases have come to the notice of the Governor-General in Council in which the civil authorities have omitted to make a report upon such occurrences to the Officer Commanding the Regiment, who remained in ignorance of the affair until a report was called for from Army Headquarters or by the Government of India, or until the police inquiry had been completed. I am to request that, to enable the Commanding Officer of a Regiment or Detachment to take suitable notice of any infringement of the shooting pass rules, orders may be issued which will insure due information being communicated by the District Officer to the local Military authorities in cases which may come to his notice.

4. The revised rule lays down that Officers Commanding Stations and Officers Commanding troops about to march will communicate with the Civil District Officer in order to ascertain (a) in what localities shooting ought to be forbidden, and (b) what animals or birds are regarded by the inhabitants as sacred or are protected by rules relating to the establishment of a close season. There is, however, more continuity in the Civil District Offices, where the establishments, if not the officers are to a great extent permanent, than in Military Cantonments. With a view, therefore, to guarding against the provision of the rule being overlooked, I am to request that instructions may be issued to Commissioners and District Officers to the effect that on the arrival of a corps or detachment in a civil district, the District Officer shall at once certify to the Officer Commanding the corps or detachment what localities, animals and birds are forbidden for shooting purposes, either absolutely on account of the prejudices of the inhabitants, or for parts of the year in accordance with rules for close seasons. In defining tracts of country where shooting is to be allowed, the local officers should be directed to bear in mind the orders contained in Home Department Circular Letter No. 30-1012-1028, dated the 31st July, 1883, and to take care that no tracts are included where owing to the religious prejudices of the people, the agricultural circumstances of the district, or other sufficient causes, there would be risk of danger if free permission to shoot were accorded.

5. In the circular of the 31st July, 1883, referred to above, and in No. 18-1230-1239, dated the 31st July, 1891, Local Governments and Administrations were requested to instruct the District authorities to cause the shooting pass rules to be explained to villagers in the neighbourhood of

cantonments, and to warn such villagers against interfering with soldiers out shooting and using violence to them, and also against taking the law into their own hands in cases in which soldiers infringe the rules. The Governor-General in Council now directs that the substance of the revised rules, so far as they affect the villagers should be periodically notified in simple language in the villages and tracts where soldiers are in the habit of shooting and that District Officers should impress upon landlords, headmen and village police that they are expected to give their assistance in avoiding disputes with soldiers out shooting. The headmen and village police must see that soldiers conducting themselves properly are not molested, and that any complaints of misconduct are reported to the proper authorities. In cases in which notice of the probable advent of a shooting party has been sent to the District Officer under the revised rule, he should with as little delay as possible, send intimation to the headmen and village police (so far as this can be done) stating that a shooting pass has been issued and that they are to see that quarrels are avoided. Villagers should on no account take the law into their own hands, but should lodge any complaint they have to make in a legal manner.

6. In the circular from this (Home Department, No. 50/2349-58, dated the 14th October, 1887, the importance of conducting prompt investigation into cases of affrays between European soldiers and native villagers was inculcated; and it was desired that, on the occurrence of a serious affray, the District Magistrate should invariably either himself proceed to the place or at once depute an European Magistrate or the District Superintendent of Police in order to investigate the matter on the spot at the earliest possible time after the occurrence. I am now to request that instructions may be issued that the investigation of a case between natives and soldiers arising out of a shooting dispute should, whenever possible, be entrusted to an English Magistrate or Police Officer not lower in rank than Assistant Superintendent, and that when such cases come into Court they should be tried by the District or Joint Magistrate. In cases which are not cognizable by the police, or where the prosecution is not undertaken by the civil authorities, the civil District Officer shall inform the Commanding Officer of the Corps or Detachment concerned to that effect, for such action as the latter may consider fit to take.

7. In conclusion, I am to say that the Government of India think it desirable that each Commissioner, District and Sub-Divisional Magistrate should be furnished with a copy of the revised rules as a separate publication.

CHAPTER VII

THE CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL) RULES

PART I—General.

1. (1) These rules may be called the Civil Services (Classification, Control and Appeal) Rules.

(2) The Civil Services (Governors' Provinces) Classification Rules and the Civil Services (Governors' Provinces) Delegation Rules, 1926, are hereby cancelled

2 For the purposes of these rules, unless there is anything repugnant in the subject or context,—

(a) "Government" means the Governor-General in Council or a Local Government as the circumstances require

(b) Where a member of a service is referred to as appointed by an authority, the reference is to the authority which appointed him to the service of which he is for the time being a member

Provided that a member of a service who, prior to his appointment to such service, was appointed to the service of the Crown in India by an authority higher than the authority which appointed him to such service shall, if the higher authority so directs, be deemed for the purposes of these rules to have been appointed by the higher authority

3 These rules shall apply to every person in the whole time civil employment of a Government in India (other than a person so employed only occasionally or subject to discharge at less than one month's notice) except—

(a) persons for whose appointment and conditions of employment special provision is made by or under any law for the time being in force,

(b) railway servants as defined in section 3 of the Indian Railways Act, 1890, and other persons holding posts under the administrative control of the Railway Board or of the Financial Commissioner of Railways,

(c) persons in respect of whose conditions of service, pay and allowances, pension, discipline and conduct, or any of them, special provision has been made by agreement entered into before these rules were made or entered into thereafter in pursuance of the provisions of rule 46.

*Published in Part I of the *Gazette of India* of the 21st June, 1930, with the Home Department Notification No F-9/3/30-Estabts., dated the 19th June, 1930, as subsequently amended.

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Provided that in respect of any matter not covered by the provisions special to him, his service or his post, these rules shall apply to any person coming within the scope of exception (a) or (c) above to whom, but for these exceptions, the rules would otherwise apply:

Provided also that these rules shall apply to any person temporarily transferred to a service or post coming within exception (b) to whom, but for such transfer, these rules would otherwise apply.

4. Notwithstanding the provisions of the foregoing rule, the Government may by notification published in the "Gazette of India" or the local official Gazette—(1) Exclude wholly or in part from the operation of these rules any ministerial or petty officer or inferior servant, or any class of such officers or servants to whom the Government shall declare that the rules cannot suitably be applied, and these rules shall thereupon, to the extent of such exclusion, cease to apply accordingly. (2) declare in respect of any person or group of persons that these rules shall not apply in whole or in part to such person or group and these rules shall thereupon cease to apply accordingly

Provided that no declaration under sub-rule (2) of this rule shall be made in respect of any person who—

- (a) holds a pensionable post or
- (b) holds a permanent whole-time post or
- (c) was appointed by the Secretary of State in Council or the Governor-General in Council save by or with the sanction of the appointing authority

5 If any doubt arises—

- (a) as to whether these rules apply to any person, the matter shall be referred to the authority which appointed him,
- (b) as to whether any person to whom these rules apply belongs to a particular service, the matter shall be referred to the controlling authority of that service,
- (c) as to which of two or more services is the service to which a person to whom these rules apply belongs, the matter shall be referred to the highest authority among the controlling authorities of the services concerned,

and, in each case, the decision of the authority to whom the matter is referred shall be final.

6. The decision of the Secretary of State in Council shall be final on any question whether any rule, purporting to be made in exercise of the powers conferred by these rules was validly made or contravenes any of the provisions of these rules and the authority by which the rule was made shall give effect to any orders which may be passed by the Secretary of State in Council thereon

7. Where by these rules power is delegated to, or conferred upon, any authority to make rules regulating the classification, the methods of recruitment, the conditions of service, the pay, allowances and pensions,

or the discipline and conduct of any class of the Civil Services specified in Rule 14, the rules, notifications, and orders, by whatsoever authority made, regulating these matters in respect of that class which were in operation on the date these rules were made shall remain in operation except in so far as they may be inconsistent with these rules or may be specifically cancelled or modified in exercise of the aforesaid power by the authority to which it is delegated.

8. Nothing in these rules or in any rule made thereunder shall operate to deprive any person of any right or privilege to which he is entitled—

(a) by or under any law, or

(b) by the terms of any contract or agreement subsisting between such person and Government on the date these rules came into force.

9 (1) Subject to the provisions of Rule 8, nothing in any rule made under these rules shall operate to affect to the disadvantage of any person to whom these rules apply, the conditions of service in respect of pay, allowances, pensions or any other matter which are applicable to him—

(a) on the date these rules came into force, or

(b) by virtue of any order or rule made by the Secretary of State in Council,

unless—

(i) the rule has been made with the previous sanction of the Secretary of State in Council, or

(ii) the authority which made the rule had power on the 8th day of March, 1926, to make it, or

(iii) such person gives his consent

(2) For the purpose of this rule, a person who was holding a post on the aforesaid date, in an officiating or provisionally substantive capacity, and has been subsequently confirmed in such post without having reverted therefrom, shall be deemed to have been holding that post on that date.

10 Nothing in these rules or in any rule made under them shall be construed as authorising a Government otherwise than with the previous sanction of the Secretary of State in Council—

(1) to create a permanent post on a maximum rate of pay exceeding Rs. 3,000 a month or to increase the maximum pay of a sanctioned permanent post to an amount exceeding Rs. 3,000 a month,

(2) to create or continue a temporary post for a period exceeding six months if the pay of the post exceeds Rs. 4,000 a month, or for a period exceeding three years if the pay of the post exceeds Rs. 3,000 a month.

11 Nothing in these rules should be construed as authorising a local Government otherwise than with the previous sanction of the Governor-General in Council to institute or make rules regulating any Provident Fund.

12. Any rules made by a Government in exercise of power delegated under these rules may, for reasons to be recorded in writing, be relaxed in individual cases in which that Government is satisfied that a strict application of the rule would cause hardship to the individual concerned, but no such relaxation shall be made without the concurrence in writing of the Governor, or the Governor-General as the case may be.

13. (1) The local Legislature of any Governor's province is hereby authorised to make laws for the establishment, and for determining the functions, of a Commission to regulate the public services of the province ; but any such law shall be subject to the provisions of any rules made by the Secretary of State in Council under sub-section (2) of section 96-B or section 96-C of the Government of India Act for the time being in force, whether made before or after its enactment, and, if it is at the time of its enactment, or thereafter becomes repugnant to any such provision, shall, to the extent of that repugnancy, be void.

(2) No law enacted under the authority of this rule shall provide—

(a) for the appointment or renewal of the appointment or removal of any Member of such Commission otherwise than by the Governor, or

(b) for the exercise by the Commission with reference to any person in the Civil Service of the Crown in India, other than a member of a provincial specialist or subordinate service under the administrative control of the local Government—

(i) of any function in regard to disciplinary cases ;

(ii) of any other function save with the general or special approval of the Secretary of State in Council in the case of persons appointed by him and of the Governor-General in Council in other cases.

(3) In any law enacted under the authority of this rule there shall be inserted—

(a) provision that any person who has been a Member of a Commission set up by any such law shall, on vacating his office, be ineligible, or

(b) provision that, any such person shall, on vacating his office, be ineligible for such period as the Governor may prescribe, to hold any office under the Crown in India other than the office of Member of a Commission set up by any such law or under section 96-C of the Government of India Act.

PART II —Classification.

14. The public services in India shall be classified as follows:—

- (1) the All-India Services ,
- (2) the Central Services, Class I ;
- (3) the Central Services, Class II ;
- (4) the Provincial Services ;

- (5) the Specialist Services ,
- (6) the Subordinate Services

15. The All-India Services shall consist of—

- (a) members of the services included in Schedule I to these rules , and
- (b) persons who hold in a substantive capacity posts borne on the cadres of the services included in Schedule I.

16. The Central Services, Class I, shall consist of the services included in Schedule II to these rules

17. The Central Services, Class II, shall consist of such services (other than the services included in Schedules I and II) under the administrative control of the Governor-General in Council or the Local Government of a Province other than a Governor's Province, as the Governor-General in Council may from time to time declare by notification in the Gazette of India, to be included in the Central Services Class II. Provided that one of the services so included shall be entitled the General Service

18. The Provincial Services shall consist of such services (other than the services included in Schedule I) under the administrative control of the Local Government of a Governor's Province as the Local Government may from time to time declare by notification in the local official Gazette to be included in the Provincial Services of that Province. Provided that one of the services so included shall be entitled the General Service

19. The Specialist Services shall consist of such services (other than All-India, Central or Provincial Services) under the administrative control of the Governor General in Council or the Local Government of a Governor's Province, as the Governor General in Council or such Local Government may, from time to time by notification in the Gazette of India or local official Gazette declare to be Specialist Services. Provided that one of the services so included shall be entitled the General Service

20. The various Governments may make rules for the classification into subordinate services of persons to whom these rules apply and who are under their administrative control and are not already included in any of the services comprised in classes (1) to (5) of Rule 14

21. The controlling authority of every person to whom these rules apply shall, if he is not already so included, include him in a service under its control

22. No appointment of a person who is included in any one of the classes specified in Rule 14, to a service or post included in any other class shall operate to deprive him without his consent of any right or privilege to which he may have been entitled as a member of the former class, and a member of an All-India Service appointed to a service or post, included in another class shall not, by reason only of such appointment, cease to be a member of an All-India Service

PART III — All India Services

23. Save as provided by sections 99 and 100 of the Government of India Act, all first appointments to an All-India Service shall be made by

the Secretary of State in Council, and the rules regulating recruitment to the All-India Services shall be made by the Secretary of State in Council.

24. The strength, including both the number and character of posts, of every All-India Service shall be determined by the Secretary of State in Council, or in accordance with any rules made in this behalf by the Secretary of State in Council:

Provided that, subject to the limitation specified in Rule 10, the Governor-General in Council or a Local Government may make temporary additions to the cadre of an All-India Service for the performance of any duties of a temporary character.

25. The Governor-General in Council or the Local Government of a Governor's Province may leave a post borne on the cadre of an All-India Service unfilled for a period of three months. If it is intended to leave such a post unfilled for a period exceeding three months or if such a post has been left unfilled for a period exceeding three months, a report shall, subject to any rules made in this behalf by the Secretary of State in Council, forthwith be made to the Secretary of State and, if the Secretary of State in Council directs that the post be filled, the Governor-General in Council or the Local Government, as the case may be, shall proceed to fill it.

26. Rules regulating the conditions of service, the pay, and allowances and the pensions of members of the All-India Services shall be made by the Secretary of State in Council.

Provided that nothing in this rule shall invalidate any delegation of the power to make rules which was made before these rules came into force.

27. Save as provided by any law for the time being in force or by any rules or orders relating to an All-India Service made by the Secretary of State in Council, no person shall, without the previous sanction of the Secretary of State in Council, be appointed to any post borne on the cadre or reserved for members of an All-India Service except a person who is a member of such Service or is already substantively holding a post borne on the cadre or reserved for a member of such Service.

28. (1) Notwithstanding anything in Rule 27 of these Rules or in Rule VII of the Civil Services (Governors' Provinces) Classification Rules, the previous sanction of the Secretary of State in Council to the appointment of a person who is not a member of the Indian Service of Engineers to a Divisional post in the Public Works Department of Madras, Bombay and Assam or in the Irrigation Branches of that Department in Bengal, the United Provinces, the Punjab, Burma, Bihar and Orissa, and the Central Provinces, shall not be required, unless the total number of such posts in the province or branch concerned is less than the number of officers of that Service who hold the rank of Executive Engineer, but excluding from the former number any extra departmental posts which are not actually in operation and from the latter any officers who are unavailable owing to their being on leave or deputation or to their officiating in higher appointments.

This Rule shall have effect from 22nd December, 1920.

PART IV.—*Central Services, Class I.*

29. All first appointments—

(i) to the Indian Ecclesiastical Establishment, and

(ii) to the Indian Political Department,

shall be made by the Secretary of State in Council:

Provided that the Governor-General in Council may appoint a member of the Indian Civil Service or an officer holding the King's Commission in the Indian Army, or, for special reasons and with the prior approval of the Secretary of State in Council, a member of any other All-India Service, to the Indian Political Department.

30. Save as provided by Rule 29, all first appointments to the Central Services, Class I, shall be made by the Governor-General in Council.

31. (1) Rules regulating the methods of recruitment to the Indian Ecclesiastical Establishment and the Indian Political Department shall be made by the Secretary of State in Council.

(2) Save as provided in sub-rule (1), the power to make rules regulating the methods of recruitment to the Central Services, Class I, is hereby delegated to the Governor-General in Council.

32. (1) The strength, including both the number and character of posts of the Indian Ecclesiastical Establishment and the Indian Political Department shall be determined by the Secretary of State in Council, or in accordance with any rules made in this behalf by the Secretary of State in Council:

Provided that, subject to the limitations specified in Rule 10, the Governor-General in Council may make temporary additions to the cadres of the Indian Ecclesiastical Establishment or the Indian Political Department for the performance of any duties of a temporary character.

(2) Save as provided in sub-rule (1), the power to make rules to determine the strength, including both the number and character of posts, of the Central Services, Class I, is hereby delegated to the Governor-General in Council:

Provided that any modification of cadre which would adversely affect a person appointed by the Secretary of State in Council to any Central Service, Class I, shall require the previous sanction of the Secretary of State in Council.

33. (1) Rules regulating the conditions of service, the pay and allowances and the pensions of officers of the Indian Ecclesiastical Establishment and the Indian Political Department, rules regulating the pensions of members of the Central Services, Class I, appointed by the Secretary of State in Council and rules regulating the pensions of members of the Central Services, Class I, in respect of any period of office as Member or temporary member of the Executive Council of the Governor-General or of a Governor shall be made by the Secretary of State in Council:

Provided, that nothing in this rule shall invalidate any delegation of the power to make rules which was made before these rules came into force.

(2) Save as provided in sub-rule (1), the power to make rules regulating the conditions of service, the pay and allowances, and the pensions of members of the Central Services, Class I, is hereby delegated to the Governor-General in Council.

PART V.—Central Services, Class II.

34. All first appointments to the Central Services, Class II, shall be made by the Governor-General in Council or by an authority empowered by the Governor-General in Council in this behalf.

35. The power to make rules regulating the methods of recruitment to the Central Services, Class II, is hereby delegated to the Governor-General in Council.

36. The power to make rules to determine the strength, including both the number and character of posts, of the Central Services, Class II, is hereby delegated to the Governor-General in Council.

37. The power to make rules regulating the conditions of service, the pay and allowances and the pensions of members of the Central Services, Class II is hereby delegated to the Governor-General in Council.

Provided that rules regulating the pensions of members of such services in respect of any period of Office as Member or Temporary Member of the Executive Council of the Governor-General or of a Governor shall be made by the Secretary of State in Council.

PART VI — Provincial Services.

38. All first appointments to a Provincial Service shall be made by the Local Government or by an authority empowered by the Local Government in this behalf.

Provided that the previous sanction of the Governor-General in Council shall be required to—

- (a) the appointment to a Provincial Service of any person who is not either a British subject or the subject of a State in India ;
- (b) the making of an appointment to a Provincial Service which will adversely affect any person who was a member of such service on the 9th day of March, 1926 ;
- (c) the making of first appointments to a Provincial Service otherwise than (i) by transfer or promotion from another provincial service, whether in the same or in a different province, or by promotion from a subordinate service, or (ii) on the result of a competitive examination, or (iii) after consulting a permanent Board of Selection appointed by the Local Government or a Commission established by a law made under the authorisation conferred by Rule 13 or the Public Service Commission established in accordance with the provisions of section 96-C of the Government of India Act, or (iv) in accordance with arrangements approved by the Governor-General in Council ; and

- (d) the fixing of standards for admission to any existing Provincial Service, lower than the standards regulating admission to that service on the 9th day of March, 1926.

39. Subject to the provisions of Rule 38, the power to make rules regulating the method of recruitment to Provincial Services is hereby delegated to the Local Governments of Governors' Provinces.

40. (1) The power to make rules to determine the strength, including both the number and character of posts, of a Provincial Service in any Governor's Province is hereby delegated to the Local Government:

Provided that no increase of such posts, if it would adversely affect any person who was a member of the corresponding All-India Service on the 9th day of March, 1926, shall be made without the previous sanction of the Secretary of State in Council.

Provided also that a reduction in the number of posts in a Provincial Service, if it would adversely affect any person who was a member of such service on the 9th day of March, 1926, shall not be made without the previous sanction of the Governor-General in Council.

(2) For the purposes of this rule and of Rule 38, a person who was, on the 9th day of March, 1926, holding in an officiating or provisionally substantive capacity a post belonging to a particular service and has been subsequently confirmed in such post without having reverted therefrom, shall be deemed to have been a member of that service on that date.

41. The power to make rules regulating the conditions of service, the pay and allowances, and the pensions of a Provincial Service in any Governor's Province is hereby delegated to the Local Government:

Provided that rules regulating—

- (a) the pay of members of such Services while officiating in posts borne on the cadre of an All-India Service ; or
- (b) the pensions of members of such Services in respect of any period of office as Member or Temporary Member of the Executive Council of the Governor-General or of a Governor—

shall be made by the Secretary of State in Council.

PART VII.—*Specialist Services.*

42. The Governor-General in Council and the Local Government of a Governor's Province may determine the posts to be held by members of the Specialist Services, and may appoint persons to hold them, and may make rules prescribing the conditions of service, the pay and allowances, and the pensions, if any, of the incumbents of such posts:

Provided that no such post, if its creation would adversely affect any member of an All-India Service or of a service specified in Rule 28 or Rule 29, or any member of the Superior Telegraph Engineering and Wireless Branches of the Indian Posts and Telegraphs Department appointed by the Secretary of State in Council, shall be created without the previous sanction of the Secretary of State in Council,

PART VIII.—Saving for Military Officers.

43. Notwithstanding anything contained in Part IV, Part V, Part VI, Part VII or Part XII—

- (a) rules regulating the methods of recruitment of officers holding the King's Commission on the active list of the Regular Army, the Bengal Air Force and the Royal Indian Marine to any Central Service, Class I or Class II, or to any Provincial Service, and rules regulating the conditions of service, the pay and allowances and the pensions and the conduct of such officers in any such service or in any Specialist Service shall be made by the Secretary of State in Council:

Provided that nothing in this clause shall invalidate any delegation of the power to make rules which was made before these rules came into force.

- (b) the number and character of posts for the time being filled by such officers in any Central, Provincial or Specialist Service shall not be altered without the previous sanction of the Secretary of State in Council:

Provided that, subject to the limitations specified in Rule 10, the Governor-General in Council or Local Government may add temporarily to the number of such posts for the performance of duties of a temporary nature.

PART IX.—Subordinate Services.

44. The power to make rules providing for the following matters in respect of subordinate services under the administrative control of a Government is hereby delegated to such Government, namely:

- (a) the making of first appointments,
- (b) the methods of recruitment,
- (c) the number and character of posts, and
- (d) conditions of service, pay and allowances and pensions.

PART X.—Transfers to Foreign Service.

45. No rule made under the power delegated by Rule 41, Rule 42, or Rule 44 shall permit of—

- (a) a transfer of any person to foreign service without his consent ;
- (b) the transfer of any person to foreign service outside India (or in the case of a transfer by the Madras Government to foreign service outside India or Ceylon) save with the previous sanction of the Governor-General in Council ;
- (c) the transfer of any person to foreign service in a State in India save in accordance with such restrictions as the Governor-General in Council may from time to time impose.

PART XI.—Special Provisions by Agreements.

46. (1) When in the opinion of the controlling authority special provisions inconsistent with any of these rules or of any rules made thereunder

are required in respect of the conditions of service, pay and allowances, and pension, discipline and conduct with reference to any particular post, or any of them, it shall be open to the controlling authority subject to the provisions of Rule 10, but notwithstanding anything otherwise contained in these rules, to provide by agreement with the person appointed to such post for any of the matters in respect of which in the opinion of the controlling authority special provisions are required to be made, and to the extent to which such provisions are made in the agreement nothing in these rules or in any rules made thereunder shall apply to any person so appointed in respect of any matter for which provision is made in the agreement:

Provided that in every agreement made in exercise of the power conferred by this rule by any controlling authority, it shall further be provided that in respect of any matter in respect of which no provision has been made in the agreement, the provisions of the foregoing rules or of rules made thereunder shall apply.

(2) When in a case to which sub-rule (1) applies, the controlling authority is an authority other than the Secretary of State in Council, it shall be open to the controlling authority, in lieu of exercising the power conferred by sub-rule (1), to request the Secretary of State in Council to enter into an agreement of the nature referred to in sub-rule (1), and it shall be open to the Secretary of State in Council on receipt of such request to enter into such agreement, whereupon all the provisions of sub-rule (1) shall apply in like manner as they apply in the case of an agreement entered into by the authority.

(3) Any agreement of the nature referred to in sub-rule (1) or sub-rule (2) may provide that the person with whom it is made shall not, save in circumstances stated in the agreement, be dismissed otherwise than on payment to him of compensation by the controlling authority or the Secretary of State, as the case may be

PART XII.—*Conduct and Discipline.*

47. Rules regarding the conduct of members of the All-India Services and of the Indian Political Department and the Indian Ecclesiastical Establishment shall be made by the Secretary of State in Council. The Secretary of State in Council may declare that these rules, or any of them, with or without modification, shall be applicable to any other service.

48. (1) The Governor-General in Council may make rules to regulate the conduct of members of the Central Services, Classes I and II (except the Indian Political Department and the Indian Ecclesiastical Establishment), of the Specialist Services and of the Subordinate Services under his administrative control.

(2) The Local Government of a Governor's Province may make rules to regulate the conduct of members of the Provincial Services, Specialist Services and Subordinate Services, under its administrative control.

(3) No Rule made in exercise of the power delegated by this rule shall contravene any provision contained in any rules made by the Secretary of State in Council—

(a) under clause (a) of Rule 43 ; or

- (b) which have been declared under Rule 47 to be applicable to the service concerned

49. The following penalties may, for good and sufficient reason and as hereinafter provided, be imposed upon members of the services comprised in any of the classes (1) to (5) specified in Rule 14, namely:—

- (i) Censure.
- (ii) Withholding of increments or promotion, including stoppage at an efficiency bar.
- (iii) Reduction to a lower post or time-scale, or to a lower stage in a time-scale.
- (iv) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders.
- (v) Suspension.
- (vi) Removal from the civil service of the Crown, which does not disqualify from future employment
- (vii) Dismissal from the civil service of the Crown, which ordinarily disqualifies from future employment.

Explanation. The discharge --

- (a) of a person appointed on probation, during the period of probation,
- (b) of a person appointed otherwise than under contract to hold a temporary appointment, on the expiration of the period of the appointment,
- (c) of a person engaged under contract, in accordance with the terms of his contract,

does not amount to removal or dismissal within the meaning of this rule.

50. No member of an All-India Service, and no person holding the King's Commission or appointed by the Secretary of State in Council shall be removed or dismissed except by order of the Secretary of State in Council.

51. No officer holding the King's Commission on the active list of the Regular Army and the Royal Indian Marine shall be reverted from his civil employment except by order of the Governor-General in Council.

52. Subject to the provisions of these rules, the Governor-General in Council or the Local Government of a Governor's Province may impose—

- (a) any of the penalties specified in clauses (i) to (v) of Rule 49 on any person included in any of the classes (1) to (5) specified in Rule 14 who is serving under the administrative control of the Governor-General in Council or the Local Government, as the case may be,
- (b) the penalty specified in clause (vi) or in clause (vii) on any such person not being one of those referred to in Rule 50.

53. Subject to such conditions, if any, as he may prescribe, the Governor-General in Council may delegate—

- (a) to a Chief Commissioner his power to impose any of the penalties specified in clauses (i) to (v) of Rule 49 on members of services under the administrative control of the Chief Commissioner,
- (b) to any authority subordinate to him his power to impose any of the penalties specified in clauses (i) to (v) of that rule on members of Specialist Services.
- (c) to any authority subordinate to him his power to impose any of the penalties specified in that rule on members of a Central Service, Class II.

54. The power to make rules prescribing the penalties that may be imposed on members of Subordinate Services under the administrative control of a Government, the authorities which may impose such penalties, the appeals which may be preferred from orders imposing such penalties, the conditions subject to which and the authorities by which such orders may be reversed or altered in cases in which no appeal lies or in which no appeal is preferred, is hereby delegated to such Government:

Provided that, when such rules empower a subordinate authority to impose a penalty, provision shall be made in the rules for at least one appeal to a higher authority from an order imposing such penalty.

55. Without prejudice to the provisions of the Public Servants Inquiries Act, 1850,* no order of dismissal, removal or reduction shall be passed on a member of a Service (other than an order based on facts which have led to his conviction in a criminal court) unless he has been informed in writing of the grounds on which it is proposed to take action, and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case. He shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires or if the authority concerned so directs, an oral inquiry shall be held. At that inquiry oral evidence shall be heard as to such of the allegations as are not admitted, and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called, as he may wish, provided that the officer conducting the inquiry may, for special and sufficient reason to be recorded in writing, refuse to call a witness. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof.

This rule shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him. All

*Printed on page 38, ante.

or any of the provisions of the rule may, in exceptional cases, for special and sufficient reasons to be recorded in writing, be waived, where there is a difficulty in observing exactly the requirements of the rule and those requirements can be waived without injustice to the person charged.

PART XIII.—*Appeals.*

56. Every person included in one of the classes (1) to (5) specified in Rule 14 shall be entitled to appeal, as hereinafter provided, from an order passed by an authority in India—

- (a) imposing upon him any of the penalties specified in Rule 49 ;
- (b) discharging him in accordance with the terms of his contract if—
 - (i) he has been engaged on an annual contract or a contract for an indefinite period and has rendered under either form of contract continuous service for a period exceeding five years at the time when his services are terminated ; or
 - (ii) he comes under the provision of Rule 58 (3).

Provided that a person appointed by the Governor-General in Council shall have no right of appeal from an order passed by the Governor-General in Council.

57. (1) A member of an All-India Service may appeal from the order of a Local Government to the Governor-General in Council, and from an order, original or appellate, of the Governor-General in Council to the Secretary of State in Council.

(2) A member of a Central Service, who was appointed by the Secretary of State in Council, or is an officer holding the King's Commission on the active list of the Regular Army, the Royal Air Force or the Royal Indian Marine and a member of a Specialist Service under the administrative control of the Governor-General in Council who was appointed by the Secretary of State in Council, may appeal from an order passed by an authority subordinate to the Governor-General in Council (which expression in this rule includes a Chief Commissioner) to the Governor-General in Council, and from an order, original or appellate, of the Governor-General in Council to the Secretary of State in Council.

(3) A member of a Central Service appointed by the Governor-General in Council, or a member of a Specialist Service appointed by the Governor-General in Council, may appeal to the Governor-General in Council from an order passed by an authority subordinate to the Governor-General in Council.

(4) A member of a Central Service appointed by an authority subordinate to the Governor-General in Council may appeal to such authority from an order passed by an authority subordinate to it, and to the Governor-General in Council from an original order passed by the authority which appointed him.

(5) A member of a Provincial Service, or a member of a Specialist Service under the administrative control of the Local Government of a Governor's Province, may appeal to the Governor from an order passed by the Local Government :

Provided that any such person who was appointed by the Secretary of State in Council shall be entitled as an alternative to the appeal to the Governor to appeal to the Governor-General in Council, and, if his pay, as defined in the Fundamental Rules, is not less than Rs 500 per mensem, thereafter to the Secretary of State in Council

Provided also that any Deputy Collector to whom the provisions of section 25 of Bengal Regulation IX of 1833, apply shall be entitled as an alternative to the appeal to the Governor to appeal to the Governor-General in Council

Provided also that any officer holding the King's Commission on the active list of the Regular Army the Royal Air Force or the Royal Indian Marine may appeal to the Governor General in Council and thereafter to the Secretary of State in Council

58. (1) Every member of a service other than a subordinate service shall be entitled to appeal to the authority hereinafter specified against any order passed by an authority subordinate to the said authority which—

(a) alters to his disadvantage his conditions of service pay allowances or pension as regulated in rules or in a contract of service or

(b) interprets to his disadvantage the provisions of any rules or contract of service whereby his conditions of service pay allowances or pension are regulated

(2) The authority hereinbefore referred to shall be the authority which made the rule to which the order under appeal relates or in the case of an appeal relating to a contract of service the authority which appointed the appellant. Provided that where the rule or the appointment was made by the Local Government of a Governor's Province the appeal shall lie to the Governor

(3) Every person appointed by the Secretary of State in Council shall be entitled to appeal to the Secretary of State in Council against an order of any subordinate authority terminating his employment or giving notice of such termination otherwise than on his reaching the age of superannuation

59. In the case of an appeal against an order imposing any penalty specified in Rule 49 the appellate authority shall consider

(a) whether the facts on which the order was based have been established

(b) whether the facts established afford sufficient ground for taking action, and

(c) whether the penalty is excessive adequate or inadequate and after such consideration shall pass such order as it thinks proper

60. In the case of an appeal against an order under Rule 58, the appellate authority shall pass such order as appears to it just and equitable, having regard to all the circumstances of the case.

61. An authority from whose order an appeal is preferred under these rules shall give effect to any order made by the appellate authority.

62. Every person preferring an appeal shall do so separately and in his own name.

63. Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, shall contain no disrespectful or improper language, and shall be complete in itself. Every such appeal shall be submitted through the head of the office to which the appellant belongs or belonged and through the authority from whose order the appeal is preferred.

64. An appeal may be withheld by a Local Government or the Governor-General in Council if—

- (1) it is an appeal in a case in which, under these rules, no appeal lies, or
- (2) it does not comply with the provisions of Rule 63, or
- (3) it is not preferred within six months after the date on which the appellant was informed of the order appealed against, and no reasonable cause is shown for the delay, or
- (4) it is a repetition of a previous appeal and is made to the same appellate authority by which such appeal has been decided, and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case:

Provided that in every case in which an appeal is withheld the appellant shall be informed of the fact and the reasons for it:

Provided also that an appeal withheld on account only of failure to comply with the provisions of Rule 63 may be resubmitted at any time within one month of the date on which the appellant has been informed of the withholding of the appeal, and, if resubmitted in a form which complies with those provisions, shall not be withheld.

65. No appeal shall lie against the withholding of an appeal by a competent authority.

66. Every appeal from a person serving under a Local Government to the Governor-General in Council or the Secretary of State in Council which is not withheld under these rules shall be forwarded by the Local Government to the Governor-General in Council with an expression of opinion. Every appeal to the Secretary of State in Council which is received by the Governor-General in Council from a Local Government or from the head of a department under the Governor-General in Council and which is not similarly withheld shall be transmitted by the Governor-General in Council with an expression of his opinion.

67. The Local Government shall forward quarterly to the Governor-General in Council a list of appeals to the Governor-General in Council or the Secretary of State in Council which have been withheld by the Local Government together with the reasons for withholding the same. The Governor-General in Council shall, in the same manner, forward quarterly to

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the Secretary of State a list of appeals to the Secretary of State in Council which have been withheld by a Local Government or by the Governor-General in Council.

68. The Secretary of State in Council may call for any appeal withheld by a Local Government or the Governor-General in Council which, under these rules may be made to him, and may pass such orders thereon as he considers fit ; and the Governor-General in Council may call for an appeal withheld by a Local Government which, under these rules, may be made to him, and may pass such orders thereon as he considers fit.

69. Nothing in these rules shall operate to deprive any person of any right of appeal, which he would have had if these rules had not been made, in respect of any order passed before they came into force. An appeal pending at the time when, or preferred after, these rules came into force shall be deemed to be an appeal under these rules, and Rules 59 or 60 (as the case may be) and 61 shall apply as if the appeal were against an order appealable under these rules.

SCHEDULE I—ALL-INDIA SERVICES—(See RULE 15.)

- (1) Indian Civil Service.
- (2) Indian Police.
- (3) Indian Agricultural Service
- (4) Indian Educational Service
- (5) Indian Forest Service.
- (6) Indian Forest Engineering Service.
- (7) Indian Medical Service (Civil)
- (8) Indian Service of Engineers.
- (9) Indian Veterinary Service
- (10) Indian General Service.

SCHEDULE II—CENTRAL SERVICES, CLASS I—(See RULE 16.)

1. Indian Audit and Accounts Service
2. Mint and Assay Departments
3. Imperial Customs Service.
4. Superior Telegraph Engineering and Wireless Branches of the Indian Posts and Telegraphs Department.
5. Indian Posts and Telegraph Traffic Service (Class I).
6. Geological Survey of India (Class I).
7. Indian Metereological Service (Class I).
8. Mines Department (Class I)
9. Archæological Department.
10. Zoological Survey of India.
11. Survey of India, Class I.
12. Indian Ecclesiastical Establishment.
13. Political Department of the Government of India.
14. Medical Research Department (excluding Indian Medical Service Officers).
15. Opium Department (excluding officers who joined the Department after the 2nd April, 1907).
16. Bengal Pilot Service.

17. Income-Tax Service (Class I).
18. Northern India Salt Revenue Service (Class I).
19. Imperial Secretariat Service (Class I).
20. General Central Service (Class).

Government of Punjab, Notification No. 24376, dated the 16th August, as amended by Notifications—(i) no 31991, dated the 1st November, 1930, and (ii) no 5927, dated the 27th February 1933

No. 24376.—In exercise of the powers conferred by rules 48 (2) and 54 of the Civil Services (Classification, Control and Appeal) Rules, published with the Government of India, Home Department, notification No F 9/3/30, dated the 19th June, 1930, the Governor in Council and the Governor acting with his Ministers is pleased to make the following rules relating to the Subordinate Services under the administrative control of the Government of the Punjab —

RULES

1. **Short title and extent.** (1) These rules may be called the Punjab Subordinate Services Punishment and Appeal Rules 1930

(2) They shall apply to all Subordinate Services under the administrative control of the Government of the Punjab

(3) They shall come into force at once

2. **Definitions.** In these rules unless there is anything repugnant in the subject or the context—

(a) Government means the Government of the Punjab

(b) Head of Department means the officer prescribed as the Head of Department in Appendix E to the Punjab Budget Manual in the case of each department under the administrative control of Government

3. **Penalties.** The following penalties may for good and sufficient reasons and as hereinafter provided, be imposed upon any member of a subordinate service, namely,—

(a) censure

(b) withholding of increments or promotion including stoppage at an efficiency bar

(c) reduction to a lower post or time scale or to a lower stage in a time scale,

(d) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence of orders

(e) suspension

(f) removal from the service of Government which does not disqualify from future employment,

(g) dismissal from the service of Government which disqualifies from future employment

Explanation—(1) The discharge

(a) of a person appointed on probation, during the period of probation,

(b) of a person appointed otherwise than under contract to hold a temporary appointment on the expiration of the period of the appointment

(c) of a person engaged under contract, in accordance with the terms of his contract, does not amount to removal or dismissal within the meaning of this rule

(2) Government has the power to accord sanction to the further employment, in any department of the public service, of an officer dismissed from Government service

Notes—(i) The penalty of removal may be inflicted upon a member of a subordinate service for such a cause as general unfitness for the duties of his office

(ii) The penalty of dismissal should only be inflicted for the gravest misconduct, or as the culminating result of continued misconduct, indicating complete unfitness for the public service. A person who succeeds in obtaining employment in Government service by the concealment of his antecedents would also merit dismissal on discovery of the true facts. In inflicting this penalty regard should be paid to the length of service of the offender and his claim to pension

(iii) As a precaution against the inadvertent re-employment of a dismissed officer, it should be ascertained whether an applicant for an appointment has been in Government service before, and, if the circumstances relating to his discharge are not clear, reference

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should be made to his last employer. The applicant should be required to produce a copy of his character book or other record of service.

4 Authorities who may impose penalties. Subject to the provisions of these rules, the authorities competent to impose any of the penalties specified in rule 3 upon members of a subordinate service shall be prescribed by Government for every department under its administrative control in the classification rules for such department.

5 Authority empowered to order removal or dismissal. No member of a subordinate service shall be removed or dismissed except by order of the authority by which such member was appointed.

6 Inquiry before imposition of certain penalties. (1) Without prejudice to the provisions of the Public Servants (Inquiries) Act, 1850, no order of dismissal, removal or reduction shall be passed against a member of a subordinate service other than in order based on facts which have led to his conviction in a criminal court unless he has been informed in writing of the grounds on which it is proposed to take action, and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case. He shall be required within a reasonable time, to put in written statement of his defence and to state whether he desires to be heard in person. If he so desires or if the authority so direct, an inquiry shall be held. At the inquiry oral evidence shall be heard as to such of the allegations as are not admitted, and the person charged shall be entitled to cross-examine the witnesses to give evidence in person and to have such witnesses called as he may wish provided that the officer conducting the inquiry may for special and sufficient reasons to be recorded in writing, refuse to call a witness. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof.

Provided that

(a) this sub-rule shall not apply where the person concerned has absconded or where it is for other reasons impracticable to communicate with him.

(b) all or any of the provisions of the sub-rule may, in exceptional cases for special and sufficient reasons to be recorded in writing, be waived when there is a difficulty in observing exactly the requirements of the sub-rule and the requirements can be waived without injustice to the person charged.

(2) No member of a subordinate service who is called upon to produce his defence as to charges which form the subject matter of an enquiry against him shall be allowed to engage counsel.

Provided that if the charge or charges are likely to result in the dismissal of the member of a subordinate service such member may, with the sanction of the enquiring officer, be represented by counsel.

Provided further that if in an enquiry counsel is engaged on behalf of any department of Government, the member of a subordinate service against whom the charges are being enquired into, shall be entitled to engage counsel.

7 Right of appeal. Subject to the provisions of these rules members of a subordinate service upon whom any of the penalties specified in rule 3 have been imposed by competent authority, shall be entitled to appeal to such superior authority as is prescribed by Government for every department under its administrative control in the classification rules for such department.

8 Right of revision. After an appeal or the second appeal provided in rule 11 if any, has been rejected the member of the subordinate service concerned may apply for revision to such superior authority as is prescribed by Government for every department under its administrative control in the classification rules for such department.

Provided that the power of revision shall be exercised only

(a) if the appellate authority is one other than Government; and

(b) only on the ground of material irregularity in the proceedings of the enquiring or appellate authority or on the discovery of new and important matter or evidence which after the exercise of due diligence was not within the knowledge of the petitioner or could not be produced by him when the orders were made against him or on account of some mistake or error apparent on the face of the record.

Provided further that Government may at any time revise any order passed by it in exercise of its appellate powers under these rules.

9 **Orders which may be passed by appellate authority and effect to be given.** (1) In the case of an appeal against an order imposing any penalty specified in rule 3, the appellate authority shall consider—

- (a) whether the facts on which the order was based have been established,
 - (b) whether the facts established afford sufficient ground for taking action, and
 - (c) whether the penalty is excessive, adequate, or inadequate,
- and after such consideration shall pass such order as it thinks proper, either confirming the order appealed against or remitting, reducing or increasing the penalty.

Provided that no penalty shall be increased unless opportunity is given to the official concerned to show cause why such penalty should not be increased.

(2) An authority from whose order an appeal is preferred under these rules shall give effect to any order made by the appellate authority.

10 **Power of a superior authority to review the proceedings of an inferior authority.** The head of a department may call for the records of any penalty inflicted by an authority subordinate to him and after making further investigation, if necessary may confirm, remit, reduce or subject to the provisions of the proviso to sub-rule (1) of rule 9 increase the penalty.

11 **Second appeal when a penalty is increased.** In all cases in which an appellate authority other than Government increases the penalty inflicted by an authority subordinate to the appellate authority upon a member of a subordinate service such member shall be entitled to submit a second appeal to the authority prescribed by Government for every department under its administrative control in the classification rules for such department.

12 **Prohibition as to collective appeals.** Every member of a subordinate service preferring an appeal shall do so separately and in his own name.

13 **Manner of presentation of appeals.** Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, shall contain no defective or improper inclusions and shall be complete in itself, and every such appeal shall be submitted through the head of the office to which the appellant belongs or belongs and through the authority from whose order the appeal is preferred.

14 **Withholding of appeals.** (1) An appeal may be withheld by an authority subordinate to Government if—

- (a) it is an appeal in a case in which under these rules no appeal lies;
- (b) it does not comply with the provisions of rule 13;
- (c) it is not preferred within sixty days after the date on which the appellant was informed of the order appealed against and no sensible cause is shown for the delay;
- (d) it is a repetition of a previous appeal and is made after the appellate authority by which such appeal has been decided and no new facts or circumstances are adduced which afford ground for reconsideration of the case.

Provided that in every case in which an appeal is withheld the appellant shall be informed of the fact and the reasons for it.

Provided further that an appeal withheld on account only of failure to comply with the provision of rule 13 may be re-submitted at any time within one month of the date on which the appellant has been informed of the withholding of the appeal, and, if re-submitted in a form which complies with these provisions shall not be withheld.

(2) No appeal shall be made against an order withholding an appeal passed by a competent authority.

(3) Any appellate authority may call for the record of any appeal withheld by an authority subordinate to it, and may order the rule to be made to it and may pass such order thereon as it considers fit.

15 **Saving of existing rights of appeal.** Nothing contained in these rules shall operate to deprive any member of a subordinate service of any right of appeal which he would have had if these rules had not been made, in respect of any order made before these rules came into force.

CHAPTER VIII. LOCAL RULES—BIHAR AND ORISSA.

1. **1. Certificates of Domicile in Bihar and Orissa.** *B. and O. Cir. No. 1111-1025-A, dated the 12th Feb. 1923.*—Complaints have from time to time been made that certificates of domicile are sometimes granted without sufficient enquiry or on inadequate grounds, and the local Government have considered it advisable again to review the subject, and to consider how far the existing orders are fitted to secure the object in view. I am directed to enclose a revised set of rules which will supersede those approved in Circular No. 11-A., dated the 2nd September 1918, and to communicate certain general observations with regard to them.

2. When an applicant for a certificate claims to be domiciled in Bihar and Orissa, he asserts the existence of a fact, and the burden of proof is on him to make good his assertion. What is claimed is that he has taken up his abode in some part of the province with the intention of making it his permanent home, and before any certificate is granted the reality of his intention should be tested by all available means. The enquiry therefore should not be perfunctory but full and searching. The danger to be guarded against is that persons desirous of obtaining Government appointment in Bihar and Orissa may put forward claims which are not well founded, and may endeavour to support them by producing the kind of evidence which is usually accepted as proof of domicile. Thus for example a person claiming to be domiciled in a particular district might usually be expected to possess a permanent residence in that district. On the other hand it is obvious that a person wishing to support a fictitious claim would naturally arrange to acquire a place of residence before presenting it. The same sort of considerations apply as regards the education of an applicant's children in Bihar and Orissa, a circumstance which is also mentioned in rule (v) of the 1918 rules as possessing evidential value. All facts of this kind have a double aspect. If the applicant has no place of residence in the district where he claims to be domiciled, or if he has sent his children to be educated in institutions outside the province, these are facts which require to be explained before the claim is admitted. But the contrary facts are not by any means conclusive in his favour; they have to be considered along with all the circumstances of the case, and when the domicile claimed is of recent origin their evidential value is much diminished.

3. The 1918 rules applied only to appointments not filled under special rules or orders, and the application of Part I, of the new rules is similarly limited. No change of substance has been made in this Part. But the rules in Part II, regarding the grant of certificates, are of general application. The procedure to be followed has now been laid down in detail with the object of preventing the grant of certificates without proper enquiry. The important points are—

(1) A regular proceeding is necessary in every case. (2) The opinion of leading local residents is to be taken. (3) The reasons

which are held to justify the grant of a certificate are to be stated fully in the proceeding and more briefly in the certificate itself.
 (4) A register of all certificates granted is to be maintained.

PART I.—RULES FOR THE GUIDANCE OF OFFICERS MAKING APPOINTMENTS TO MINISTERIAL OR OTHER POSTS IN BIHAR AND ORISSA.

N. B.—These rules apply to all appointments not made under any special rules or orders.

1 All vacancies, whether permanent or temporary, which are not filled by promotion from within the same office or by the appointment of a probationer already admitted to the office in conformity with these rules should be duly advertised in the *Bihar and Orissa Gazette*.

The notification in the gazette will be in the following form :—

1. Office.
2. Post vacant and pay.
3. Qualifications required
4. Officer to whom application should be made
- 5 Date by which application should be submitted.

The date given in column 5 must not be less than 14 days from the date of the publication of the gazette, and it shall be the duty of the Press Reader in charge of the gazette to see that the date is correct, and to bring to the notice of the office issuing an advertisement any case in which this rule is not observed. All such advertisements should reach the Press at Gulzarbagh not later than 12 noon on the Tuesday preceding the date of publication.

[The press will supply spare copies of the advertisement to the Secretaries of such Bar Libraries as he may consider necessary. He will also send an abbreviated form of the advertisement to such newspapers* as he may consider suitable].

2. No person who is not a native of, or domiciled in, the province should be appointed to any post whether permanent or temporary, carrying a pay of Rs. 25 a month or over without the sanction of the local Government, obtained through the proper channel; nor should any such person be appointed to any post carrying a pay of less than Rs. 25 a month without the sanction of the authority immediately superior to the officer making the appointment. This rule is equally applicable to the cases of all non-domiciled persons whatever be the country of their origin, including such of them as may already hold an appointment in another Government office in Bihar and Orissa.

(3) A statement in Form A giving full particulars relating to all applicants together with a copy of the notice advertising the vacancy should be submitted with the applications for sanction under rule 2.

(4) The operation of rules 1 and 2 may be suspended temporarily in cases of a really urgent nature, the circumstances of each such case being reported as soon as possible to the authority whose

* For list of newspaper, vide page 128 post.

The para. within brackets has been substituted by cir no. 111-54A, dated the 6th January, 1932.

sanction ought to have been obtained under rule 2, whose decision shall prevail.

(5) No person should be regarded as domiciled in the province unless he can produce a certificate to that effect from the district officer of the district in which he claims to be resident.

(6) A list should be prepared and maintained in each office of all new appointments, whether permanent or temporary, made since its first establishment on the creation of the province, and a return in Form B of the appointments made during each year should be submitted to the local Government in the administrative department on or before the 15th of February of the following year.

PART II.—RULES REGARDING CERTIFICATE OF DOMICILE.

N. B.—These rules apply to certificates of domicile granted under rule (5) above and also to those granted under any special rules or orders of the local Government.

(7) When a district officer receives an application for a certificate of domicile, a regular proceeding should be drawn up, and the applicant should be required to state fully the grounds of his claim.

(8) When any person claims to be domiciled in Bihar and Orissa the burden of proof lies on him to establish the fact by satisfactory evidence, and the enquiry should be full and sifting. No certificate should be granted unless the district officer is satisfied that the family is permanently settled in the province, that the applicant has adopted it as his home and that he has no intention of returning to his country of origin.

(9) Special care is necessary in scrutinizing applications for certificates when the domicile claimed is of recent origin, since attempts are sometimes made to produce evidence of domicile as a qualification for appointment. The fact that the family owns a place of residence in the province, or that the children have been educated in schools and colleges in the province is not by any means conclusive, but should be considered along with all the circumstances of the case. Residence merely for the purpose of carrying on a business or trade, or for the performance of the duties of a public office, should not be regarded as establishing a claim to domicile. Permanence, too, requires evidence of the persistence of the intention over some period of time; the mere declaration of intention is not sufficient; there should be continuing evidence of actual effect having, in fact, been given to it.

(10) Before giving a certificate the district officer should, if the claim appears to him to be open to any reasonable doubt, ascertain the opinion of leading local residents on the subject.

(11) The reasons which have satisfied the District officer as to the validity of the claim should be fully stated in the proceeding, and should also be more briefly recited in the certificate itself.

(12) A register in Form C should be maintained in every district showing the certificates granted and briefly the reasons for the grant.

CERTIFICATES OF DOMICILE.

FORM A. [REFERRED TO IN RULE (3).]

Statement giving particulars of candidates:—

1. Serial No.— 2. Description of post to which it is proposed to appoint.—
3. Name of applicant.— 4. Home district and district of domicile, if any.— 5. Age.—
6. Educational or other qualifications.— 7. Previous experience, if any.— 8. Summary of certificates of character mentioning names of persons who gave them.—
9. Remarks of the officer authorised to make the appointment as to why he wishes to appoint or reject the candidate.

FORM B (VIDE RULE (6)) ANNUAL RETURN SHOWING NATIONALITY OF OFFICERS SELECTED TO FILL NEW APPOINTMENTS.

Period	BIHARIS.		ORISSAS		Chol and Nagpuri	Europeans and Anglo-Indians	OTHERS		Reference as to orders of Government or of any other superior authority in the cases shown in the columns 7, 8 and 9
	Hindus	Muslims	Hindus	Muslims			Domiciled	Non-domiciled	
1	2	3	4	5	6	7	8	9	10
Up to the end of 19									
During 19									
TOTAL									

*The year preceding that for which the return is due.

[The year for which the return is due

N.B.—The information in column 10 is required only in respect of the year for which the return is due.

FORM C—[VIDE RULE (12), REGISTER OR CERTIFICATE OF DOMICILE.

(Government Circular No. dated).

Serial No.	Name of person to whom granted and father's name	Date of issue	Print statement of reasons which are held to justify the grant of certificate
1	2	3	4

2.—Submission of applications by candidates for Government Service.—B. and O. order No. 3523A of the 1st April 1926. The local Government have had under consideration the question of making uniform rules for the observance of all Departments concerning the submission of applications by candidates for Government service. Under the rules framed by the Appointment Department a candidate for admission to the Executive Branch of the Bihar and Orissa Civil Service, is required to submit his application through the Collector of his home district, and the same practice is in force for appointment to certain other services. An advantage of this method is that it facilitates the process of distributing appointments equitably among the districts and divisions of the province, secures consideration of the legitimate claims of each district, and goes some way towards eliminating the likelihood of undue influence.

It has accordingly been decided by the Governor in Council in the Reserved side and the Governor acting with his Ministers in the Transferred side that this system is the most suitable for those services where appointments are made upon the principle of a fair distribution throughout the province, and where consequently the district of a candidate's domicile is an important factor. The following services at present come under this category :—

The Bihar and Orissa Executive and Subordinate Civil Service.

The Provincial Police Service.*

The Subordinate Excise Service, and

The Registration Department.

It is therefore ordered that all applications for direct appointment in these services should be made through the district officers of the candidate's home district.

As it has been questioned whether this rule should be observed even in the case of sons and relatives of Government officers serving outside their home district, Government direct that it shall apply to such cases, but in order that the claims of sons and other dependents of Government servants may receive the consideration which is their due, Government desire that district officers shall satisfy themselves on the merits of all candidates, and in cases in which any candidate has been long absent from his home district shall make enquiry concerning him from the district officer in whose jurisdiction he has been living.

In departments of Government other than those named above this procedure is found not to be suitable. For example, the Subordinate Educational Service contains over 600 posts to which appointments are made by several different authorities, such as Inspectors of Schools in their own divisions, and the governing bodies of colleges for their own staff; and it would be impracticable in so large a service, where appointments are not made by a single central authority, that the Collector should be required to 'visa' a series of applications addressed by the same candidates to the various controlling authorities for different posts in the service. For the Provincial Educational Service the few appointments which are made from persons not already in Government service, are made on the recommendations of a Selection Committee who are concerned with the special qualifications of candidates for the particular post that is vacant, and cannot consider territorial claims. For the Medical Services all vacancies are advertised, and appointments are made through a Selection Committee which decides on the basis of professional qualification. Similarly local considerations are not taken directly into account in appointing to the Engineering, Veterinary, Agricultural and Forest services, where both vacancies and qualified candidates are so few that appointment by rotation from different parts of the province is not practicable.

In all these services Government have decided not to make any change in the manner of appointment.

These orders are to be substituted for those contained in letter no. 467 71-A.R., dated the 1st June 1925, which is withdrawn.

* Order no. 5492A, dated the 20th May 1926

2. Punishment of Subordinates.—*Correction slip no. 14 dated the 21st November 1929, to the Revenue Board's Miscellaneous Rules—Nos. 172—174.*—Revised rules for the existing rules 172 to 174 of the Board of Revenue 172.—Without prejudice to the provisions of the Public Servants Inquiries Act, 1850, (page 38 ante), **no order of dismissal, removal or reduction** shall be passed on a member of the subordinate services unless he has been informed in writing of the grounds on which it is proposed to take action has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action, shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged, together with a statement of the allegations on which each charge is proposed to take into consideration in passing orders on the case. He shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires or if the authority concerned so direct, an oral inquiry shall be held. At that inquiry oral evidence shall be heard as to such of the allegations as are not admitted and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the officer conducting the inquiry may, for special and sufficient reason to be recorded in writing, refuse to call a witness.

The orders of the Government of India on the subject will be found in Appendix F. [not printed, but *vide* Chapter II, page 39 ante].

173. The proceedings shall be drawn up in the form given in Appendix G (not printed) and shall contain a sufficient record of evidence, a statement of the findings on each of the charges framed and the grounds thereof, a recital of the previous character of the person charged as recorded in his service book or in the office records and a clear and definite finding as to the punishment to be inflicted. * [No pleader or agent should be allowed to appear in a departmental proceeding without the sanction of Government in the appropriate department. If the officer conducting the inquiry is of opinion that a pleader or agent should be allowed to appear, he should make a recommendation to that effect to Government through the proper channel, giving his reasons] All or any of the provisions of this rule and rule 172 may, in exceptional cases, for special and sufficient reasons to be recorded in writing, be waived where there is difficulty in observing their requirements and those requirements can be waived without injustice to the person charged.

174. When the orders for punishment are passed by an authority other than the officer conducting the inquiry into the conduct of the person concerned, it will be sufficient if the authority passing orders of punishment definitely records his agreement or disagreement with the officer by whom the inquiry was conducted.

* The portion within brackets has been substituted by Cir letter no. 420 A. B., dated the 31st May 1932.

4. **Appointments to ministerial and other posts.**—*Govt. of B. and O. Circular letter no. 111-54-A, dated the 6th January 1932.*—I am directed to refer to the rules for the guidance of officers making appointments to ministerial and other posts in Bihar and Orissa which were circulated with Mr. Rainy's letter no. 111-1215-A, dated the 12th February 1923. It has been represented that the orders contained in the last paragraph of rule 1 under which officers have to send copies of the advertisement to the principal newspapers circulating in the province and also to the Secretaries of all Bar Libraries leads to considerable unnecessary expense as newspapers charge for the insertion of an advertisement. I am, therefore, to say that in future a shortened form of the advertisement appearing in the Gazette should be sent only to a few selected newspapers. It is not possible to prescribe the exact number of newspapers to which the advertisement should be sent for this depends on the nature of the post; for instance, in the case of a post at provincial headquarters it may be desirable to send the advertisement to newspapers in all the divisions of the province while advertisements for posts in a district or divisional office need only be sent to newspapers circulating in the division. I am to enclose a list of the chief newspapers recognised by Government from which a selection may be made and to say that ordinarily an advertisement should not be sent to more than three newspapers. The advertisement may be of the following type: "Wanted two budget clerks, on Rs. 55, qualifications I.A. Apply before December 20th, to Secretary, Finance Department, Patna."

Similarly it is not necessary to send the advertisement to all Bar Libraries; in this matter also officers must use their discretion and make a selection.

*** List of newspapers in Bihar and Orissa recognised by Government.**

1. Express	...	...	...	Patna
2. Bihar Advocate	...	...	...	Gaya.
3. Bihar Herald	...	...	...	Patna.
4. Utkal Dipika	...	...	...	Cuttack.
5. Narad	...	...	...	Chapra.
6. Gharbandhu	...	...	...	Ranchi.
7. Mithila Mihir	...	...	...	Darbhanga.
8. Shikha	...	...	...	Bankipore.
9. Utkal Sahitya	...	...	...	Cuttack.
10. Sakti	...	...	...	Puri.
11. Young Utkal	...	...	...	Cuttack.
12. Patna Times	...	...	...	Patna
13. Ittehad	...	...	...	Bihar Shrif (Patna)
14. Satya Samachar	...	...	...	Cuttack.
15. Indian Nation	...	...	...	Patna.

* Vide para. 1 of the Domicile Rules on page 123 ante.

5. Rules for the Grant of Casual Leave.—*Govt. of B. and O. Cir. letter No. 2101-66 A dated the 12th March, 1928.* * * * I am directed to forward a revised copy of the rules regulating the grant to officers in Bihar and Orissa of casual leave and of permission to leave the station or province during such leave, or during gazetted holidays. There has been no change in the rules which have merely been brought up to date by the inclusion of corrections and additions which have been approved from time to time. (*i.e. by Correction slips ending with Order no. 478 dated the 15th Jan'y 1930*)

1. (a) The Government of India have ruled that Fundamental rule 85 does not apply to casual leave for short periods. Such leave is not recognized and is not subject to any rule. Technically, therefore, a Government servant on casual leave is not treated as absent from duty, and his pay is not intermitted. Government will not replace officers absent on such leave. The officer granting the leave and the officer taking it will be held responsible if the public service suffers in any way from the absence of the officer on casual leave. Casual leave, however, must not be given so as to cause an evasion of the rules regarding—

(i) date of reckoning pay and allowance,—(ii) charge of office,—(iii) commencement and end of leave,—(iv) return to duty,

or so as to extend the term of leave beyond the time admissible by rule.

(b) Clause (a) is not to be read as prohibiting the treatment as casual leave of absence from duty following on leave granted under the rules, so long as such absence is due to reasons involving no evasion of the rules in regard to the matters above specified, as, for instance, when it is necessitated by—

(1) detention in plague camps on the way to rejoin, or (2) orders not to attend office in consequence of the presence of infectious diseases in the family or household of the person concerned

When, however, absence from duty for reasons of the nature above indicated exceeds the period which may reasonably be treated as casual leave under the discretion vested in the authority competent to grant leave, the Government servant may be granted leave with leave salary of any kind which may be due to him, and thereafter leave without leave salary.

NOTE, 1.—These examples are not meant to be exhaustive

2.—The local Government in the administrative department concerned may sanction a substitute for an absentee who is prohibited from attending his duties on account of some infectious disease in his family and whose duties cannot be arranged for without prejudice to his pay, provided that the abscee does not exceed 30 days and the pay of the absentee is not more than Rs. 100 a month.

3.—Special rules for the grant of casual leave to members of the works establishment of the Public Health Department employed at the Digha and other pumping stations are prescribed in the local Governments' letter no. 3528 L. S. G. dated the 29th March 1923, to the Superintending Engineer, Public Health Department.—(Order No. 1976 A. R. dated the 8th July 1926)

2. Casual leave may not be combined with vacation or any other kind of leave, and may not ordinarily extend to more than

ten days, exclusive of gazetted holidays, in any one calendar year. If in special circumstances the sanctioning authority grants, for urgent special reasons, more than ten days, the fact with the reasons must be reported at once for the information of the authority immediately superior to the officer granting the leave.

If casual leave is taken in extension of gazetted holidays, such holidays will ordinarily be counted as part of the leave for the purpose of reckoning the total amount of such leave, but in cases of hardship this rule may be relaxed by the authority granting the leave.

NOTE 1.—Any Govt. servant who has been bitten by a rabid animal may be granted special casual leave not exceeding one month to enable him to proceed to the Pasteur Institute at Patna provided his absence does not necessitate the appointment of a substitute (Resn. No. 8708 I S G dated 22nd July, 1929.) (Added by order no. 4663 A dated 12th Nov. 1929)

NOTE 2.—Casual leave may ordinarily be granted up to a limit of fifteen days, (a) by Superintendents of Jail with respect to all officers (other than the medical officers) subordinate to them;—(b) by the Superintendent of the Hazaribagh Reformatory School with respect to all officers subordinate to him;—(c) by the Deputy Superintendent, Government Printing, in charge of the Press and Forms Department, Gaya, with respect to the technical staff attached to the Gaya Jail Press; (d) by the Director of Agriculture with respect to the employees of Farms in Bihar and Orissa the nature of whose duties prevents them entirely or partially from availing themselves of Sundays and gazetted holidays.

3. Casual leave cannot be claimed as of right. These orders merely prescribe the maximum amount of leave which may be granted and the Governor in Council, while giving to certain officers discretionary powers to grant such leave, relies on them not to grant it when it is not actually necessary or when its grant would be opposed to the interests of the public service. Casual leave should not be granted in cases to which some other form of leave is appropriate.

4. Every officer who proposes to leave the station during casual or vacation leave or leave of absence during gazetted holidays, should state in his application the address or addresses, which will find him during such leave.

No officer may go outside India on such leave without special permission of Government in the case of gazetted officers, or of the sanctioning authority in the case of other officers.

5. Every officer who leaves his station on casual or vacation leave, or leave of absence during gazetted holidays, must inform his office of the address or addresses, which will find him during his absence.

6. Casual leave and leave of absence during gazetted holidays may be granted by the authorities indicated below:—

Sanctioning authority

Subordinate Officer.

- (1) Local Government.—The member of the Board of Revenue; Commissioners of Divisions (they are required to report the grant of leave for the information of the Board of Revenue); Political Agent and Commissioner, Orissa Feudatory States; Heads of Departments (Heads of Departments Subordinate to the Board of Revenue are required to report the grant of leave to the Board); Superintendent, Government Printing; the Hindi and Urdu and Oriya Translators to Government;

Sanctioning Authority.

Subordinate Officers.

Chief Inspector of Factories; Inspector of Factories, Northern Circle (subject to previous intimation to the Chief Inspector of Factories).

- (2) High Court.—District and Sessions Judges who must—(a) also obtain the consent of the High Court to their leaving their station. (b) communicate to Government the address which will find them during their leave.
- (3) Board of Revenue.—Secretary, Board of Revenue.
- (4) Commissioners of Divisions.—District Officers and Additional District Officers (a report, which will mention the address which will find the officer during his leave should also be sent by the Commissioner to Government).
- (5) District officers.—Joint and Assistant Magistrates; Subdivisional Officers (subject to report to the Commissioner), officers of the Executive Branch of the Provincial Civil Service and of the subordinate Civil Service serving in their districts; all gazetted and non-gazetted officers including ministerial staff of the Excise and Salt Dept. in their district.
- (6) District officer, Balasore (subject to the previous) Port officer, Orissa approval of the Commissioner, Orissa Division) Port.
- (7) Inspector-General of Police.—Deputy Inspector-General of Police and Assistant to the Inspector General of Police (a report to be sent to Government.)
- (8) Deputy Inspectors-General of Police.—Superintendents of Police, including Government Railway Police, subject to the approval of the District Magistrate in the case of District Police. (A report in all cases to be sent to the Inspector-General.)
- (9) Deputy Inspector-General, Criminal Investigation Department.—All gazetted officers of the Criminal Investigation Department. (A report to be sent to the Inspector-General.)
- (10) Superintendents of Police.—Assistant and Deputy Superintendents and Inspectors of Police, subject to the approval of the District Magistrate (a report being sent to the Inspector-General in the case of Assistant and Deputy Superintendents); all other officers of the district staff.
- (11) Superintendents of Railway Police.—Assistant and Deputy Superintendents of Police, (a report being sent to the Deputy Inspector-General of Police concerned and the Inspector-General of Police); Inspectors and non-gazetted officers of their staff.
- (12) Principals, Police Training College and Constables' Training Schools.—The teaching staff.
- (13) Political Agent and Commissioner, Orissa Feudatory States.—Assistant Political Agent and subordinate staff.
- (14) Inspector-General of Registration.—Inspectors of Registration offices and Personal Assistant to the Inspector-General of Registration.
- (15) District Registrars. District Sub-Registrars and Sub-Registrars.
- (16) Inspector-General of Civil Hospitals.—Civil Surgeons, (the grant of leave of absence to Civil Surgeons is subject to the consent of the District Magistrate, who, if he agrees to the grant of the casual leave, will be responsible for arranging for the charge of the Jail or other duties of the officer applying for the leave if it is granted); Superintendent of Indian Mental Hospital, Ranchi; Indian Medical Service Professors and those holding contract appointments in the Patna Medical College (subject to the recommendation of the Principal); Superintendent of Radium Institute; and Superintendent Itki Sanatorium.
- (17) Principal, Medical College Patna.—Gazetted officers holding provincial service appointments and non-gazetted staff of the Medical College.

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Sanctioning Authority.

Subordinate Officers.

- (18) Civil Surgeons and Superintendents of Medical Schools.—Assistant Surgeons and Sub-Assistant Surgeons (subject to the consent of the Subdivisional officers in case of Civil Assistant Surgeons in charge of a Subdivision and Subdivisional Jail).
- (19) Superintendent, Patna Medical College Hospital.—Gazetted officers holding Provincial Service appointments and non-gazetted staff of the Patna Medical College Hospital and the staff gazetted and non-gazetted of the Radium Institute and the Pasteur Institute.
- (20) Superintendent, Cuttack General Hospital.—Gazetted officers holding provincial service appointments and non-gazetted staff of the Cuttack General Hospital.
- (21) Superintendent, Banwarilal Hospital (Laheria Serai).—Gazetted officers holding provincial service appointments and non-gazetted staff of the Banwarilal Hospital.
- (22) Deleted.—Vide Order No 478 A dated the 15th Jany, 1930.
- (23) Superintendent Itki Sanatorium.—Gazetted officers holding provincial service appointments and non-gazetted staff of the Itki Sanatorium.
- (24) Chairman, Board of Trustees, European Mental Hospital, Ranchi.—
Superintendent of European Mental Hospital.
- (25) Superintendent of European Mental Hospital, Ranchi.—Subordinate staff.
- (26) Superintendent of Indian Mental Hospital, Ranchi.—Subordinate staff.
- (27) Superintendent, Tibbi School, Patna.—Teaching staff and other subordinate staff.
- (28) Principal, Ayurvedic School, Patna.—Teaching staff and other subordinate staff.
- (29) President of the Governing body of the Ayurvedic and Tibbi School.—
Principal Ayurvedic School Patna, and Superintendent, Tibbi School, Patna.
- (30) Inspector General of Prisons.—Superintendents of Central Jails.
- (31) Superintendent of Jails.—Subordinate Jail establishment.
- (32) Conservator of Forests.—Deputy and Assistant Conservators and Extra Deputy and Extra Assistant Conservators.
- (33) Divisional Forest Officer.—Non gazetted and ministerial officers of the Department.
- (34) Director of Public Instruction.—Principals of Colleges, Deputy Director and Deputy Directors of Public Instruction, Inspectors and Assistant Inspectresses of Schools, Superintendent of the Hazaribagh Reformatory School, Lady Principals of the Ravenshaw Girls' School and Bid-hah Nawab Razvi Training College, Superintendent of Sanskrit Studies, Superintendent of Islamic Studies; Registrar of Examinations, the Lady Principal of the Bankipore Girls' School, Lady Superintendent of the Women's Training Class at Muraharpur, Head Mistress of the Women's Training Class at Gaya, Bhagalpur and Cuttack and the Lady School Medical Officer (subject in the last case to report to the Director of Public Health).
- (34a) Principal of College, Superintendent of Hazaribagh Reformatory School and Lady Principals of the Ravenshaw Girls' School and Bid-hah Nawab Razvi Training College Superintendent of Sanskrit Studies, Superintendent of Islamic Studies, Registrar of Examinations and Lady Principal of the Bankipore Girls' School. All Officers subordinate to them.
- (35) Inspectors of Schools.—District Inspector of Schools; Principal, Madrasa Islami Shams-ul Huda, Bankipore; and School Medical Officers and Assistant Medical Officers (subject in the last two cases to report to the Director of Public Health).

- (36) District Inspectors and Assistant Inspectresses of Schools.—Head Teachers of Schools under their control (subject to report to the Inspector or in the case of leave granted by an Assistant Inspectress, to the Director, and inspecting Maulvis stationed at Sub-divisional head quarters.
- (36a) District Inspector of Schools.—Inspecting Maulvis not stationed at Sub-divisional head-quarters.
- (37) Deputy Inspectors of Schools.—The head teachers of the elementary training schools under their control and inspecting Maulvis stationed at Sub-divisional head quarters.
- (38) Head Teachers of Schools immediately subordinate to the Director, an Inspector, a District Inspector, a Deputy Inspector or an Assistant Inspectress—All officers subordinate to them, subject to report to the authority to whom the officer granting the leave is directly subordinate.
- (39) Managing Committees of Government High School and Secondary Training Schools.—The head masters of their schools.
- (40) Chairmen of District Boards, District Committee or the District Council of Sambalpur or Deputy Commissioner in Angul Sub divisional Deputy Inspectors and Sub Inspectors (subject to report to the Inspector in the former case and to the District or Deputy Inspector in the latter.
- (41) Director of Land Record and Surveys.—Settlement Officers, Officer in-charge of the Drawing Office, and officer in charge of Traverse Surveys.
- (42) Settlement Officers.—Assistant Settlement Officer and subordinate staff.
- (43) Officer in charge of the Drawing Office and Officer in-charge of Traverse Surveys (when specially empowered by the Director of Land Records and Surveys) Subordinate staff.
- (44) Director of Agriculture.—Gazetted Officer of the Department and staff immediately under the Director.
- (44a) Deputy Directors of Agriculture, The Economic Botanist, The Agricultural Chemist Assistant Directors of Agriculture in charge of Range Member of the subordinate Agricultural Service Non gazetted Scientific Assistants Farm Sirdars and Kumdars under their control.
- (44b) Agricultural Engineer Well Supervisor Member of the Subordinate Agricultural Service Overseers Fitters Mistries and well borers under their control.
- (45) Director, Civil Veterinary Department.—Deputy Director Civil Veterinary Department and the staff immediately under the Director.
- (46) Deputy Directors Civil Veterinary Department.—Assistant Directors Office staff, Inspector, Laboratory Assistant, staff and reserve Assistant Surgeons under them.
- (47) Assistant Director Civil Veterinary Department.—Inspectors staff and reserve Veterinary Assistant Surgeons for field subject to a report to Deputy Director.
- (48) Chairman, District or Local Boards.—Veterinary Assistant Surgeon employed in district.
- (49) Commissioner of Excise and Salt.—Deputy Commissioner of Excise and Salt Personal Assistant to the Commissioner of Excise and Salt and ministerial establishment of his office.
- (50) Chief Engineer.—Superintending Engineers, Electrical Inspector and Electrical Engineer Electrical Engineer, Executive Engineer, Cuttack Division, District Engineer, Angul.

Sanctioning authority.

Subordinate officers.

- (50a) Electrical Inspector and Electrical Engineer.—Electrical Engineer, Assistant Engineers, and all officers subordinate to them.
- (51) Superintending Engineers.—Executive, Assistant Executive and Assistant Engineers; (2) Deputy Collectors and sub-Deputy Collectors in charge of Canal Revenue Divisions.
- (51a) Electrical Inspector and Electrical Engineer.—Assistant Engineers and non-gazetted executive and ministerial staff of the Electric Works Divisions.
- (52) Executive Engineers in charge of Divisions.—Sub-Engineers and non-gazetted executive and ministerial officers employed under them.
- (52a) District Engineer, Angul.—Non-gazetted executive and ministerial officers employed under him.
- (53) Deputy Collectors and Sub-Deputy Collectors in charge of Canal Revenue Divisions.—(1) Canal Revenue Assistants; (2) non-gazetted executive and ministerial officers employed under him.
- (54) Registrar of Co-operative Societies.—(1) Deputy Registrar, Co-operative Societies, (2) Assistant Registrar, Co-operative Societies, excepting those who are under the Deputy Registrar, (3) Chief Auditor of Co-operative Societies, and (4) his own subordinate staff.
- (55) Deputy Registrar of Co-operative Societies.—Assistant Registrars under him and his own subordinate staff.
- (56) Assistant Registrar of Co-operative Societies.—Own subordinate staff.
- (57) Director of Public Health.—Assistant Director of Public Health; Personal Assistant to the Director of Public Health; Superintendent, Vaccine Depot, Namkum, Chemical Analyst, Public Health Laboratory; Medical Officers of Health.
- (58) Superintending Engineer, Public Health Department.—(1) Executive Engineers and other gazetted officer of the Public Health Department and (2) subordinate staff directly under him.
- (59) Executive Engineers, Public Health Department. Non-gazetted executive and ministerial officers employed under them.
- (60) Superintendent of Government Printing.—Subordinate staff including the Deputy Superintendent of Government Printing, Gulsirbagh; Deputy Superintendent, Government Printing in charge of the Press and Forms Department, Gaya and the officer in charge of the Ranchi Press.
- (61) Deputy Superintendent, Government Printing in charge of the Press and Forms Department Gaya. All subordinate staff of the Press and Forms Department under him.
- (62) Superintendent and Remembrancer of Legal Affairs.—The Government Advocate, Assistant Advocate and Government Pleader in the Patna High Court.
- (63) Director of Industries.—Principal, Bihar College of Engineering; Principals or Superintendents of Industrial and Technical Schools or Institutes; Mining Lecturer, Dhanbad Superintendent of Fisheries; Industrial Engineer, Textile Expert, Intelligence Officer; and officer establishment of Director of Industries.
- (64) Industrial Engineer.—Circle officers and other subordinate Engineering Staff.
- (65) Textile Expert.—Weaving demonstrators and the staff attached to the demonstration parties, the Bihar Weaving school and the Phulbani Industrial school.

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- (66) Principal, Bihar College of Engineering;
 Principal, Orissa School of Engineering;
 Mining Lecturer;
 Superintendent, Tirhut Technical Institute;
 Superintendent, Ranchi Industrial School;
 Superintendent, Bhagalpur Silk Institute,
 Superintendent, College Industries Institute.

All officers sub-
 ordinate to them.

(67) Heads of officers.—Ministerial officers serving in their offices.

6. * * * Deleted by para. 4 of Order no. 473A of dated the 15th January 1930.

7. Superintendents and Assistant Superintendents of Police should forward requests for casual leave through the Magistrate of the district. Should the Magistrate object to the grant of the leave, the leave applied for cannot be granted. If the leave is granted, it will still be necessary for the officer to take the Magistrate's orders before leaving the district. The Magistrate should invariably inform the Commissioner when he consents to the grant of casual leave being made to Superintendents.

8. Every authority which grants casual leave shall cause a register of such leave to be maintained in the following forms. The register should be regularly examined by the Inspecting officers.

Column 1.—Name and rank of officer to whom casual leave has been granted.—

Column 2.—Date on which leave begins and ends —

Column 3.—Remarks.

9. These rules apply in every respect to judicial officers, except that the High Court will prescribe from time to time the authority to grant casual leave or leave of absence during gazetted holidays in each case.
