GOVERNMENT OF INDIA

FINANCE AND COMMERCE DEPARTMENT.

BY ORDER OF THE LIEUTENANT GOVERNOR OF BENGAL
28 AUG. 1897

THE

CIVIL SERVICE REGULATIONS

RELATING TO

SALARY, LEAVE, PENSION, AND TRAVELLING ALLOWANCE.

Third Edition, corrected up to 1st May 1897.

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FINANCE AND COMMERCE DEPARTMENT

The 1st May 1897.

THE Third Edition of the CIVIL SERVICE REGULATIONS is now published. From this date the Second Edition of these Regulations will be superseded, and should no longer be quoted. For convenience of reference the numbering of the Articles in the First Edition has been retained.

In the Third Edition certain Articles and Rules which are included in the Second Edition have, for the reasons stated below, been omitted. The omission of these Articles and Rules from the new edition of the Regulations must not be regarded as in any way cancelling the orders now contained in them. These orders will, except in cases when the circumstances to which they apply have ceased to exist, remain in force apart from the Regulations. In the succeeding paragraphs a list is given of the Articles and Rules which have been omitted and the reasons which have led to their omission.

2. The following Articles and Rules have been omitted as they have either ceased to be operative, or will so cease within a short time :—

12 (*a*), *iii.*—Active service of a member of the Indian Civil Service granted leave of absence on urgent private affairs before 1863.

125, Rule 1.—Salaries of Settlement Officers in the North-West Provinces officiating in other Departments.

134(*a*).—Salary of a Military Officer officiating for an absentee subject to the rules of 1854.

The allusion to the Punjab allowance drawn by Civil Assistant Surgeons, in Article 157 (*i*).

282 (*b*).—Privilege leave of a man transferred from a military body to the Oudh Civil Police before 1861.

The rule in Article 339 (*a*), (*i*), regarding furlough taken by a member of the Indian Civil Service under the rules in force before 1855.

388. Exception (*2*).—Military service of Inspectors in the Telegraph Department.

397.—Service in grant-in-aid schools of Teachers in Bengal re-employed in Government schools.

398. Note.—Establishments of Subordinate Judicial Officers in the North-West Provinces and Bengal.

401.—Service of clerks in the Allahabad Pension Pay Office.

402 (*e*).—Service under the Sikh Government of soldiers who entered British Service.

418.—Service of Officers in the Public Works Department whose pay was formerly charged to "Works".

442.—Service of Officers who served in the siege of Lucknow.

445 (*b*).—Leave on medical certificate taken before 1856.

450, 451 and Appendix 5.—Special privileges regarding the reckoning of service under former pension rules.

463 (*g*).—Loss of appointment owing to the Mutiny.

484.—Pension of Officers transferred to the service of the British Government from the Risala of the Raja of Satara.

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519.—Special pensions of officers who entered the service before 1855.

549, clauses (*a*), (*c*), (*d*), (*j*), (*h*), *and Rule 3 under clause* (*b*).—Service of special descriptions before enlistment in the Police Constabulary.

560, 561, 562, 563.—Special pension privileges of persons who, before enlistment in the Police, served as Sikh Durbar soldiers, in the Army or Military Police, in the Mhairwara Battalion, or in the Satara Local Corps.

628.—Confirmation of Statutory Civil Servants appointed on probation.

The rule in Article 680 (compulsory retirement) which deals with Medical Officers who entered the service before 1860.

The proviso to Article 683.—Furlough previous to compulsory retirement of a Military Officer in the Public Works or Military Works Department.

689 (c).—Leave after completion of period of civil employ of Medical Officers who entered the service before 1860.

694 (i).—Service of Telegraph Officers appointed by the Honourable Court of Directors.

The provisos to Article 719.—Special rules regarding the compulsory retirement of Civil Engineers.

The rules in Article 824 which deal with the contributions of officers transferred to service in Jagir States in Bombay and under the Talukdari Settlement Officer in Bombay.

869 (b) and (i).—Service of Officers transferred from the Lithographic Press, Calcutta, and afterwards paid from the "Convict Labour Fund," and service paid from the "Window Delivery Ticket Fund".

1168 (*d*).—Travelling allowance of the office establishments of the Director General of Railways for the move from Simla to Calcutta and back.

3. The following articles have been omitted because they embody rules of account, contained in separate orders of the Government of India, which do not fall within the scope of the Civil Service Regulations, as defined in the first Article. In order that the orders may continue to be easy of access the Comptroller General will include such of them as have not already been so included in the Civil Account Code issued by his authority.

86.—Provision in the sanctioned estimates for payments on account of increases of pay.

856.—Rules of account for establishment pertaining to foreign service of the third kind.

971 and 1061.—Adjustment of leave and pension payments made in Colonies on account of India.

1294-1296.—Incidence of travelling allowance charges.

4. The following articles have also been omitted because they do not fall within the scope of the Civil Service Regulations :—

102.—Allowances of Military Officers in military employ deputed to Europe.

928.—Quarterly returns of Chaplains on the Bengal Establishment.

970 and 1060.—Quarterly returns of Colonial Leave and Pensions Warrants.

5. The following Articles and Rules have been omitted because their purport is contained in other Articles of the Civil Service Regulations.

4.—Orders applicable to particular individuals. The purport of this article has, with slight modification, been introduced into Article 1.

255.—Allowances how affected by the time when the charge of an office is transferred. The purport of this article is included in Article 64 (*a*).

The Travelling Allowance Rules for recall from leave in Articles 223 to 226.—The purport of these Rules is contained in Article 1238.

Article 580 and Appendix 8.—Re-employment of pensioned Civil Servants of the British Government. This article and this appendix have been omitted as it is not considered necessary to continue to record the information they contain in the Civil Service Regulations.

J. F. FINLAY,
Secretary to the Government of India.

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CIVIL SERVICE REGULATIONS

RELATING TO

SALARY, LEAVE, PENSION AND TRAVELLING ALLOWANCE.

PART I.—PRELIMINARY.

ACC No 1710
Dt. 9/5/67

Chapter I.—General Scope.

ARTICLE.

EXTENT OF APPLICATION . . . 1 | RIGHT OF CHANGING OR INTERPRETING RULES . . . 6

BOTANICAL GARDEN
Kolkata
700027
ALIPORE

Extent of Application.

1. (*a*) These Regulations (as is indicated on the title page) are intended to define the conditions under which salaries, and leave and pension and other allowances, are earned by service in the Civil Departments, and in what manner they are calculated. They do not deal otherwise than indirectly and incidentally with matters relating to recruitment, promotion, official duties, discipline, or the like.

(*b*) Many orders applying to particular appointments or to particular individuals are not included in them; but with this exception the Regulations have been framed so as to embody all orders still in force affecting the Acting Allowances, the Leave and Leave Allowances, the Pensions, and the Travelling Allowances of officers, the conditions of whose services in respect to these matters are not defined by the Army and Marine Regulations. The omission from the Regulations of any order on those matters which is believed to be still in force should be brought to the notice of the Government of India through the proper channel. Until so confirmed it should be considered as not in force.

2. The rules which apply to the ordinary Civil Establishments of the State apply also to officers employed under the Military and Marine Departments and under Local Governments whose service does not *qualify* under the Army or Marine Regulations. The rules in Part VII apply to all officers in the service of the British Government.

3. The Travelling Allowance Regulations in Part XI apply to all officers in Civil employ, except the following officers of the Royal Indian Marine; namely, officers on the graded and supernumerary lists of executive officers and

engineers, warrant officers on the afloat establishment and crews of vessels. The rules applying to the officers of the Royal Indian Marine specified above are contained in Appendix No. 20.

Except in cases in which it is otherwise provided in the Transport or other Military Regulations, or in which it may be otherwise specially sanctioned by the Government of India, the travelling allowances of Clerks in all Military Offices are governed by the regulations in Part XI.

4. Cancelled.

Right of Changing or Interpreting Rules.

5. The Government of India reserves to itself the right of changing the Pay and Acting Allowance Rules from time to time at its discretion, and of interpreting their meaning. An officer's claim to pay and allowances is regulated by the rules that may from time to time be in force.

6. (*a*) The Government of India reserves to itself the right of modifying the Leave Rules in these Regulations as may from time to time seem to it expedient, and of interpreting them in case of dispute.

(*b*) In all contracts for service in India to which the Secretary of State is a party, (1) provision is made for the exercise by the Government of these rights.

NOTE (1).—[The despatch from the Secretary of State announcing this is No. 15, dated 3rd January 1879; see also note (1) under Article 7.]

(*c*) An officer's claim to leave is regulated by the rules in force at the time that the leave is applied for and granted.

7. (*a*) The Government also reserves to itself the right of changing the Pension Rules from time to time at its discretion, and of interpreting their meaning. An officer's claim to pension is governed by the rules in force at the time when he resigns or is discharged from the service of Government: he is not entitled to concessions withdrawn before, or made after, his resignation or discharge.

NOTE (1).—["You remark that you are unable to admit any obligations on the part of the Government of India to compensate those officers for the indirect and remote effects of any administrative measures which it has been considered necessary to adopt in the interests of the State generally, and that it would be extremely inconvenient, if not wholly impracticable, in carrying out every change, to consider every possible effect, however remote, which such change might have on the prospects of every officer in the Service.

"I concur in the sentiment expressed by your Government in this matter. All administrative reforms would be rendered impossible if the Government were fettered by considerations such as those above referred to."—(*Secretary of State's despatch No. 10, dated 7th October 1880.*) See also note under Article 384 (*c*).]

NOTE (2).—The following extract from a Resolution of the Government of India, No. 4863, dated 4th December 1891, relates to the exercise of the right reserved in Articles 5 to 7 to alter the leave and pension rules from time to time:—

"Her Majesty's Secretary of State for India, having examined the particular instances which were mentioned in support of the complaints referred to in clause (*c*) of paragraph 1 of this Resolution, regarding the manner in which the right to alter the leave and pension rules had been exercised by the Government of India, expressed the opinion that in none of them had there been any interference with the rights of the servants of the Government. The Government of India have always been careful to exercise the right of altering rules with due consideration for the rights of their servants. The ordinary course adopted to

prevent hardship arising from any change of rule found necessary has been either to defer the introduction of the change for some time after its publication, or to give the officers affected the right of choosing whether they shall come under the operation of the old or of the new rules. It has been decided that the right of altering rules must be maintained, that care should be taken, as in the past, to prevent the introduction of any new rules from operating harshly, but that the Local Governments and the Government of India should not consider themselves precluded from recommending an exception in any case of individual hardship which may arise in spite of the precautions taken. If any case of apparent hardship arises, the local authorities should understand that, when the officer applies to retire, they are not precluded from examining into its merits and ascertaining whether, in their opinion, he has substantially suffered from the introduction of a rule not in force at the time he entered the service. If, after comparing the advantages secured to the officer by the altered rules with any disadvantages incidentally involved, they find that he has on the whole substantially suffered, the point may be taken into consideration in determining whether some compensation ought not to be granted in the particular instance."

(*b*) The general purport of this rule is inserted by the Secretary of State in all covenants for service in India, to which conditions relating to *Pension* are attached.

(*c*) In accordance with the principle laid down in clause (*a*) the claims of persons who have already left the service of Government must be determined by the rules which were in force at the time they left it. These Regulations do not necessarily apply to them.

Chapter II.—Definitions.

8. Unless there be something repugnant in the subject or context, the terms defined in this Chapter are used in the Regulations in the sense here explained. When these terms are, in the Regulations, printed in italics, it is meant that the rule cannot be fully applied without reference to the definition.

9. Absentee means an officer absent from an appointment on which he has a lien, either on leave or on deputation to another appointment, whether permanent or temporary, or on special duty unconnected with his own appointment, or on joining time during transfer to another appointment, or under suspension.

10. Accountant General includes "Comptroller General" and "Comptroller."

11. Active Service includes, besides time spent on duty in India—

(i) Privilege leave of absence including the corresponding leave (called "Short Leave on Private Affairs" and "Leave on Private Affairs") under the Covenanted Service Leave Rules in force before the 1st July 1868.

(ii) Subsidiary leave of absence, including the corresponding leave (called "Special Leave") under the Covenanted Service Leave Rules in force before the 1st July 1868, and also the corresponding leave

(called "Preparatory Leave") under the previous Indian Service Leave Rules.

(iii) Time spent on the voyage to India by an officer who is recalled to duty before the expiry of any recognised leave out of India, and (if within a year from the date on which he can be spared, the officer takes the unexpired portion of the leave from which he was recalled) the time spent on the return voyage to Europe.

(iv) And, for purposes of pension, period of absence from India on duty of an officer deputed or detained out of India on duty.

NOTE.—[An officer recalled to duty before the expiry of leave in India, other than Privilege Leave, is treated as on duty from the date on which he starts for the station to which he is ordered.]

(v) Examination leave of absence under Article 314 is also active service, provided that not more than twelve months of such leave can be so reckoned to any officer; and that leave granted under clauses (*c*) and (*d*) of Article 314 is not reckoned as active service, unless the officer passes the examination for which the leave is granted. Leave admissible under Article 315-A. for the purpose of studying the Chinese language also counts as active service, provided that the officer successfully passes the examination for which the leave is granted.

12. (*a*) In the case of a Member of the Indian Civil Service Active Service includes also—

(i) the interval between the date of an officer's first arrival in India and the date on which he joins his first appointment;

NOTE.—[If an officer does not join his first appointment within the joining time allowed him the interval between the end of such joining time and the date on which he actually joins is not Active Service.]

(ii) Time passed in India, out of employ on Subsistence Allowance, but not on Furlough.

NOTE.—[See Chapter IX, Article 207.]

(iii) The period not exceeding eight months spent in Russia in studying the Russian language counts as service for pension, but not as service for furlough.

(*b*) The "Active Service" of a Statutory Civil Servant is defined in Section 1 (*a*) of the rules under Article 626.

13. In the case of a Military Officer subject to the Civil Leave Rules "Active Service" for the purpose of calculating the amount of leave admissible under these Regulations commences from the date of first substantive appointment in the Civil Department, or from the date of completion of three years' continuous officiating service in the Civil Department, whichever may be the earlier. But an officer of the Royal Engineers, who was in civil employ on the 1st November 1886, and elected for Continuous Service in India, counts Active Service from the date of his election.

1. For the purpose of determining whether leave may be granted to such an officer, and the amount of the leave allowances, Continuous Service and Active Service include any previous service which would be treated as such under these Regulations.

2. Article 12 (*a*), clause (ii) applies to Military Officers subject to the Civil Leave Rules.

Definitions.

14. The "Active Service" of a Chaplain is defined in Article 637.

14A. In the case of Engineers appointed from the Royal Indian Engineering College at Coopers Hill, who passed out of the College from the years 1878 to 1889, both inclusive, active service includes also the whole period from date of appointment to the service to date of joining their appointments in India, provided they fulfil the conditions in regard to date of landing in India specified in Article 691. The exception in favour of officers of these years is made in consequence of an error in the letters of appointment and in the College prospectus, which affected students of the years 1878 to 1886, as ruled in Secretary of State's Despatches Nos. 24 and 37, dated respectively the 26th April 1883 and 28th July 1892.

14B. In the case of officers of the Telegraph Department appointed from the Royal Indian Engineering College at Coopers Hill from the years 1883 to 1891, both inclusive, active service includes also the whole period from date of appointment to the service to date of joining their appointments in India, provided they reach India within the period named in their letter of appointment; otherwise from date of arrival in India. The exception in favour of these officers is made in consequence of an error in the letters of appointment, as ruled in Secretary of State's Despatches Nos. 25 and 37, dated respectively the 12th June 1884 and 28th July 1892.

15. Actual Travelling Expenses.—When used in the Travelling Allowance Regulations the term "Actual Travelling Expenses" means the actual cost of locomotion for an officer himself, his servants, and personal luggage, including charges for ferry and other tolls, and for carriage of *camp equipment* (when necessary); but not including charges for hotels, dâk bungalows, or refreshments, or for the carriage of stores or conveyances, or for presents to coachmen, nor any allowance for such incidental losses or expenses as the breakage of crockery, the wear and tear of furniture, the entertainment of additional servants and the like.

16. Appointments are said to be in the same "Class" when they are in the same Department, and bear the same designation, or have been declared by the Government of India to be in the same class. Appointments in the same Class are sometimes divided into "Grades" according to pay.

NOTE.—[Appointments do not belong to the same Class or Grade unless they have been so constituted or recognised by proper authority. There are no Classes or Grades of Ministerial officers; a Ministerial officer therefore may be appointed to act for another Ministerial officer in the same office whose *pay* is higher than his own.]

17. Audit Officer means the Account and Audit Officer, whatever his official designation, in whose circle of audit a public servant is serving or (in respect to verification of service) has served, *i.e.*—

For service in an ordinary civil establishment—the *Accountant General*;
" " the Public Works Dept.—the Examiner of P. W. Accounts;
" " the Post Office Dept.—the Comptroller, Post Office;
" " the Telegraph Dept.—the Examiner of Telegraph Accounts;
" " the Military and Marine Depts.—the Controller of Military Accounts;
" " the Forest Dept.—In Madras, Bombay, and the Hyderabad Assigned Districts the *Accountant General*; elsewhere—the Comptroller General.

18. (*a*) **Average Salary** for the purposes of the European Service Leave Rules in Part III means the salary which an officer has earned during so

much of his *Continuous Active Service* as is within the three years preceding the day on which he gives up office: Provided that neither Subsidiary leave nor any period during which an officer has been out of employ in India otherwise than as a penalty for misconduct, shall be included in *Active Service* for the purposes of such calculation.

(*b*) For the purposes of the Indian Service Leave Rules in Part III means the average salary calculated for so much of the three years immediately preceding the day on which the officer gives up office as he has passed on duty, or on Privilege Leave.

NOTE (1).—[For the purposes of the calculation of "Average Salary," "Privilege Leave in case of regular vacations" on half pay granted under Chapter XII, Articles 306 to 311, shall be treated as if it were on full pay.]

NOTE (2).—[If the period spent by an officer on special duty in England is allowed to count for leave, it is included in the calculation of average salary, on the assumption that the officer drew full *salary*. Otherwise it is excluded in calculating average salary.]

19. Barrister means a practising Barrister of England or Ireland and a practising Member of the Faculty of Advocates of the Court of Session of Scotland. It does not include a person who, though a Barrister, has never practised the profession of Barrister.

20. Calendar Month.—Whenever it is necessary to calculate a period in "Calendar months," the period ends either on the day of the month corresponding with the day before the day on which it begins, or, if there is no such corresponding day in that month, then on the last day of the month.

Examples.

A period of six Calendar months beginning on the—	ends on the—
28th February	27th August.
31st March or 1st April	30th September.
29th August	28th February.
30th August to 1st September	last day of February.
A period of three Calendar months beginning on the—	
29th November	28th February.
30th November or 1st December	last day of February.

21. Camp Equipment or Equipage.—"Camp equipment" includes tents and the requisites for pitching and furnishing them. "Camp equipage" means the apparatus for moving a camp.

22. Chaplain.—When used in the Travelling Allowance Regulations the term "Chaplain" includes any Minister of religion, whether in Government service or not, performing under proper authority the duties of a Chaplain.

23. Civil Medical Officer is a Medical Officer not being a Commissioned Medical Officer, or a Civil Assistant Surgeon, or a member of the Indian Subordinate Medical Department as constituted under G. G. O. in the Military Department No. 550, dated 5th June 1868, or a member of the Subordinate Medical Service as constituted under the Resolution in the Home Department, No. 16, dated 9th January 1878.

24. Class and grade.—(*See* "Appointments," Article 16.)

Definitions.

25. Consolidated Pay includes Military Pay and allowances or Staff Corps Pay which cannot be separately drawn.

26. Continuous Service and **Continuous Active Service** mean the Service and *Active Service* of an officer since his last return from Furlough or Extraordinary leave lasting more than three months; or, if he have not had such leave, since the beginning of his Active Service. No leave may be included in Continuous Service, except Privilege leave and Special leave. And in the case of a Royal Engineer who has elected for Continuous Service in India, furlough on urgent private affairs under Rule XI of the Rules of 1868.

NOTE.—[See Chapter XI, Article 263.]

1. Examination leave under Article 314, may also be included, unless the officer have already had twelve months such leave, or, in the case of leave granted under clauses (*c*) and (*d*) of Article 314, unless the officer have failed to pass the examination for which the leave was granted. Leave admissible under Article 315 A for the purpose of studying the Chinese language may also be included, unless the officer fails to pass the examination for which the leave is granted.

27. Count.—(*See* "Qualify," Article 55.)

28. Cancelled.

29. Day.—When used in the Travelling Allowance Regulations the term "Day" means a Calendar day beginning and ending at midnight. But an absence from head-quarters which does not exceed 24 hours is reckoned as one day, at whatever hours the period begins and ends.

30. Extraordinary Leave means Special Furlough granted under Rule 8 of the Military Furlough and Leave Rules of 1875, Leave without allowances granted under Article 372 of the Indian Service Leave Rules, and Leave of absence from duty granted (see Chapter XIII, Article 366) otherwise than under the Leave Rules.

Example.—Leave in extension of the three years admissible under Article 344 of the European Service Leave Rules in Part III.

31. Family.—When used in the Travelling Allowance Regulations "Family" includes the wife and legitimate children and step-children of an officer residing with and wholly dependent on him. It also includes a mother or an adult sister residing with, and wholly dependent on the officer, if he is unmarried or a widower.

32. First Appointment.—"First appointment" includes the appointment of a person not at the time holding any appointment under Government even though he may have previously held such an appointment.

33. Foreign Service means service under a Native State, Municipality, Port Trust, Court of Wards, or other body financially independent of the Government of India.

34. General Revenues for the purposes of pension includes Provincial Revenues and the Revenues of Berar; also, the Revenues of Mysore so far as regards service rendered in Mysore before the 1st October 1882, by civil and military officers who either had a status in the service of the British Government apart from their particular employment in Mysore, or having no

such status were employed in Mysore when under British administration, and transferred to British service proper before that date.

NOTE.—[The service in Mysore, of civil and military officers as above described, became "foreign service" on the 1st October 1882.]

Exception.—In the case of the following officers, service in Berar is treated as foreign service :—

(*a*) Members of the Indian Civil Service and Military Officers in Civil employ who had not retired before the 1st April 1888.

(*b*) Royal Artillery and Medical officers employed in the Hyderabad Contingent, officers of the Financial Department employed as Comptroller and Assistant Comptroller, Hyderabad, and Public Works and Forest officers employed in the Hyderabad Assigned Districts, and who had not retired before the 1st April 1893.

35. Grade and Class.—(*See* "Appointments," Article 16.)

36. Gratuity.—(*See* "Pension," Article 50.)

36A. Indian Civil Service.—The expression Indian Civil Service means the service formerly known as the Covenanted Civil Service.

37. Lien on Appointment.—When an officer is said to have a lien on an appointment, it is meant that the right of such an officer to resume on return to duty a substantive or an acting appointment on which he has a lien is subject to the same condition of conformity with the interest of the public service as the tenure of the appointment is. An officer may have a lien on an appointment without having actually joined it.

38. (*a*) **Local Allowance.**—A "Local Allowance" is an allowance not specially declared to be "Pay" or "Salary" given to an officer of Government in addition to *pay* or *salary*, either for duties which do not properly belong to his office, or in consideration of exceptional local circumstances, such as the unhealthiness or expensiveness of the locality or duty, or the specially arduous nature of the work.

(*b*) Subject to the provisions of articles 78 and 300 to 305 a Local allowance is paid in full to the officer actually present on duty, and is not taken into account in calculating leave allowances or *pension*.

39. (*a*) **Local Fund.**—When revenue derived from special sources is devoted to special objects, and not to the general purposes of the Administration, whether Imperial or Provincial, the revenue so devoted forms a "Local Fund."

(*b*) An "Incorporated Local Fund" is a Local Fund the receipts of, and disbursements from, which are incorporated in the Public Accounts.

(*c*) An "Excluded Local Fund" is a Local Fund the receipts of, and disbursements from, which are not incorporated in the Public Accounts. The following are the Excluded Local Funds:—

Municipal, Cantonment, Port, Town, and Station Funds; Educational, Dispensary, Hospital, and all other Trust or Endowment Funds; Police Remount Funds; The Persian Famine Relief Fund; the Pooree Pilgrims' Fund; the Barea Tribute Fund; the Bombay Cotton Improvement Fund; the Indus Conservancy and Registration Fund; and any other Funds which may be especially classed by the Governor General in Council among the "Excluded Local Funds."

Definitions.

40. **Local Government.**—Except for the purposes of Article 142 of the rules regarding Pay and Allowances (Part II) and Appendix No. 25—

(*a*) "Local Government" includes—

A Chief Commissioner (including the Chief Commissioner of the Andaman and Nicobar Islands, excepting in the case of officers appointed directly by the Government of India).

NOTE.—[The Chief Commissioner of the Andaman and Nicobar Islands is authorised to make appointments to vacancies for periods not exceeding three and a half months in the case of officers appointed directly by the Government of India.]

The Residents at Hyderabad and in Mysore.
The Agents to the Governor General in Baluchistan, Rajputana and Central India.

(*b*) And, as regards officers under their orders, excepting officers appointed directly by the Government of India, the term includes—

The Director General of the Post Office of India;
The Surveyor General of India;
The Commissioner of Northern India Salt Revenue;
Inspectors General of Ordnance;
Commissaries General;
Administrative Commissariat Officer, Burma;
The Director General of Telegraphs;
The Director-in-Chief, Indo-European Telegraphs;
The Director General of Military Works; and
The Director General of Railways.

NOTE.—The full powers of a Local Government under Articles 1093 (subject to a limitation of 2 horses and 25 maunds of *camp equipment* in each case), 1135, 1156 (*a*), 1159, 1164, 1166 (*a*), 1186, 1192, 1193, 1204 (*b*), 1207, 1224, 1225, 1227, 1228, 1288 and 1290 (*b*) have been delegated to the undermentioned officers:—

The Director General of the Post Office of India;
The Director General of Telegraphs;
The Director General of Military Works;
The Director General of Railways.

(*c*) The following officers exercise the powers of a Local Government under the Pension and Pension Procedure Rules in respect to all their subordinates who are not appointed directly by the Government:—

The Director of the Royal Indian Marine;
Lieutenant-Generals of Commands.

(*d*) In respect to officers of the Royal Indian Marine the Director also exercises the powers of a Local Government for the purposes of Articles 176 and 177 in Part II, Rules regarding Pay and Allowances.

NOTE.—[Managers of State Railways have powers to decide finally, and without further reference, all questions connected with payments to subordinate employés of the State Railway Department, subject to the following conditions:—

(1) That the Manager and his account officer concur in considering the case to be within the spirit of these Regulations, although not strictly provided for by their letter.

(2) That the case disposed of does not involve more than a single payment nor an expenditure exceeding R100.

41. (*a*) The Government of India exercises in each Department in respect to officers serving under it, and not under any *Local Government*, the power of a *Local Government* under the following rules :—

Part II.—Rules regarding Pay and Allowances limited in the case of Chapter IV to the provisions of Article 99A.

Part III.—Leave Rules.

Part IV.—Pension Rules. Articles 486, 486 (*c*), 486 (*d*), 503 (*a*), and 507.

Part IX.—Procedure relating to leave.

Part X.—Procedure relating to Pension; Articles 990, 993, and 994.

Part XI.—Travelling Allowance Regulations, except under Articles 1089 to 1091 and 1251.

(*b*) The Government of India in the Public Works Department, and, in the case of pensions chargeable against the Military Estimates, in the Military Department, exercises the powers of a *Local Government* under Article 998 of Part X, Pension Procedure Rules.

(*c*) The powers of the Revenue and Agriculture Department of the Government of India under this Article, in respect of officers employed in the Forest Survey Branch, the Imperial Working Plans Branch, and the Forest School at Dehra Dun have been delegated to the Inspector General of Forests.

42. (*a*) **Military Officers.**—"A Military Officer subject to the Civil Leave Rules" means a Military Commissioned Officer in permanent Civil employ (not being a *Warrant Officer*), who is not subject to the Military Furlough Rules of 1854 or 1868.

(*b*) All Military Officers in permanent Civil employ who entered the Staff Corps or the Indian Medical Service after the 31st December 1875, or were subject, previous to their entering Civil employ, to the Leave Rules promulgated by Army Circular dated 30th April 1886, and Royal Engineers in the Public Works Department (excluding the Military Works Branch) and the Survey Department who have elected for continuous service in India, are "subject to the Civil Leave Rules."

(*c*) "A Military Officer subject to the Military Leave Rules" means a Military Commissioned Officer in permanent Civil employ (not being a *Warrant Officer*) who is subject to the Military Furlough Rules of 1854 or 1868, or a *Warrant Officer*. Such an officer is not included in the term "an Officer" used in the Leave Rules.

(*d*) All Military Officers who were in Civil employ on the 30th December 1875, and have been since continuously in such employ, are "subject to the Military Leave Rules," excepting any who may have elected the Rules of 1875, before the 7th December 1877.

(*e*) The term "all Military Officers" means both Military Officers subject to the Civil Leave Rules, and Military Officers subject to the Military Leave Rules.

1. A Military Officer in the Military Secretariat of the Government of India, the Military Secretary to the Resident at Hyderabad, and a Military Officer appointed from Military employment to be Private Secretary to a Lieutenant-Governor are not in Civil employ.

Definitions.

2. A Military Officer who has officiated in the Civil Department continuously for not less than three years is considered to be in permanent Civil employ. Furlough or leave (other than privilege leave) is not included in this continuous officiating service and, unless it is granted on medical certificate, operates as a break cancelling past officiating service for the purposes of the rule.

3. A Military Officer does not come under the Civil Leave Rules by reason of his being transferred to an appointment in the Civil Department of which the tenure is limited to a definite period. Such Officers remain subject to the Military Leave Rules, except as regards privilege leave (see Article 272).

4. When a Military Officer subject to the Civil Leave Rules is temporarily deputed to the Military Department, but retains a lien on his appointment in the Civil Department, the period of his deputation qualifies for leave under the Civil Leave Rules.

43. Ministerial Officer means an officer, whether his appointment to the service is gazetted or not, whose duties are not of an administrative or executive character, but who is employed as a member of an office establishment.

Examples.—A Registrar, an Accountant or a Clerk is a Ministerial officer. A Tahsildar, a Police Inspector or Constable, or a Teacher in a school is not a Ministerial officer.

44. Cancelled.

45. Native of India means any person born and domiciled within the dominions of Her Majesty in India, or within the territories of Indian Princes tributary to, or in alliance with, Her Majesty, of parents habitually resident in India, and not established there for temporary purposes only.

46. Officer.—In the Leave Rules, "an officer" means an officer of any class to whom leave of absence from duty may be granted under these Regulations, and does not therefore include "a Military Officer subject to the Military Leave Rules."

47. Pay and Salary.—

(*a*) "Pay" means "Monthly Substantive Pay."

(*b*) For the purposes of the European Service Leave Rules in Part III "Pay" includes also the Subsistence Allowance of a Member of the Indian Civil Service or a *Military Officer subject to the Civil Leave Rules* who has an officiating but not a substantive appointment. (*But see Rule 2 under Article 42.*)

(*c*) "Salary" means the sum of pay and acting allowance, or charge allowance under Article 115 or Chapter VIII.

1. Personal Allowance is treated, for the purposes of calculating Leave Allowances and Pensions, as part of an officer's substantive pay.

2. If an officer whose whole time is retained for the public service is appointed to hold conjointly with any other Government office a Minor Professorship under the Medical Warrant of April 1867, or a Professorship or Lecturership in any Government institution, the allowances received by him in such appointment are part of his salary.

3. "Salary" does not include House-rent, Tentage, or Travelling Allowances whether daily, monthly or yearly; nor does it include a *Local Allowance*.

4. The charge allowance admissible to Permanent Telegraph Masters under Public Works Department Resolution No. 125 T. E., dated the 7th August 1889, and that admissible to Inspectors for line maintenance in the Persian Section, Indo-European Telegraph Department, are included in salary for the purpose of calculating the leave allowances of such officers.

NOTE.—[These definitions do not necessarily apply to the Statutory Rules under Articles 600, 632, etc.]

48. The "Pay of an Appointment" means the pay which any particular officer would receive monthly if he held the appointment substantively :

Examples (1).—The allowances of an officer acting in an appointment the pay of which is subject to increase upon the passing of an examination or upon the completion of a certain period of service, are calculated upon the pay which he would from time to time receive if he held the appointment substantively.

(2).—The allowances of an officer acting in an appointment the pay of which has been reduced with effect from the next succession thereto, are calculated upon the reduced pay.

49. (*a*) The **"Pay of an Officer"** is—in the case of an officer with a substantive appointment,—the amount which he would receive, monthly, under any of the following designations, in his substantive appointment :—

Substantive Pay,
Consolidated Pay,
Military Pay and Allowances and *Staff Salary*,
Staff Corps Pay and *Staff Salary*.

(*b*) In the case of an officer without a substantive appointment,—his monthly Subsistence Allowance (if a Member of the Indian Civil Service, a Statutory Civil Servant, or a Military Officer subject to the Civil Leave Rules) ; and his Military Pay and Allowances or Staff Corps Pay (if a Military Officer subject to the Military Leave Rules).

50. Pension.—Except when the term "Pension" is used in contradistinction to Gratuity, "Pension" includes Gratuity.

51. Pensionable Office or Pensionable Service.—Service is said to be "Pensionable" when it qualifies : and an office is said to be "Pensionable" when service therein counts.

52. Port Officers.—For the purposes of the Travelling Allowance Regulations "Senior Port Officers" are—

(i) The Port Officers of Calcutta, Madras, Bombay, Rangoon, Karachi, Aden, Akyab, and Maulmain.
(ii) The Assistant Port Officers at Madras and Bombay.

All other Port Officers are included in the term "Junior Port Officers."

53. Progressive Appointment means an appointment the pay of which is progressive ; and **Progressive Pay** is pay which, subject to the good behaviour of an officer, rises, by periodical increments, from a minimum to a maximum.

NOTE—[For brevity's sake, a Progressive pay is described by three groups of figures, namely, the minimum, the increment, and the maximum.]

Example.—A pay of R100-20-200 means a pay rising from R100 by a yearly increment of R20 to R200.

54. Public Conveyance.—"Public Conveyance" means a train, steamer, or other conveyance which plies regularly for the conveyance of passengers : the term includes such conveyances as the "express" tongas plying between Simla and Kalka, and palanquins plying in connection with the Pathankot-Dalhousie dhuli dâk.

55. Qualify.—"Qualify" and "Count" mean qualify and count for pension from the *General Revenues* or for leave of absence, as the case may be.

Definitions.

56. Rule of Proportions.—When pension or leave allowances are said to be chargeable to several accounts according to the "Rule of Proportions," the meaning is that the charge should be debited to such several accounts in the proportions in which, in the case of pension, the aggregate pay drawn by the officer during the whole of his qualifying service has been paid from them; or in the case of leave allowances, the aggregate salary drawn by the officer during the portion of his service immediately preceding the beginning of his leave which is taken into account in calculating the leave granted to him was charged to such several accounts.

57. Salary.—(*See* "Pay and Salary," Article 47.)

58. Staff Salary is an allowance to a Military Officer in addition to the Military Pay and Allowances or the Staff Corps Pay of his rank.

NOTE.—[The following allowances are not treated as staff salary:—Command allowance of hill convalescent depôts, of depôts of British troops, of all stations and forts (Assirghur excepted) not being brigade commands; and the salaries of Staff Officers of stations and convalescent depôts and of Superintendent of Bazars.]

58A. Statutory Civil Servant.—A Statutory Civil Servant is a Native of India who was appointed under Notification No. 1534 of the Government of India, Home Department, dated the 22nd August 1879, to an office, place or employment referred to in Section 6 of 33 Vict., Cap. 3.

59. Warrant Officer.—(*a*) "A Warrant Officer" includes every Warrant Officer, to whichever Military Furlough Rules he may be subject, and whether he hold an Honorary or Veteran Commission or not.

(*b*) The grades of Warrant Officers are—

1st class	Deputy Commissary. Assistant Commissary. Deputy Assistant Commissary.
2nd class	Conductor. Sub-Conductor.

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PART II.—RULES REGARDING PAY AND ALLOWANCES.

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Conditions of Age and Health.

60. No person may be appointed to a superior grade in the public service in India without a certificate by a Commissioned Medical Officer, or by a Medical Officer in charge of a civil station, or (in the case of a candidate for employment in a State Railway) of a State Railway. This certificate must be annexed to the first bill submitted for the pay of the officer. A similar rule is enforced by the Secretary of State in the case of persons selected by him for service in India.

The *Local Government* may, in any individual case, on public grounds, dispense with the production of the certificate required by this rule; and may make any rules it considers necessary for prescribing the particular Medical Officer or officers whose certificate is required for appointments to any office or Department.

61. The certificate should be in the following form with suitable modifications :—

I do hereby certify that I have examined A. B., a candidate for employment in the _____ Department, and cannot discover that he has any disease, constitutional affection, or bodily infirmity, except _____. I do not consider this a disqualification for employment in the office of _____. A. B.'s age is, according to his own statement, (x) years, and, by appearance, about (y) years.

NOTE.—[When an officer, in whom a defect has been noticed by the Examining Officer, is transferred from one office to another, the duties of which are different in character, a Commissioned Medical Officer, or a Medical Officer in charge of a civil station, or (in the case of an officer employed in a State Railway) of a State Railway, should report whether the defect will materially interfere with the discharge of his new duties by the officer transferred.]

62. If an officer, who is appointed on a pay not exceeding fifty rupees, cannot conveniently appear before a Commissioned Medical Officer or a Medical Officer in charge of a civil station, or (in the case of an officer appointed to an office in a State Railway) of a State Railway, the *Local Government* may accept a certificate in such form as it considers sufficient from any other officer who need not even be a medical man.

No medical certificate is necessary upon an officer being promoted from Inferior to Superior service, even though the officer while in Inferior service may have been paid from a *Local Fund*.

63. A person, whose age exceeds twenty-five years, may not ordinarily be admitted into the service of the State (see orders printed as Appendix No. 1). The ordinary limit is extended to thirty years in the case of a person appointed to a Judicial Office, and to twenty-eight years in the case of—

(i) Civil Assistant Surgeons in the Bengal Presidency who had taken a University Degree, or had passed the First Arts Examination before commencing the study of Medicine;

(ii) Civil Assistant Surgeons in the Bombay Presidency who had passed the previous Examination in Arts before taking the Medical Degree; and

(iii) Civil Assistant Surgeons in the Madras Presidency who had passed the First Arts Examination before entering on the course for the Degree of Licentiate in Medicine and Surgery, and those who had gone through the course for the Degree of Bachelor of Medicine before entering the service.

NOTE.—[This Article does not apply to the employment in civil capacities of reservists and pensioners of the Native Army.]

Date of reckoning Allowances.

64. (*a*) Unless it be otherwise provided by special rule or contract, the salary of an officer begins when he takes charge of the appointment in respect of which it is earned. If the charge is transferred after noon, the transfer does not affect allowances until the next day.

(*b*) If, however, the substantive appointment of an officer is changed while he is officiating in an appointment, or if, while so officiating, an officer is appointed, for the first time, to some substantive office, then, provided that his tenure of his officiating appointment is not interrupted by his new substantive appointment, he may draw the pay thereof without joining it, from the date on which he is appointed thereto, or from any later date on which the substantive office becomes vacant.

1. Pupils of the Civil Hospital Assistant class in Medical Colleges and non-Burman holders of Burma Civil Hospital Assistant Scholarships at the Madras and Lahore Medical Colleges, appointed to be Hospital Assistants, are allowed to draw pay as lowest grade Hospital Assistants from the date they pass their final qualifying examination. They may be granted leave for a period not exceeding 30 days, or a month and a half in the case of non-Burman holders of Burma Civil Hospital Assistant Scholarships, from the date of passing their final examination. They are required to join their appointments within the period of this leave.

65. Subject to the provisions of the Subsidiary leave rules in Chapter XIII, Articles 352 to 365, the first day of an officer's leave is the first day on which he has not charge of his office after noon, and the last day of his leave is the last day on which he has not charge before noon.

66. An officer may leave India, or return to India, by any port; but his Furlough or Special leave begins on, and includes, the day of the vessel's departure from the port where he first meets it, and ends on the day before its arrival at the port where he last quits it.

Example.—The furlough or special leave of an officer sailing from Calcutta in a vessel which touches at Madras begins on the departure of the vessel from Calcutta, and not from Madras.

Charge of Office.

67. Unless, for special recorded reasons, the authority under whose orders the transfer takes place permits or requires it to be made in any particular case elsewhere, or otherwise, the charge of an office must be made over at its head-quarters, both the Relieving and the Relieved Officers being present.

1. In the Madras Presidency, the Collector may authorise transfer of charge of a Sub-divisional Office in his District at a place other than the head-quarters of the Division, and the Inspector General of Police, Madras, has similar power in respect of Police officers serving under him.

68. As a general rule, and subject to any special orders to the contrary in particular cases, the head-quarters of an officer on the staff of a Government, as, for instance, a Secretary to a Government, the Surgeon General with the Government of India, or a clerk in a Government Secretariat, are the head-quarters, for the time being, of the Government to which he is attached.

69. The head-quarters of any other officer are either the station which has been declared to be his head-quarters by the authority which appoints him, or, in the absence of such declaration, the station where the records of his office are kept.

70. If an officer is authorised under Article 67 to make over charge of an office elsewhere than at its head-quarters, any joining time to which he may be entitled shall be reckoned from the place at which he actually makes over charge.

Leaving Jurisdiction.

71. No officer (other than a Police officer acting within his legal powers) is entitled to pay or allowances for any time he may spend beyond the limits of his charge without proper authority, as defined in the following Articles.

72. The sanction of his immediate superior is sufficient authority for any officer or subordinate proceeding on duty beyond the limits of his charge, but within those of the jurisdiction of such superior.

73. A Local Government may authorise any of its officers to proceed on duty to any part of the territories within its own jurisdiction; and also to any part of British India beyond the limits of its own jurisdiction when the pay and allowances are chargeable wholly or partially to Provincial Revenues; but if the pay and allowances are wholly chargeable to Imperial Revenues, the sanction of the Government of India is required when the officer is deputed beyond the limits of the Province.

74. The sanction of the Government of India is also necessary when the deputation of an officer within the limits of a Province involves additional expenditure chargeable to Imperial Revenues.

75. An *Accountant General* may, under the orders of a Local Government, pass pay and allowances (according to rule) to the Head of an Administration for any period during which he may be absent from his jurisdiction and to any member of his Personal or Secretariat staff. Such an order is, with reference to the Statute 3 & 4, Will. IV, Cap. 85, s. 79, a sufficient authority to the

Accountant General for assuming that the absence is on the known actual service of the Government.

Promotion during Leave.

76. If an officer, while absent on "short leave" during which the amount of his leave allowances depends upon the substantive or officiating rank or appointment which he would hold if present on duty, obtains promotion, substantive or officiating, or an increase of *pay* or acting allowance which involves no change in, or addition to, his duties or responsibilities, the promotion or increase has effect at once. Otherwise, the promotion of an absent officer has effect only from the date of his return to duty.

Personal Allowances.

77. Unless in any case it is specially ordered otherwise, a personal allowance should be reduced by any amount by which the recipient's *pay* or *salary* may be increased, and should cease as soon as his *pay* or *salary* is increased by an amount equal to his personal allowance.

Local Allowances.

78. So much of a *local allowance* as is not paid to a substitute may be drawn by an officer absent from his office through deputation on special duty for a period not exceeding one month. If the absence exceeds a month, an officer is not entitled to draw his *local allowance* for any part of the absence. This rule applies also to an officer in receipt of Presidency allowance at a Presidency Town who is absent from the Presidency Town on duty connected with his office; but an officer in receipt of house-rent at a Presidency Town may, during absence from the Presidency Town, whether on other duty or on duty connected with his office, continue to draw his house-rent, provided the term of his absence does not exceed two months, exclusive of the months of departure and return; if the absence exceeds this term, the house-rent is not admissible for any part of the absence. A claim to house-rent under this Article must be supported by a certificate by the officer that his previous rate of expenditure for a house at the Presidency Town continued during his absence.

1. Members of the Signalling Establishment of the Telegraph Department at Rangoon, who receive house-rent at that place, are permitted, during periods of absence on deputation to Elephant Point for not more than two months, to draw their house-rent at Rangoon, on furnishing the certificate prescribed in the foregoing Article.

2. Any medical officer in medical charge of a civil station who is required to proceed beyond the limits of his charge in order to appear as a witness in any judicial proceedings shall, in addition to the salary of his office, continue to draw the local allowances attached thereto, without prejudice to the claim of his *locum tenens* to draw these allowances.

3. The rule in this Article does not apply to the Presidency allowances drawn by officers and Accountants of the Accounts Branch of the Public Works Department when absent from the Presidency Town on inspection duty. In their case Presidency allowance may be drawn irrespective of whether the period of absence is under or over a month.

4. Members of the Persian Section, Indo-European Telegraph Department, who receive house-rent in Persia, may draw their house-rent for periods of absence on deputation from their station not exceeding two months, on furnishing a certificate that they have actually paid full rent during their absence; and a member in receipt of house-rent may, when transferred to another station, draw the rent for one month from date of making over charge of his duties, provided that he pays the rent, and that the officer who succeeds him does not also draw house-rent for the same station in respect of the same period.

Acting Allowances under Local Funds, etc.

79. No acting allowances paid from a Local Fund, or from any other sources under the control of any Government officer, shall, without the express sanction of the Government of India, exceed what would be admissible under the rules (see Chapter VI) which apply to an officer paid from *General Revenues*. If an officer whose substantive office is paid from an *Incorporated Local Fund* is appointed to act in an office paid from the *General Revenues*, his salary is calculated as it would be if his substantive office also were paid from the *General Revenues*. This rule also applies to an officer whose substantive appointment is in Foreign Service and who is transferred in the public interests to act in an appointment paid from the *General Revenues*.

1. An officer who is *lent to Foreign Service* is not considered as holding a "substantive appointment in Foreign service" for the purposes of this Article. Such an officer cannot return to acting service under the British Government without reverting to his substantive (British) office, the *locum tenens* of this office thereupon falling back upon acting allowances and ceasing to hold a "provisional" appointment under Article 109 or a "sub. *pro tem.* appointment" under Article 110.

Salaries of Natives of India.

80. When a *Native of India* is appointed to an office which has been usually filled by a member of the Indian Civil Service, or of the Staff Corps, or by nomination in England, or otherwise with the specific approval of the Secretary of State, his *salary* should, in the absence of special orders to the contrary, be two-thirds of that assigned to the European.

NOTE (1).—[In the case of appointments usually filled by members of the Indian Civil Service, the two-thirds is more accurately described as 64 per cent., thus—

	R
Full salary	100
Deduct four per cent. for annuity—net salary	96
Two-thirds of net salary	64]

NOTE (2).—[In a Despatch No. 90 (Public), dated 14th October 1886, the Secretary of State remarked as follows: "I fully concur in the views of my predecessor in Council expressed in his Judicial Despatches Nos. 18 and 20, respectively, dated 27th May and 29th July last, as to the equity of the rule under which Natives of India receive two-thirds of the pay drawn by Europeans discharging similar duties, and as to the great importance of admitting no further exceptions to that rule. I see no sufficient reason to make an exception in the present case."]

NOTE (3).—[Any local allowance attached to an appointment of the class referred to in this Article should also be reduced to two-thirds when the appointment is held by a Native of India.]

Advances and their Recovery.

81. The following rules regulate the grant of advances to officers on arrival in India on first appointment to the service of the Government of India and to officers returning from leave or special duty out of India:—

(*a*) An advance of an amount not exceeding two months' pay, and also not exceeding ₹1,000, may be made to any public officer in the Civil Department on arrival in India on *first appointment* or on return from long leave

or special duty out of India. This advance is independent of any advance on account of allowances, made by the Secretary of State in England.

(*b*) The advance may be drawn under the orders of the *Audit Officer* from any treasury in India to be specified in such orders.

(*c*) Such advances, as well as similar advances issued by the Home Government, are to be recovered by monthly instalments of one-third of *salary*.

NOTE.—[Clause (*c*) does not apply in the case of a Military officer in civil employ subject to the Military Leave Rules granted an advance under those rules; nor does it apply to Covenanted Engine-drivers, Mechanics, Boiler-makers, etc., recoveries from whom are regulated by Article 735 in Chapter XXXI (State Railway Revenue Establishments).]

81A. A civil officer returning from furlough out of India is not granted an advance of allowance for more than thirty-five days beyond the date of embarkation for India.

82. If an officer receives an advance of pay in England to enable him to return to duty in India, the advance will be recovered at the rate, or rates, of exchange fixed for the adjustment of financial transactions between the Imperial and Indian Governments for the year in which the advance was made. This rule will also apply when an advance is made in England to a person appointed there, proceeding to India to join his appointment.

Transfer on Duty.

83. (*a*) No officer (unless he has been newly appointed to the service of Government) can begin to draw any pay or allowances at any treasury in India, or at the Home treasury of the Government of India, without producing a last-pay certificate from the treasury where his pay or allowances were last disbursed, or from the *Accountant General* within whose jurisdiction this treasury is.

(*b*) The rules regarding the issue of last-pay certificates in connection with "transfer on duty" are laid down in Appendix No. 2.

84. A Salary or Establishment Bill on account of an officer, of whatever rank, required to accompany the head-quarters of a Government to a hill station, signed or countersigned by a Gazetted Officer, is exempted from the operation of the preceding Article.

Chapter IV.—Additions to Salary and Deputations.

	Article.
Maximum Salary	85
Increase of Salary	87
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Permanent Appointments	92
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Private Secretary to a Lieutenant-Governor	100
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Maximum Salary.

85. The maximum civil salary, except of appointments of which the salary is fixed by Statute, is ₹50,000 a year. But sumptuary allowances,

travelling allowances and the like may be granted in addition to this maximum.

Increase of Salary.

86. Cancelled.

87. Any increase which would have the effect of raising a salary above ₹5,000 a year and any increase to a salary already in excess of ₹5,000 a year requires the sanction of Her Majesty's Secretary of State for India; and no such increase may be included in the estimates until that sanction has been obtained.

DEFINITION.—The term "salary" used in this Article includes not only "salary" as defined in Article 47 (*c*), but all fixed allowances, of whatever kind paid from the *General Revenues* or from any local funds administered by Government except the following:—

(i) Travelling and conveyance allowances;
(ii) House rent allowances;
(iii) Local Allowances to Civil Surgeons for charge of Railway employés.

Additions to Salary.

88. (*a*) Unless in any particular case it be otherwise distinctly provided, the whole time of a public officer must be held to be paid for by the State and he may be employed in any manner required by proper authority within his own branch of duty, without claim for additional remuneration, whether the services rendered are such as would ordinarily be paid for from the Imperial or Provincial Revenues, or a *Local Fund*.

(*b*) All municipalities and funds administered under a Local Government, inclusive of Port Trust Funds and Wards' Estates, are entitled to the gratuitous advice and services of officers of the Public Works Department, and of all Government Medical, Sanitary and Educational officers, whenever these can, in the opinion of the Local Government, be given without detriment to the public service. It will rest with the Local Government in each case to decide whether this last condition is fulfilled, and to indicate in each instance to what officer application for advice or assistance should be made. When a Municipality has its own Engineer or Manager, it will probably only desire to consult some superior officer of the Public Works or other Department. In other cases more direct supervision and assistance may be considered desirable, and should be freely given without charge, if the Local Government decide that such supervision and assistance can be given without detriment to the public service.

(*c*) This rule does not, however, affect such Officers as Directors of a Railway Company, Members of a Town Council or a Port Trust, Government Director of the Darjeeling Railway, Chairman or Vice-Chairman of the Rangoon Port Trust who are entitled under any special or local law to receive fees or other remuneration for attendance at meetings of Directors or Commissioners, etc., for the transaction of business.

89. (*a*) An honorarium may be granted to an officer from Imperial, or Provincial, or from Local Funds administered by Government, when the Head of his Department certifies that the work is special and outside the ordinary course of the officer's duties, and that it does not interfere with the discharge of those duties.

(*b*) The powers of sanction of the several authorities in respect of any honorarium payable from Imperial or Provincial revenues, or from Local or other funds administered and controlled by the Government, are as follow:—

Up to R100, by the Head of the Department.
„ R500, by the Local Government or Administration.
„ R1,000 by the Government of India.
Above R1,000, the sanction of the Secretary of State is required:

Provided that the limit of sanction, when the charge falls on Imperial Funds in the case of a Local Government or Administration, shall be R200 in each case.

(*c*) If it is proposed to grant to any officer for special work of any description a bonus or honorarium which will require the sanction of the Government of India or the Secretary of State, as the case may be, the consent of the Government of India in the Finance Department must be obtained to the payment of a specific sum before the work is begun.

(*d*) Remuneration shall not be given under this rule for superintending an examination rendered compulsory on persons belonging to the public service, or any other examination the conduct of which comes within the ordinary duties of the officer or officers conducting them. But remuneration may be granted to officers superintending an examination of candidates for admission to the public service, or any other examination the conduct of which is declared by the Local Government or Administration not to come within the ordinary duties of the officer or officers conducting them. If fees are levied from the candidates appearing at an examination, and the amount of such fees is sufficient to cover the honoraria of the examiners, the reference required by clause (*b*) to the Government of India or the Secretary of State in certain cases shall not be necessary.

90. (*a*) Any servant of Government is eligible to receive without special permission the premium awarded for an essay or plan in public competition.

(*b*) Any servant of Government may also receive without special permission any reward offered for the arrest of a criminal or for information or special services in connection with the administration of justice; and also any reward payable in accordance with the provisions of any Act or Regulation or Rules framed under such enactments.

91. In other cases not provided for by existing special orders, the sanction of the Government of India should be obtained to the grant of remuneration from the public revenues in addition to the fixed pay of any public officer.

(*a*) Any officer may receive a fee from a private person or private body, or a public body whose funds are not administered by the Government for work done for it: provided—

(1) he has undertaken the work with the knowledge and sanction in writing of the Head of his Department;
(2) that the Head of the Department certifies that it can be carried out without detriment to his official duties; and
(3) that the acceptance of a fee and the amount of the fee are approved by the authority having under clause (*c*) power to sanction its acceptance.

(*b*) When the work undertaken for a private body is such that it must be done during the time which would otherwise be employed in the service of the Government, the fee should be credited to Government; but the authority having power under clause (*c*) may grant to the officer concerned the whole or such portion of the fee realised as it may deem suitable.

(*c*) The powers of sanction of the several authorities in the case of each fee under clauses (*a*) and (*b*) are as follow :—

Up to R100, the Head of the Department.
„ R500, the Local Government or Administration.
Above R500, in the case of fees for conducting University examinations, the Local Government, and in other cases, the Government of India in the Administrative Department concerned.

(*d*) This rule does not apply to medical officers who are allowed to accept fees from private persons for professional attendance subject only to the orders contained in the Resolution of the Government of India in the Home Department, No. 813, dated 18th December 1888.

(*e*) The Government of Bengal, for reasons which must be recorded, may sanction the acceptance by a pilot or leadsman apprentice of a reward, not exceeding R500 in amount, where special and exceptional services are rendered, whether to the ship of which he is in charge, or to another vessel. Nothing in this rule shall authorize a pilot or leadsman apprentice to enter into a bargain or arrangement, stipulating that he shall receive an extra fee in consideration of rendering extra services.

Permanent Appointments.

92. No new appointment with *pay* exceeding R3,000 a year may be created without the previous sanction of the Secretary of State for India. If an emergency should arise demanding the immediate creation of such an appointment, it may be made provisionally; but in such case it must be at once reported to the Secretary of State, no expectation being held out to the individual appointed to it which would warrant a claim for compensation in the event of the appointment not being finally sanctioned.

NOTE.—["The Secretary of State has repeatedly objected to the Government of India sanctioning, in anticipation of his approval, increases of pay and establishments, grants of special pensions, and measures involving additional expenditure, and has now requested that the Standing Orders on the subject may be strictly observed in future. It will be therefore out of the power of the Government of India to sanction any such measures provisionally, except in special emergencies. The President in Council accordingly desires that all Departments of the Government of India, Local Governments and Administrations, and Heads of Departments will refrain from recommending the sanction, in anticipation of the approval of the Secretary of State, of any expenditure which requires the sanction of Her Majesty's Government. Nothing short of urgent necessity will be held to justify any disregard of these orders. Whenever such urgent necessity occurs, its nature must be precisely explained, together with the reason why it was not foreseen in time to enable the Government of India to take the orders of Her Majesty's Government in due course."—(*Resolution No. 3648, dated 23rd November 1880.*)]

93. As regards Provincial charges, the limits of the authority of the Provincial Government in respect to permanent appointments are as follows :—

Without the authority of the Government of India—

(i) no appointment may be created with a *pay* of more than R250 a

month; and no addition may be made to the pay and allowances of any officer if they exceed, or would, after the addition, exceed, R250 a month;

(ii) no appointment, of which the pay and allowances are more than R250 a month, may be abolished; and the pay and allowances of no such appointment may be reduced;

(iii) no class or grade of officers may be created or abolished; and the pay of no class or grade of officers may be raised or reduced.

NOTE.—[An addition to the strength of a class or grade is not the creation of a class or grade of officers.—(*Finance Department No. 1642, dated 19th July 1878.*)]

(iv) no addition may be made to the pay or allowances of any individual officer, or class of officers, that may lead to increase in the emoluments of any public servants doing duty in the same province whose pay and allowances are not charged under one of the transferred heads of service. The Government of India reserves the right to forbid alterations in rates of pay and allowances which, in its opinion, would produce inconvenience in other provinces.

Temporary Appointments and Deputations.

94. An officer is said to be on deputation when he is detached on special temporary duty for the performance of which there is no permanently or temporarily sanctioned appointment. A temporary appointment is an appointment carrying a definite rate of pay and sanctioned for a limited time.

95. Temporary appointments and deputations, the cost of which is wholly or partly Provincial, may be sanctioned by a Local Government without reference to the Government of India—

(*a*) for any specified period, if the remuneration does not exceed R250 a month;

(*b*) for not more than six months, if the remuneration exceeds R250 a month.

In the Public Works Department, temporary appointments on pay not exceeding R250 a month, the cost of which is Imperial, may be sanctioned by a Local Government.

96. Temporary appointments and deputations may be sanctioned by the Government of India—

(*a*) for any specified period, if the remuneration does not exceed R250 a month;

(*b*) for not more than twelve months, if the remuneration exceeds R250 a month.

97. The sanction of the Secretary of State, though not necessarily the previous sanction, is required to any temporary appointment or deputation in which the remuneration exceeds R250 a month, and which is expected to last or does last for more than twelve months.

98. An officer deputed on special duty may be allowed to draw the *pay* or *salary* which, but for his deputation, he would have continued to draw either

as substantive or officiating. If the duties involve a decided increase of work or responsibility in comparison with the duties of his regular appointment, or require a change of station, the officer may, in addition, be allowed to draw a deputation allowance which may not, except in special cases and with the special sanction of the Government of India, exceed one-fifth of salary, or R10 a day, whichever is less.

99. Deputation allowance does not include re-imbursement of cost of travelling, and an officer who draws deputation allowance is not thereby debarred from drawing any travelling allowance which would be admissible to him, if the duty on which he is deputed were treated as a new permanent appointment.

99A. The powers of a Local Government under Articles 94 to 99 are exercised by Departments of the Government of India in respect of temporary appointments and deputations in Departments under their control of which the cost is Imperial.

Private Secretary to a Lieutenant-Governor.

100. A Military Officer on the commission of a Non-regulation Province or a Member of the Indian Civil Service or any other officer already in the service of Government appointed to be Private Secretary to a Lieutenant-Governor is, while so employed, entitled to a *local allowance* of R350 a month, in addition to the salary to which he would, but for his appointment as Private Secretary, be entitled:

Provided that no Military Officer or Member of the Indian Civil Service may be employed as Private Secretary, whose substantive appointment is above the grade of a Joint Magistrate or Assistant Commissioner, and provided also that, in the case of any other officer holding the appointment, the total emoluments (including the allowance of R350) shall not exceed R1,250 a month. During his tenure of the Private Secretaryship the officer's place on the establishment of the Government to which he is attached must not be filled up.

NOTE.—[The provisions of this Article do not apply to a military officer appointed from military employ to be Private Secretary. The pay and staff pay of such an officer are laid down in the Army Regulations.]

Famine Duty.

101. The following allowances in addition to salary are granted to an officer deputed to Famine work in a Presidency or Province other than that in which he is serving, besides the cost of his journeys to and from the scene of his labours and the usual travelling allowances while there:—

(i) To a Sub-Engineer in the Public Works Department . .	R75 a month.	Besides the usual sub-divisional allowances permitted by the rules, and cost of one servant's journey to and from the famine districts.
To a Supervisor or an Overseer in the Public Works Department . . .	R60 „	
To a Sub-Overseer in the Public Works Department . .	R25 „	

Articles 99—101.

(ii) To a Military Officer transferred from Regimental or purely Military duty—		These allowances are admissible to a Military Officer, even if the Officer is employed on famine work in his own Presidency or Province. The travelling allowances of a Military Officer are the same as those admissible to a Member of the Indian Civil Service.
1. If the Officer's service is more than five years.	R300 a month.	
2. If the Officer's service is not more than five years	R200 „	
(iii) To every other officer . .	R5 a day	Besides the cost of the journeys to and from the famine districts of his servants, and (if tents and horses are carried) the carriage of his tents and horses.

Deputation to Europe.

102. Cancelled.

103. A Civil Officer, or a Military Officer in Civil employ, who, with the sanction of the Secretary of State, is deputed to Europe on special civil duty, is entitled, from the date on which he makes over charge of his office in India to the date on which he resumes it, to an allowance not exceeding two-thirds of the salary which he would draw were he on duty in India.

104. A Civil Officer, or a Military Officer in Civil employ, who, under the orders of the Secretary of State, is detained in Europe on civil duty, or permitted to remain on special civil duty, beyond the period of his leave, is entitled—

(i) if on any leave other than privilege leave—to an allowance not exceeding two-thirds of his pay and allowances in India;

(ii) if on privilege leave—to an allowance not exceeding half his pay and allowances in India, for the period during which he is so detained or permitted to remain on special civil duty.

105. Articles 103 and 104 also apply to a Municipal Officer on duty in Europe.

NOTE.—[In a Despatch No. 16, dated 18th January 1877, the Secretary of State declined to lay down a general rule that the period of absence of an officer deputed or detained on duty out of India shall count as service for leave as well as for pension, and wrote—"the occasions when Indian Officers are employed out of India on duty are comparatively so rare, and the circumstances of their employment vary so much, that it will be preferable to consider each case that may arise in future on its merits, and this course I shall be prepared to adopt." In a subsequent Despatch No. 12, dated 17th January 1889, it was decided that the above order should be adhered to in regard to *all Military Officers* in Civil employment.

Time spent on duty out of India is not an interruption of service for leave.]

Chapter V.—Acting Allowances—General Rules.

Section I.—Definitions and Limitations.

	ARTICLE.		ARTICLE.
DEFINITION . . .	106	SUBSTANTIVE *pro tempore* APPOINTMENTS	110
PROVISIONAL APPOINTMENTS	109	CHARGE ALLOWANCES . . .	115

Definition.

106. "Acting Allowance" is the allowance given, in addition to substantive pay (if any), to an officer who is appointed to officiate in an appointment of which either there is no holder or of which the holder is an *absentee*.

107. In certain cases, as defined in Articles 109 to 114, it is permissible to appoint an officer "provisionally" or "substantively *pro tempore*" instead of appointing him to officiate.

108. It is also permissible, instead of appointing an officer to officiate, to appoint him to be in charge of the current duties of the vacant appointment. In such cases a "charge allowance" is given as explained in Articles 115, 116, and 176 to 181.

Provisional Appointments.

109. If an officer is transferred to duty of a permanent kind either in Foreign service, or, if in British service, such that he retains no connection with his own appointment, the *Local Government* may, if it thinks fit, suspend his lien upon his own appointment altogether, and fill up that appointment substantively, reserving only the right to reverse the arrangements thus made in case the absent officer at any time reverts to his original appointment.

NOTE.—[The expression "duty of a permanent kind" as used in this Article means duty which there is no reason to believe will terminate within three years.]

Substantive *pro tempore* Appointments.

110. If an *absentee* draws no part of the pay of his appointment, another officer may be appointed thereto substantively for a time only on full pay, without disturbing the lien of the *absentee*. The full pay of an officer thus appointed substantively for a time only may, in like manner and upon the same condition, be given to a substitute appointed substantively for a time only. The status of an officer appointed substantively for a time only under this Article is that of an acting officer, and if he is appointed to officiate in a higher appointment, his *salary* is reckoned upon his substantive *pay* proper and not upon the *pay* of the appointment he held substantively *pro tempore*.

NOTE.—[Substantive *pro tempore* promotion may be granted in the place of an officer holding a temporary appointment or on deputation within the meaning of Article 94, if the deputation or temporary appointment is for 6 months or more. For shorter periods only acting promotion may be granted.]

Acting Allowances—General Rules.

111. An officer deputed to act in another office is not an *absentee* within the meaning of Article 110, unless the full pay of that office is available and he is appointed substantively to it for a time only.

NOTE 1.—[When a Tahsildar in the North-Western Provinces or Oudh is deputed on Settlement duty or to officiate as a Deputy Collector for a period likely to be not less than one year, the Local Government may, if it thinks fit, declare that his *locum tenens* may be appointed substantively *pro tempore*.]

NOTE 2.—[In Bengal, the Local Government may make substantive *pro tempore* appointments in vacancies caused by the deputation of Sub-Deputy Collectors and other officers to act as Deputy Magistrates and Deputy Collectors.]

112. An *absentee* who receives absentee allowances draws, within the meaning of Article 110, "part of the pay of his appointment;" and that Article is not to be construed as conflicting with Article 242 of the European Service Leave Rules.

NOTE.—[The subsistence allowance of a Member of the Indian Civil Service, a Statutory Civil Servant or a *Military Officer subject to the Civil Leave Rules*, and the English furlough pay of a Military Officer subject to the Military Leave Rules, are not, for the purposes of this rule, treated as a part of the pay of an absentee's appointment.]

113. A substantive appointment may be made under Article 110 for a time only in the place of a *Military Officer subject to the Military Leave Rules* whose appointment would be forfeited under Military Furlough Rules, but for the operation of Rule II of the Rules published with the General Order of the Government of India in the Military Department, No 171, dated the 25th February 1874 (*Appendix No. 11*).

114. Full pay is not to be drawn under Articles 109 and 110 as a matter of course, or unless the officer claiming it is, by proper authority, formally appointed to the office "provisionally" or "substantively *pro tempore*," as the case may be.

Charge Allowances.

115. Provision is made in Article 176 for the case of an officer appointed to be in charge of the current duties of an office in addition to his own duties. An officer appointed to be in charge of the current duties of an office independently, without retaining charge of his own office, is entitled to a charge allowance of three-quarters of the acting allowance which would be admissible to him if he were appointed to officiate in the office. An officer cannot be thus appointed to be in charge of a "grade."

NOTE.—[The rule laid down in Articles 179 and 181 applies here also.]

116. The *Local Government* may, if it thinks fit, assign to the officer a charge allowance of less than the amount thus admissible, and, on the other hand, if it thinks this amount too small, may grant him, for special recorded reasons, the full acting allowance, excepting that clauses (i) and (ii) of Article 125 shall not apply to such an officer. The charge allowance of an officer under this Article must never exceed what he would draw as acting allowance if appointed to officiate in the appointment.

NOTE.—[The rule laid down in Articles 179 and 181 applies here also.]

Section II.—Maximum and Minimum Salaries.

GENERAL RULE . . . . ARTICLE 117 | SPECIAL MINIMA . . . . ARTICLE. 118

General Rule.

117. The maximum *salary* of an officiating officer is the *pay of the appointment*.

The minimum *salary* of an officiating officer is half the *pay of the appointment*.

Special Minima.

118. Except in the cases provided for in the next Section (Privilege Leave Vacancies) the undermentioned officers, officiating or substantive, are entitled to minimum *salaries* as follows :—

	R
Land Revenue :—	
Assistant Commissioner, 3rd grade, in Berar	400
Supernumerary Deputy Collector in Sind	400
Deputy Collector, North-Western Provinces and Oudh	250
Extra Assistant Commissioner, except in the Kumaon and Garhwal Districts	200
Extra Assistant Superintendent in the Andaman and Nicobars	200
Myo-oke of the 4th grade in Burma	150
Tahsildars and Superintendents of Settlement in the Punjab	125
Naib Tahsildars in the North-Western Provinces and Oudh	50
Naib Tahsildars in the Punjab	36
Acting Assistant Superintendents of Revenue Survey in the Bombay Presidency, including Sind :—	
On first appointment	100
On being qualified to test measurements and passing a colloquial examination	150
In addition to the Tentage Allowance of R75 admissible under entry No. 8 in Appendix 23, Part II.	
Salt :—	
Assistant Superintendents in the Northern India Salt Revenue Department	100
General Administration (Civil Account Department) :—	
Accountant General in Bengal, Madras, or Bombay	1,500
Accountant General in the North-Western Provinces and Oudh, or in the Punjab	1,200
Comptroller in Burma	1,000
Comptroller in the Central Provinces, Assam, or Hyderabad	800
An Officer officiating in the Subordinate Account Service, whether he holds a substantive appointment under Government or not :	
If he officiates in the grade of R130 rising to R175 a month	100
If he officiates in the grade of R200	125
Law and Justice—Courts of Law :—	
A Judge of the Chief Court of the Punjab	*Full pay.*
A Munsiff serving in the Lower Provinces of the Bengal Presidency, whether holding a substantive appointment under Government, or only temporarily employed	200
A Munsiff in the Punjab	125
A Subordinate Judge, Bombay	150

	₹
Police :—	
An Assistant Superintendent serving at Jeypore, in the Hill tracts of the District of Ganjam, in the Parvatipur and Nursipatam Divisions of the District of Vizagapatam, and in the Wynaad Division of the District of Malabar	*Full pay.*
An Assistant Superintendent serving in the Lower Provinces of the Bengal Presidency holding no substantive appointment under Government	250
An Assistant Superintendent, Berar	300
A Probationary Assistant Superintendent, Berar (*i.e.*, who is required to pass the departmental examination before confirmation)	250
An Assistant Superintendent serving elsewhere, except when promoted from a lower grade	200
An Inspector of the Calcutta Police Force	100
Medical :—	
A Civil Medical Officer in medical charge of a civil station	350

Section III.—Privilege Leave Vacancies.

119. As a general rule, the duties of an officer absent on privilege leave should be discharged by another officer at the same station. Only in exceptional cases where there is absolutely no officer available on the spot, can the transfer of an officer from another station to act in consequence of the absence of an officer on privilege leave be allowed.

120. No acting allowance is given to an officer acting in a higher appointment or grade in consequence of the absence of another officer on privilege leave for the first thirty days of such acting appointment, unless the acting officer is transferred from another station, in which case he may draw three-fourths of the acting allowance otherwise admissible :—

Provided always that the emoluments of the acting officer (that is, the *salary* and allowances other than travelling allowances), whether he be appointed to act at the same station or deputed to act from another station, shall not, for any time during the thirty days, be—

(i) less than the "emoluments" which he would have drawn had such appointment not been made, or

(ii) less than half the *pay of the appointment* (see Article 117).*

But in no case shall they be more than the *salary* admissible to him after the thirty days referred to.

1. An officer returning from leave other than privilege leave, who, without joining any other appointment, proceeds at once to officiate in an appointment higher than his substantive appointment in consequence of the absence of an officer on privilege leave, may be treated as an officer transferred from another station for the purposes of this Article.

121. The reckoning of the first thirty days, mentioned in the last Article is subject to the following considerations, and after the said period acting allowances will be drawn by the acting officers under the ordinary rules :—

(i) If an officer officiates continuously in the same appointment, he shall not under any circumstances be deprived of acting allowance for more than thirty days.

(ii) If one officer succeeds another in the same acting appointment, the rule applies, not to the first thirty days of each officer's tenure, but only to the first thirty days of the combined periods of their tenure of the appointment.

NOTE.—[An officer who is placed in charge of the current duties of an office under Article 176 in a privilege leave vacancy, and is debarred from drawing any charge allowance by the last sentence of Article 123, holds an "acting appointment" for the purposes of this rule.]

122. Article 120 applies also in the case of a vacancy caused by the deputation of an officer from another station to act in consequence of the absence of an officer on privilege leave.

123. Article 120 does not affect the right to any *Local Allowance*, nor does it apply—

(i) To Chief Justices, or Judges, of the High Courts, or of the Chief Court of the Punjab.

(ii) To an officer appointed under Article 184 or Article 188 to officiate in a vacancy caused by privilege leave, while still retaining or officiating in his own appointment.

(iii) To a Military Officer in Military employ officiating in or holding charge of a Cantonment Magistracy in addition to his own duties under Article 191.

But it does apply in cases falling under Article 186.

123A. An officer appointed under Article 176 to be in charge of the current duties of an office in addition to his own duties in consequence of the absence of another officer on privilege leave, is not entitled to any charge allowance for the first thirty days he holds charge.

Chapter VI.—Acting Allowances—Rules for Calculation.

Section I.—Indian Civil Service and other Special Services.

	ARTICLE.		ARTICLE.
EXTENT OF APPLICATION . .	124	GRADES OF A CLASS . . .	126
OFFICER WITH A SUBSTANTIVE APPOINTMENT	125	OFFICER WITHOUT A SUBSTANTIVE APPOINTMENT . . .	127

Extent of Application.

124. The rules in this Section apply to the following services :—

(1) The *Indian Civil Service.*

(2) Officers in the Indian Educational Service and other Educational Officers appointed in England on conditions similar to those on which officers are recruited for the Indian Educational Service. Also Officers of the Education Department who, under paragraph 15 of the Resolution in the Home Department No. $\frac{4 \text{ Education}}{204\text{-}216}$, dated 23rd July 1896, have elected to continue on the graded list.

(3) Officers in the Police service of, and above, the rank of Assistant Superintendent.

(4) An officer who, having a substantive appointment, is appointed to officiate in an appointment which is open to, and may in practice be held by, a Member of the *Indian Civil Service* or a Military Officer.

Examples of the appointments referred to.—The appointments of Postmasters General and Judges of Small Cause Courts of the First Class in Bengal, *viz.*, the Small Cause Courts in Calcutta and Sealdah, the Principal Courts in Jessore, and the Courts in Magurah, Jhenida, Narail, Hughli, Serampore, and Howrah.

1. In case of doubt, if the appointment is not one of a class existing in other Provinces, the Local Government will decide whether this clause applies; otherwise the orders of the Government of India must be obtained.

2. Clause (4) does not apply to the cases of officers officiating in appointments in the Enrolled List of the Financial Department.

Officer with a Substantive Appointment.

125. An officer with a substantive appointment, officiating in another appointment or in a higher grade, is entitled to an acting allowance of one-fifth of the pay of the appointment or grade, but the acting allowance shall not be less than—

(i) Two-thirds of the difference between the *pay of the appointment* or grade and the *pay* of the officiating officer.

(ii) Or, subject to the limit of the maximum *salary* (see Article 117), ₹200.

1. A *Warrant Officer* of the Indian Subordinate Medical Department, appointed under proper authority to officiate as "Civil Surgeon" or in an appointment reserved for Commissioned Medical Officers, is subject to this Article.

2. The rule in Article 125 (i) applies to officers in the Military Account Department. An officer of that Department acting for an absentee in a higher grade is entitled to the consolidated pay of his own grade *plus* two-thirds of the difference between the pay of that grade and the pay of the grade in which he acts.

3. The acting allowances of an officer of the Provincial Civil Service who officiates in a "listed" appointment, of the class specified in Article 124 (4), for the enumeration of which see Appendix No. 30A., or of an officer holding one of those appointments substantively who officiates in a higher grade, are regulated by this Article.

Grades of a Class.

126. An officer officiating in a class divided into grades will officiate in the lowest grade, unless it be otherwise specially ordered.

Illustration.—A. is Magistrate, in the first grade, of Nuddea: B. is Magistrate of Midnapore, the senior in the second grade: C. is a Joint-Magistrate. If A. takes leave, then, in ordinary course of promotion, B. would obtain officiating promotion to the first grade without leaving Midnapore, and C., appointed to officiate as Magistrate of Nuddea, would officiate in the second grade.

Officer without a Substantive Appointment.

127. An officer without a substantive appointment is entitled to subsistence allowance with an acting allowance of half the pay of any appointment in which he officiates.

1.—The monthly subsistence allowance for a Member of the *Indian Civil Service* is as follows:—

	₹
To an officer of not more than eight years' actual residence in India	250
To an officer of more than eight, but less than twelve years' actual residence in India	320
To an officer of twelve or more years' actual residence in India	400

Section II.—Military Officers.

	Article.		Article.
Extent of Application . .	128	Appointments on Staff Salary	133
Appointments on Consolidated Pay	130	Medical Appointments . .	135

Extent of Application.

128. The rules in this Section apply to Military Officers serving in Civil Departments except those—

(i) In the Public Works Department including the State Railway and Telegraph Departments (see Section III).
(ii) In the Survey of India (see Section IV).
(iii) In the Forest Department (see Section VI).

Note.—[If a Military Officer officiating in a military appointment has a substantive appointment in the Civil Department, he draws in the Military Department the allowances to which he would have been entitled under Military Rules had his substantive appointment been an appointment in the Military Department.]

129. A Military Officer employed in the Military Secretariat of the Government of India, or as Military Secretary to the Resident at Hyderabad, though drawing pay in the Civil Department, is not subject to these Regulations.

Appointments on Consolidated Pay.

130. An officer officiating in an appointment of which the *pay* is consolidated may be—

Case 1.—An officer without a substantive appointment.
Case 2.—An officer having a substantive appointment the *pay* of which is consolidated.
Case 3.—An officer having a substantive appointment the *pay* of which is a *Staff Salary*.

An appointment of which the pay is fixed upon the assumption that it will be held by a Civil Officer is treated, for the purposes of this Article, as if the pay of it were "Consolidated."

131. In *Case 1* the officer is entitled to his *pay*. If his *pay* is less than the following subsistence allowance added to half the *pay of the appointment* then the officer is entitled, besides his *pay*, to such acting allowance as will make the total equal to the sum of the following subsistence allowance added to half the *pay of the appointment*:—

Subsistence Allowances.

	R
For an officer of the rank of Captain or Subaltern	250 a month.
For an officer of the rank of Major	320 "
For higher rank	400 "

132. In *Cases 2 and 3* the acting allowance is regulated by Articles 125 and 126. For the purposes of this Article, the *pay of the officer* is taken at the full *staff salary* plus his military pay and allowance or Staff Corps pay, though for the purposes of the Military Rules he may be considered to take with him to his officiating appointment only half the *staff salary*.

Appointments on Staff Salary.

133. An officer officiating in an appointment of which the *pay* is a *Staff Salary* may be—

Case 1.—An officer without a substantive appointment.

Case 2.—An officer having a substantive appointment the pay of which is consolidated.

Case 3.—An officer having a substantive appointment the pay of which is a *Staff Salary*.

In all cases the salaries are calculated by the Military Rules in Article 134, any excess of the consolidated pay of the substantive appointment in *Case 2* over the Military pay and allowances or the Staff Corps pay of the officer being treated as a *staff salary*.

NOTE.—[Allowances only are to be calculated under Military Rules; it is not intended that the restrictions which apply to the grant of privilege leave under the Military Rules are to be applied to officers officiating in the Civil Department.]

134. The Military Rules referred to are as follows:—

(*a*) For an officer officiating for an absentee who is subject to the Rules of 1868—

An officiating officer will draw half the *staff salary* of the appointment and half the *staff salary* of his substantive appointment (Civil or Military) if he have one: Provided that the whole *staff salary* thus drawn shall not be less than R100 a month, unless the full *staff salary* of the post in which he is officiating is less than that sum. If the full *staff salary* is available, he may draw the whole of it, but in such case he can draw no portion of the *staff salary* of his substantive appointment.

NOTE (1).—[The proviso that the whole *staff salary* shall not be less than R100 is limited by the rule that this minimum is allowed only to an officer acting in the actual appointment held by the absentee. But this limitation does not apply to medical officers officiating as Civil Surgeons.]

NOTE (2).—[The salary of an officer officiating for an absentee who is subject to the Civil Leave Rules or the Leave Rules for the Staff Corps (1886) is regulated in the same way as if the absentee were subject to the Leave Rules of 1868.]

(*b*) For an officer officiating for an absentee who is subject to the Rules of 1875—

The Rules are those which apply to an officer officiating for an absentee under the Rules of 1868, except that as the furlough allowance of an officer subject to the Rules of 1875 varies in the case of his transfer from one appointment to another during furlough [*Army Regulations, Vol. I, Appendix D, Rule 5* (*Appendix 12 of the Civil Service Regulations*)], the salary of the acting officer would likewise vary (*Army Regulations, Vol. I, Part I, Article 167*), while the furlough allowance of an officer, subject to the Rules of 1868, is unaffected by such transfer [*Army Regulations, Vol. I, Appendix C, Rule V, Clause 5* (*Appendix II of the Civil Service Regulations*)].

Medical Appointments.

135. As an exception to Articles 131 and 132, the allowances of a Commissioned Medical Officer, whether he is under Civil or Military Leave Rules, officiating in an appointment, reserved exclusively for officers of that class, shall be regulated by Articles 133 and 134, on the assumption that the pay of the appointment is a *Staff Salary* equal to the difference between the officiating officer's unemployed pay and the consolidated pay he would receive if he held the appointment substantively:

Provided that, whatever may be the appointment held by an officer appointed to the Medical Service before the 7th November 1864, his aggregate salary shall not be less than the grade pay of his rank.

Section III.—The Public Works Department.

	ARTICLE.		ARTICLE.
EXTENT OF APPLICATION . .	136	SPECIAL ALLOWANCES . . .	142
GENERAL RULES	138	TELEGRAPH MASTERS . . .	142A

Extent of Application.

136. The rules in this Section apply to the Engineer establishment; Superior Railway Revenue establishments; superior officers of the Accounts Branch; and superior officers of the Indian and Indo-European Telegraph Departments.

They do not apply to cases of temporary promotion, which is given when officers obtain furlough, leave on medical certificate, or special leave with allowances. In such cases the officer temporarily promoted is entitled to the *pay of the appointment*.

NOTE.—[For the purpose of Chapter I, Rule V of the Military Furlough Regulations of 1868, the temporary promotion from one grade to another of an Officer of the Royal Engineers employed in the Public Works Department is an acting appointment, and the grade to which the officer is permanently attached is his "substantive office."]

137. The acting allowances of officers of the Public Works Department other than those referred to in the preceding Article are regulated by the rules contained in Section VII.

General Rules.

138. (*a*) An officer of a class divided into grades cannot officiate in this class in a grade higher than that to which he is substantively appointed.

(*b*) An officer officiating in a rank which is divided into classes, or in a class divided into grades, will officiate in the lowest class or grade; but this rule does not apply to an officer officiating in an appointment of which the substantive holder must belong to a particular class.

139. An officer with a substantive appointment, officiating in a higher class or in another appointment, is entitled to an acting allowance, in addition to his pay, of one-fifth of the civil pay of the class or appointment in which he officiates.

The civil *pay* of a graded class is the average civil *pay* of the grades (calculated without reference to the number of appointments in each grade); but the officiating officer's *salary* shall not exceed the *pay* of the lowest grade.

140. A Civil Officer or a *Military Officer subject to the Civil Leave Rules* without a substantive appointment is entitled to an acting allowance of half the civil pay of the class or appointment in which he officiates. A Military Officer subject to the Military Leave Rules, without an appointment, is entitled to his pay, and to such acting allowance as will make the total equal to the sum of the subsistence allowance stated in Article 131, added to half the civil pay of the class or appointment in which he officiates.

141. The net military pay which an Officer of the Royal Engineers serving in the Department of Public Works on consolidated departmental pay receives in addition thereto, is not taken into account in calculating acting allowances. His civil salary is fixed independently of his net military pay, to which he is separately entitled over and above his civil salary.

NOTE.—[When a Royal Engineer officer whose substantive appointment carries net military pay *plus* consolidated pay, acts in an appointment carrying consolidated pay only without net military pay, then in determining his salary the net military pay of his substantive appointment is added to the salary calculated under the rules on the consolidated pay of the two appointments.]

141A. When any officer who can be substantively appointed to the Engineer Branch of the Public Works Department, or the Superior Establishment of the Indian Telegraph Department, only under the rules, and on the rates of pay prescribed for the Provincial Services, is appointed to officiate in, or hold charge of, an appointment graded in those services, his acting or charge allowance will be calculated on the rates of pay prescribed for the Provincial Service and in accordance with the rules contained in these Regulations for the grant of such allowance.

Special Allowances.

142. In the following cases special allowances may be granted in addition to pay by the *Local Government* or, if the officer is not serving under any *Local Government*, by the Government of India.

NOTE.—[The term *Local Government* has a special application here—see Article 40.]

(*a*) To a Subordinate officiating as an Executive Engineer;—₹100, provided that his salary must not exceed the pay of an Executive Engineer of the 3rd grade.

(*b*) To a Subordinate officiating as an Assistant Engineer;—₹50. This allowance is not admissible on the mere circumstance of the Subordinate holding a charge formerly held by an Assistant, but only when the charge involves duties and responsibilities which, in character or extent, are such as are not usually imposed on Subordinate Officers.

NOTE.—A certain number of Upper or Lower Subordinates, according to a scale to be sanctioned from time to time by the Government of India, Public Works Department, placed in charge of Districts of the Buildings and Roads Branch, North-Western Provinces and Oudh; and Upper Subordinates, according to a scale similarly sanctioned, placed in charge of Subdivisions of the Irrigation Branch, North-Western Provinces and Oudh, and the Punjab, draw a local allowance of R50.

(*c*) To an Accountant officiating, with the sanction of the Government of India, for an Examiner or Deputy Examiner;—R100, provided that, when officiating for a Deputy Examiner, his salary must not exceed the pay of a Deputy Examiner, second grade, but this proviso shall not operate so as to reduce the sum of the pay and allowances which, but for this promotion, would have been drawn.

(*d*) Acting allowance will not, as a rule, be granted to an Accountant officiating as Assistant Examiner. If by a special order of the Government of India it is granted, it will not exceed R50.

(*e*) To an officer of the Subordinate Revenue Establishment of State Railways acting in an office ordinarily held by an officer of the Superior Revenue Establishment;—R75, provided that the charge involves duties and responsibilities which in character and extent are such as are not ordinarily imposed on Subordinate Officers.

Telegraph Masters.

142A. The acting allowances of Telegraph Masters are regulated by the following special rules:—

I.—For absences on privilege leave no Permanent Telegraph Master performing the duties of an absentee in a higher grade will receive any acting allowance (it will not be considered a change of duties), and the extra duties consequent on a permanent Telegraph Master being absent will only entail the appointment of a Temporary 4th grade Telegraph Master on an allowance of R20.

II.—For absences on furlough or sick leave of beyond one calendar month, absentee allowance will be given, under Section VII, of one-fifth of the allowance, in addition to his own allowance, to an incumbent holding a higher charge; with the exception that for officiating in the lowest grade, the incumbent will draw the full allowance of the appointment.

III.—When such absences on furlough or sick leave are for less than one calendar month, acting appointments will not be made; but a 4th grade Temporary Telegraph Master will be appointed to take up the duties.

IV.—When on account of a Permanent Telegraph Master being absent from his appointment on any special duty, it is necessary to fill up his place, the substitute, whether on the Permanent or Temporary list, will receive temporarily the pay of the appointment; and the cost of this will be defrayed from the grant for temporary appointments.

142B. Signalling clerks and others acting for Inspectors of line maintenance of the Persian Section of the Indo-European Telegraph Department draw the full charge allowance of R60 a month admissible to the permanent incumbents under the Council Minute of the Secretary of State, dated the 5th December 1893, notwithstanding that the allowance is drawn in full by the absentee. The charge allowance must not in the case of these acting officers be included in *salary* for the purpose of calculating either leave or exchange compensation allowances.

Section IV.—The Survey of India.

	Article.		Article.
General	143	Officers without a Substantive Office	147
Officiating Officers . . .	145		

General.

143. The rules in this Section apply only to officers not below the rank of Assistant Superintendent of the Survey of India Department.

144. An officer of the Royal Engineers holding substantively an appointment not above the rank of Superintendent, second grade, is entitled to his net military pay; but he ceases to draw it while officiating in an appointment higher than Superintendent, second grade.

Officiating Officers.

145. An officer officiating in the grade immediately above his own is entitled to the pay of that grade: Provided that the *salary* of an officer officiating in any grade shall not be greater than that which would be admissible under Article 146 if the officer officiated in the next higher grade.

146. An officer officiating in a grade higher than that immediately above his own is entitled to an acting allowance, in addition to his pay, of one-fifth of the pay of the grade in which he officiates.

146A. The appointments in the Administrative Branch are not graded. Any officer officiating in an Administrative appointment is entitled to an acting allowance of one-fifth of the *pay of the appointment.*

Officers without a Substantive Office.

147. An officer without a substantive appointment is entitled to an acting allowance, in addition to his military pay (if any), of half the pay of the grade in which he officiates.

Section V.—Geological Survey.

148. A graded officer of the Geological Survey may, if specially qualified on the occurrence of a temporary vacancy in the Graded List of the Department, be temporarily allowed a *salary* equal to the *pay* he would have received if his promotion were substantive and permanent (*see also Article 169*).

Section VI.—The Forest Department.

149. The rules of this Section apply only to officers of the Forest Department not below the rank of Assistant Conservator.

150. A Deputy Conservator officiating as a Conservator gets a *salary* equal to the *pay* of the lowest grade of Conservator, and similarly an Assistant Conservator officiating as a Deputy Conservator receives a *salary* equal to the *pay* of the lowest grade of Deputy Conservator.

151. A Conservator, Deputy Conservator, or Assistant Conservator officiating in the grade immediately above his own is entitled to the *pay* of the said grade.

152. An officiating officer in any case not provided for by Article 150 or Article 151 is entitled to an acting allowance of one-fifth of the pay of the grade in which he officiates.

153. In exceptional cases, and subject to the consent of the Government of India, a Deputy Conservator may be appointed in a grade of Conservator other than the lowest, and in such case his allowances will be regulated by Article 152.

Section VII.—Other Officers.

	Article.		Article.
Extent of Application	154	Medical Appointments	157
Officers having a Substantive Appointment	155	Officers without a Substantive Appointment	158
		Appointments on less than R100	161

Extent of Application.

154. The following rules are applicable to officers in civil employ whose cases are not provided for in Sections I to VI of this Chapter, or by rules peculiar to the services concerned, such as—

(1) Lieutenant-Governors and Members of Council (see Chapter XXII).
(2) Judges of the High Courts (see Chapter XXIII).
(3) Ecclesiastical Officers (see Chapter XXVII).
(4) Law Officers (see Chapter XXX).

154A. An officer of the Provincial Educational Service who is appointed bythe *Local Government* to officiate in a temporary vacancy, in a post which is ordinarily held by a member of the Indian Educational Service, receives a fixed allowance of R100 a month, subject to the proviso that his *salary* does not exceed the pay of the officer for whom he acts.

Officers having a Substantive Appointment.

155. An officer with a substantive appointment officiating in an appointment to which this Section applies, and of which the pay is not less than R100, is entitled to an acting allowance of one-fifth of the pay of the appointment: Provided that, except in the Post Office Department, and in the case of Forest Rangers, Foresters, and Forest Guards in the Forest Department, no officer may, under this Article, be appointed to officiate in a higher grade of his own class.

Examples of the appointments referred to.—Extra Assistant Commissionerships, Judgeships of Small Cause Courts in Bengal, not mentioned in the example under Clause (4), Article 124, and the Subordinate Judgeships with which they are classed.

1. In the Public Works Department no increased allowances are admissible to an officer of the Upper Subordinate Establishment, or to a Sub-Overseer, for performing duties previously entrusted to one of a higher grade in either of the Subordinate Establishments.

2. In Madras the first, second, third and fourth grades of Munsifships are treated as distinct *classes*.

3. In Sind the first, second, third and fourth grades of Subordinate Judges are treated as distinct *classes*.

4. A Section-writer, or a Press servant who is paid for piece-work, is, for the purposes of the rules in this Section, held to be an officer without a substantive appointment.

5. A Supernumerary Civil Assistant Surgeon in Bengal is, for the purposes of the acting allowance rules, treated as holding a substantive appointment under Government. When, therefore, a Supernumerary Civil Assistant Surgeon officiates in an appointment to which a fixed pay is attached, such as an appointment in a medical school, he draws the usual acting allowance in addition to his pay as a Supernumerary Civil Assistant Surgeon.

156. For the purposes of this Section the *pay of an appointment* which belongs to a graded class and is not such as is described in Clause (4) of Article 124, is the average pay of the grades, calculated without reference to the number of appointments in each grade; but the officiating officer's *salary* shall not exceed the *pay* of the lowest grade, unless he belongs to another Department, and is specially appointed to officiate in a grade other than the lowest.

Exception.—The salary of an Officiating Deputy Magistrate and Deputy Collector in Bengal, whether holding a substantive appointment under Government or only temporarily employed is R200.

NOTE.—[This Article does not apply to appointments in the Post Office Department; or, in the Bombay Presidency, to clerks to the Inspector General of Registration and Stamps, Inspectors and their clerks, Registrars' clerks or karkuns and clerks in the Office of the Sub-Registrar of Bombay appointed to act in graded Sub-Registrarships; or to Forest Rangers, Foresters, and Forest Guards in the Forest Department.]

Medical Appointments.

157. As an exception to Article 156, a Civil Assistant Surgeon holding, whether substantively or temporarily, the medical charge of a Civil Station, is entitled to a Local Allowance in addition to his pay as follows, or to any smaller allowance which, by any general or special order, the Local Government may fix:—

(i) If he be in the first or second grade—R150.

(ii) If he be in the third grade—R100.

NOTE 1.—[For the rule regarding a *Warrant Officer* of the Indian Subordinate Medical Department acting as "Civil Surgeon," etc., see rule 1 under Article 125.]

NOTE 2.—In Bengal, the Punjab, the Central Provinces and Assam, the undermentioned allowances may be granted under the orders of the Local Government to a Civil Assistant Surgeon or Warrant Medical Officer performing the duties of the Civil Surgeon at Head Quarters, while the latter is absent for more than seven days *on inspection duty within the District*:—

(*a*) If the substantive holder of the charge is a Commissioned Medical Officer—

	R
To a Civil Assistant Surgeon, first or second grade, a Senior Military Assistant Surgeon, or Military Assistant Surgeon, first class .	75
To a Civil Assistant Surgeon, third grade, or a Military Assistant Surgeon, second class	50

(*b*) If the substantive holder of the charge is a Civil Assistant Surgeon or Warrant Medical Officer—

	₹
In all cases	50

157A. Warrant Medical Officers above the grade of Military Assistant Surgeon, second class, when in independent medical charge of Civil Stations, will receive pay at the following monthly rates :—

Under five years in charge	350
From five and under ten years	450
From ten and under fifteen years	550
Over fifteen years	700

Service towards these quinquennial increments will count from the date of assumption of any such charge as a permanent appointment.

Military Assistant Surgeons, second class, in independent medical charge of Civil Stations, whether in India or Burma, excluding those who were in such charge on 1st August 1889, who will continue to draw pay at ₹350 a month, will receive pay at a fixed rate of ₹250 per mensem. When holding such charges in Burma they will receive in addition a special local allowance of ₹50 a month.

The service of a Military Assistant Surgeon, second class, in permanent independent civil medical charge, whether he receives pay at the rate of ₹350 a month on the ground that he was in such charge on 1st August 1889, or not, will not count towards the quinquennial increments until the date on which he is promoted to be a Military Assistant Surgeon, first class.

NOTE.—[For the rule regarding a *Warrant Officer* of the Indian Subordinate Medical Department acting as "Civil Surgeon," etc., see Rule 1 under Article 125.]

Officers without a Substantive Appointment.

158. An officer without a substantive appointment, officiating in an appointment the pay of which is not less than ₹100, is entitled to an acting allowance of half the *pay of the appointment*. (*See Article 156 and Rule 1 under it.*)

159. If the *pay of the appointment* is less than ₹200, and the Local Government, or other authority concerned, considers that the acting allowances admissible by rule are insufficient, it may grant to the officiating officer higher allowances, not exceeding the difference between the *pay of the appointment* and the portion of it drawn by the *absentee* for whom he officiates.

NOTE.—[*See Article 111.*]

160. As an exception to Article 158, an acting supernumerary Deputy Collector in Sind, officiating as Deputy Collector, is entitled, in addition to his minimum salary as acting supernumerary Deputy Collector (see Article 118), to an allowance of two-thirds of the difference between his *salary* and the *pay* of the grade in which he officiates.

Appointments on less than Rs. 100.

161. The salary of an officer officiating in an appointment of which the pay is less than R100 should, as far as practicable, be regulated by Articles 155 and 158. The following conditions must be observed :—

(i) If the officiating officer has a substantive appointment, his salary must in no case exceed what it would be if Article 155 were exactly applied.

(ii) If he has no substantive appointment, the officer who appoints him may grant him such allowance, not exceeding the *pay of the appointment*, as he considers necessary.

(iii) If the vacancy is caused by the absence on leave of an officer whose *pay* is less than R100, the absentee allowance of such officer must not exceed the difference between his *pay* and the sum of the acting allowances paid in consequence of his absence. (*See also Rule 1 under Article 368.*)

162. The third of the conditions above mentioned is not enforced in the case of—

(i) Officers in superior service on privilege leave for not more than one month at a time.

NOTE.—[An officer drawing less than R100 may be granted one month's privilege leave as an annual holiday irrespective of the expense to Government, but, if such an officer desires to take privilege leave beyond one month, the grant of the leave must be subject to the condition that no extra expense is thereby imposed on the State.]

(ii) Officers on hospital leave under Chapter XII, Articles 320 to 327.

(iii) Superintendents of the Light-houses in the Madras Presidency referred to in Article 294, Rule 2.

Chapter VII.—Regulation of Progressive Salaries.

	ARTICLE.		ARTICLE.
LIMITATION	163	INITIAL PAY	170
CALCULATION OF VALUE .	164	TIME SPENT ON LEAVE .	174
ACCRUAL OF INCREMENT .	165	TIME UNDER SUSPENSION OR ON FOREIGN SERVICE . . .	175
ACTING ALLOWANCES . .	168		

Limitation.

163. Except under special orders to the contrary, a *Progressive pay* shall not rise from the minimum to the maximum by less than five equal yearly increments.

Calculation of Value.

164. A *Progressive pay* is, on an average, equivalent to a fixed pay, the

amount of which lies between the minimum and maximum of the *Progressive* pay. The exact amount of this equivalent varies according to the conditions of each appointment; but in practice, it is assumed that a *Progressive pay* rising to its maximum by five equal yearly increments, is equivalent to a fixed pay equal to the minimum *plus* two-thirds, or if the appointment is a ministerial appointment, *plus* three-fourths, of the difference between the minimum and the maximum.

NOTE.—[This Article does not fix the pay of a *Progressive appointment*, but only indicates the mode of rating the value of such an appointment for financial purposes.]

Accrual of Increment.

165. An increment accrues from the beginning of the calendar month following that in which it is earned, any intermediate broken period being neglected.

Exception.—An officer appointed in England by the Secretary of State for service in India receives the increment in his pay in accordance with the terms of his engagement.

166. A periodical increment should not be granted to an officer serving on Progressive pay as a matter of course, or unless his conduct has been good. A periodical increment may be withheld from a ministerial or menial officer at the discretion of the head of his office. A periodical increment cannot be withheld from any other officer without the sanction of the *Local Government*, which may, however, delegate the power of withholding such increments to heads of Departments or other supervising officers.

NOTE.—["In reply to your memorandum No. 19E. of the 7th ultimo, enquiring whether the approved service necessary to earn an increment should be continued, I am directed to state that there is no general rule on the subject beyond that laid down in * * * (*Article 166 of these Regulations*). The proper practice to consider, when the time for the increment arrives, is whether during the year the service has been approved or not. But it is not necessary to withhold the increment for another twelve months. It is discretionary with the head of the office to delay granting the increment for any period within twelve months as he considers advisable." (*Government of India, Public Works Department, to Accountant General, Public Works Department,—No. 196G., dated 1st February 1882.*)]

167. (*a*) A proposal to grant an increment of Progressive pay in advance of the due date should always be scrutinised with special jealousy: it is contrary to the principle of Progressive pay to grant an increment before it is due, and such a grant should not be recommended or allowed, excepting under circumstances which would justify a personal allowance to an officer whose pay is fixed,—that is to say, seldom if ever.

(*b*) If the value of the appointment calculated under Article 164 is such that the addition of a premature increment would raise it above R5,000 a year, such premature increment cannot be granted without the sanction of the Secretary of State.

NOTE.—[In sanctioning, as a special case, increments in the Progressive pay of an officer in advance of the due date, the Secretary of State observed that, "as a rule, there is great objection to giving retrospective effect to a measure of this nature." (*Despatch No. 334, dated 30th September 1880.*)]

167A. Reduction to a lower grade or appointment on account of misconduct or inefficiency cancels all title to count for increments previous service in the grade or appointment from which reduction was made, or in a similar appointment.

Acting Allowances.

168. In the case of progressive appointments, acting allowances are fixed as follows:—

(*a*) An officer whose substantive pay is progressive, and who acts in an office of which the pay is fixed. In this case the officer's acting allowances will be calculated as if his substantive pay were a fixed one, equal to the amount at which from time to time it stands.

(*b*) An officer whose substantive pay is fixed, and who acts in an office of which the pay is progressive. In this case the officer's acting allowance will be calculated upon the *pay* to which he would from time to time have risen if he had held the officiating appointment substantively.

(*c*) An officer whose substantive pay is progressive, and who acts in an office of which the pay is progressive. In this case the officer will draw—

(i) His substantive *pay*, with the increments thereof as they fall due.

(ii) The acting allowance which he would have drawn if the substantive and officiating appointments were both on fixed pay equal to the minimum: Provided that the maximum limit of *salary* shall be not the said minimum pay of the officiating appointment, but the pay to which the officer would have risen if his officiating tenure had been substantive.

NOTE.—[When calculating the *salary* of an officer who acts in an appointment, the whole of the acting tenure, whether continuous or not, should be taken into account with the exception of so much of it as under Article 120 gave no claim to acting allowance.]

Example (*a*).—An officer who is substantively in the R170 stage of an appointment of R150—10—200 is appointed to act in an office of which the pay is R200—8—240. His salary is thus fixed—

	R
Pay	170
Acting allowance ($\frac{2}{5}$ of R200)	40
Total	210

But this is limited for the first year to R200.

Next year he gets pay R180 + acting allowance R40=total R220. But this is limited for a year to R208.

Example (*b*).—A Member of the *Indian Civil Service*, substantively in the R1,200 stage of an appointment of which the pay is R1,000—50—1,250, acts in an appointment of R1,500—50—1,750. His initial salary is—

	R
Pay	1,200
Acting allowance ($\frac{2}{3}$ R1,500—1,000)	333⅓
Total	1,533⅓

Limited for the first year to R1,500.

In future years he receives—

Second year—

Pay	1,250
Acting allowance	333⅓
Total	1,583⅓

Limited to R1,550.

Hereafter he gets R1,583⅓, which is the limit of *salary* in this case.

169. As an exception to the preceding Article an officer of the Geological Survey, who joined the Department on or before the 31st December 1893,

may, if specially qualified, count all service on the maximum pay of a grade towards increment in the *salary* of the next higher grade.

Initial Pay.

170. If an officer is appointed substantively to a progressive appointment in which he has already officiated, his pay is fixed as follows:

(*a*) If the salary which he drew when last officiating is equal to one of the stages of the pay of the appointment, his pay shall be fixed at that stage, and he shall count in that stage the time during which he has been drawing the said salary.

(*b*) If the salary which he drew when last officiating is intermediate between two stages, his pay shall be fixed at that amount for half the period during which an increment is earned, and on the first day of the month thereafter succeeding he shall be eligible for the next higher stage of the progressive pay.

Example.—An officer is on 20th June substantively appointed to an appointment of which the pay is R200—10—250, and in which he is already officiating—

(*a*) If his salary at the time of his appointment and from 1st March last has been R220, he continues to draw R220, and on 1st March next rises to R230.

(*b*) If his salary at time of appointment is R225, he will draw R225 till 1st January, and then will get R230.

NOTE.—[Any period for which an officer has held the progressive appointment as substantive *pro tempore* may be counted as officiating service for the purposes of this Article, the salary during the period of substantive *pro tempore* tenure being taken at what it would have been if the officer had been officiating in the appointment.]

171. (*a*) An officer transferred substantively to a progressive appointment from an appointment in which he is drawing pay in excess of the minimum pay of the new appointment will, if the transfer is made by an authority to which both appointments are subordinate, or if the transfer is declared by the *Local Government* or by a Department of the Government of India to have been made for special reasons and in the interests of the public service, draw the nearest stage, or, if two stages are equally near, then the next higher stage of pay in the new appointment, but will count time for increments as if he had commenced on the minimum pay.

When, however, the conditions of an officer's service are such that he is liable to be transferred in the same Department between appointments of which the pay and increments are identical, his service will, in the case of such a transfer, count for increments as if he had not been transferred.

(*b*) On transfer of an officer, as a penalty, from a higher to a lower appointment on a progressive pay, the *Local Government* may allow him to draw any salary, not exceeding the maximum of such appointment, as it may think proper.

172. Except as provided in Articles 170 and 171 an officer appointed substantively to an office of which the pay is progressive will begin with the minimum pay.

173. The incumbent of an appointment the pay of which is changed shall be treated as if he were transferred to a new appointment on the new pay: Provided that, if he prefers to retain his old pay, the Local Government may allow him to do so, postponing the change of the pay of the appointment till he vacates office.

Time spent on Leave.

174. Time spent on leave with allowances counts towards increments in the same manner as if during it the officer had actually held or officiated in (as the case may be) the appointment on which he has a lien.

NOTE.—[The last sentence of Article 37 must not be held to conflict with this Article. Subject always to the provisions of Article 76, the phrase "the appointment on which he has a lien" means the appointment which the officer relinquished when he proceeded on leave, and does not refer to an appointment to which an officer has been nominated during his absence on leave.]

Time under Suspension or on Foreign Service.

175. Time passed under suspension does not count towards increments if the suspension is a penalty for misconduct; but an officer, in directing reinstatement of a person who has been suspended, may declare that the time shall count. Time spent on foreign service of the first or second kind does not count towards increments (see Article 843).

Chapter VIII.—Combination of Appointments and Salaries.

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Charge of Current Duties.

176. When an officer is appointed to be in charge of the current duties of an office in addition to his own duties, and the charge, in the opinion of the *Local Government*, entails a substantial increase of responsibility and some additional work, he is entitled to a charge allowance, to be fixed by the *Local Government*, not exceeding one-tenth of the pay of the office. If the office is open to, and may in practice be held by, a Member of the Indian Civil Service or a Military Officer, the allowance shall not be less than ₹100.

177. The *salary* of an officer appointed to be in charge of the current duties of an additional office shall never exceed the *salary* which he would receive for officiating in the office: one effect of this rule is that, unless the *Local Government* thinks it necessary to make the declaration indicated in Rule 1 under Article 184, an officer is not entitled to any allowance for taking charge of an office the pay of which is not more than that of his own substantive office.

178. The amount of "charge allowance" has been fixed in the following cases:—

(*a*) Land Revenue—

(i) An officer of the Settlement Department in the Madras Presidency in charge of two parties as a special and temporary arrangement . ₹100

NOTE.—[By "parties" is meant one of the three large parties which are employed in the Madras Presidency.]

(ii) A Talati (Village Accountant, Bombay) placed in charge of the duties of another Talati in addition to his own duties, is entitled to allowances as follows:—

(1) If the Talati whose duties he performs in addition to his own receives fixed pay—such portion of that fixed pay, not exceeding one-half, as the Collector of the District may determine.

(2) If the Talati whose duties he performs in addition to his own is remunerated by a percentage on the revenue—such portion of such percentage as the Collector may determine:

Provided always that no extra expense shall be caused to the Government by the arrangement.

(*b*) Salt—

(i) A Sub-Inspector of the Northern India Salt Revenue Department, when placed in charge of the duties of an Inspector or Assistant Inspector Rs15

(*c*) Forest—

(i) An officer holding charge of two divisions, as a special and temporary arrangement Rs100

(*d*) Telegraph—

As a temporary arrangement under special circumstances, and subject to the confirmation of Government.

(i) A Superintendent holding charge of two divisions Rs100

(ii) An Assistant Superintendent holding charge of two sub-divisions . Rs50

(*e*) Law and Justice; Courts of Law—

(i) A Subordinate Judicial Officer placed in charge of a District Judge's office Rs150

(*f*) Police—

(i) An officer other than a Police Officer, including, in the Bombay Presidency, a supernumerary Assistant Collector, placed in charge of the Police of a District Rs100

Provided that such appointment does not involve an increase in the sanctioned strength of officers for the whole Province required for the charge of Police Districts.

(*g*) Political—

(i) An officer placed in charge of a Political Agency, or of a Residency of the second or third class Rs150

(*h*) Public Works—

(i) An Executive Engineer in charge of two divisions, as a special and temporary arrangement Rs100

(ii) An upper subordinate in charge of the current duties of an Executive Engineer's office (provided that his salary does not exceed the pay of an Executive Engineer, third grade) Rs50

(iii) Any other officer of the Public Works Department in charge of the current duties of an office of higher class than his own—$\frac{1}{10}$th of the pay of the higher appointment.

(iv) A sub-divisional officer of the Buildings and Roads Branch of the Public Works Department, North-Western Provinces and Oudh, placed in charge of two sub-divisions which comprise two Revenue Districts, may at the discretion of the Local Government be granted an allowance of Rs50

(*i*) Survey Department—

An Assistant Superintendent of Survey placed in charge of a full independent party Rs100

179. (*a*) No allowance is admissible under Article 176 unless the incumbent has actually given over charge of the office under the orders of competent authority, and is absent on leave or deputation or is under suspension. For instance, no allowance is admissible to a subordinate officer empowered to dispose of routine business while his superior is on tour.

(*b*) But in the Northern India Salt Revenue Department, charge allowance is granted to an officer placed in charge of the current duties of an Assistant Commissioner's Office during the absence of the incumbent on tour.

180. No allowance is admissible to a Member of the *Indian Civil Service*, or to any officer holding an appointment ordinarily held by a Member of the *Indian Civil Service*, or to a Superintendent of a Central Jail for the executive charge, either permanently or temporarily, of a District Jail. Any other person, whether he does or does not hold any office under Government, if placed in executive charge of a District Jail, is entitled to a *Local Allowance* on the following scale :—

	R	
1st Class Jail	150	a month.
2nd „ „	100	„
3rd „ „	75	„
4th „ „	50	„

181. An officer placed in charge of the current duties of an office is not entitled to any *Local Allowances* attached to the office, except under the special orders of the Local Government. (*See also Article 1103 of Part XI.*)

Permanent Arrangements.

182. A Local Government cannot, without the previous sanction of the Government of India (subject to the conditions of Article 87), appoint an officer to hold two or more appointments at the same time, as a permanent arrangement, unless the pay of the appointments is a Provincial charge and unless their aggregate pay does not exceed ₹250. When an officer is appointed to officiate in two or more appointments, which under due sanction have been allowed to be held as a permanent arrangement by one officer, the *salary* of the officiating officer shall be calculated as if the two or more appointments were one appointment upon the aggregate pay, Article 184 being inoperative in such a case.

183. A Local Government may appoint an officer to hold two appointments even though the pay of the appointments be not Provincial, provided one of the appointments be that of Postmaster and provided the total emoluments of the officer for both appointments do not exceed ₹150 a month.

Temporary Arrangements.

184. A Local Government may, without the sanction of the Government of India, appoint one officer to hold substantively, as a temporary measure, or to officiate in, two or more independent appointments at one time. In such case, the emoluments are regulated as follows :—

(i) He draws the highest *salary* to which he would be entitled if he held, or, as the case may be, officiated in, any one of the appointments alone :

(ii) For the other appointment or appointments, he draws such allowances as the Local Government may fix, not exceeding for each appointment half the *salary* which he would draw if he held, or, as the case may be, officiated in it alone :

(iii) Provided that his aggregate *salary* shall not exceed the pay which he would draw in the most highly paid of the appointments, if he held it substantively and alone.

1. This proviso may be dispensed with if the Local Government declares that, for special reasons (which shall be recorded), it is necessary, on public grounds, to entrust to the one officer the duties of the several offices at once, and that the salary to which he would be limited by this proviso is not enough.

Illustration.—A Member of the Indian Civil Service holding a substantive appointment, A., of which the pay is R1,000, is appointed, without being relieved of his own duties, to officiate in two appointments, B., of which the pay is R1,600, and C., of which the pay is R2,200—

	R
If he held A only, he would draw	1,000
If he officiated in B only, he would draw pay R1,000 and acting allowance R400	1,400
If he officiated in C only, he would draw pay R1,000 and acting allowance R800	1,800
He will therefore draw for C (which carries the highest salary) .	1,800

And, but for Proviso (iii), he would be entitled for B and A to such allowances as the Local Government may fix, not exceeding R$\frac{1,400}{2}$ =700 for B, and $\frac{1,000}{2}$ =500 for A.

But, in consequence of this Proviso, his aggregate salary must be limited to R2,200 (the pay of appointment C), unless the declaration prescribed in Rule 1 be made.

185. Article 184 does not apply to a Government officer appointed to be a Minor Professor under the Medical Warrant of April 1867, or a Professor or Lecturer in any Government institution, to the duties of which offices an officer is not required to devote his whole time.

Restrictions.

186. Article 184 does not apply to the case of an officer discharging the duties of more than one appointment in the same office, or on the same establishment. An officer so employed is entitled to the highest salary to which he would be entitled if he held or officiated in any of the appointments alone, and to nothing more.

Examples.—An Under-Secretary discharging the duties of a fellow Under-Secretary in the same Office or Department as well as his own.

A Joint Magistrate appointed, in addition to his own duties, to officiate as Magistrate of the District. In this case he gets allowances only as Officiating Magistrate of the District.

A District Judge deprived of the help of an Additional or Assistant Judge, and therefore doing the Additional or Assistant Judge's work.

A Joint-Magistrate doing the work of a second Joint-Magistrate in the District as well as his own.

A Subordinate doing the duties of another Subordinate in the same Office.

A Director of Public Instruction doing the work of one of his Inspectors, or one Inspector in the Educational Department doing the work of a fellow Inspector in addition to his own.

Local Allowances not affected.

187. Nor does Article 184 affect *Local Allowances* given for the performance of separate duties. A Local Government may grant a *Local Allowance* to an officer paid from Provincial Revenues, provided the officer's total emoluments, including the *Local Allowance*, do not exceed R250 a month.

Articles 185—187.

Civil Surgeoncy.

188. A Regimental Medical Officer appointed to act as Civil Surgeon of a station without relinquishing his Regimental duties is entitled to an allowance of ₹100 a month. With this exception, the allowances for the additional charge of an appointment of the kind described in Article 135, whether the charge is held by a Regimental Medical Officer or a Commissioned Medical Officer already employed in the Civil Department, are regulated by Military Rules, the pay of the appointment being calculated on the principle indicated in that Article.

1. In the case of a Commissioned Medical Officer holding more than one acting appointment, the acting allowance of *each* appointment is fixed by Military Rules of calculation, but the terms of the combination of the appointments are those laid down in Articles 184 and 185.

189. An officer in medical charge of a civil station is entitled to an allowance of ₹100 a month for holding visiting charge of a second station.

Note.—[In Bengal the allowance may be ₹50 or ₹100 as the Local Government may fix.]

Medical charge of Jails.

190. (*a*) An officer appointed to the medical charge of a Central Jail when the administrative and medical charge is not united, is entitled to a local allowance of ₹100.

(*b*) Or in special cases at the discretion of the Local Government to ₹150.

Provided always that the aggregate cost for the administrative and medical charges shall not exceed the total *pay* payable for the combination of the two charges in one person.

Cantonment Magistrate.

191. A Civil Officer, whether a Member of the *Indian Civil Service* or not, placed in charge of a full-time Cantonment Magistracy in addition to his own duties, is entitled to an acting allowance of ₹100 a month. But, as a rule, only Military Officers should hold Cantonment Magistracies.

A Military Officer in military employ, who may officiate in or hold charge of a full-time Cantonment Magistracy in addition to his own duties, is entitled to an acting allowance of ₹100 a month, as a charge against the Civil Department.

Military Officer.

192. When a Military Officer is appointed to officiate in a civil office other than a Cantonment Magistracy without being relieved of his military duty, his allowances for his civil duties are regulated in accordance with Article 184 and Rule 1 under it. If he has no substantive appointment in the Military Department, the pay of his rank is held to be his substantive pay for the purposes of Article 184. The allowances for his civil duties are drawn in the Civil Department, and his allowances for his military duty are drawn in the Military Department.

Chapter IX.—Joining Time.

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Explanation.

193. Joining Time is the time allowed to an officer to proceed from one Station to another when his appointment is changed, or when, being unemployed, he is appointed to any office. An officer is held to be on duty during Joining Time if he is entitled to allowances.

Period Admissible.

194. Only one day is allowed for joining an appointment which does not necessarily involve a change of residence from one station to another.

195. In cases involving a change of station Joining Time is calculated as follows, subject to a maximum of thirty days: Sundays not actually spent in travelling are not included in the calculation :—

(i) Six days for preparation; and, in addition thereto,—

for the portion of the journey which the officer travels or might travel—		
By railway	200 miles.	a day for each.
By ocean steamer	150 „	or any longer time actually occupied in the journey.
By river steamer	80 „	
By mail cart or other public stage conveyance drawn by horses	80 „	
In any other way	15 „	

An extra day is allowed for any *fraction* of distance over that prescribed.

(ii) When part of the journey is by steamer, the days intervening between the officer being set free from his office, or, if he has no office, receiving his orders, and the departure of the steamer, or his start duly regulated to catch the steamer, shall be added.

NOTE.—[An officer, whose salary does not exceed ₹100 a month, should not ordinarily be required to travel by mail cart or other public stage conveyance drawn by horses.]

196. By whatever route the officer travels, his Joining Time shall, unless the *Local Government* specially permit otherwise, be calculated by the route which travellers habitually use.

Extensions.

197. If the *Local Government* is satisfied that an officer has, through no fault of his own, been unable to avail himself of the usual mode of travelling, it may extend even the maximum Joining Time of thirty days. But in that case it should report its proceedings to the Government of India in the Finance Department with a full statement of the circumstances of the case.

Rules regarding Pay and Allowances.

198. The *Local Government* may, for reasons stated, extend the Joining Time admissible by rule if it considers such extension necessary for the public convenience, or for the saving of public expense, as, for example, to prevent unnecessary and merely formal transfers. This rule applies in cases falling under Article 194 as well as those falling under Article 195 and is subject to the maximum of thirty days in all.

198A. The Joining Time of Officiating Munsifs in Bengal who are transferred from one station to another during a vacation, may be extended up to the end of the vacation under the orders of the *Local Government*. The thirty days' limit does not apply in such cases.

199. On being satisfied that the rules have, in any particular case, operated hardly, as, for example, if an officer has, through no default on his part, missed a steamer, or fallen sick on the journey, the *Local Government* may (provided the maximum of thirty days is not exceeded), for reasons stated, allow concessions in excess of what is admissible by these rules, on such conditions as to allowances or otherwise as it may think fit. Such concessions must not be made as a mere indulgence or otherwise than because the rules do not appear to provide reasonably and equitably for the case.

200. If the officer satisfies his new departmental superior that notwithstanding due diligence on his part, the journey has occupied altogether more time than is allowed by the rules, the time actually occupied may be allowed: Provided that the maximum of thirty days is not exceeded.

201. The *Audit Officer* shall bring to the notice of the *Local Government* any concession made under the preceding Article which seems to him improper or unreasonable, and shall move the *Local Government* to report to the Government of India any concession made under Article 199, or extension made under article 198 which appears to him contrary to the spirit of those rules. The *Local Government* may not, in either case, finally overrule the *Audit Officer* without a reference to the Governor General in Council.

1. Upon the application of the Local Government, the Government of India will sanction any necessary relaxation or modification of these rules in exceptional localities where their general application would operate harshly.

When Leave intervenes.

202. When an officer, after giving over charge of his office at one station on transfer, or reversion to another office, takes Privilege or Examination leave before joining the office to which he has been transferred, or to which he has reverted, or when an officer, while on Privilege or Examination leave, is transferred to a station other than that from which he took leave, he is entitled to Joining Time in addition to his Privilege or Examination leave. The Joining Time of an officer transferred during Privilege or Examination leave will be counted from his old station, or from the place where he receives the order of transfer, whichever calculation would entitle him to the less Joining Time.

203. If an officer, during transit from one appointment to another, obtains Furlough on medical certificate (with or without Subsidiary leave prefixed), he may be allowed only the Joining Time calculated for the journey from his old station to the furthest place to which he has proceeded on his route to his new station.

Appointment Changed.

204. The Joining Time of an officer whose appointment is changed while he is in transit from one appointment to another, begins on the day following that on which he receives his orders.

Allowances.

205. Except in the case mentioned in Article 208, an officer will draw, during Joining Time, the *pay* or *salary* which he drew in his old appointment or that which he will draw on joining his new appointment, whichever may be less: Provided that an officer transferred from one officiating appointment to another shall not draw any acting allowance during Joining Time if he had not a superior lien on either of the officiating appointments to that of the officer relieved by or relieving him. If the officer is entitled to tentage in his old appointment and tentage is also attached to his new appointment, he may draw tentage during Joining Time at the lower of the two rates. If the officer in his old appointment drew a local allowance granted on account of special expensiveness of living in any district, province or locality, and the transfer is to another appointment within the same district, province or locality, he may draw the local allowance during joining time. Provided that, if the rates differ in the two appointments or parts of the local area, he may draw the lower rate only.

206. When, under Article 202, an officer combines Privilege or Examination leave and Joining Time, his allowances during Joining Time,—that is to say, for the period, not exceeding the Joining Time admissible by rule, in excess of his Privilege or Examination leave, during which he is absent from duty,—must be calculated at the rate at which his Joining Time allowance would have been calculated if he had joined the office to which he is transferred directly.

207. If a Member of the *Indian Civil Service*, on his first arrival in India, is unable, from illness, to proceed to the seat of the Government to which he is attached or to any other station to which he is ordered to proceed direct, the Local Government in whose jurisdiction he is, may, on medical certificate, grant to him a Subsistence Allowance of two hundred and fifty rupees a month for not more than two months. Time thus spent is not *Active Service*.

208. An officer, who is not in the Indian Civil Service or in the Army, and who has no substantive appointment, is not entitled to any allowance during Joining Time; but if such an officer officiating in an office, is transferred to another office under the same Local Government, the *Local Government* may allow him to draw, during his transit, the allowance to which he would be entitled under Article 205.

Exceeding Joining Time.

209. An officer who does not join his new appointment within his Joining Time is entitled to no allowances after the end of his Joining Time, and after a week ceases to have a lien on any appointment. But if the *Local Government*

considers that his default was due to circumstances beyond his control, it may exempt him from the loss of his appointment.

NOTE.—[The expression "Allowances" in this Article does not include Travelling Allowances.]

Ministerial Officers.

210. The rules in this Chapter apply to a ministerial officer who with the consent of the head of his office, or under the orders of competent authority, is transferred to service in another office on grounds of public convenience only, and not at his own request, for his own advantage, or in consequence of any fault on his part.

Chapter X.—Officers dismissed, suspended, or imprisoned.

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Members of the Indian Civil Service.

211. A Member of the *Indian Civil Service* is entitled when under suspension to the subsistence allowance of his rank. (*See Article 127, Rule 1.*)

Military Officers in Civil Employ.

212. A Military Officer in civil employ is entitled when under suspension to the pay and allowances of his rank.

Other Officers.

213. Saving as provided in Article 215 (*b*), the salary of an officer who is dismissed ceases absolutely from the date of his dismissal; no allowances may be granted to him for any period occupied in his prosecution of appeals against the order dismissing him.

214. Saving as provided in Article 215 (*b*), an officer suspended from office as a penalty for misconduct is entitled to no salary while he is absent from duty.

215. Subject to the proviso that, without the permission of the *Local Government*, no expenditure may be incurred in excess of what would have taken place if the officer had remained on duty—

(*a*) Subsistence allowance, at a rate not exceeding one quarter of his salary may be granted by the authority suspending him to an officer removed from office pending enquiry into his alleged misconduct: Provided that if the officer is a European, his subsistence allowance should not commonly be less

than R25 a month: if his salary be less than R100 a month, the rate may be increased accordingly. An officer of the Marine Department, whose duties are not confined to the shore, will draw, in addition to the subsistence allowance, rations, or, when rations are not issued, compensation in lieu thereof.

NOTE.—[This subsistence allowance is authorized as a matter of grace only and cannot be claimed as of right. The authority suspending an officer in temporary employ, if he considers that some allowance should be granted to the suspended officer, may sanction allowances not exceeding those authorized in this Article. In deciding whether such allowances should be granted, the period of the temporary employment should be taken into consideration.]

(*b*) If the suspension of an officer as a penalty for misconduct is, upon reconsideration or appeal, held to have been unjustifiable or not wholly justifiable, or if an officer dismissed from office or suspended pending enquiry into his alleged misconduct is, after enquiry, or upon reconsideration or appeal, reinstated, then the revising or appellate authority may grant to the officer for the period of his absence from duty—

(i) if the officer is honourably acquitted, an allowance equal to the full salary to which he would have been entitled if he had continued to hold the appointment from which he was dismissed;

(ii) otherwise, an allowance equal to such proportion of the full salary as aforesaid, as to the revising or appellate authority may seem expedient.

Committals to Prison.

216. When a servant of Government is committed to prison either for debt or on a criminal charge, he should be considered as under suspension from the date of his arrest, and not allowed to draw any pay until the termination of the proceedings against him, when an adjustment of his allowances will be made according to the circumstances of the case, the full amount being given only in the event of the officer being acquitted of blame or (if the imprisonment was for debt) of its being proved that the officer's liability arose from circumstances beyond his control... [*Extract from Despatch from the Secretary of State, No. 80 of 1859, dated the 22nd December.* (*Circular in the Home Department, dated 6th February 1860.*)]

Convictions.

217. Whenever a Government official is judicially convicted of any offence, a copy of the decision should be sent to the head of the Department in which he is employed, in order that such action in the case as may be deemed proper may be taken at once.—(*Circular in the Home Department, dated 7th August 1868.*)

Leave while under Suspension.

218. Leave of absence for a definite period is not admissible to an officer who has been suspended from duty. If permission to proceed to England is granted in such a case, it should only be for such period as the Secretary of State may determine.

PART III.—LEAVE RULES.

GENERAL ARRANGEMENT.

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PART III.—LEAVE RULES.

Chapter XI.—General Conditions of Leave.

Section I.—General Rules.

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Extent of Application.

219. The rules in this Chapter apply to all Officers in civil employ, except in as far as they are inconsistent with, or over-ridden by, the special conditions of leave which obtain in the case of the following classes of Officers :—

(*a*) Lieutenant-Governors and Members of Council (see Chapter XXII).

(*b*) Judges of the High Courts (see Chapter XXIII).

(*c*) *Barristers* holding the appointments of Judge of the Chief Court of the Punjab, First Judge of the Small Cause Courts of Presidency Towns, Recorder of Rangoon, or Secretary to the Government of India in the Legislative Department (see Chapter XXIV).

(*d*) *Statutory Civil Servants* (see Chapter XXVI).

(*e*) Ecclesiastical Officers (see Chapter XXVII).

(*f*) *Military Officers subject to the Military Leave Rules* (see Chapter XXVIII and Appendices Nos. 11 and 12).

(*g*) Civil Veterinary Department (see Chapter XXVIIIA).

(*h*) Law Officers (see Chapter XXX).

(*i*) State Railway Establishments (see Chapter XXXI).

(*j*) Bengal Covenanted Pilot Service (see Chapter XXXII).

(*k*) Port Blair Police (see Chapter XXXIII).

(*l*) Assam Military Police (see Chapter XXXIIIA).

(*m*) Calcutta and Suburban Police Forces (see Chapter XXXIIIB).

(*n*) Officers serving under Special Contracts. (Their contract([2]).)

1. An officer under contract ([1]) is not entitled to leave, except in accordance with the terms of his contract. But if a Civil Engineer or other Officer belonging to one of the classes enumerated in Article 330, and appointed thereto by Her Majesty's Secretary of State, or with his particular sanction, is, by the terms of his contract of service, entitled to leave under the "Uncovenanted Service Leave Rules," the Rules referred to shall be held to be the European Service Leave Rules prescribed in this Part of these Regulations.

NOTE ([1]).—[*See* Note under Article 384.]

NOTE ([2]).—[If the health of an officer, who is serving under an agreement which does not give a title to leave until the expiry of a fixed period, fails during that period, his engagement should be terminated, unless—

(i) he has exhibited such special ability that it is desirable on public grounds to retain him even at the cost of the difference between a leave allowance and any passage-money, etc., due under his agreement ; and

(ii) it is certified that he will in all probability be able to return to duty at or before the end of six months.

In cases in which the engagement is not terminated, leave may be granted for a period not exceeding six months and on allowances not exceeding half pay.]

Discretion of Government.

220. (*a*) Leave of absence can never be claimed absolutely as of right. Nothing in these Regulations must be understood to limit the free discretion of the Government to refuse, or revoke, leave of absence of any description, at any time according to the exigencies of the Public Service.

(*b*) The *Local Government* may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of an officer's return from leave as to cause as little change as possible in administrative arrangements.

(*c*) This Article gives *Local Governments* ample powers for regulating leave of every description, and in dealing with applications for leave the following instructions should be carefully borne in mind :—

1.—*Circular in the Home Department, No. 22 (Public), dated 16th May 1884.*—"In paragraph 4 of the Home Department Resolution No. 24—885-96, dated the 6th July 1883, the Government of India intimated to Local Governments and Administrations that the Secretary of State had approved of the principle to which attention was drawn in paragraph 7 of the Resolution No. 33—1343-54 of the 7th September 1882, of imposing a check on the abuse of the Civil Furlough Rules by recurring grants of furlough on medical certificate, and that the best mode of effecting that object was still under consideration.

"The Secretary of State has now decided that the Civil Furlough Rules, as they stand, appear to make sufficient provision against their frequent or general abuse, and that any present formal modification of these rules is therefore unnecessary. Officers at home on medical leave will not be permitted to return to duty without a medical certificate of fitness for duty in India. At the same time His Lordship expresses his readiness to reconsider the subject should further experience show that more stringent precautions against abuse of the rules are necessary, and is of opinion that the matter might be brought by circular to the notice of Local Governments and Heads of Departments. It is pointed out that to grant leave on urgent private affairs in consideration of the state of an officer's health is not in accordance with the spirit of the Rules. When an officer applies for repeated grants of medical leave within short intervals, the attention of the Medical Board should be drawn to his case with a view to their carefully considering the term of absence necessary for his complete recovery."

* * * * * * * *

2.—*Home Department, No. 513 (Public), dated 16th April 1883.*—"Two Military officers having applied for ordinary furlough within a short period after their transfer to employment in the Civil Department,—namely, before they had completed one year's service in that Department,—the Local Government concerned felt itself justified under the terms in *Clause* (*a*) in refusing to forward the applications unless supported by medical certificate, and reported its proceeding to the Government of India. The Local Government was told that 'the object of the rule contained in *Clause* (*a*) under which these applications fall to be dealt with, is to give Local Governments the fullest power of dealing with applications for leave, subject to the condition that leave may be refused only on public grounds.' The Local Government's action was accordingly approved."

221. Cancelled.

Maximum Leave Admissible.

222. After five years' continuous absence, whether with or without leave, an officer is considered to be out of Government employ.

1. In Despatch No. 87, dated 15th March 1883, the Secretary of State noticed a case in which a Local Government had granted to an officer Extraordinary leave for three years under *Chapter XIII, Article 366*, in extension of two years' leave previously granted, and made the following remarks :—

"It appears to me that considerable misapprehension exists in India in regard to the meaning of the rule contained in Article 222 of these Regulations which was framed in analogy with the Provisions of Statute 33, Geo. III, Cap. 52, s. 70, and which provides that after 5 years' continuous absence, whether with or without leave, an officer is considered to be out of Government employ. In cases like the present, it seems to be thought that this rule merely indicates the maximum amount of leave which, if not inconvenient to the Government, an officer may not

unreasonably expect to have granted to him; whereas the intention of the rule is merely to fix a limit of leave which under no circumstances can be exceeded, and to which it is undesirable that any near approach should be made in any but very exceptional cases. The grant of protracted leave of this nature has hitherto been almost exclusively confined to officers whose services have been lent to Foreign Governments of which the cases of the officers who, during the past few years, have been deputed to Egypt are instances in point; though it is true that Native Officers have occasionally been allowed to remain, for the purposes of study, for considerable periods in Europe when it has been thought that the studies in which they were engaged would render them more efficient in the discharge of their duties in India. Such instances are, however, rare and do not affect the principle on which the rule should be worked: and I have therefore to request that you will draw the attention of the various Local Governments to the fact that, in any recommendations they may have to make in cases similar to that of Mr. A., the view of the rule laid down in this despatch should invariably be borne in mind."—*Resolution No. 463, dated 30th April 1883.*

NOTE.—[This Article does not apply to officers transferred to Foreign service in India.]

Recall from Leave.

223. An officer recalled to duty before the expiry of leave of any kind is entitled to take the balance of his leave, together with any leave of the same kind subsequently earned, as soon as he can be spared from duty. Time occupied in the voyage to India on recall from recognised leave out of India counts as active service under Article 11 (iii). During the voyage to India, leave allowances only are granted. (*See Article 1238.*)

NOTE.—["It is desirable that whenever it is found necessary to order an officer to return to India before the expiration of his leave, the instructions should be communicated to him officially through the Secretary of State."—*Despatch from the Secretary of State No. 168 (Financial), dated 31st July 1889.*]

224. Cancelled.

225. An officer recalled to duty before the expiry of leave in India, other than Privilege leave, is treated as on duty (*i.e.*, on joining time between appointments) from the date on which he starts for the Station to which he is ordered.

226. Cancelled.

Section II.—Service qualifying for Leave.

	ARTICLE.		ARTICLE.
TEMPORARY SERVICE . . .	227	PRIVATE SECRETARY . . .	235
PROBATIONERS AND APPRENTICES .	228	NON-QUALIFYING SERVICE . .	236
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SERVICE IN THE ARMY . . .	231	FOREIGN SERVICE AND SERVICE UNDER LOCAL FUNDS . .	238
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Temporary Service.

227. An Officer holding a temporary or officiating appointment only is not entitled to leave of any kind; but a limited amount of leave may be allowed to such an officer under the conditions hereinafter stated.

NOTE (1).—[This Rule does not apply to State Railway officers whose service is classed under clauses (*c*) and (*d*) of Article 728.]

NOTE (2).—[Officiating and temporary service, if it counts for pension, counts also for leave other than privilege leave; the latter is specially provided for by Article 273.]

Probationers and Apprentices.

228. (*a*) An officer appointed as Probationer for a certain period before formal appointment, is entitled to the same leave as if he held a substantive appointment.

(*b*) Police probationers and temporary and officiating Assistant Superintendents of Police in all Provinces count their service towards leave, provided they have passed their examinations, have served two years in the Department, and have attained the age of 20 years.

The restrictions in this clause do not apply to Police probationers recruited in England after competitive examination, or in India under the orders contained in the despatch of the Secretary of State No. 14 (Judicial), dated 15th March 1894, who count their service as shown in Article 409.

229. (*a*) Service as an Apprentice (excepting an Engineer or Examiner Apprentice in the Public Works Department or an Assistant Superintendent Apprentice in the Indian Telegraph Department) does not qualify. The service of candidates in the Superior Revenue Establishment of State Railways counts towards leave after they are confirmed in their appointments.

(*b*) No leave can be granted to an Apprentice Overseer in the Public Works Department unless supported by a medical certificate. When leave on medical certificate is granted to an Apprentice Overseer, Public Works Department, allowances equal to half pay may be granted to both Civil and Military Apprentices, provided that those of the latter shall not be less than their Military pay and allowances. Time spent as Apprentice Overseers in the Public Works Department counts towards leave when they are appointed to the Department.

Service rendered under other Rules.

230. Except in the following cases, an officer transferred to an office to which these rules apply is not entitled to leave under them in respect to service rendered in an office to which they do not apply.

(*a*) An Apothecary appointed to be a Civil Assistant Surgeon under the 46th paragraph of the General Order of the Government of India in the Military Department, No. 550, dated the 5th June 1868, may count his service as a Warrant Officer towards leave as a Civil Assistant Surgeon, on the understanding that any leave taken by him during his employment as an officer of the Military Subordinate Medical Department in the Warrant grade will be treated as if it had been taken under these Regulations.

(*b*) A Military Hospital Assistant who, under Resolution in the Home Department, No. 16, dated 9th January 1878, is transferred to the civil branch of the Subordinate Medical Service, may count his military service: provided that any leave taken during this service shall be counted as leave taken under these Regulations.

Service in the Army.

231. (*a*) Service in the Army, which, under Article 388, counts towards civil pension, qualifies also for leave. Any leave taken by an officer during such service will, in the calculation of future leave, be treated as if it had been taken under these Regulations.

(*b*) Otherwise, save as provided in Articles 230, 272 and 275, these Regulations do not apply to Military Officers or Soldiers, or to the Military Branch of the Subordinate Medical Service.

Service before Resignation.

232. Save as provided for in Articles 232 and 234, an officer who is discharged from, or resigns, the Public Service, and is re-employed after an interval, cannot, without the sanction of the Government of India, count his service before discharge or resignation towards leave after re-employment.

233. An officer discharged from the Indian Navy on its abolition, and subsequently re-employed, may count his Naval service towards leave after re-employment, notwithstanding the occurrence of a moderate interval between his discharge from the Indian Navy and his first re-employment. Any leave taken by such officer while in the Indian Navy will be treated, in calculating the leave due to him under these Regulations, as if such leave had been taken under the rules to which he became subject on re-employment.

234. The authority who, on revision or appeal, reverses an order dismissing an officer, may declare that, as regards qualifying service, the dismissal reversed shall be held to have been suspension followed by reinstatement.

Private Secretary.

235. Service as Private Secretary to the Governor General, a Governor or a Lieutenant-Governor qualifies for leave, provided that the officer (before his appointment as Private Secretary) belonged to the Civil Service (whether the *Indian Civil Service* or not), or to the Staff Corps, or to any of the Indian Establishments of the British Army.

235A. After a continuous service of three years, a Private Secretary, whose case is not provided for by the preceding article, may be granted leave on medical certificate to the extent of one year with a leave allowance equal to half his salary, and subject to a maximum of £1,000 a year.

Non-qualifying Service.

236. A Section-writer, or a Press servant who is paid for piece-work, is, for the purposes of this Part of these Regulations, held to be an officer without a substantive appointment. If leave is granted to such an officer, he is not entitled to any allowance whatever during his absence.

Police Officer.

237. A Police officer who, under Article 554, has elected to abide by Scale A in Article 552, is subject to the leave Rules which applied to him before the abolition of the Police Superannuation Fund.

Foreign Service and Service under Local Funds.

238. The rules regarding the furlough allowance of officers lent to *Foreign Service*, including service under Her Majesty's Government in England or under any Colonial or Foreign Government outside of India, and regarding

privilege leave allowance of officers taking employment under the Egyptian Government, are contained in Part VII.

239. The leave allowances of an officer not subject to the Foreign Service Rules (Part VII) who has served in any appointment the salary of which has been derived either wholly or in part otherwise than from Indian Revenues, shall be charged according to the *Rule of Proportions*.

Section III.—Retention of Appointment.

	ARTICLE.		ARTICLE.
LIEN ON APPOINTMENT	240	ABOLITION OF APPOINTMENT	248
COMPULSORY RETIREMENT	244	VACATING APPOINTMENT	249

Lien on Appointment.

240. (*a*) Subject to his good conduct and efficiency, an officer under the European Service Leave Rules, on Ordinary Furlough, or on Special Leave, has a lien on his substantive appointment, or on a substantive appointment of a like character and not less pay. He has no lien on an acting appointment.

(*b*) On other furlough a Member of the *Indian Civil Service* or a *Military officer subject to the Civil Leave Rules*, has no lien; but a Civil Engineer or other officer subject to the European Service Rules has a lien. (*See also Article 345*).

241. An officer on "long leave" has no claim to substantive promotion; but there is no objection to such promotion. (*See Article 76.*)

242. An officer on leave may not surrender his lien on his substantive appointment, and, except on the ground of the officer's misbehaviour or inefficiency, a *Local Government* may not fill up substantively even for a time only, an appointment on which an officer has a lien, without transferring the officer to another substantive appointment of not less pay. The saving which accrues to the State by paying acting, instead of substantive, allowance, must be carefully secured as a set-off against the cost of leave allowances.

NOTE.—[This article does not interfere in any way with a provisional appointment under Article 109, or with a substantive *pro tempore* appointment under Article 110.]

243. An officer cannot obtain Ordinary Furlough or retain allowances under Article 346 unless he has a substantive appointment. A Military officer who has no substantive civil appointment and has not been in continuous civil employ for at least three years, continues subject to Military Rules, and can only get Military Furlough Allowances.

NOTE.—[A Military officer holding the appointment of Commandant or Adjutant of the Burma or Assam Police Battalions retains a lien on his appointment while on furlough under the Military Leave Rules to which he is subject.]

Compulsory Retirement.

244. If a Local Government considers it inexpedient that an officer should return from leave out of India, it should furnish a complete statement of the circumstances to the Secretary of State (in the case of the Government of

Madras or Bombay, direct, or otherwise, through the Government of India) if possible, when the Furlough or Special Leave is granted, but, in any case, in time to enable the Secretary of State to take any measures that may seem to him necessary before the officer would, in ordinary course, be permitted to return to duty. The report to the Secretary of State should reach the India Office, at latest three months before the end of the officer's leave.

245. If a *Local Government* decides, before an officer whom it has the power to remove from the Service leaves India, that he shall not be permitted to return to duty in India, it should give notice to him before he leaves India, so that any remonstrance which he may wish to make may be considered on the spot by an authority fully cognisant of the facts of the case. Such notice should not be postponed until after the officer's departure and then communicated to him through the Secretary of State.

246. If the question to be determined is the propriety of removing an officer for incapacity, whether mental or physical, which is of such a nature that it is not possible to say, before his departure, whether it will be permanent or temporary, the *Local Government* should report the circumstances fully (in the case of the Government of Madras or Bombay, direct, otherwise through the Government of India) to the Secretary of State for India, in time to enable him to take any necessary measures before the officer would, in ordinary course, be permitted to return to duty. A communication of this nature should not be made direct to the officer concerned, but only to the Secretary of State.

247. Articles 244 to 246 must not be understood to authorise the grant of Furlough to an officer who ought to be dismissed or removed from the Service for misconduct or general incapacity.

Abolition of Appointment.

248. In the same way the abolition of the appointment of an officer absent on leave out of India should be communicated to the Secretary of State as long as possible before the officer would, in ordinary course, be permitted to return to duty.

Vacating Appointment.

249. No officer's appointment becomes vacant simply by reason of his taking leave under the Indian Service Leave Rules. But absence without leave, or after the end of leave [except in the case of the week's grace allowed by clause (ii) of Article 261 (*a*)] involves loss of appointment. An officer on leave under the Indian Service Leave Rules has no lien on an acting appointment.

250. The Secretary of State, in granting to officers extension of leave, sometimes declines to guarantee retention of appointment, if there is no time to communicate with the *Local Government* in India.

Section IV.—Commencement and end of Leave.

	ARTICLE.		ARTICLE.
COMMENCEMENT OF LEAVE . . .	251	TERMINATION OF LEAVE . . .	254

Commencement of Leave.

251. Ordinarily if an officer makes over charge of his office before noon, his leave in India, or out of India when subsidiary leave is not taken, begins on and includes the day on which he makes over charge; otherwise it begins on and includes the following day, but if the absence of the officer does not involve the immediate deputation of any officer from another station, or any formal transfer of charge in the way of taking over money, or the like, then the absentee may leave his station at the close of the last day on which the office is open for business before his leave begins. In such case the several transfers of charge dependent upon the departure of the absentee shall take effect from the close of the last working day as aforesaid. But, subject to the provisions of Article 359, the leave of the absentee and the re-arrangement of allowances, if any, depending upon his departure, shall begin from, and include, the first day thereafter on which the office is open for business. The actual date of the officer's departure from his station must, however, always be reported.

NOTE—[For the purposes of this Article the office is regarded as closed for business only on Sundays and gazetted holidays.]

252. The rules regarding commencement of leave out of India when subsidiary leave is taken will be found in Article 359.

253. An officer taking Furlough or Special Leave out of India must report his embarkation, through the *Audit Officer*, to the *Local Government* (or other authority) which granted his leave, and his arrival in England to the Secretary of State.

Termination of Leave.

254. Subject to the provisions of Article 251, an officer begins to draw pay and acting allowance from the day on which he assumes the office (substantive or officiating) to which he may have been appointed, or on which he may have a lien. But if his leave (or the joining time between two appointments) end on a Sunday or gazetted holiday, and he take charge before noon on the first working day after such Sunday or holiday, his assumption of office and the re-arrangement of appointments and allowances (if any) consequent thereon shall be held to have taken place on the day after that on which his leave ended: Provided that such re-arrangement (if any) does not involve the transfer of any officer to another station, the formal appointment of any officer to a new office, or the loss of his office by an officer appointed temporarily to the Public Service. But if the *Local Government* considers that the strict application of this Proviso would be inequitable, or if there is any doubt as to its application, the *Local Government* shall decide which officer shall be held to have been in charge and to which the salary of the office for the Sunday or holiday shall be paid.

255. Cancelled.

Section V.—Return to Duty.

	Article.		Article.
Permission to return	256	Report of Return	260
Change of appointment	259	Overstaying Leave	261

Note.—[With the exception of Article 263, this Section applies to Military Officers in Civil employ subject to the Military Leave Rules.]

Permission to Return.

256. An officer may not, without the permission of the Authority which granted him leave, return to duty more than fourteen days before the end of Long Leave.

257. An officer on Long Leave in Europe may not return to India without obtaining the permission of the Secretary of State. He must apply for this permission at least three months before the end of his leave. An officer whose Long Leave was granted or has been extended on medical certificate, is required to produce a certificate of fitness before he can be permitted to return to duty. Ordinarily, he must obtain this certificate from the Medical Board of the India Office; but in special cases, particularly if the officer be residing at a distance of more than sixty miles from London, the Secretary of State will, at his discretion, accept a certificate from two medical practitioners in lieu thereof.

257A. An officer on leave on medical certificate in India or in any place out of Europe may be required by the authority who granted the leave to produce, before he is permitted to return to duty, a medical certificate of fitness signed by such medical officer as the authority may direct.

258. An officer is not entitled, at the end of Long Leave or Subsidiary Leave affixed thereto, to resume, as a matter of course, without further orders, the particular appointment which he vacated before his Long Leave. He should report his return to duty in the manner prescribed in Article 260 and await orders.

Change of Appointment.

259. If the appointment of an officer is changed during Long Leave in India, he must join his new appointment within his leave. But the *Local Government* may allow him joining time, if he have not had sufficient notice of the change. During such joining time his allowances will be the same as for subsidiary leave on return from furlough.

Report of Return.

260. A gazetted officer must report his return to duty to the *Local Government* under which he is employed. A Member of the Indian Civil Service on the Bengal Establishment employed directly under the Government of India, returning from Long Leave, must also report his return to the Government of India in the Home Department.

Overstaying Leave.

261. (*a*) An officer who remains absent after the end of his leave is entitled to no allowance for the period of such absence, and ceases to have a lien on any appointment,—

(i) if his leave was Furlough under the European Service Leave Rules, or Furlough or Leave on Medical Certificate under the Indian Service Leave Rules,—immediately ; and

(ii) if it was Special Leave under the European Service Leave Rules, Leave on Private Affairs under the Indian Service Rules, or Privilege Leave,—after a week, unless, in the case of officers stationed in the Andamans and Nicobars, the overstay is authorised by clause (ii) of Article 282 (*a*).

(*b*) The provisions of this Article have no effect on the liability of an officer overstaying leave in regard to the forfeiture of past service, the rule as to which is contained in Article 463 (*b*) in Part IV.

262. If the *Local Government* is satisfied that the default of an officer is due to circumstances beyond his control, it may exempt him from loss of appointment under clause (*a*) of the preceding Article, but not from loss of allowances during the period of his absence without leave. The *Local Government* may authorise the payment to an officer subject to the Indian Service Leave Rules of as much as it thinks fit of any allowances during Subsidiary Leave under clause (ii) of Article 352 (*a*), to which he would have been entitled if he had not remained absent after the end of his Furlough, or Leave on Private Affairs, or Leave on Medical Certificate.

263. So long as an officer retains a lien under Section III, or if he is exempted under the preceding Article from loss of appointment, absence after the end of his leave, though not counting as *Continuous Service*, does not operate as an interruption of *Continuous Service* or *Continuous Active Service*.

Section VI.—Extension and Commutation of Leave.

	ARTICLE.		ARTICLE.
General Rules	264	Privilege Leave	270
Extension of Leave out of India .	268	Military Officers . . .	271

General Rules.

264. No kind of leave, except Extraordinary Leave without allowances under Articles 366 and 372, leave under Article 321, and in certain cases Examination Leave, can be granted in continuation of any other kind of leave ; but any leave granted under these Regulations may be retrospectively changed for any other kind or period of leave for which the officer was qualified when the leave was originally granted ; and the *Local Government* may commute retrospectively periods of absence without leave into leave without allowances (*see Article 464 in Part IV.*) Subsidiary Leave is not, for the purposes of this rule, regarded as a continuation of leave.

General Conditions of Leave.

NOTE.—[In 1871 two officers were allowed to take Special Leave of absence under *Chapter XIII, Articles 348 to 351*, in continuation of Privilege Leave under *Chapter XII, Articles 277 to 311*. The concessions were made, in each case, on public grounds only, the officers having undertaken to perform certain important public duties in England. The Secretary of State, however, wrote upon the second case:

"In permitting C. D. to take Privilege Leave and Special Leave together, you have followed the course adopted in A. B.'s case.

"Grants of leave in direct opposition to the Furlough Rules cause inconvenience and create embarrassing precedents, and I request that no similar concession may be granted in future."—(*Financial Despatch No. 65, dated 15th February 1872.*)]

265. The grant of extension of Furlough, under Article 264 (otherwise than on medical certificate), is subject to Proviso (iv) under Article 340 (*b*).

NOTE.—[In the case of an officer who is entitled to furlough without medical certificate, but who, by reason of Proviso (iv) under Article 340 (*b*), can get it only on medical certificate, it should be stated in column 13 of the last-pay certificate in Form No. 8 that furlough without medical certificate in commutation and extension of his original leave cannot be granted to him, if by such grant the limit of the number of officers absent on Furlough or Special Leave fixed by Article 341 would be exceeded.]

266. If an officer subject to the Indian Service Leave Rules who is absent on Privilege Leave, or on Leave on Private Affairs, or on Furlough, takes an extension of Leave on Medical Certificate, the whole of the absence will be treated as Leave on Medical Certificate.

267. Extraordinary Leave without allowances cannot be converted retrospectively into Leave on Medical Certificate; but leave on medical certificate may be given in continuation of Extraordinary Leave without allowances.

Extension of Leave out of India.

268. (*a*) An officer absent on Long Leave in Europe or in any of the colonies in America or the West Indies, who wishes to have his leave extended or commuted, must apply to the Secretary of State about three months before the expiration of his leave and produce with his application evidence that the *Local Government* had been referred to by him, and that the *Local Government* had no objection to the extension or commutation desired.

1. In the case of a Commissioned Medical Officer the *Local Government* should make a reference to the Director General, Indian Medical Service, before granting the permission.

(*b*) This Rule will be strictly enforced, and officers returning to India, at times other than those fixed for them by their own Government, must understand that they are liable to be kept on subsistence allowance until a suitable vacancy occurs to which to post them.

(*c*) The Secretary of State, however, reserves to himself the power of granting extension or commutation of leave to an officer, in any case in which it appears to him that sufficient ground has been shown for the application being made without the previous approval of the *Local Government*; but in the event of it being found necessary by the Secretary of State to communicate with the Government of India or the Government of Madras or Bombay by telegraph in regard to any such application, the cost of the telegrams to and from India will be charged to the applicant.

(*d*) Furlough out of India on medical certificate may be commuted into leave without medical certificate if such leave was due at the time when the original furlough was granted, and if the officer seeking commutation is certified, in the manner prescribed in Article 257, to have recovered his health. When

extension of the commuted furlough is applied for, the officer applying for such extension must produce the necessary evidence that the *Local Government* to which he is subordinate consents to the extension of his leave.

Applications for extensions of commuted furlough on medical certificate should be dealt with by Local Governments in such a way that officers who have preferential claims to furlough under Article 342 are not thereby debarred for a considerable time from availing themselves of the furlough at their credit.

NOTE.—[This Article applies to the placing of officers who are on leave out of India on special duty in extension of the leave.]

269. An officer on Long Leave in any of the colonies or dependencies named in Appendix No. 17, except the colonies in America or the West Indies, who wishes to have his leave extended or commuted, must apply to the *Local Government* or other authority in India which granted the original leave three months before the expiration of the leave. Whenever leave is extended or commuted under this Article, the fact should forthwith be notified by the *Audit Officer* to the Government of India in the Finance Department in order to its being communicated to the Secretary of State with a view to the payments by Colonial Treasurers or Staff Officers being checked.

Privilege Leave.

270. When Privilege Leave is, on medical certificate, retrospectively changed for Furlough out of India, so much of the leave passed before the departure of the vessel in which the officer sails may be treated as Subsidiary Leave under clause (i) of Article 352 (*a*) as might have been granted as Subsidiary Leave if the officer had originally obtained Furlough and not Privilege Leave, notwithstanding that a portion of such retrospective Furlough has been passed in India.

Military Officers.

271. In the case of a *Military Officer subject to the Military Leave Rules*, leave may be retrospectively commuted by the Authority which granted it to any other kind of leave which the said Authority would have been competent to allow when the original leave was sanctioned.

NOTE.—[Articles 268 to 270 apply to *Military Officers subject to the Military Leave Rules.*]

Chapter XII.—Short Leave.

Section I.—Extent of Application.

	Article.		Article.
General Limitation	272	Non-continuous Establishments	274
Temporary Service	273	Petty Military Officers	275
Seamen			276A

General Limitation.

272. The rules in this Chapter regulate the short leave of all officers in civil employ (whatever may be the rules to which they are subject in regard to other leave) except—

(*a*) The Governor-General, Governors, Lieutenant-Governors, and Members of Council (see Chapter XXII).

(*b*) Judges of the High Court (see Chapter XXIII).

(*c*) *Barristers* holding the appointments referred to in Chapter XXIV, except as stated in that Chapter.

(*d*) Ecclesiastical Officers except Articles 312 and 314 (see Chapter XXVII).

(*e*) Law Officers, except as stated in Chapter XXX.

(*f*) State Railway Establishments, except as stated in Chapter XXXI.

(*g*) Bengal Covenanted Pilots, except as stated in Chapter XXXII.

(*h*) Port Blair Police (see Chapter XXXIII).

(*i*) Calcutta and Suburban Police Forces (see Chapter XXXIIIB).

1. [Military Officers and Subordinates of the Army employed in the Military Works Department are subject to these Regulations as regards privilege leave, but as regards leave generally are treated as in military employ.—[*Secretary of State's Despatch* (*Military*) *No. 154, dated 28th June 1888.*]

Temporary Service.

273. (*a*) An Officer who has a temporary or officiating appointment only may be allowed Privilege leave, without losing his lien on such appointment, if no substitute is required, or if his duties can be provided for without additional expense.

(*b*) If such an officer is, without interruption of his service, appointed to a permanent office, his temporary or officiating service may be treated as duty qualifying for Privilege leave within the meaning of Article 279.

Note—[This rule does not apply to the State Railway officers whose service is classed under clauses (*c*) and (*d*) of Article 728.]

Non-continuous Establishments.

274. Privilege leave is not allowed to an officer employed in an establishment the duties of which are not continuous, but are restricted to certain fixed periods in each year. (*See also Article 404 of Part IV.*)

Petty Military Officers.

275. Privilege leave may be granted under this Chapter to a Military Hospital Assistant in civil employ upon condition that no additional expense is thereby caused. A Hospital Assistant is not entitled to Privilege leave in respect of duty done in the Military Department.

276. Cancelled.

Seamen.

276A. An officer or seaman attached to a Pilot vessel at the Sandheads, may, in addition to the Privilege leave admissible under the rules in this Chapter, be allowed one month's leave on shore, beginning on the date of his arrival at Calcutta, after four months' continuous duty at the Sandheads.

Section II.—Privilege Leave—Ordinary Rules.

	ARTICLE.		ARTICLE.
AMOUNT EARNED	277	CONDITION OF GRANT	291
CALCULATION	278	LIEN ON APPOINTMENT	292
QUALIFYING SERVICE	279	LEAVE ALLOWANCES	293
LIMIT	282	LOCAL ALLOWANCES HOW AFFECTED	300
AMOUNT DUE	283	HOUSE-RENT, HORSE ALLOWANCES, ETC.	301
INTERRUPTIONS OF DUTY	284	TENTAGE	304

Amount earned.

277. The amount of Privilege leave earned by an officer is one-eleventh part of the time during which he has been on duty without interruption: Provided that no Privilege leave can be earned by an officer by duty performed while three months' such leave is due to him, and that, whenever duty is interrupted, all claim to Privilege leave earned theretofore is forfeited. Absence on Privilege leave, though not counting as duty, is not an interruption of duty within the meaning of this Article.

Calculation.

278. The calculation must be made as follows:—One *calendar month* for every eleven complete *calendar months* of duty, and one day for every eleven days of the balance.

Qualifying Service.

279. When an officer is first appointed to the Public Service, duty qualifying for Privilege leave does not begin until he takes charge of the office to which he is appointed.

280. Time spent on Subsidiary leave does not qualify for Privilege leave; but if an officer, returning from leave, not before the expiration thereof, be, only for the convenience of the Local Government and not for any fault of his own, prevented from joining an appointment on which he has a lien, or be kept out of employ on Subsistence allowance, then duty qualifying for Privilege leave begins on the day on which he presents himself to the Local Government ready for duty.

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281. (*a*) In calculating the Privilege leave of a *Military Officer subject to the Military Leave Rules*, no distinction should be made between an officer who has a substantive civil appointment and an officer who is merely officiating in the Civil Department.

(*b*) The leave is earned by uninterrupted duty in either the Civil or the Military Department. But such a Military Officer who has taken in any calendar year the whole or a portion of the Privilege leave which is admissible to him for that year, under the Rules of the Military Department, does not begin to count service for Privilege leave in the Civil Department until the first day of the following year.

Limit.

282. The amount of Privilege leave admissible at one time is by the above rules limited to three calendar months; but in the following case, an exception to this general rule is allowed:—

Officers stationed in the Andamans and Nicobars are allowed, on each occasion when they may wish to take Privilege leave, the option between the following two courses, namely,—

(i) to accumulate Privilege leave up to three months and fifteen days;

(ii) to overstay any Privilege leave due by fifteen days without forfeiting pay or appointment: Provided that, in the case of such overstay, the officer shall not begin to count service towards future Privilege leave until he shall have served a period of time proportionate to the amount of overstay,—that is, eleven times the period of overstay.

NOTE.—The concession in this clause has been extended for a period of five years from 1st July 1896 to all European officers serving in the Civil Department in Burma.

Amount due.

283. The Privilege leave due to an officer is the Privilege leave which he has earned since the last interruption of duty, less the period during which he has been absent on Privilege leave.

Interruptions of Duty.

284. If an officer remains absent after the end of Privilege leave, his duty is interrupted within the meaning of Articles 277 and 291. But if the *Local Government* considers that his default was due to circumstances beyond his control, it may remit the penalty.

285. If an officer remains absent after the end of Examination leave, or of Joining Time, the period of absence cannot count as duty qualifying for Privilege leave, and, unless the absence is accounted for to the satisfaction of the *Local Government*, it is an interruption of duty within the meaning of Articles 277 and 291.

286. (*a*) Examination leave under Article 314 may, if the examination for which it is granted be successfully passed, and if the officer has not already had twelve months' such leave under that article, count as duty qualifying for privilege leave.

(*b*) Leave admissible under Article 315A. for the purpose of studying the Chinese language may also count as duty qualifying for privilege leave provided that the examination for which it is granted is successfully passed.

(*c*) Examination leave does not interrupt duty within the meaning of this article, unless, in the case of leave granted under clauses (*c*) and (*d*) of Article 314 and under Article 315A., the officer fails to pass the examination for which the leave is granted.

287. Leave on medical certificate to a member of a State Railway Revenue Establishment under Article 730 is not an interruption of duty.

288. Suspension from office as a penalty for misconduct is an interruption of duty within the meaning of Articles 277 and 291.

289. The suspension of an officer from office pending enquiry into his conduct interrupts his duty or not as the *Local Government* may in each case decide. Time passed under such suspension does not qualify for Privilege leave, unless, in any case, the *Local Government* expressly orders that it shall so qualify.

290. "Leave in India" under Rule 1 of the Leave Rules for the Staff Corps (Army Regulations, India, Volume I) is an "interruption of duty" within the meaning of Articles 277 and 291. (*Letter No. 4870, dated 5th September 1888, from the Finance Department, to the Accountant General, North-Western Provinces and Oudh.*)

Condition of Grant.

291. To an officer who has been on duty, without interruption, for eleven calendar months, and who has not, for six calendar months, been absent on Privilege leave, the whole or any part of the Privilege leave due to him may be granted.

1. The condition prescribed in this Article by which an interval of six months is required to elapse between two periods of absence on Privilege Leave, does not apply to officers of the State Railway Revenue Establishment referred to in Articles 730 and 732.

Lien on Appointment.

292. An officer on Privilege leave has a lien on his substantive appointment; he has also a lien on his officiating appointment, so long as it is not resumed by an officer having a superior lien on it.

Leave Allowances.

293. Except as provided in Articles 294, 306 (*b*), and 310, an officer on Privilege leave is entitled to a leave allowance equal to the *salary* which he would receive if he were on duty in the appointment on which he has a lien, and he is entitled to this allowance even though another officer be appointed to act for him.

294. No extra expense may be imposed on the State in respect to the Privilege leave of an officer whose pay is less than R100 and who is allowed Privilege leave for more than one month at a time.

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1. Privilege leave for one month at a time may be granted to an officer in superior service whose *pay* is less than R100 a month without regard to the fact that extra expense is thereby imposed on the State [see Note to Article 162 (i)]. This rule does not authorise any departure from the rules laid down in Chapter V, Articles 119 to 123 (Privilege leave vacancies).

2. Superintendents of the following light-houses in the Madras Presidency are, provided they are not regularly relieved and permitted to spend a portion of their time away from the light-house on full pay, exempted from loss of absentee allowance under this Article :—

Armeghon.	Point Divi.
Santopilli.	Pulicat.
Hope Island.	Muttim.

295. An officer who has no lien on an appointment is entitled, during Privilege leave—

(i) in the case of a Member of the *Indian Civil Service* or a Military Officer subject to the Civil Leave Rules—to Subsistence allowance ;

(ii) in the case of any other Civil officer—to no allowance.

NOTE.—[The subsistence allowance of a Military Officer subject to the Civil Leave Rules is the same as that of a Member of the *Indian Civil Service* (see Article 127, Rule 1.)].

296. The right to receive Privilege leave allowances is contingent (except in the case of death) on the return of an officer to duty upon the expiry of such leave, whatever be the branch of the service to which he belongs.

NOTE.—This Article does not affect the right to privilege leave allowance of an officer who is granted extraordinary leave in continuation of privilege leave under note 2, Article 366, or who exceeds privilege leave up to a week under Article 261 (ii), Civil Service Regulations.

297. A non-gazetted officer whose salary is less than R200 a month is not entitled to receive his allowances for the period of his leave till he returns to duty ; he may, however, with the special sanction of the Head of his Office, receive in advance the allowances which would, but for this rule, become payable to him on the first and second pay days included within the period of his leave. Such advances will be drawn from the Treasury as final establishment charges.

1. These advances are not recoverable should the officer die before earning the full amount of the advance ; but the office held by the deceased will be held to have become vacant from the day following that up to which he was paid, instead of from the date of his decease.

2. Should the Head of the Office prefer it, he may order the allowances to be paid on the pay day of the month for which they are earned instead of granting an advance under this Article.

298. If an officer, on transfer from one appointment to another, obtains Privilege leave without joining his new office, his leave allowance shall not be less than it would have been if he had joined his new office before taking leave.

299. If Privilege leave is granted to an officer who holds an appointment sanctioned only for a limited time and for a special purpose, he is not entitled, during Privilege leave, to any special allowance attached to the appointment.

Local Allowances how affected.

300. A *Local Allowance* may be drawn by an officer on Privilege leave only if there is no *locum tenens* to whom it is payable.

1. An officer on Privilege leave may draw Presidency allowance or Presidency house-rent, provided that no extra expense is thereby caused to the State.

2. The *Local Allowances* known as Burma, Assam, and Baluchistan allowances, and the *Local Allowance* drawn by certain Executive and Assistant Engineers in Sind, may continue to be drawn by officers on Privilege leave, provided that the grant of leave does not necessitate the transfer within the limits of the Province of an officer from outside the Province.

NOTE.—[A Police Inspector in Madras on Privilege leave may draw any horse allowance to which he is entitled while on duty, provided that such allowance is not claimed by an officer officiating for him during his absence.]

House-rent, Horse Allowances, etc.

301. In the Bombay Presidency, an officer on Privilege leave may draw the house-rent attached to his appointment, if he places his house at the disposal of the officer, if any, who officiates for him. The officiating officer cannot, in such case, draw the house-rent attached to the appointment. But if the officer, for a reason which the Local Government considers sufficient, refuses the accommodation placed at his disposal, the allowance is to be drawn by him and not by the absentee.

302. An Assistant in the Geological Survey of India, on Privilege leave may draw the house-rent and horse allowance of his office, provided that they are not claimed by an officer officiating for him during his absence.

303. A Military Medical Subordinate employed in the Civil Department may, when on Privilege leave, draw the special allowances of his appointment, such as house-rent, horse allowance, etc., provided that they are not drawn by any other officer during his absence.

Tentage.

304. In the Madras Presidency, an officer on Privilege leave is entitled to draw his ordinary tentage, the officer officiating for him being allowed to draw only the tentage of his substantive rank.

305. In the Bombay Presidency, Superintendents and Assistant Superintendents of the Revenue Survey Department on Privilege leave may draw their tentage on the conditions prescribed as to house-rent in the Bombay Presidency in Article 301.

Section III.—Privilege Leave in cases of regular Vacations.

306. (*a*) Privilege leave is not admissible to District and Sessions Judges who are permitted to avail themselves of the periodical Court vacations, or to Officers serving in departments in which regular vacations are allowed, during which the officers are permitted to be absent from duty, as Judicial Officers, Educational Officers, Officers in a High Court.

(*b*) But in case of urgent necessity, Privilege leave may be granted to any such officer under the ordinary rules, subject to the conditions—

(i) that the officer shall during his absence receive only half the salary and allowances ordinarily admissible during Privilege leave, and

(ii) that the leave cannot in any case be combined with vacation.

307. The preceding Article does not apply to the case of an officer who is by general or special orders issued by competent authority, prevented in any year from availing himself of the vacation or vacations by reason of his having to remain at his post on duty. In such a case, Privilege leave may be granted under the ordinary rules: Provided always that the leave shall not in any case be combined with vacation.

Short Leave.

NOTE.—[In the case of every officer to whom Articles 306 and 307 apply, the presumption is that he will avail himself of the vacation. No certificate of title to privilege leave, except the leave "in case of urgent necessity" under Article 306(*b*), can be given for the period of service rendered between two vacations, until the second vacation expires. If, however, the conditions required by this Article or by Article 308 to render an officer eligible for privilege leave under the ordinary rules are subsequently fulfilled in respect of the second vacation, any privilege leave which may have been granted on half *salary* under Article 306(*b*), in consequence of the presumption that the officer would avail himself of the vacation, may be commuted into privilege leave on full *salary*. Privilege leave on full *salary* may be combined with privilege leave on half *salary*, to the extent due, granted under Article 306(*b*).]

308. Sessions Judges in most Provinces are ordinarily required to dispose of certain criminal work at their stations during the periodical Court vacations; but the work to be done is often insufficient to require their presence at their stations during the whole vacation. A Sessions Judge or other Officer whose work requires him to be present at his station for a portion of the vacation is eligible for Privilege leave under the ordinary rules, provided he has not been absent from his station for more than fifteen days of the vacation. If he has been absent for more than fifteen days, his title to Privilege leave is regulated by Articles 306 and 309. Any such officer applying for Privilege leave must attach to his application a certificate either—

(i) that he was not absent from his station for more than fifteen days, or

(ii) that he was absent from his station for a specified number of days exceeding fifteen,

in any of the vacations included in the period of service by which the Privilege leave claimed has been earned.

NOTE.—Absence on duty, whether within or out of jurisdiction, is not absence from station for the purposes of this Article.

309. An officer who is, by general or special orders issued by competent authority, prevented from availing himself of a part only of a periodical vacation, may, during Privilege leave subsequently taken, draw his full *salary* for a period bearing the same proportion, if the vacation be annual, to a month, or if it be half-yearly, to half a month, as the time spent on duty during the vacation bears to the whole vacation.

310. An officer transferred from a department to which the ordinary Privilege leave rules apply, to one in which Articles 306 to 309 apply, loses all claim to take the Privilege leave at his credit, provided that—

(i) Any Privilege leave granted to him during the first three years after his transfer, under Articles 306 and 309, may, to the extent of the Privilege leave at his credit as aforesaid, be leave on full *salary* not exceeding the *salary* which would have been admissible if he had taken the leave immediately before being transferred.

(ii) If he returns to a department in which Privilege leave is regulated by the ordinary rules, he shall be reckoned on such return to have at his credit the amount of leave which was at his credit at the time of the first transfer, less any amount enjoyed under Proviso(i).

311. The reckoning under the preceding Article shall not, in any case, extend backwards over an interruption of duty.

Section IV.—Examination Leave.

	Articles.		Articles.
Explanation	312	Departmental Examinations	316
Examinations in Languages .	314	Prohibition . . .	318

Explanation.

312. The Rules in this section regulate the grant of leave to enable officers to appear at examinations; they do not apply to officers employed in the Public Works Department, in the Survey of India, or in the Forest Department, but they apply to Military Officers subject to the Military Leave Rules serving in any other Civil Department.

313. (*a*) Examination leave under Article 314 may be affixed or prefixed to privilege leave, provided that privilege leave prefixed to the three months' leave admissible under clause (*d*) of that Article must be spent in, or in the journey to, one of the appropriate countries mentioned in that clause, and that privilege leave may not be granted in continuation of the month's leave after examination admissible under clause (*b*), Article 314.

(*b*) Leave granted under Article 315A. for the purpose of studying the Chinese language may also be affixed or prefixed to privilege leave, provided that the privilege leave is spent in China, or in the journey thereto or therefrom. But privilege leave cannot be allowed in continuation of leave under Article 315 A., if the officer fails to pass the examination.

(*c*) Except as provided above, no kind of leave, except furlough on medical certificate, may be granted in continuation of examination leave.

Examinations in Languages.

314. (*a*) In cases not specially provided for in clauses (*b*), (*c*) and (*d*) of this Article, or in Article 315A, permission to appear at an optional examination in any of the Oriental languages prescribed by Government carries with it the grant of joining time (excluding the time allowed for preparation) to and from the place of examination, besides leave for the day or days of examination.

(*b*) A candidate for a reward by the Higher Standard in Arabic, or for High Proficiency in Arabic, or Persian, may be allowed leave for one month before the examination and, if he passes, for another month after it.

(*c*) The whole period of two months' leave authorised by clause (*b*) may be prefixed to the examination if the candidate undertakes to spend it in study under professional tuition at a Presidency Town.

(*d*) An officer who is a candidate for the Degree of Honour in Arabic or Persian, may be allowed, instead of the leave for two months provided in clause (*c*), leave for three months to Persia for Persian; and to Arabia, Mesopotamia, Egypt, or Syria for Arabic.

Note.—[Leave granted under clauses (*b*), (*c*) and (*d*) of this Article covers the whole period of absence from regular duty, including the day or days of examination and the time spent in proceeding to and from the place of examination. The leave cannot be taken in instalments.

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315. An officer on leave under the preceding Article has a lien on his appointment, substantive or officiating, and is entitled to leave allowances, as if he were on Privilege leave, for an aggregate maximum period of twelve months.

315A. An officer of the Burma Commission, who, by passing an elementary examination in Chinese, evinces thereby his intention to become a candidate for the reward of R2,000, may, on application, be granted leave, on the allowances admissible during privilege leave, to China for one year, for the purpose of studying the Chinese language. The leave will be granted on the distinct understanding that it is to be spent in China. An officer will be eligible for such leave only once.

NOTE.—[See the note to Article 314 which applies to leave granted under this Article.]

Departmental Examinations.

316. (*a*) An officer while absent from his office or from his station to attend an obligatory Departmental Examination, or (in the Punjab) an examination in Pushtu or Baluchi, is considered to be on duty.

(*b*) Leave may not be given under this Article to an officer to prepare for examination, or for recreation after examination. A reasonable time, including the day or days of examination, should be allowed for the journey to and from the place of examination, and nothing more.

317. An officer permitted to present himself at any examination which must be passed before a person is eligible for a higher subordinate appointment in any branch of the Service, such as a Deputy Magistracy, may, under the orders of the Local Government, be allowed leave of absence for the number of days which is actually necessary to enable him to attend at the examination. During this absence, which is expected to be short, no deduction will be made from the officer's allowances, unless the Head of the office finds such deduction necessary to enable him to make arrangements for carrying on the work. Such leave should not be allowed more than twice for each standard of examination.

318. The Master of a Government School in Bengal, in receipt of a salary not exceeding R200 a month, while absent from his office with the object of studying to qualify himself as a Teacher of Surveying, is considered to be absent on duty or on special deputation : Provided that such period of absence shall not exceed three months.

Prohibition.

319. Leave may not be granted under this Section to a Military Officer subject to the Military Leave Rules to enable him to pass an examination under the orders of the Government of India in the Military Department, No. 1009, dated 3rd December 1866.

Section V.—Hospital Leave.

	ARTICLE.		ARTICLE.
JAIL WARDERS; POSTAL OFFICERS; PEONS, ETC.	320	MARINE AND MILITARY ESTABLISHMENTS	322
POLICE AND SALT DEPARTMENT OFFICERS	321	HOSPITAL SERVANTS, MADRAS .	326
PRESIDENCY PUBLIC WORKS WORKSHOPS, MADRAS . . .	327		

Jail Warders; Postal Officers; Peons and Guards.

320. A Jail Warder, Warder of a Lunatic Asylum, Postman, Mail Carrier or Mail Coachman or a Peon or a Guard in permanent employ, whose case is not provided for in Article 321, while ill in hospital or dispensary, or receiving medical aid as an out-door patient of the hospital or dispensary of the Station at which he serves, may, without reference to the allowance paid to his substitute, be allowed half-pay for a period not exceeding six months altogether in any one term of three years, whether such leave be taken in one period or by instalments. The Director General of the Post Office may grant full pay for three months to a Postman, Mail Carrier or Mail Coachman under exceptional circumstances, as, for example, if he is wounded by robbers or a wild animal.

NOTE.—[The term 'Peon' in this Article includes a Process-server of that class.]

Police and Salt Department Officers.

321. A Police Officer enrolled under any Act of the Legislature (not being a member of the Port Blair Police Force), whose pay does not exceed ₹20, or an officer of the Northern India Salt Revenue Department, or of the Madras Salt and Abkari Department, whose pay does not exceed ₹20, may, while sick in hospital or while receiving medical aid as an out-door patient at the Station or Head-quarters of the District in which he serves, be allowed, at the discretion of the Authority granting the leave, and in addition to any other leave admissible to him under these Regulations, leave of absence from duty for six months altogether in any period of three years, whether such leave be taken in one period or by instalments. For the first three months of such leave, the officer may receive full pay, and for the remaining three months half pay, without the restriction that no extra cost shall be imposed upon the State: Provided always that this concession shall be confined strictly to cases in which illness shall be certified not to have been caused by irregular or intemperate habits.

NOTE (1).—[A Police Officer who, under Article 554 of Part IV, has elected to abide by Scale A in Article 552, cannot be admitted to the benefit of this Article except with the special permission of the Local Government.]

NOTE (2).—[A Police Officer on leave under this Article may for the first three months of such leave, during which full pay is admissible, retain any local allowance attached to his appointment: Provided there is no *locum tenens* to whom it is payable.]

Marine and Military Establishments.

322. An Officer, Warrant or Petty officer, of the Indian Government sea-going, inland, or harbour vessels and hulks, is, in case of sickness or injury

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ordinarily treated on board his vessel, and is entitled to full pay for a period not exceeding six weeks. If sent to a hospital, such an officer is, unless the disease or injury is certified by a responsible Medical Officer to have been caused by an offence such as malingering, wilful maiming, wilful aggravating of disease or injury, drunkenness, etc., committed by him, entitled to full pay for a period of six weeks, inclusive of any time passed on board his ship sick-quarters. Time thus spent in ship sick-quarters or in hospital on shore, up to a period of six weeks, is not an interruption of duty within the meaning of Articles 277 and 291. An officer of the Marine Department who holds a shore appointment is not entitled to this concession.

NOTE.—[The provisions of this Article apply to the crew of the Indo-European Telegraph Department Steamer.]

323. A seaman disabled while in the discharge of duty may be allowed pay at harbour rates for a period not exceeding three months, provided that the injuries from which he is disabled are certified to by a Government Medical Officer, and are not owing to the seaman's own carelessness or inexperience, and that the vacancy caused by his absence is not filled up.

324. An Engineer of the Marine Department, an employé in a Government Press, a subordinate employé (including a temporary orextra employé) in an Ordnance or Government Dockyard establishment, a syce in charge of a Government stallion, or a public servant in a Commissariat establishment may, during absence from work on account of injuries received in the course of his duty, be allowed full pay for one month, and thereafter half pay for three months.

325. A Dockyard artificer on the permanent establishment may, in case of ordinary sickness, be allowed full pay for a week, if his work can be carried on without a substitute and without inconvenience ; but no pay can be allowed to him—

(i) if it be necessary to appoint a substitute ; or

(ii) if his absence be prolonged beyond a week, whether it be necessary to appoint a substitute or not :

Provided that an artificer in the Bombay Dockyard who was in (permanent) employ on the 1st August 1879 may, on the submission of a medical certificate, be allowed half-pay for fourteen days (without reference to the allowance paid to his substitute, if any is employed), on the understanding that, at the time of falling ill, he has been continuously employed in the Dockyard for not less than twelve months.

Hospital Servants, Madras.

326. Half-pay for a period not exceeding six months altogether, in any one term of three years whether the leave be taken in one period or by instalments, may be granted to the following hospital servants of the Presidency Town of Madras during their absence on account of illness, without reference to the allowance paid to their substitutes, on production of a certificate declaring that the person concerned is an in-patient, and under treatment for a disease not the result of imprudence :—

Ward attendants.

Cooks ; Cook's mate ; Cook's assistant mate.

Toties ; Bearers.

Presidency Public Works Workshops, Madras.

327. Labourers in the Presidency Public Works Workshops, Madras, employed on daily wages, when temporarily absent from work in consequence of injuries sustained on duty in the Workshops, may, on production of a medical certificate, signed by a properly qualified officer of Government, recommending their absence from work, be granted, under the special orders of the Superintendent or officer in charge of the Workshops, allowances not exceeding those sanctioned in Article 734 for Labourers in State Railway Workshops.

Section VI.—Leave during Recess.

328. Leave during the recess may be granted, by the Head of the Party to which he belongs, to—

(i) a Native Surveyor in the Survey of India,—on half pay or less (payable on return to duty), or without pay;

(ii) a Lower Subordinate in the Forest Survey, or a Forest Subordinate in Kumaun and Garhwal,—on half pay (payable on return to duty);

(iii) To such of the Tindals, Mates, Khalasis, Jemadars, Chaprasis, Burkandazes attached to any Party of the Survey of India as the Head of the Party may deem it desirable to re-entertain for the ensuing season—on allowances not exceeding half pay (payable on return to duty):

Provided always that the officer returns to duty when required by his superior officers.

329. Privilege leave may not be granted to an officer who is entitled to leave during recess under the preceding Article, but a Lower Subordinate in the Forest Survey or in the Survey of India, or a Forest Subordinate in Kumaun and Garhwal, who is prevented from availing himself of leave during recess, may be allowed to take privilege leave under the ordinary rules, service towards such leave counting from the date of return from Recess leave. Privilege leave will not be granted except upon a certificate from the Head of the Party to which the officer is attached, that he was prevented from availing himself of the Recess leave in consequence of the exigencies of the service.

Chapter XIII.—Long Leave—European Services.

Section I.—Extent of Application.

ARTICLE.

GENERAL 330

General.

330. The rules in this chapter apply to—

(*a*) Members of the *Indian Civil Service*.

(*b*) *Military Officers subject to the Civil Leave Rules.*

(*c*) The officers enumerated in Appendix 3 of the 2nd edition of these Regulations, and also all officers belonging to the classes enumerated in Article 330 (*c*) of that edition and appointed thereto by Her Majesty's Secretary of State or with his particular sanction.

(*d*) Members of the Imperial Branch of the following Departments :—
The General (Executive and Judicial) Administration.
The Education Department.
The Forest Department.
The Survey Department.

(*e*) Officers substantively holding any of the appointments enumerated below.

JUDICIAL DEPARTMENT.—(1) Judges (other than Chief Judges) and Registrars of Presidency Small Cause Courts ; Judges of the Small Cause Court, Rangoon ; Presidency Magistrates ; Additional Judicial Commissioner of Oudh ; when these appointments are held by Barristers. (2) Judges of the Punjab Chief Court, not being Barristers. (3) Registrar, Original side, Calcutta High Court ; Master and Registrar in Equity, Original side, Bombay High Court ; Prothonotary, Testamentary and Admiralty Registrar, Original side, Bombay High Court; when these appointments are held by Barristers.

POLICE DEPARTMENT.—Assistant Superintendents (excepting Assistant Superintendents, 2nd class, in the Punjab, and Assistant Superintendents, B List or Division, in the Central Provinces and Burma) and officers of higher rank.

JAIL DEPARTMENT.—Inspectors General and Superintendents of Central and Presidency Jails.

EDUCATION DEPARTMENT.—Principals of the following institutions :—Lawrence Military Asylum, Sanawar ; Mayo College, Ajmere ; Residency College, Indore ; Government College, Ajmere ; Rajkumar College, Rajkot.

BERAR COMMISSION.—Assistant Commissioners and Officers of higher rank appointed by Her Majesty's Secretary of State, or with his particular sanction.

PORT BLAIR COMMISSION.—Assistant Superintendents and officers of higher rank.

ACCOUNT DEPARTMENT (CIVIL).—Officers of Class IV of the Enrolled List and of higher rank.

POSTAL DEPARTMENT.—Officers of higher rank than Superintendent.

OPIUM DEPARTMENT.—Sub-Deputy Opium Agents and officers of higher rank.

SALT DEPARTMENT.—Assistant Commissioners and Assistant Collectors and officers of higher rank.

MINOR SCIENTIFIC DEPARTMENTS.—All officers originally appointed to the public service by Her Majesty's Secretary of State or with his special sanction.

CUSTOMS DEPARTMENT.—Chief Collector of Customs, Rangoon, Collector of Customs, Karachi.

PUBLIC WORKS DEPARTMENT.—

General.—Officers belonging to one of the establishments or branches named below, and appointed thereto by Her Majesty's Secretary of State or with his particular sanction.

Engineer Establishment.—Engineer Officers, of whatever rank in the Department, who belong to the Imperial branch of the establishment, or whose names are included in Appendix 13 of these Regulations.

Executive Engineers of grade II and officers of higher rank, except those who were appointed as natives of India, under the operation of Public Works Department Resolutions No. 1516—28-G., dated 11th November 1882, No. 241—51-G., dated 11th February 1883, and No. 1443-G., dated 13th December 1884, or who belong to the Provincial Branch of the establishment.

Special Engineers (ungraded) who were taken over from the service of Guaranteed Railway Companies when the lines were transferred from the Companies to the Government, from the time they reach a substantive pay of Rs. 850 or over.

Superior Accounts Branch—Officers of Class IV, grade 2 (old classification), and of Class IV (new classification), and of higher rank.

Superior Revenue Establishment of State Railways.—Officers of Class II, grade 2, and of higher rank of the Managerial Traffic, Locomotive and Stores Departments.

Government of India Public Works Department Secretariat.—Under Secretary not being a member of a graded establishment.

INDIAN TELEGRAPH DEPARTMENT.—The Imperial Branch of the Department.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.—Officers of the graded establishment of Directors; Electrician; Superintendents and Assistant Superintendents.

Medical officers, if appointed by the Secretary of State.

The Commander, First and Second Officers, and Chief Engineer of the Cable Ship, if appointed by the Secretary of State.

MARINE DEPARTMENT.—Constructors, Bombay and Kidderpore Dockyards.

OTHER OFFICERS.—The First Engineer and Shipwright Surveyor to the Government of Bengal.

Article 330.

331-332. Cancelled.

333. An officer to whom the Rules in this Chapter are declared applicable does not forfeit his privileges upon transfer to some office not included in Article 330, unless such transfer is ordered as a penalty, or because of the officer's inefficiency.

Section II.—Furlough.

	ARTICLE.		ARTICLE.
GENERAL LIMITATION . . .	334	FURLOUGH DUE . . .	339
LEAVE AFTER COMPLETION OF TERM OF SERVICE	336	FURLOUGH ADMISSIBLE . .	340
FURLOUGH EARNED	337	EXTENSION OF FURLOUGH . .	344
LEAVE ALLOWANCES . . .	346	ORDINARY FURLOUGH . . .	345

General Limitation.

334. The amount of furlough admissible to a Member of the *Indian Civil Service* or a *Military Officer subject to the Civil Leave Rules* and the aggregate amount of Furlough and of Special leave with allowances admissible to any other officer to whom these rules apply (*see Article 330*), is six years. All the Rules in this part of the Regulations are subject to this limitation.

335. The following leave under other Rules is counted as Furlough under the preceding Article :—

(*a*) In the case of a Member of the *Indian Civil Service* :—Furlough and leave with allowances on medical certificate, under former Rules ;

(*b*) In the case of a *Military officer subject to the Civil Leave Rules* :—

(1) All leave and furlough under the Military Furlough Regulations of 1868 which count as part of the maximum of eight years admissible under those Regulations ;

(2) Furlough under rules 1 and 6 of the Military Furlough and Leave Rules of 1875 ; and

(3) Leave out of India with pay under the Leave Rules for the Staff Corps (1886) ;

NOTE.—[See footnote (1) to rule 4 of the Military Furlough Rules of 1875 on page 29 of the Appendices to these Regulations.]

(*c*) In the case of any other officer to whom these rules apply,—Furlough and leave with allowances on medical certificate, and leave on private affairs under former rules, or under the Indian Service Leave Rules.

Leave after completion of term of Service.

336. (*a*) The limitations affecting Members of the *Indian Civil Service* whose term of service is complete, are prescribed in Article 614, and those affecting Military Officers, in Article 689.

(*b*) Any other officer subject to the Rules of this Chapter who is retained in the service after the age of fifty-five years may, after attaining that age, be granted Privilege leave or any Special leave (Article 348) to which he may be otherwise entitled, or Extraordinary leave without allowances under Article 366. The total leave granted, under the heads of Special or Extraordinary,

must not exceed six months in all. To such an officer no other kind of leave may be granted, and any leave, other than Privilege leave or Special leave, granted to such an officer before the date on which he attains the age of fifty-five years, ceases to have effect on that date.

Furlough earned.

337. The amount of Furlough "earned" by an officer is one-fourth of his *Active Service.* (*See also Article 339A.*)

338. A Military Officer subject to civil rules may, if he desire it, add to furlough earned under civil rules an amount of furlough in respect of his military service calculated as shown below. Such an officer may be granted at any time any leave which he has earned under civil rules, and may defer or forego the leave he has earned under Military Regulations.

(i) An officer who, at the time of coming under Civil Leave Rules, was subject to the Military Furlough Regulations of 1868 or 1875, may be credited with the furlough that may have accrued to him, less any furlough already taken which, under those rules, would reduce the amount of furlough due. The amount of furlough accrued shall, in that case, be calculated proportionably on the whole service qualifying for furlough, without reference to the minimum periods of service which those rules require to be rendered before furlough can be granted.

(ii) The service for furlough of an officer whose case does not fall under clause (iii) of this Article, and who, at the time of coming under the Civil Leave Rules, was subject to the Leave Rules for the Staff Corps (1886), shall be calculated in accordance with Article 337 retrospectively from the date of his arrival in India, *i.e.*, he shall be credited with an amount of furlough equivalent to one-fourth of his active service, less any leave with pay out of India actually taken.

(iii) In the case of an officer who, before electing the Leave Rules for the Staff Corps (1886), was subject to the Military Furlough Regulations of 1868 or 1875, the amount of furlough to be prefixed to furlough earned under the Civil Leave Rules shall be calculated in the following manner:—

(*a*) for the period the officer was subject to the Military Furlough Regulations of 1868 or 1875 he shall be credited with furlough calculated in accordance with clause (i) of this Article;

(*b*) for the period the officer was under the Leave Rules for the Staff Corps (1886), he shall be credited with furlough calculated in the manner described in clause (ii) of this Article, except that the calculation shall be made from the date of coming under the Staff Corps rules, instead of from the date of arrival in India.

NOTE.—[When a Military Officer becomes subject to the Civil Leave Rules, the account officer in charge of the officer's record of pension service will, on application and on being furnished with the date of commencement of Active service, furnish to the *Audit Officer*, to whose audit such officer becomes subject, a memorandum showing the Furlough earned, the different kinds of leave taken (distinguishing those which should be deducted from the *maximum* Furlough admissible), and the balance of Furlough due to him under Military Rules.]

Furlough Due.

339. The amount of furlough "due" to an officer is the amount which he has "earned," diminished :—

(*a*) In the case of a Member of the *Indian Civil Service*—

(i) by the Furlough which he has enjoyed under these or any former Rules ;

(ii) by the excess over one year in the amount of leave with allowances on medical certificate which he has enjoyed under former Rules.

(*b*) In the case of a *Military Officer subject to the Civil Leave Rules*, by the Furlough which he has enjoyed under these Regulations. [*See also Note to Article 338*(*b*).]

(*c*) In the case of an Officer other than an Officer of the Indian Civil Service or the Army—

(i) by the Furlough, or Special leave with allowances, which he has enjoyed under these or any former Rules. (*See also Article 339A.*)

339A. The following rules regulate the calculation of the furlough due to an officer who after being subject to the Indian Service Leave Rules becomes entitled to the Rules contained in this Chapter :—

(*a*) In the case of an officer who becomes entitled to the Rules in this Chapter on or after 11th October 1893, by reason of his acquiring on or after that date the qualification specified in Article 330 (*d*) or (*e*) :—

(i) The amount of furlough due to him shall be taken at one-eighth of his active service, while under the Indian Service Leave Rules, less the amount of furlough or of leave on private affairs enjoyed by him under Articles 370 and 371.

(ii) Leave on medical certificate shall in this calculation reckon neither as service qualifying for furlough nor as furlough taken, but the amount of furlough due shall not exceed the amount which would be due if the officer had been under the European Service Leave Rules from the beginning of his service and the leave taken by him on medical certificate had been furlough on medical certificate under the Rules in this Chapter.

(*b*) In the case of an officer who is brought under the Rules in this Chapter for the first time, by the operation of the orders contained in the despatch of the Secretary of State of the 21st September 1893, but who would have come under them at an earlier date if they had been in force at the time, the calculation of furlough and other leave due shall be made as follows :—

(i) If under those orders he would have been under the Rules in this Chapter from the commencement of his service, the calculation shall be made as if such Rules

had applied to him from the commencement of his service, and all leave taken by him had been taken under those Rules.

(ii) If under those orders he would at some stage in his service have passed from the Indian Service Leave Rules to the Rules in this Chapter, then the calculation shall be made under the rules in clause (*a*) under this Article, as if he had come under the Rules in this Chapter at such earlier stage. He shall be held to have been under the Rules in this Chapter from the said earlier date, and all furlough, leave on private affairs, or leave on medical certificate taken after such date shall be treated as furlough taken under the Rules in this Chapter:

Provided that in the case of the officers mentioned in Article 330 (*c*) who came under the Rules in this Chapter before the 11th October 1893 (the date of the receipt of the Secretary of State's despatch No. 188, dated 21st September 1893) the calculation shall continue to be made under the Rules in force up to that date. These Rules are as follows :—

In calculating the furlough "earned" only half the *Active Service* rendered by the officer in offices other than those included in Article 330 of the Second Edition of these Regulations is taken into account. The whole of the *active service* rendered by the officer whilst officiating in any of those offices is taken into account.

In calculating the furlough "due" the furlough "earned" is diminished by the furlough, leave on private affairs, and leave on medical certificate with allowances, which the officer has enjoyed under the Indian Service Leave Rules.

339B. The Rules in Articles 339 and 339A are subject to the proviso that if more than two years' furlough be due to an officer when he first becomes subject to the Rules in this Chapter, the excess shall be cancelled.

339C. An officer who comes under the Rules in this Chapter, while he is on leave under the Indian Service Leave Rules may at his option—

(*a*) change his leave allowances to the amount admissible under the European Service Leave Rules and come under them immediately; or

(*b*) postpone his coming under them until his return from leave.

Furlough admissible.

340. To an officer who has rendered three years' *Continuous Service*, Furlough for not more than two years may be granted, as follows :—

(*a*) On medical certificate :—unconditionally; *see Articles 893 to 902;*

(*b*) without medical certificate :—subject to these provisos :—

(i) that the Furlough be due to him;

(ii) that he has rendered eight years' *Active Service* in Civil employ;

(iii) if a *Military Officer subject to the Civil Leave Rules*, who has not rendered eight years' *Active Service* in Civil employ and

(1) if the Furlough which he applies for is his first Furlough—that he has two years' Furlough due to him under the calculation in Article 338; or

(2) if the Furlough applied for be other than his first Furlough—that he has rendered three years' *Continuous Service* since his return from Furlough;

NOTE.—[The restriction in paragraph 5 of Secretary of State's Military Despatch No. 274, dated 18th August 1881, as to the period of sick leave out of India granted to officers by the Governments in India, does not apply to officers whose leave is granted under the Civil Leave Rules but only to officers who are granted leave under any of the Military Furlough Rules. (*Letter to Accountant General, Bengal, No. 2804, dated 22nd August 1883.*)]

(iv) that the whole number of officers absent on Furlough and Special leave do not exceed the limit (if any) appointed by the Government of India (*see Articles 341 and 342*).

341. Except on medical certificate or on very urgent private affairs, Furlough or Special leave may not be granted to any Member of the Indian Civil Service, or to any Military Officer whether subject to the Civil or the Military Leave Rules, or to any other officer who is, if employed in Oudh, the Central Provinces, Burma, Assam, Ajmir, Coorg or Berar, a member of the Commission, or who is, if employed elsewhere, the holder of an office corresponding to that of a member of a Commission, if one-fifth of all the officers of a Commission, or of all officers holding appointments similar to those of members of a Commission, as the case may be, are already absent on Furlough or Special leave.

342. (*a*) If, under the operation of proviso (iv), Article 340, the applications for Furlough (including those under Article 264) cannot all be complied with, Furlough will be granted in the following order:—

First.—To the applicant to whom most furlough is due;

Secondly.—Of two or more applicants to whom the same amount is due; to him who has rendered longest *Continuous Active Service*;

Thirdly.—Of two or more such applicants who have rendered the same *Continuous Active Service*; —to the Senior.

(*b*) This Article refers to applications registered for a Furlough not yet vacant. The order of date in which such applications are made has no significance. The Article cannot affect applications made for a Furlough already vacant unless they happen to arrive by the same post.

343. To an officer who has not rendered three years' *Continuous Service*, Furlough for not more than one year may be granted on medical certificate.

Extension of Furlough.

344. (*a*) Furlough granted under Article 340 may, on medical certificate, be extended to not more than three years.

(*b*) Furlough granted under Article 343 for less than one year may, on medical certificate, be extended to not more than one year.

Ordinary Furlough.

345. Ordinary Furlough can, under no circumstances, extend beyond two years at one time; it includes—

(i) the first two years of each separate period of Furlough under Article 340, including any extension under Article 344 (*a*);

(ii) so much of Furlough under Article 343, including any extension under Article 344(*b*), as may be due: Provided that the officer have rendered six months' *Continuous Active Service*.

Leave Allowances.

346. An officer on ordinary Furlough is entitled to a leave allowance equal to half his *average salary*, subject to the following limits :—

(*a*) in the case of a Member of the *Indian Civil Service*—

(i) if paid at the Home Treasury of the Government of India, maximum £250 a quarter, and minimum £125 a quarter, or his last salary, whichever is less ;

(ii) if paid in India, maximum R833⅓ a month, and minimum R416⅔ a month, or his last salary, whichever is less ;

(*b*) in the case of a *Military Officer subject to the Civil Leave Rules* the same maxima and minima as in the case of a Member of the Indian Civil Service: Provided that, during Furlough added under Article 338 to the Furlough earned under Civil Rules, the minimum shall (in the case of an officer who became subject to the Civil Leave Rules on or after the 1st April 1888) be that prescribed by the Military Rules to which the officer was previously subject ;

(*c*) in the case of any other officer subject to these rules—

(i) if paid at the Home Treasury of the Government of India, maximum £200 a quarter; no minimum, except as provided in Article 351A ;

(ii) if paid in India, maximum R666⅔ a month ; no minimum, except as provided in Article 351A :

Provided always that the allowances of an officer during leave shall in no case exceed his actual salary when he takes leave.

1. In the case of a Military Officer subject to the Military Leave Rules who takes subsidiary or preparatory leave before furlough, the words "prior to his proceeding on furlough" in Rule V of the Military Furlough Regulations of the 10th November 1868 shall be understood to mean *before he is relieved of his duties*.

2. An officer on furlough does not forfeit his past leave allowances by resigning the service without returning to India.

NOTE.—[Absentee allowances in respect of leave spent out of India, if paid in India, are subject to the rupee limits prescribed in this Article.]

347. An officer on furlough other than ordinary is entitled—

(i) If a member of the *Indian Civil Service* or a *Military Officer subject to the Civil Leave Rules*, to subsistence allowance of the amount stated in Article 127, Rule 1.

(ii) if an officer not in the *Indian Civil Service* or in the Army, to £120 a quarter paid at the Home Treasury, or R400 a month paid in India, or to one-quarter of his *average salary*, whichever is less. In the case provided for in Article 351A, quarter *average salary* is subject to the minima prescribed in that Article.

NOTE.—[Absentee allowances in respect of leave spent out of India, if paid in India, are subject to the rupee limits prescribed in this Article.]

Section III.—Special Leave.

	ARTICLE.		ARTICLE.
GENERAL LIMITATION . . .	348	LEAVE ALLOWANCES . . .	350

General Limitation.

348. Special leave on urgent private affairs may be granted at any time for not more than six months:

Provided that an officer who has had special leave must render six years' *Active Service* before he can again have such leave.

1. The corresponding leave under the Covenanted Civil Service Leave Rules in force before the 1st July 1868, and Furlough under Rule XI of the Military Furlough Rules of 1868, are "Special leave" within the meaning of this proviso.

NOTE.—[A question having been raised in 1887 as to whether a Military Officer in Civil employ, who is under the Military Leave Rules of 1868, can take ordinary Furlough three years after return from his last Furlough, notwithstanding that he has during the three years' interval taken six months' Special leave under the Civil Leave Rules as allowed by *Article 671 of these Regulations*, the following rulings were made:—

(1) The period of three years required for Furlough is not broken by Special leave intervening; but

(2) the Special leave does not count as part of the three years;

(3) Special leave is not included when counting the maximum eight years allowed for furlough;

(4) Special leave does not count as service for furlough.

(*Letter from the Secretary, Public Works Department, to the Accountant General, Public Works Department, No. 1068G., dated the 4th June 1887.*)]

349. An officer promoted from an office, subject to the Indian Service Rules, is not debarred from obtaining Special leave with allowances under the preceding Article by reason of his having had Leave on Private Affairs under the Indian Service Leave Rules which is Furlough in another form.

Leave Allowances.

350. (*a*) For the first six months for which an officer is on Special leave whether the six months be included in the same leave or not, he is entitled to the leave allowance admissible under Article 346.

(*b*) Thereafter, he is entitled to no leave allowance.

1. The corresponding leave under the Covenanted Civil Service Rules in force before the 1st July 1868 is "Special Leave" within the meaning of this Article.

(*c*) An officer on Special leave does not forfeit his past leave allowances by resigning the service without returning to India.

351. A Military Officer in Civil employ, subject to the Military Furlough Rules of 1868, is entitled, during the first six months of his Special leave under Article 348, to an allowance of half his *average salary*, subject to a maximum of £1,000 and to a minimum of £250 a year. The title to this allowance is not affected by any leave previously taken under Rule XI of the Furlough Rules of 1868.

Section III A.—Minimum Leave Allowance.

351A. When an officer other than a member of the *Indian Civil Service* or the Army subject to the rules in this Chapter is obliged to take long leave out of India owing to ill-health, absentee allowances are subject to the following minima :—

On ordinary furlough or special leave—

When paid in England . . . . £200 a year, or $\frac{4}{5}$ths of last salary, whichever is less.

When paid in India . . . . R166$\frac{2}{3}$ a month, or $\frac{4}{5}$ths of last salary, whichever is less.

On furlough other than ordinary—

When paid in England . . . . £100 a year, or 37$\frac{1}{2}$ per cent. of last salary, whichever is less.

When paid in India . . . . R83$\frac{1}{3}$ a month, or 37$\frac{1}{2}$ per cent. of last salary, whichever is less.

NOTE 1.—[The minimum rate of leave allowance prescribed in this Article is also admissible in the case of any leave out of India commuted into leave on medical certificate. An officer claiming the minimum rate must furnish a medical certificate in support of the claim. The certificate should be in the same form as that required by the Civil Service Regulations to entitle an officer to leave on medical certificate and should recommend leave out of India.]

NOTE 2.—[For the purposes of this Article, Ceylon is not held to be "out of India."]

Section IV.—Subsidiary Leave.

	ARTICLE.		ARTICLE.
NATURE OF SUBSIDIARY LEAVE . .	352	PROLONGATION OF SUBSIDIARY LEAVE	356
GRANT OF LEAVE	353	BEGINNING AND END OF LEAVE .	359
LEAVE IN AND OUT OF INDIA . .	354	LEAVE ALLOWANCES . . .	362
PERIOD ADMISSIBLE	355	LIEN	364

Nature of Subsidiary Leave.

352. (*a*) SUBSIDIARY LEAVE is the time allowed—

(i) to an officer leaving India, on retiring from the Service, or on Furlough or Special leave, to break up his domestic establishment and travel to the port of embarkation, and

(ii) to an officer returning to India from Furlough or Special leave, to travel from the port of debarkation and reorganise his domestic establishment.

(*b*) The use of the words "port of embarkation" and "port of debarkation" in clause (*a*) limits the grant of Subsidiary leave to an officer leaving India by sea,—that is, at an Indian sea-port. No Subsidiary leave is admissible to an officer who does not leave India by sea.

Grant of Leave.

353. (*a*) The grant to an officer leaving India—

(i) of permission to retire from the service, or

(ii) of Furlough or Special leave out of India,

carries with it the grant of Subsidiary leave, including, in the case referred to in Article 352 (*a*), Clause (ii), Subsidiary leave on his return to duty.

(*b*) An officer returning to India, without the permission of the authority which granted him leave, more than fourteen days before the end of his Furlough or Special leave, is not entitled to Subsidiary leave, save under the special orders of the *Local Government*.

Leave in and out of India.

354. (*a*) An officer (including a *Military Officer subject to the Military Leave Rules*) may take Furlough or Special leave partly in and partly out of India. But Subsidiary leave is not admissible unless the Furlough or Special leave begins or, as the case may be, ends, as Furlough or Special leave out of India.

(*b*) If an officer going on Furlough or Special leave out of India is prevented by sickness or other urgent and adequate reason not within his own control,—such, for example, as the postponement of the departure of the vessel in which his passage is engaged,—from embarking within his Subsidiary leave, the *Local Government* may order that his Furlough or Special leave shall begin in India at the end of the Subsidiary leave otherwise admissible, without forfeiture of his Subsidiary leave.

Period admissible.

355. The minimum Subsidiary leave is ten days; otherwise Subsidiary leave is calculated according to the rules and restrictions laid down in Chapter IX for "Joining Time."

Prolongation of Subsidiary Leave.

356. (*a*) If a Medical Board or Officer detains an applicant under observation, under Article 895, before finally granting or refusing a Medical certificate, the Medical Board or Officer should give a certificate to the applicant as follows:—

A. B., having applied to us (or me) for a medical certificate under Article 894 of the Civil Service Regulations, we (or I) consider it expedient, before granting or refusing such a certificate to A. B., to detain him under professional observation for (x) days.

(*b*) If the applicant appears before the Medical Board or Officer during his Subsidiary leave, the effect of this certificate will be to prolong his Subsidiary leave to the date on which the period mentioned in the certificate expires.

357. If an officer eventually fails to obtain the medical certificate required by Article 894, he is entitled to Joining Time from the date on which the decision of the Medical Board or Officer is communicated to him, to enable him to return to his appointment. During this Joining Time, his allowances are regulated as if he was on Subsidiary leave.

358. If an officer who, under the Rules of his Service, is entitled to a free passage in a troop-ship when proceeding on leave out of India, is, after having been granted Subsidiary leave, detained waiting for a troop-ship, through no fault of his own, his Subsidiary leave may be extended to the date of the

sailing of the vessel in which he is provided with a passage, without reference to the maximum period of thirty days for which Subsidiary leave can be granted under the ordinary Rules of this Section.

1. This Article applies to the case of a *Military Officer subject to the Military Leave Rules* unavoidably detained at a Presidency Town beyond the usual period of Subsidiary Leave, waiting for a passage in a troop-ship.

358A. When an officer reports his return to duty under Article 258, his subsidiary leave is ordinarily reckoned from the date of debarkation, without any reference to the date of the orders appointing him to a particular post. But if there is any special delay in the issue of such orders, the Subsidiary leave may be extended by the Local Government, provided that the whole period so allowed does not exceed the maximum period of 30 days for which Subsidiary leave can be granted under the ordinary rules of this Section.

Beginning and End of Leave.

359. Saving as provided in Article 354 (*b*), Furlough and Special leave out of India begin on, and include, the day of the departure of the vessel in which the officer sails, and if an officer remains in India after the end of Subsidiary leave, his Furlough or Special leave dates from the beginning of his Subsidiary leave, his Subsidiary leave being thereby cancelled. Similarly Furlough and Special leave out of India, end on, and include, the day before the arrival of the vessel in which the officer returns, and Subsidiary leave begins the day after.

DEFINITION.—The day on which the vessel in which the officer sails quits her moorings or anchorage, whether she leaves the limits of the port or not on that day, is the day of the departure of the vessel. The day of arrival of the vessel in which the officer returns, is the day on which the vessel reaches her moorings or anchorage in port.

360. Any Officer serving in Persia or Turkish Arabia may leave the country in which he is serving, or return to it, by any port or frontier town. The date of his departure or return must be certified by the British Consul, or if there be no British Consul, by the officer himself.

360A. When an officer either of the Persian or of the Persian Gulf section of the Indo European Telegraph Department practically has to go on or return from leave by an Indian port, whether it be Karachi or Bombay, he may reckon subsidiary leave to or from such port.

361. Subsidiary leave granted to an officer preparatory to retirement ceases when he actually resigns the Service.

Leave Allowances.

362. An officer on Subsidiary leave is entitled to allowances as follows:—

(*a*) If the leave be subsidiary to Special leave, and the officer have had leave subsidiary to a former Special leave:—no allowance.

1. The corresponding leave under the Covenanted Civil Service Rules in force before the 1st July 1868 is Special leave within the meaning of this clause.

(*b*) If the leave be subsidiary to Ordinary Furlough or Special leave (otherwise than as provided in clause (*a*)):—the allowance admissible under Article 346, but calculated, in the case of a Member of the *Indian Civil Ser-*

vice or a *Military Officer subject to the Civil Leave Rules*, without the limitations of maximum or minimum prescribed by clauses (*a*) and (*b*) of Article 346. The limitations prescribed by clause (*c*) of Article 346 apply to the allowances of any other officer subject to this Article on Subsidiary leave.

(*c*) If the leave be subsidiary to Furlough other than Ordinary :—the allowance admissible under Article 347.

(*d*) If the officer, under Article 261, have ceased to have a lien on a substantive appointment—as, for example, if an officer has been absent on extraordinary leave in extension of Furlough—

(i) in the case of a Member of the *Indian Civil Service* or a *Military Officer subject to the Civil Leave Rules* :—Subsistence Allowance ; and

(ii) in the case of any other officer subject to this Article :—no allowance.

(*e*) If the leave be preparatory to retirement :—the allowances which would be admissible if the officer were proceeding on leave of such description as may be admissible to him ; and if no leave is admissible :—Subsistence Allowance only.

NOTE.—[See note under Article 295.]

363. An officer may draw allowances as if he were on Privilege leave, for any part of his Subsidiary leave under clause (i) of Article 352 (*a*) for which if he were not retiring from the service, or going on Furlough or Special leave, Privilege leave would be admissible to him. It is to be observed that an officer who has no lien on an appointment cannot benefit by this Rule. (*See Article 295.*)

Lien.

364. An officer on Subsidiary leave under clause (i) of Article 352 (*a*) has or has not a lien on an appointment, according as he has or has not such lien on the first day of the leave to which it is subsidiary.

NOTE.—[A *Military Officer subject to the Military Leave Rules* does not lose his lien during Subsidiary leave preparatory to Furlough.]

365. An officer on Subsidiary leave under clause (ii) of Article 352 (*a*) has or has not a lien on an appointment, according as he has or has not such lien on the day last preceding the Subsidiary leave.

Section V.—Extraordinary Leave.

366. Subject always to the provisions of any Statute applicable to the case, the Local Government (or, if the officer be on Furlough or Special leave in Europe, the Secretary of State) may in case of necessity and when no other kind of leave is by rule admissible, grant leave of absence from duty otherwise than under these Regulations : Provided that—

(i) such leave may not be granted in combination with the grant of other leave. But it may be granted in continuation of other leave if circumstances arise which prevent the return by the officer to duty, and which, in the opinion of the Local

Government, are such as to justify the concession. No officer is *entitled* to extraordinary leave ;

(ii) an officer absent from duty on leave so granted shall receive no absentee allowance ; and

(iii) if he is a Member of the *Indian Civil Service* or a *Military Officer subject to the Civil Leave Rules*, he shall retain no lien upon any office.

NOTE 1.—[This Article does not refer to casual leave for short periods. Such leave is not recognised and is not subject to any rule. Technically, therefore, an officer on casual leave is not treated as absent from duty, and his salary is not intermitted. Casual leave, however, must not be given so as to cause evasion of the rules regarding—

(i) Date of reckoning allowances } (see Articles 64 to 70),
(ii) Charge of office }
(iii) Commencement and end of leave } (see Articles 251 to 263),
(iv) Return to duty }

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

NOTE 2.—[The following is an extract from the Secretary of State's Despatch No. 279 (Financial), dated 4th December 1890, regarding the grant of extraordinary leave :—

4. "The Local Government is the proper judge, at the time when an officer on duty applies for extraordinary leave without pay, whether the circumstances are such as to justify the concession. If, however, the officer applies, in the first instance, for leave under the rules, extraordinary leave should not at the time be conceded in combination therewith ; if subsequent circumstances render it necessary for him to ask for an extension which is not authorised by the rules, it is for the Local Government or the Secretary of State, as the case may be, to decide whether sufficient reason is shown.

5. "With regard to your remark that cases not unfrequently arise in which it is very desirable to have the power of granting extraordinary leave without restrictions of any kind, I desire to express my opinion that with the liberal provision of leave which is granted by the rules, such cases ought to be very rare. Extensions by the grant of extraordinary leave are seldom allowed in this country, except in such cases as those of * * * * to which you refer, where family circumstances of an unforeseen character or illness may have occurred, rendering a short prolongation of the officer's absence almost indispensable."]

366A. A military officer subject to the Civil Leave Rules, who has exhausted the full period of furlough admissible to him under these Regulations, and who is granted extraordinary leave on medical certificate, will continue to be treated as wholly in civil employ for all purposes, with the exception that, if the Medical Board at the India Office report that there is no prospect of the officer returning to duty within a reasonable period, he will be placed on military half-pay. If an officer thus placed on half-pay is afterwards permitted to revert to the effective list and returns to duty in India, he will not be entitled to be reinstated in civil employment, but will be posted to civil or military duty as may be decided in India.

Chapter XIV.—Long Leave—Indian Services.

Section I.—Extent of Application.

367. The rules in this Chapter apply to all officers who are not entitled to leave under the other Chapters of these Regulations. They apply *fully* only to those officers whose *pay* is *not less* than ₹100 a month, and who have substantive appointments on permanent establishments under the Government.

368. (*a*) Leave may however be granted under this Chapter to an officer whose *pay* is less than ₹100, so far as it can be done without imposing any cost upon the State. The absentee allowance of the substantive incumbent must not exceed what remains from the pay of the appointment after provision is made for the efficient discharge of his duties during his absence. No leave in excess of the leave admissible under these rules may be granted to such an officer, with allowances, or counting as service for pension.

(*b*) This Article authorises the grant of leave upon the condition therein stated, not only to an officer in Superior service whose *pay* is less than a hundred rupees a month, but to an officer whose service is treated as Inferior under the Pension Rules, upon the condition that the grant of the leave shall not impose any cost upon the State.

1. An officer holding an appointment on a Progressive pay, rising to a maximum of one hundred rupees, who is in the receipt of the maximum pay, is not to be treated as an officer whose pay is less than one hundred rupees. The *pay* in such a case is determined by the "definition" in Article 49 (*a*), and not by the "calculation of value" under Article 164.

2. If it becomes necessary to bring an officer from a distance to act for an officer on leave whose pay is less than one hundred rupees, the travelling allowances and transit pay admissible to the substitute may be borne by the State; but such a transfer should never be made if it can be avoided.

Section II.—Long Leave.

	Article.		Article.
Leave on Medical Certificate .	369	Leave without Allowances .	372
Leave on Private Affairs . .	370	Leave Allowances . . .	373
Furlough	371	Leave after Fifty-five years of age	377

Leave on Medical Certificate.

369. Leave on medical certificate may be granted for three years in all, but not for more than two years at one time; and no officer can have leave on medical certificate out of India more than twice.

1. An officer who has a temporary or officiating appointment only may be allowed leave under this Article for not more than three months, if no substitute is required, or if his duties can be provided for without additional expense.

Leave on Private Affairs.

370. Leave on private affairs for six months may be granted to an officer who has not had Furlough, after six years' service, and repeated after intervals of six years.

1. Leave on private affairs does not accumulate, and cannot be taken in instalments.
2. Leave on medical certificate counts as service for leave on private affairs.

Furlough.

371. Furlough may be granted as follows:—

(*a*) After ten years' service;—one year or any less period; and thereafter, at intervals of not less than eight years, one year or such other period as together with all periods already spent in furlough may not exceed two years; or

(*b*) After eighteen years' service;—two years or any less period; and

thereafter, at intervals of not less than eight years, any such period as together with all periods already spent in furlough may not exceed two years:

Provided that the service for furlough of an officer who has had leave on private affairs counts only from the date of his last return from such leave;

Provided also that the aggregate amount of furlough or of furlough and leave on private affairs taken together shall not exceed two years.

1. Leave on medical certificate counts as service for Furlough.
2. Leave on private affairs under the Rules in force before the 8th June 1863 does not prevent the grant of Furlough under this Article.

Leave without Allowances.

372. Extraordinary leave without allowances may, in case of necessity, and when no other leave is by rule admissible, be granted for such time as may be necessary. Time spent on leave under this Article does not count as service for other leave. Subject to the provisions of Article 222 there is no limit to the length or frequency of leave under this Article. It may not be granted in combination with the grant of other leave. But it may be granted in continuation of other leave if circumstances arise which prevent the return by the officer to duty, and which, in the opinion of the Local Government, or the authority empowered to grant the leave, are such as to justify the concession. No officer is *entitled* to extraordinary leave.

1. An officer who has a temporary or officiating appointment only may, at the discretion of the Local Government, be allowed leave under this Article for not more than three months.

NOTE.—[See notes to Article 366 which apply to this Article also.]

Leave Allowances.

373. (*a*) An officer on leave on medical certificate under Article 369 is entitled to half his *average salary* for the first fifteen months of each period of absence, but not for more than thirty months in all. For the rest of his leave under Article 369 he is entitled to a quarter of his *average salary*.

(*b*) An officer on Furlough or on Leave on private affairs is entitled to half his *average salary*.

(*c*) But whenever an officer whose appointment is not gazetted takes leave for *not more* than one month, or whenever such an officer's *salary* is less than three hundred rupees, his *pay* (not *salary*) when he gives up office is to be taken in lieu of *average salary*.

374. (*a*) Half *average salary* is always subject to a maximum of R500 a month if paid in India, and £150 a quarter if paid at the Home Treasury of the Government of India.

(*b*) One quarter *average salary* is always subject to a maximum of R400 a month if paid in India, and £120 a quarter if paid at the Home Treasury of the Government of India.

(*c*) For non-gazetted officers whose *salary* is not less than R300, the minimum of half *average salary* is R150, and of one quarter *average salary* is R75 a month.

NOTE 1.—[Absentee allowances in respect of leave spent out of India, if paid in India, are subject to the rupee limits prescribed in this Article.]

NOTE 2.—[For the purposes of this Article, Ceylon is not held to be "out of India."]

Articles 372—374.

Long Leave—Indian Services.

374A. When an officer subject to the rules in this Chapter is obliged to take leave out of India under Articles 369, 370 or 371 owing to ill-health, half *average salary* and quarter *average salary* are subject to the following minima:—

Half *average salary*—

	Minima.
If paid in England . . .	£200 a year, or $\frac{3}{4}$ths of last salary, whichever is less.
If paid in India . . .	R166$\frac{2}{3}$ a month, or $\frac{3}{4}$ths of last salary, whichever is less.

Quarter *average salary*—

If paid in England . . .	£100 a year, or 37$\frac{1}{2}$ per cent. of last salary, whichever is less.
If paid in India . . .	R83$\frac{1}{3}$ a month, or 37$\frac{1}{2}$ per cent. of last salary, whichever is less.

NOTE 1.—[The minimum rate of leave allowance prescribed in this Article is also admissible in the case of any leave out of India commuted into leave on medical certificate. An officer claiming the minimum rate must furnish a medical certificate in support of the claim. The certificate should be in the same form as that required by the Civil Service Regulations to entitle an officer to leave on medical certificate and should recommend leave out of India.]

NOTE 2.—[For the purposes of this Article, Ceylon is not held to be "out of India."]

375. All the rules in Article 373 are subject to the proviso that the allowances of an officer during leave shall in no case exceed his actual *salary* when he takes leave.

376. An officer does not forfeit the allowances to which he is entitled under Articles 373 to 375 by resigning the service at the end of the leave.

Leave after Fifty-five years of age.

377. An officer in Superior service who is subject to the rules of this Chapter is eligible, after he attains the age of fifty-five years, for Privilege leave, for any leave on private affairs (Article 370) to which he may be otherwise entitled, and also for leave without allowances under Article 372, provided that the total leave granted, whether on private affairs or without allowances, does not exceed six months in all, and for no other kind of leave. Any leave, other than Privilege leave or leave on private affairs, granted to such an officer before the date on which he attains the age of fifty-five years, ceases to have effect on this date.

Section III.—Subsidiary Leave.

GRANT OF SUBSIDIARY LEAVE . . ARTICLE. 378 | SUBSIDIARY LEAVE ALLOWANCES . ARTICLE. 380

Grant of Subsidiary Leave.

378. An officer going on, or returning from, leave out of India on medical certificate, Leave on private affairs, or Furlough, or going on, or returning from, leave on medical certificate to a sanitarium, is entitled to Subsidiary leave,

under the rules in Chapter XIII, Articles 352 and 354 to 365, and the grant of such leave carries with it the grant of Subsidiary leave, including, as in the cases referred to in Article 352 (*a*), clause (ii), Subsidiary leave on his return to duty.

379. Subsidiary leave on half pay for a period not exceeding fourteen days may be given to an officer preparatory to leaving India by sea on retirement from the Service, provided that the grant causes no additional expense to the State.

Subsidiary Leave Allowances.

380. (*a*) An officer on Subsidiary leave prefixed to other leave is entitled to half his *average salary*. But he may draw allowances as if he were on Privilege leave, for any part of this leave for which, if he were not going on leave out of India, Privilege leave would be admissible to him.

(*b*) An officer on Subsidiary leave following other leave is entitled to half his *average salary*, or one quarter of his *average salary*, according to the rate of allowance to which he may be entitled at the end of the leave to which it is subsidiary.

PART IV.—ORDINARY PENSIONS.

GENERAL ARRANGEMENT.

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PART IV.—ORDINARY PENSIONS.

Chapter XV.—General Rules.

Section I.—Extent of Application.

381. The conditions of service of officers of the following classes include special rules for pension which are laid down in the chapters noted against each, *viz.*:—

(*a*) Judges of the High Courts (see Chapter XXIII).

(*b*) *Barristers* holding the appointments of Judge of the Chief Court of the Punjab, First Judge of the Small Cause Courts in Presidency Towns, Recorder of Rangoon, and Secretary to the Government of India in the Legislative Department (see Chapter XXIV).

(*c*) Members of the *Indian Civil Service* (see Chapter XXV).

(*d*) *Statutory Civil Servants* (see Chapter XXVI).

(*e*) Ecclesiastical Officers (see Chapter XXVII).

(*f*) Civil Engineers and Telegraph Officers (see Chapter XXIX).

(*g*) State Railway Establishments (see Chapter XXXI).

(*h*) Bengal Covenanted Pilots and their families (see Chapter XXXII).

(*i*) Police Officers drawing less than R20 a month (see Chapter XX).

(*j*) Port Blair Police (see Chapter XXXIII).

(*k*) Civil Veterinary Department (see Chapter XXVIIIA).

382. The *pensions* of all other officers are regulated by the rules in this Part: Provided that it is open to a *Local Government* to rule that the service of any class of officers serving under it does not qualify for pension.

1. Service in Dâk Bungalow and District Garden Establishments does not qualify.

2. The service of a Patwari, in the North-Western Provinces and Oudh, and in the Central Provinces, and of a Thugyi in Upper Burma, does not qualify.

383. Future good conduct is an implied condition of every grant of a pension. The Government reserves to itself the right of withholding or withdrawing a pension, if the pensioner be convicted of serious crime or be guilty of grave misconduct.

Section II.—Cases in which claims are inadmissible.

	ARTICLE.		ARTICLE.
SPECIFICATION OF CASES . . .	384	CLAIMS OF WIDOW . . .	386
MISCONDUCT OR INEFFICIENCY . .	385	LIMITATIONS	387
MILITARY SERVICE	388		

Specification of Cases.

384. In the following cases, no claim to *pension* is admitted :—

(*a*) When an officer is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged.

(*b*) When a person is employed temporarily on monthly wages without specified limit of time or duty; but a month's notice of discharge should be given to such a person, and his wages must be paid for any period by which such notice falls short of a month.

(*c*) When a person's whole time is not retained for the public service, but he is merely paid for work done for the State.

1. This clause applies, among others, to the following officers:—Advocate General, Solicitor to Government, Government Pleaders and Law Officers not debarred from private practice, Sheriffs in Presidency Towns, Coroners, Roman Catholic Priests.

(*d*) When a public servant holds some other pensionable office, he earns no *pension* in respect of an office of the kind mentioned in clause (*c*) or in respect of duties paid for by a *Local Allowance*.

(*e*) When an officer serves under a covenant which contains no stipulation regarding *pension*, unless the Government of India specially authorizes an officer to count such service towards *pension*.

NOTE.—["I have considered in Council your Financial letter, dated the 4th June last (1877), No. 155, regarding the insertion, in contracts with mechanics and others engaged in England for service in India, of a clause stipulating that their service under covenant shall, if the Government of India think fit to re-engage them, count as service towards leave and pension under (*ordinary*) Rules.

"Your Government are of opinion that the arrangement should apply to all such persons engaged under covenant or contract in England for the public service in India under all circumstances, and for all Departments, and you express a desire that the covenants should 'be carefully worded, so as to preserve inviolate the indefeasible right of the Government to modify either Leave or Pension Rules from time to time at their discretion, so that no claims may arise to the benefits of either Code of Rules as it stood at the date when any particular covenant was executed.'

"Covenants with mechanics and others engaged for service in India will accordingly in future be prepared, containing provisions to the effect recommended by your Government."—(*Secretary of State's Despatch No. 255, dated 26th July 1877.*)]

Misconduct or Inefficiency.

385. *Pension* may not be granted to an officer whom it is desired to remove for misconduct, insolvency, or inefficiency. (*See also* Appendix No. 4.)

Claims of Widow.

386. (*a*) It being the duty of every Government officer himself to provide for his family, the Government recognises no claim by a widow on account of the services of her husband, and is almost invariably under the painful necessity of rejecting recommendations made in contravention of this rule.

(*b*) The submission of such recommendations, save under very extraordinary circumstances, is disapproved, as calculated only to give rise to hopes which cannot be fulfilled.

NOTE.—(1) [In a Despatch, No. 36, dated 17th November 1841, regarding the establishment of the Bengal Uncovenanted Service Family Pension Fund, the Court of Directors observed—"In referring to the causes which may have operated to keep back subscribers, the Directors advert to a reliance supposed to be placed on the special exercise of our bounty in favour of the families of deceased servants. Whether or not such reliance have any effect in discouraging subscriptions to the Fund, it is most important to the interests of the families of our Uncovenanted Servants that it should not be indulged. In our Despatch dated the 16th October 1839, No. 31, we called your attention to the fact that the Rules restricted the grant of pension to the family, or any member of the family, of a deceased servant, to cases where the servant shall have been killed in the exercise of his public duty, or shall have died in consequence of wounds or accidents sustained therein except in special cases justifying extraordinary indulgence, and which are of very rare occurrence. The belief, therefore, that the fact of a person dying in our service gives his family a claim to

pensionary provision (if such belief exist), is a delusion which may be productive of very painful consequences, and which, for this reason, we feel it an imperative duty to endeavour to dispel. We observe that the Committee of the Fund have taken some pains to make our views on the point generally known; and in thus acting, they have contributed not only to promote the interests of the Fund, but to render valuable service to their brethren by disabusing their minds of a dangerous error."]

NOTE.—(2) [In a Despatch No. 52, dated 8th February 1870, the Secretary of State remarked that "grave objections exist to the grant of special pensions to the families of Uncovenanted Servants, every such grant forming a precedent which is quoted in support of subsequent applications, with less claims to consideration."]

Limitations.

387. (*a*) An officer cannot earn two *pensions* in the same office at the same time, or by the same continuous service:—

Example.—A soldier who obtains his discharge from the Army under *Exception* (3) in Article 388 is not entitled to any pension in the Military Department for the portion of his Military service which he will thereupon count as Civil service.

(*b*) Two officers may not simultaneously count service in respect of the same office.

Military Service.

388. Service which is pensionable under Military Rules does not count; and an officer who is counting service for Military pension cannot simultaneously count service for Civil pension,—for example, an officer of the old Indian Navy in Civil employ cannot count his naval service. The following exceptions have been made to the provisions of this Article:—

(1) Military Hospital Assistants and Enlisted Native Doctors are excluded, by this Article, from pension under these Regulations; but a Military Hospital Assistant or Native Doctor, promoted to be an Assistant Surgeon, or who, under Resolution in the Home Department, No. 16, dated 9th January 1878, is transferred to the Civil Branch of the Subordinate Medical Service, counts service retrospectively from the date on which he passed his examination as Hospital Assistant or Native Doctor, as the case may be, irrespective of the particular age at which the examination may be passed.—[*See Articles 390 (a) and 391 (3).*]

(2) In the Public Works Department, Honorary Commissioned Officers holding the rank of Deputy Commissary, Assistant Commissary, and Deputy Assistant Commissary, Warrant Officers in the grades of Conductor and Sub-Conductor and Non-Commissioned Officers must, when promoted to the Engineer establishment, take their discharge from the Army, and their whole departmental service then qualifies retrospectively. This exception does not apply to Warrant Officers who receive honorary commissions and are promoted to be Assistant Engineers, under Public Works Code, Vol. I, Chapter II, paragraph 58.

(3) A Non-Commissioned Officer or private soldier in Civil employ, who took his discharge from the Army before the 1st November 1873, or, if he was in the Public Works Department, before the 1st November 1874, counts his whole Civil service. A Native soldier employed in the Public Works Department, if he took his discharge from the Army before the 31st December 1875, counts his whole Civil service; otherwise, a Non-Commissioned Officer or soldier, whether attached or unattached, cannot count service for Civil pension until, with the consent of his Civil departmental superior, he is discharged from the Army, when he may count his Civil service for one year retrospectively.

NOTE 1.—[This rule does not apply to soldier-clerks in Military offices. (*See G. G. O. in the Military Department, No. 1292, dated 22nd December 1875.*) But if such a clerk is afterwards employed in the Civil Department, he may count his service in the Military office, provided that he takes his discharge within twelve months after joining his appointment in the Civil Department.]

NOTE 2.—A native non-commissioned officer employed in the Forest Department, promoted from the subordinate to the Provincial Service (class of Extra Assistant Conservator) will, if at the time on the Unattached List, be required to take his discharge from the Army. He will then count his whole departmental service with the addition of twelve months of the period of instruction at the Forest School for Civil pension.

(4) An Enlisted member of the Bombay Corps of Guides transferred as a draftsman to the Office of the Quartermaster General, Bombay Army, counts his service in the Guide Corps as if it had been in Civil employ.

(5) The pension of a Native soldier placed on the Unattached List for employment in the Civil Department under the provisions of G. G. O. No. 269 of 1865, G. O. C. C. No. 289 of 1867, India Army Circular, clause 126 of 1881, and India Army Circular, clause 100, 1885, and of a Warrant Medical Officer in Civil employment (see Special Army Circular dated 16th July 1884, paragraph 36), is a Civil or a Military charge, according as the greater portion of the *Warrant Officer* or soldier's service is in the Civil or the Military Department.

389. The Government of India may, in special cases, allow service which is pensionable under Military rules to count for pension on the Inferior scale, reporting such grants periodically to the Secretary of State.

Chapter XVI.—Conditions of Qualifying Service.

Section 1.—Definition of Qualifying Service.

ARTICLE. ARTICLE.
BEGINNING OF SERVICE . . . 390 | CONDITIONS OF QUALIFICATION . 393

Beginning of Service.

390. (*a*) Except for compensation gratuity, an officer's service does not in the case of superior service *qualify* till he has completed twenty years of age.

(*b*) In other cases, unless it be otherwise provided by special rule or contract, the service of every officer begins when he takes charge of the office to which he is first appointed.

NOTE.—[In every covenant with an officer appointed in England by the Secretary of State, not being a Member of the Indian Civil Service or a Civil Engineer or Telegraph Officer educated at the Royal Engineering College, Cooper's Hill, or a Forest Officer, a clause is inserted to the effect that service for leave and pension begins only from the date on which the officer joins his first appointment in India.]

391. The following exceptions are admitted to the twenty years' rule :—

(1) The officers described in Articles 446 and 703 ; all officers appointed in England by the Secretary of State for service in India ; "Indian College Engineers" (see Article 690 (*f*)) ; and Police probationers appointed in India under the orders contained in the Despatch of the Secretary of State, No. 14 (Judicial), dated 15th March 1894, are exempt from this disability.

(2) Signallers in the Indian and Indo-European Telegraph Department may count towards pension service rendered by them after they attain the age of eighteen years.

(3) Hospital assistants count service from the date they pass the examinations referred to in Exception (1) of Article 388.

392. In the case of Inferior service, service *counts* after the age of sixteen years, but if an inferior officer's *qualifying* service began after the 1st April 1880, and after he had attained the age of 40 years, his service does not *qualify* for pension or gratuity of any kind.

NOTE.—[The proviso in this Article does not apply to an Inferior servant who is re-employed after discharge on compensation pension or gratuity.]

Conditions of Qualification.

393. The service of an officer does not *qualify* for *pension* unless it conforms to the following three conditions:—

First.—The service must be under Government.

Second.—The employment must be substantive and permanent.

Third.—The service must be paid by Government.

These three conditions are fully explained in the following Sections.

Section II.—First Condition.

	ARTICLE.		ARTICLE.
SERVICE UNDER GOVERNMENT . .	394	SERVICE UNDER AN EMPLOYER WHOM GOVERNMENT HAS SUCCEEDED .	402
SERVICE PAID FROM CONTRACT ALLOWANCES	398		

Service under Government.

394. The service of an officer does not qualify unless he is appointed and his duties and pay are regulated by the Government, or under conditions determined by the Government. The following are examples of officers excluded from pension by this Article:—

(1) A Marine officer paid by fees fixed by the Board of Trade;
(2) Officers of a Municipality;
(3) Officers of Grant-in-aid Schools and Institutions (*e.g.*, the Asiatic Society and the Canning College at Lucknow);
(4) Subordinates appointed by Treasurers on their own responsibility, *e.g.*, Tahvildars in the North-Western Provinces and in the Central Provinces; and Potadars (money-testers) in Bengal.

395. As an exception to the preceding Article the services of Subordinates of Treasurers in the Punjab, including Tahvildars and Potadars (money-testers) who were in employ on the 23rd August 1886 qualify, provided that they were—

(i) appointed by District Officers;
(ii) discharging duties and receiving pay regulated under conditions laid down by Government; and
(iii) other than mere servants of Treasurers liable to be removed whenever a change might take place in the incumbency of the office of a Treasurer.

396. The service of a Native Accountant appointed to a Silladar Regiment in the Bombay Presidency before the 6th February 1875 *qualifies*. The service of such officers appointed on or after that date does not qualify.

397. Cancelled.

Service paid from Contract Allowances.

398. Service on an establishment paid from a Contract Establishment allowance, with the detailed distribution of which the Government does not interfere, does not qualify, whether such contract allowance is a fixed amount or consists of fees.

399. Service on an establishment paid from the Household allowance of the Viceroy, or of a Governor, or Lieutenant-Governor, does not qualify.

1. If an officer has served partly (in a capacity which would have given him claim to *pension* if the service had been paid from the *General Revenues*) on the Household establishment of the Viceroy, and partly on establishments paid from the *General Revenues*, he is entitled, from the *General Revenues*, to a share of any pension to which he would have been entitled if his whole service had been paid from the *General Revenues*, proportionate to the length of the service which has been so paid.

Example.—*A. B.*, a Messenger on a pay of R8 a month, has served altogether thirty-two years, of which sixteen years were passed on the Household establishment of the Viceroy. If *A. B.'s* whole service had been paid from the *General Revenues*, he would have been entitled under the rules for inferior service to a maximum pension of R4 a month. *A. B.* will receive from the *General Revenues* a maximum pension of R2 a month.

2. The Governor of Bombay is authorised to grant pensions and gratuities at his discretion to the domestic servants in the Government House establishment retiring from the service, or to the families of such retired domestic servants after their decease, provided that the amount of such pensions and gratuities paid in one year ending 31st March shall not exceed R1,320.

400. The maximum Establishment allowance for Registration offices in Bengal is not a Contract allowance within the meaning of Article 398, because the Inspector General of Registration, under the orders of Government, regulates its distribution, and any balance unspent is saved to Government.

401. Cancelled.

Service under an Employer whom Government has succeeded.

402. In the following cases service under an employer to whose position Government has succeeded qualifies :—

(*a*) Service in Berar by officers transferred to the Government of India when it undertook the administration of those Provinces.

(*b*) Service rendered to a Native State, and continued to the British Government on the lapse or annexation of the State, when old age or infirmity renders the officer a fit object for pension.

(*c*) Superior service in Talukdari schools which were converted into Government schools on the organisation of the Educational Department in Oudh.

(*d*) Service by officers who were on the establishments of the Military and Medical Funds when the Funds were taken over by Government.

(*e*) Service in the establishment employed in the Khelat territory for the assessment and collection of water-rate on lands watered by the Sind Canal which was paid in part by the Khan of Khelat prior to the levy of a local cess to meet the charge.

Section III.—Second Condition.

	ARTICLE.		ARTICLE.
General Principles	403	Substantive Office abolished	413
Apprentices	407	Piece-work	414
Probationers	408	Surveys and Settlements	415
Permanent Officer deputed	410	Exceptions	417

General Principles.

403. Service does not qualify unless the officer holds a substantive office on a Permanent Establishment; but upon such conditions as it may think fit in each case to impose, the Government of India may allow temporary service to count for pension, if the pension does not exceed ten rupees a month.

404. An establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, is not a temporary establishment. Service in such an establishment, including the period during which the establishment is not employed, qualifies; but the concession of counting as service the period during which the establishment is not employed, does not apply to an officer who was not on actual duty when the establishment was discharged, after completion of its work, or to an officer who was not on actual duty on the first day on which the establishment was again re-employed.

405. An officer transferred from a temporary to a permanent appointment can count his service in the temporary office, if, though at first created experimentally or temporarily, it eventually becomes permanent.

406. An officer without a substantive appointment officiating in an office which is vacant, or the permanent incumbent of which does not draw any part of the pay or count service, may, if he is confirmed without interruption in his service, count his officiating service.

Apprentices.

407. Service as an Apprentice does not *qualify*, except as an Engineer or Examiner Apprentice in the Public Works Department, or as an Assistant Superintendent Apprentice in the Indian Telegraph Department.

Probationers.

408. The service of a probationer who holds a substantive office and draws substantive pay qualifies. So does that of an officer who is on probation for a substantive office, if he is employed in a vacancy reserved for him, pending probation, and in which no other officer simultaneously counts service.

409. Police Probationers and temporary and officiating Assistant Superintendents of Police in all Provinces count their service towards pension, provided they have passed their examinations, have served two years in the Department, and have attained the age of twenty years.

The restrictions in this Article do not apply to Police Probationers recruited in England after competitive examination, or in India under the orders contained in the Despatch of the Secretary of State, No. 14 (Judicial), dated 15th March 1894. Probationers recruited in England after competitive examination count their service from the date of reporting their arrival in India ; those recruited in India under the orders above quoted count their service from the date of taking charge of the office to which they are first appointed.

Permanent Officer deputed.

410. If an officer on a Permanent Establishment is detached on Temporary duty, on the understanding that, when the Temporary duty ceases, he will return to the Permanent Establishment, he counts his detached service.

411. The preceding Article permits the temporary suspension of the second condition of qualifying service which forms the subject of this Section ; it does not authorise any relaxation of the first condition (which is the subject of Section II), or the third condition (which is the subject of Section IV), and, in particular, must not be understood to countenance any modification of the Rules in Part VII, which apply to an officer on Foreign service.

412. Service as Private Secretary to the Governor General, a Governor or a Lieutenant-Governor, qualifies, provided that the officer belonged, before his appointment as Private Secretary, to the Civil Service of Government, whether the *Indian Civil Service* or not.

Substantive Office abolished.

413. If the substantive office of an officer is abolished within the meaning of Article 468, but the officer is, at the time, on special duty, or is, on abolition of his office, deputed on special duty, his service on special duty *qualifies*, but the duty must be *special* ; mere employment, in continuation of permanent employment, in a temporary appointment which happens at the time to be vacant, does not qualify.

1. The service of an officer of the Marine Service continues to *qualify* when, upon the abolition of his appointment, he is retained on subsistence allowance or in an acting appointment.

Piece-work.

414. A Section writer, or a Press servant, who is paid for piece-work, is treated as having held a substantive office, if—

(i) he is employed, not casually, but as a member of a fixed establishment ; and

(ii) during the last seventy-two months of his actual employment he has been attached to one office uninterruptedly for twenty-four months, or it has not been through his own choice or misconduct that he has not been so attached.

Surveys and Settlements.

415. (*a*) Service in the undermentioned Settlement and Survey Departments which are (or were) on a quasi-permanent footing, qualifies, provided

that the officer is (or was) not engaged on the understanding that his appointment is (or was) only temporary, or that he was, or would be, liable to be discharged after a short period of service :—

The Settlement Departments in Madras, the North-Western Provinces, Oudh, Burma, and the Punjab. The Revenue Survey Departments in Bengal, Madras, and Bombay. The establishments of the Inam Commissioners of Madras and Bombay. The Alienation Settlement Department in Bombay. The Malabar Escheat Establishment, Madras.

(*b*) Elsewhere (and in those Provinces also, except in the Regular Departments), Settlement and Survey work is Temporary service, and does not count. But if service in the Settlement Department in any Province, and the Survey of India is followed, without interruption, by qualifying service, it qualifies.

416. Deputy Collectors and similar Gazetted officers, when not especially employed for temporary work, are not affected by the preceding Article, as they count service independently of the particular department to which they happen for the time to be attached.

Exceptions.

417. A Medical officer in charge of a Government vessel may count his service afloat, if he is transferred, without interruption of his service, to the Civil Medical Service.

418. Cancelled.

419. If the Collector of Customs in Calcutta, in transferring an officer from the Extra or Contingent List of the Calcutta Customs Preventive Service, declares that the transfer is made on the ground of good service rendered, the service of the transferred officer on the Extra Contingent List qualifies.

Section IV.—Third Condition.

	Article.		Article.
Sources of Remuneration	420	Trust Funds	429
General Revenues	421	Fees and Commission	430
Local Funds	428	Tenures in Land, etc.	431

Sources of Remuneration.

420. Service which satisfies the conditions prescribed in Sections II and III qualifies, or does not qualify, according to the source from which it is paid ; with reference to this Article service is classified as follows :—

(*a*) Paid from *General Revenues*.

(*b*) Paid from *Local Funds*.

(*c*) Paid from Funds in respect to which the Government holds the position of Trustee.

(*d*) Paid by Fees levied by law, or under the authority of the Government, or by Commission.

(*e*) Paid by the Grant, in accordance with law or custom, of a tenure in land, or of any source of income, or right to collect money.

General Revenues.

421. Service paid from the *General Revenues* qualifies. The fact that arrangements are made for the recovery, on the part of the Government, of the whole, or part, of the cost of an establishment or officer, does not affect the operation of this principle: Provided that the establishment or officer is appointed, controlled, and paid by the Government.

NOTE.—[In making arrangements for the recovery of cost of establishments, it should not be forgotten that Government has to bear not only the immediate cost, but also that of leave allowances and pensions.—(*See Article 854*).]

Examples.

(*a*) The Shipping Master and Deputy Shipping Master, and their establishments at Bombay and the Deputy Shipping Master in Calcutta, the cost of which offices is provided for by shipping fees.

(*b*) The establishment of the Hughli College and Collegiate Schools, while the cost thereof was borne by the Mohsin Trust Fund, and also that of the Elphinstone College and High School and some other Government Medical and Educational Institutions in Bombay, a portion of the cost of which is recovered from private endowments.

(*c*) Masters and Assistant Masters in schools established in Bombay on the old system (converse to the Grant-in-aid system) whose pay was met in part by local contributions. The pension in this case is reckoned only on the share of pay paid by Government.

(*d*) The establishment of the Sehor (Bhupal) School, the expense of which is paid in part by local subscriptions.

(*e*) Certain Customs establishments in Bombay, the cost of which is paid for by private companies.

(*f*) When Police officers are entertained at the cost of individuals and corporate bodies, an additional charge of one-sixth of the pay of officers whose pay is not less than ₹100 a month, and of one-twelfth of the pay of others, must be defrayed by the persons for whose benefit the officers are employed: Provided always that the additional charge shall not be made when such officers do not belong to the regular Police, but are only temporarily engaged, their service not counting for pension; or when the pay of the officers is a charge upon the *General Revenues*.—[*See* Article 542 (*b*).]

(*g*) An Establishment of the Accountant General of the High Court at Bombay whose pay is provided for by a three per cent. commission on invested funds in charge of the Accountant General.

(*h*) The office establishment of the Health Officer of the Port of Bombay and the crew of the boat placed at the disposal of that officer, a portion of whose pay is paid by the Bombay Port Trust.

(*i*) Certain additions to Government establishments in the Bombay Presidency, *e.g.*, the Accountant General, Commissioners, Surgeon-General, Bombay, Surgeon-Colonel in Sind, Inspectors of Schools, etc., the cost of which is met from the General (Provincial) Revenues which are recouped by recoveries from the several Local Funds concerned.

422. The service of members of Office establishments in the Railway Police in Bombay, who are wholly paid by the Railway Companies, qualifies.

423. The service of Process-servers (or Naib Nazirs who were paid from the same source as Process-servers), before the Court Fees Act, 1870, was passed, qualifies as follows:—

(*a*) In *Bengal*—Service paid from the Fund formed under Act V of 1863, Bengal Council.

(*b*) In the *North-Western Provinces*—

(i) Service under the Civil Courts after 31st December 1863.

(ii) Service under the Revenue Courts after 31st December 1865.

(*c*) In *Oudh*, the *Central Provinces* and *Burma*—All service.

(*d*) In the *Punjab*—Service after 14th March 1859.

(*e*) In *Bombay*—Service paid from the Amins' Fee Fund.

(*f*) In *Berar*—Service paid from the Process-servers' or Talabana Fund.

NOTE.—[In Madras, the service of Process-servers, before their appointment under the Court Fees Act, 1870, did not qualify.]

Articles 421—423.

424. Cancelled.

425. The service of the officers of the Bengal Secretariat Press, who, before August 1868, were paid partly from savings by the reduction of the copying staff of the Secretariat and partly from subscriptions to the *Calcutta Gazette*, qualifies.

426. Pensions for service paid, wholly or partly, from the Revenues of Berar, are charged to that Province wholly, or according to the *Rule of Proportions*, as the case may be.

NOTE 1.—[Pensions granted to officers and men of the Hyderabad Contingent under Military Rules are charged to the revenues of Berar by the same rules.]

NOTE 2.—[In the case of the officers enumerated in the exception to Article 34, service in Berar is treated as foreign service.]

427. (*a*) In the case of officers who, having no status in the service of the British Government, apart from their particular employment in Mysore, were employed in Mysore and transferred to the British service proper before 1st October 1882, the pensions granted are charged according to the *Rule of Proportions*.

(*b*) Pensions for service in Mysore prior to 1st October 1882 of officers who had a status in the service of the British Government, apart from their particular employment in Mysore, are paid wholly from British Revenues.

Local Funds.

428. Service paid from a *Local Fund* qualifies, or does not qualify, according to the rules laid down in Chapter XXXVIII (Service under Local Funds).

Trust Funds.

429. Service paid from Funds which Government holds only as a Trustee, such as under a Court of Wards or in an Attached Estate, does not qualify.

Fees and Commission.

430. (*a*) Service in an office paid only by fees, whether levied by law or under the authority of Government, or by a commission, does not qualify.

(*b*) Service in an office paid by fees or by commission, in addition to pay from the *General Revenues*, qualifies.

1. Service as Administrator General, or as Official Assignee, does not qualify, even though (as in the case of the Administrator General at Madras and Bombay) the income from fees or commission is supplemented by *pay* from the General Revenues.

2. Sheriffs (Nazirs) on the establishments of Civil or Revenue Courts, who were paid wholly or partly by fees, are entitled to pension, unless the establishment on which they have served is excluded by Article 398.

3. Service as a Thugyi (local collector of revenue paid by commission) in Lower Burma qualifies, but this concession does not extend to Upper Burma,—*vide* Rule 2 under Article 382.

Tenures in Land, etc.

431. Service paid by the grant, in accordance with law or custom, of a tenure in land, or of any other source of income, or right to collect money, does not qualify.

Ordinary Pensions.

432. As an exception to the preceding Article, Watandars (hereditary District Officers) and their deputies in the Kaira Collectorate and in the following talukas of the Panch Mahals, namely :—Godhra, Kálol and Dohad, and the Petás of Hálol and Jhalod, if transferred to qualifying service, count their previous service.

Section V.—Distinction between Superior and Inferior Service.

	ARTICLE.		ARTICLE.
QUALIFYING SERVICE	433	SERVICE PARTLY INFERIOR AND PARTLY SUPERIOR	436
INFERIOR SERVICE	434	EXCEPTIONAL CASES	438
SUPERIOR SERVICE	435		

Qualifying Service.

433. Qualifying service is divided into SUPERIOR and INFERIOR.

Inferior Service.

434. Service on pay not exceeding R10, and service in the following capacities, or in any office which has been graded as Inferior by the rule or practice of the Local Government, is Inferior service :—

Artificers, other than those specified in Article 435, Handicraftsmen, and Labourers.
Bázárs : Chaudharies of —.
Daftaries and Muchies ; but service as "Daftari" on R20 a month in the Baroda Residency between 1855 and 1873 counts as Superior.
Distributors in Printing and Lithographic establishments.
Dockyard and Military Artificers not specially provided for in Article 529.
Forest Guards.
Maistries in the Public Works Department on pay less than R25.
Menial and Inferior servants of all sorts.
Messengers, Orderlies, and Peons, and their petty officers.
Money-testers (Potadars).
Priests and other officers employed to administer oaths.
Rollermen or Inkmen, Flyboys or Takers-off, in Printing establishments.
Sarkárs—except Counting Sarkárs in the Stamp Office, and Godown Sarkárs in the Stationery Office, Calcutta.
Seamen and Boatmen.
Shroffs whose pay does not exceed R15, except in Madras.
Stud Department : Cultivators in the —.
Stipendiary Village Accountants (including those paid according to Wingate's scale), Bombay, whose offices are not hereditary.
Turnkeys.
Weighmen in the Mints whose pay does not exceed R15 and weighmen attached to the Opium Agencies in Malwa drawing less than R10 a month.

NOTE.—[Sirdars and Lascars of the Ordnance Department, Bengal, are eligible for pensions under the rules of the Military Department, which apply to non-combatants and Regimental followers on the permanent establishment of British and Native Regiments.]

Superior Service.

435. All other service is Superior service. The service of the following officers is Superior if their pay exceeds R10 :—

Artificers in the Mathematical Instrument Department of the Office of the Surveyor General of India.

Conditions of Qualifying Service.

Bailiffs.
Bázárs: Kotwáls of —.
NOTE.—[On 14th December 1869 the following was declared to be the establishment of Kotwáls of Bázárs in Bombay. Officers who, on that date, filled these posts may be classed with Superior servants retrospectively in respect of service as Kotwál or as Cháudhari of any of the Bázárs enumerated:—
Poona (two), Belgáum, Disá, Mhow, Nasirábád, Aden, Maligánm, Assírghur, Nimach, Ahmadábad, Ahmadnagar, Sholápur, Hyderabád, Jacobábád.]
Book-binders whose professional occupation is book-binding and who are not mere Daftaries.
Catamaran Maistries at Madras.
Commissariat Inspectors.
Compounders.
Divers.
Duffadars in the Thagi and Dakaiti Department drawing R15 and R20 a month from the date of the new organisation, *viz.*, the 5th September 1887.
Goungs: Bázár and Cattle-Market Goungs in Burma.
Gunpowder Manufactory of Madras: Workmen employed in the — before the 28th January 1871, when they become permanently disabled by sickness or old age. These are admitted even if their pay does not exceed R10.
Gunpowder Manufactory, Poona: Fitters and Engine-drivers of the —.
Hospital Purveyors.
Indo-European Telegraph Department; the European splicer and the three finduls drawing R35, R30, and R25 a month, respectively, in the Cable Branch of the Subordinate Establishment of the —.
Jail Department: Head Warders whose pay exceeds R10.
Light-houses; Signalmen in —.
Light-keepers (native) in Burma.
Maistries in the Murramat Department under Civil officers in the Madras Presidency, as respects service up to the year 1856.
Maistries and artificers in the permanent pensionable establishment of the Public Works Department whose pay is not less than R25.
Medical Department: Cutlers in the —.
Mint Artificers, if their occupation is injurious to health.
Potadárs in Berar whose designation was, under the order of the Government of India, in the Finance Department, No. 911, dated 31st May 1880, changed into Treasury Karkuns.
Printing Establishments: Workmen employed in — except those whose work is purely mechanical, such as Distributors, Rollermen or Inkmen, Fly-boys or Takers-off: but Press-servants admitted under Article 414 count service as Superior for those months only in which their earnings exceed R10.
NOTE (1).—[Under-warehousemen in the Government Press, Madras, and Impositors are Superior servants.]
NOTE (2).—[Pressmen, whose pay, in the case of men in receipt of fixed pay, or whose emoluments in the case of men paid for piece-work, are not less than R15 a month, are, with effect from 1st April 1894, treated as Superior servants. One-half of service as pressman rendered previous to that date on pay or emoluments of R15 a month or over is also reckoned as Superior service.]
Quartermasters, Tindals, Dockyard Tindals, Serangs, Dockyard Serangs, Marine Engine-drivers, Seacunnies and Stoker Tindals, Gunners, Gunners' Mates, Carpenters, Carpenters' Mates, and Pursers' Stewards, employed in the Bombay Marine.
NOTE.—Crews of Royal Indian Marine vessels in all ratings entertained after the 21st August 1883 are not entitled to any pension.
Salutries in the—
(1) Army Remount Department.
(2) Civil Veterinary Department.
(3) Mounted Infantry in Burma.
(4) Transport Department, in receipt of pay at the rate of R30 a month.
Sarkárs: Counting and Godown — in the Stamp and Stationery Offices, Calcutta.
Section-writers admitted under Article 414 in those months only in which their earnings exceed R10.
Shroffs whose pay exceeds R15; also all Shroffs of the Revenue Department in Madras, and those in Bombay who were really Clerks, and those whose designation was, under the order of the Secretary of State, No. 1, dated 22nd October 1858, changed into Karkuns.
Stud-breeding Establishment: Zilladárs in the North-West —.
Taxidermist in the Indian Museum.

Article 435.

Telegraph Department: Artificers, Assistant Artificers, Mounted Artificers and Linemen in the —. The service of a Lineman is Superior even if his pay does not exceed R10.
Tide-waiter or Kanikapillai in the Customs Department, Madras.
Tomandárs and Náib Tomandárs of the Thagi and Dakaiti Department.
Vaccinators, including, in the Madras Presidency and in the North-Western Provinces and Oudh, those whose pay is R10.
Victualling Gomastahs.
Weighmen in the Mints whose pay exceeds R15 and weighmen attached to the Opium Agencies in Malwa drawing R10 and upwards a month.

Service partly Inferior and partly Superior.

436. An officer whose service has been for some time Inferior and for some time Superior may either count—

(*a*) the whole as Inferior towards pension or gratuity on the Inferior scale, or

(*b*) the Superior portion towards pension or gratuity on the Superior scale, and the Inferior portion towards gratuity on the Inferior scale.

Under (*a*) the pension or gratuity is calculated on the pay (whether in Superior or Inferior service) which the officer drew immediately before his retirement.

Under (*b*) the pension or gratuity on the Superior scale is calculated upon the average emoluments or emoluments respectively which the officer drew when last in Superior service, and the gratuity on the Inferior scale upon the pay which he drew when last in Inferior service; provided that the total gratuity or gratuity *plus* pension granted under this clause shall not exceed what would have been admissible, if the whole service had been Superior.

If an officer has been reduced from the Superior to the Inferior class for misconduct, he cannot have the benefit of this Article without the special permission of the Local Government.

437. The claims of an officer, promoted from an Inferior to a Superior grade as a reward for meritorious service, will be specially considered by the Government of India. This rule is to be strictly interpreted, and a claim under it can be founded only on exceptional promotion made out of the ordinary course.

Exceptional Cases.

438. If an officer holds two or more offices, each of which is Inferior by reason of its pay not exceeding R10, he cannot count service as Superior, on the ground that his aggregate pay exceeds R10, unless the offices were arranged and their pay determined with the intention that they should be held by one individual.

439. The service of a postman or village postman, whatever his pay, is Superior service, provided he has served as postman or village postman for five years with approval.

440. (*a*) When the regular duties of an officer whose pay exceeds R10, but who bears an Inferior designation, are really such as are ordinarily performed by a Superior servant, his claim to pension should be specially referred to the Government of India.

NOTE.—[It is not intended by this Article that an Inferior servant should count service as Superior in virtue of his voluntarily assisting in Superior work. It provides for the case of a person who is *engaged under due authority to do Superior work*, though with an Inferior designation.]

(*b*) On the other hand, an officer whose real duties are those of an Inferior servant, even though his pay exceeds ₹10, is not entitled to pension on the Superior scale merely because he draws pay under a Superior designation.

Examples.—Accountants in the North-Western Provinces who served under the designation of "Potadárs." A Lithographic Pressman designated as a Copying Clerk.

Chapter XVII.—Rules for Reckoning Service.

Section I.—Special Additions.

	ARTICLE.		ARTICLE.
SPECIAL APPOINTMENTS . . .	441	MADRAS FAMINE DUTY . . .	443
MILITARY DUTY . . .	444		

Special Appointments.

441. Subject to the restriction specified against the first three offices, an incumbent of one of the offices enumerated below, appointed on account of professional or other special qualifications, whose whole pensionable service has been passed in one or other of such offices, shall, if appointed at an age exceeding 25, be entitled to reckon as service qualifying for superannuation pension (but not for any other class of pension) the number of completed years by which his age may at the time of appointment have exceeded 25 years, subject to the proviso that five years shall be the maximum period which can be so added.

1. Deputy Legal Remembrancer, Bengal.
2. Presidency Magistrates.
3. Judges of the Small Cause Court at a Presidency Town (other than the Chief Judges) and at Rangoon.

} When Barristers, Advocates, Solicitors, or Vakils.

4. The Astronomer, Madras.
5. The Director of the Colaba Observatory.
6. Members of the Indian Educational Service who entered that service after 23rd July 1896 [see Article 441A.]

441A. In the case of officers who were in the Education Department on 23rd July 1896, the following rule applies.

For the purpose of calculating the amount of pension ordinarily admissible to an officer, not being a Native of Asia, whose qualifying service began after 25 years of age, and whose service for which pension is claimed amounts to not less than ten years, and has been passed wholly in one or other of the following offices, three years shall be added to the qualifying service :—

1. Directors of Public Instruction.
2. Inspectors of Schools.
3. Principals and Professors of Colleges.
4. Head Masters of Colleges and High Schools.

442. Cancelled.

Madras Famine Duty.

443. A period not exceeding one year of pensionable service is added to the service of any specially deserving officer who, during employment on Famine duty in Madras in 1877-78, received no extra allowance for such duty, and whose total salary during such duty did not exceed R600 a month.

Military Duty.

444. An officer who was employed under the Military Department in Afghanistan during the Campaign of 1878-80, and who was obliged to take furlough or leave in or out of India in consequence of illness contracted on service, is entitled to reckon as pensionable service the period of his furlough to the extent of his employment under the Military Department, but not exceeding a maximum of one year: Provided always that no application for this concession shall be entertained unless the sickness was such as to render the absence of the officer on medical certificate immediately necessary.

Section II.—Periods of Leave.

	ARTICLE.		ARTICLE.
SUPERIOR SERVICE	445	RECALL TO DUTY	454
DEPUTATION OUT OF INDIA	452	INFERIOR SERVICE	455

Superior Service.

445. Time passed on leave in India other than Privilege or Subsidiary leave does not count as Superior Service. Time passed on leave subsidiary to leave on medical certificate by an officer subject to the Indian Service Leave Rules, who has twice before had leave on medical certificate out of India, does not count.

445A. Time passed on leave with allowances out of India counts as service as follows:—

If the total service of the officer is not less than—	*He counts as service a period not exceeding—*
15 years	1 year.
25 years	2 years.

NOTE 1.—[Total service in this Article means total service reckoning from the date of commencement of service qualifying for pension and includes periods of leave.]

NOTE 2.—[For the purposes of this Article, Ceylon is *not* held to be "out of India."]

446. But the officers noted below count leave with allowances out of India as service as follows:—

If the total service of the officer is not less than—	*He counts as service a period not exceeding—*
20 years	2 years.
25 „	3 „
30 „	4 „
35 „	5 „

If the officer's total service is not less than fifteen years, he counts as service a period not exceeding one year spent on leave with allowances out of India.

(*a*) Graded officers of the Geological Survey Department.

(*b*) Officers of the Forest Department specially trained in Europe under regulations made by the Secretary of State or who have been specially admitted to the benefit of this Article.

NOTE (1).—[Total service in this Article means total service reckoning from the date of commencement of service qualifying for pension and includes periods of leave.]

NOTE (2).—[The addition of the words "out of India" after the word "allowances" in the first line of this article has effect from the 16th October 1894, and leave taken in India after that date, or in the case of officers admitted after that date, to the benefit of this Article at any time, does not count.]

447. Time passed on leave by the following officers during recess on half pay, or in the case of the Revenue Survey Department, on less than half pay or without pay, provided the officers return to duty when required by their superior officers, counts :—

Native Surveyors	Survey of India.
Lower Subordinates	Forest Survey.
Forest Subordinates	Kumaon and Garhwal.

448. Time passed on leave obtained to be present at an examination which must be passed before an officer is eligible for higher subordinate appointments, such as Deputy Magistracies, counts (*See Article 317 of Part III*).

449. (*a*) Subordinates in pensionable Government service passing through a course of instruction in the Normal and Agricultural Schools at Madras and Bombay count the time so spent as service towards pension, notwithstanding that, while receiving instruction in the schools referred to, they are treated as absent from their appointments on leave without allowances.

(*b*) Members of the Subordinate police in the North-Western Provinces and Oudh in pensionable service who are selected to undergo a course of training at the Training School at the Chunar Fort for candidates nominated for the grade of Sub-Inspector, count the period of their training as service for pension, although they are considered as absent on leave without pay from their appointments while at the school.

(*c*) Members of the subordinate forest service in pensionable service sent to the Imperial Forest School, Dehra Dun, to undergo a course of training, count the period of their training in that Institution as service towards pension.

450 and 451. Cancelled.

Deputation out of India.

452. When an officer is deputed out of India on duty, the whole period of his absence from India counts. When an officer on leave out of India is detained on duty, the period of such detention counts.

453. When on the recommendation of the Government of India, an officer of the Public Works Department on furlough in Europe is employed in England by the Secretary of State on the inspection of Stores for India, the period of such employment counts.

Recall to Duty.

454. Time spent on the voyage to India by an officer who is recalled to duty before the expiry of any recognised leave, and (if, within a year from the date on which he can be spared, the officer takes the unexpired portion of the leave from which he was recalled), the time spent on the return voyage to Europe counts.

Inferior Service.

455. An Inferior servant counts periods of authorised leave.

456. Leave granted by competent authority not exceeding in amount that admissible under the Leave Rules (Part III, Chapter XIV) is "authorised."

457. Leave without allowances may count if the whole amount of leave taken with or without allowances does not exceed what might be given with allowances under the Leave Rules referred to in the preceding Article.

Section III.—Suspensions, Resignations, Breaks, and Deficiencies in Service.

	Article.		Article.
Periods of Suspension . .	458	Interruptions	463
Resignations and Dismissals .	460	Condonation of Interruptions and Deficiencies	465

Periods of Suspension.

458. (*a*) Time passed under suspension pending enquiry into conduct counts, if the suspension is immediately followed by reinstatement.

(*b*) Time passed under suspension adjudged as a specific penalty does not count.

459. If an officer, who has been suspended, pending enquiry into his conduct, is reinstated, but with forfeiture of any part of his allowances for the period of suspension, this period does not count, unless the authority who reinstates the officer expressly declares at the time that the period shall count.

Resignations and Dismissals.

460. (*a*) Resignation of the public service, or removal from it for misconduct, insolvency, inefficiency, or failure to pass a prescribed examination, entails forfeiture of past service.

(*b*) Resignation of an appointment to take up another appointment, service in which counts, is not held to be a resignation of the public service.

461. Any authority who, on revision or appeal, reverses an order dismissing an officer, may declare that the past service of the reinstated officer counts.

462. An officer who resigned the public service before the 8th June 1863 if he was a Superior servant, or before 1st September 1871, if he was an

Inferior servant, and was reappointed to the public service within twelve months from his resignation, counts his service rendered before resignation. This Article only applies to one resignation.

Interruptions.

463. An interruption in the service of an officer entails forfeiture of his past service, except in the following cases:—

(*a*) Authorised leave of absence.

(*b*) Unauthorised absence in continuation of authorised leave of absence, so long as the office of the absentee is not substantively filled; if his office is substantively filled the past service of the absentee is forfeited: Provided that if the absentee is subsequently reinstated, the Authority whose duty it is to make the appointment, within three months, or the *Local Government*, within one year, from the end of the authorised leave of absence, may declare, in an order to be communicated to the *Audit Officer*, that his previous service, or any part of it, shall not be forfeited.

(*c*) Suspension immediately followed by reinstatement, which need not be to the same office.

(*d*) Abolition of office or loss of appointment owing to reduction of establishment.

(*e*) Transfer to non-qualifying service in an establishment under Government control. The transfer must be made by competent authority; an officer who voluntarily resigns qualifying service cannot claim the benefit of this exception. Transfer to a Grant-in-aid school entails forfeiture. (*But see Example* (*c*) *of Article 421.*)

(*f*) Transfer to service on the Household establishment of the Viceroy.

(*g*) Time occupied in transit from one appointment to another, provided that the officer is transferred under the orders of competent authority, or, if he is a non-gazetted officer, with the consent of the Head of his old office.

464. The *Local Government* may commute retrospectively periods of absence without leave into leave without allowances.

NOTE.—[The Board of Revenue, and the Inspector General of Police, Madras, exercise the power conferred by this Article as regards officers subordinate to them drawing twenty rupees a month and less.]

Condonation of Interruptions and Deficiencies.

465. Upon such conditions as it may think fit, in each case, to impose—

(i) The Government of India may condone all interruptions in service not exceeding twelve months in all; and the *Local Government* may condone all interruptions not exceeding three months in all.

(ii) If the proposed pension does not exceed fifty rupees a month, the Government of India may condone interruptions in service, whatever their duration: and the *Local Government* may exercise the same power if the pension is a Provincial charge; otherwise it may condone interruptions not exceeding twelve months in all.

465A. (*1*) Upon any conditions which it may think fit to impose, the Government of India, or, if the pension be a Provincial charge, the Local Government, may, in all cases, condone a deficiency of three months, in qualifying service. If the pension is an Imperial charge, the Local Government may not condone a deficiency of more than one month.

(*2*) (*a*) If, besides his qualifying service, an officer has rendered service (actual) paid from the General Revenues, but not counting for pension,

or, if an officer claiming a pension for Superior service, has also rendered Inferior service,

the Government of India, or, if the pension be a Provincial charge,

the Local Government, may condone a deficiency in the officer's qualifying service not exceeding half his non-qualifying, or, as the case may be, Inferior service, and, also, not exceeding twelve months in all.

(*b*) If the pension is an Imperial charge, the Local Government may, in these cases, condone a deficiency not exceeding one-fourth the officer's non-qualifying, or, as the case may be, Inferior service, and, also, not exceeding three months.

NOTE.—[The two clauses of this Section are alternative and not cumulative.]

Chapter XVIII.—Conditions of Grant of Pension.

Section I.—Classification of Pensions.

	ARTICLE.		ARTICLE.
SUPERIOR SERVICE	466	INFERIOR SERVICE . . .	467

Superior Service.

466. *Pensions* for "Superior Service" are divided into four classes, the Rules for which are prescribed in the following Sections of this Chapter :—

(*a*) Compensation Pensions (see Section ii).
(*b*) Invalid Pensions (see Section iii).
(*c*) Superannuation Pensions (see Section iv).
(*d*) Retiring Pensions (see Section v).

Inferior Service.

467. *Pensions* for "Inferior Service" are regulated by Chapter XIX, Articles 524 to 529.

Section II.—Compensation Pension.

	ARTICLE.		ARTICLE.
EXPLANATION	468	SPECIAL CASES	476
SELECTION FOR DISCHARGE . .	470	NOTICE OF DISCHARGE . . .	478
RESTRICTIONS	472	OFFER OF RE-EMPLOYMENT . .	480
ACCEPTANCE OF NEW APPOINTMENT	483		

Explanation.

468. A Compensation *Pension* is awarded to an officer discharged (1) from the public service because, on a reduction of establishment, his appointment is abolished and other suitable employment cannot be found for him. An appointment, the pay of which is reduced as part of a general scheme of revision, is abolished within the meaning of this Article. But in such case it may sometimes be cheaper to grant a personal allowance than a *pension*.

NOTE (1)—[" You report the case of an Overseer of eight years' service, whose pay was R20 a month and who, upon the abolition of his appointment, was offered an acting Overseership on R15 a month, with a probable prospect of recovering his former position after a time.

"The Overseer refused this offer and claimed a compensation gratuity, which you declined to grant. In the absence of any express Rules to guide you, you now enquire whether this procedure was proper.

"The Governor General in Council considers that your action was quite right, and that a public servant of such a class is not entitled to claim a Compensation pension or gratuity as of right merely because his emoluments may be somewhat reduced for a time. A Compensation pension is designed to mitigate hardship caused by loss of office; and a working man who refuses to accept suitable employment, even accompanied with some temporary loss of pay, clearly does not need compensation." (*Letter to Director General of the Post Office of India, No. 2684, dated 10th September 1879.*)]

469. To pension an officer still capable of useful service is a waste of public money; before a *pension* is granted to such an officer discharged on abolition of appointment, it must be carefully considered whether he cannot be otherwise provided for. The Head of a Department, in forwarding an application for Compensation pension, should invariably state for what reasons it has been found impossible to provide suitable employment for the applicant; and in the quarterly statements furnished by Local Governments of such pensions, it should be stated in each case that it has been found, after careful enquiry, impossible to provide for the officer elsewhere.

Selection for Discharge.

470. Whenever, upon the reduction of an establishment, it is necessary to discharge one or more members thereof, the selection of the officers to be discharged should *primâ facie* be so made that the least charge for Compensation pension will be incurred.

471. The discharge of one officer to make room for another better qualified is not the abolition of an appointment within the meaning of Article 468; the abolition must produce a real saving to Government. Particulars of the saving effected should be fully set forth in every application for Compensation *pension*. The saving should always exceed the cost of the *pension*; otherwise it may perhaps be better to postpone the reduction of establishment or abolition of appointment. (*See orders printed as Appendix No. 6.*)

NOTE.—The relaxation of the condition laid down in this Article requires the sanction of the Government of India.

Restrictions.

472. A Deputy Collector, Munsif, or similar officer who belongs to the public service, apart from his particular local appointment, cannot obtain a Compensation *pension* on the abolition of a particular appointment.

473. No *pension* is admissible to an officer for the loss of an appointment on discharge after the completion of a specified term of service.

474. No *pension* may be awarded for the loss of a *Local Allowance*.

475. Schoolmasters or other Government officers who, in addition to their other duties, are employed as Postmasters, or in any other capacity in the Post Office Department, are not entitled to Compensation *pension* on being relieved of such duties.

Special Cases.

476. If it is necessary to discharge an officer in consequence of a change in the nature of the duties of his office, the case should be referred to the Government of India.

477. If of two appointments held by one officer, one is abolished and the other retained, the case should be specially submitted to the Government of India.

Notice of Discharge.

478. Reasonable notice should be given to an officer in permanent employ before his services are dispensed with on the abolition of his office. If, in any case, such notice is not given at least three months before dispensing with the officer's services, and he shall not have been provided with some other employment on the date on which his services are dispensed with, then, with the sanction of the *Local Government*, a gratuity not exceeding his emoluments for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the *pension* to which he may be entitled under Articles 518 to 524, but the *pension* shall not be payable for the period in respect of which he receives a gratuity in lieu of notice. The responsible officer will, however, be required to explain any neglect on his part which may give rise to expenditure for such a gratuity.

1. The gratuity prescribed in this Article is not granted as compensation for loss of employment, but only in lieu of notice of discharge, with a view to mitigate the hardship caused to an officer by the sudden loss of employment. When, therefore, an officer discharged without notice is provided with some other employment on the date on which his services are dispensed with, whether that employment be in qualifying or non-qualifying service, he is not entitled to any gratuity.

2. Unless it contains an express statement to the contrary, an order for the abolition of an office or appointment shall not be brought into operation till the expiry of three months after notice has been given to the officers whose services are to be dispensed with on such abolition. The immediate Head of the Office or of the Department will be held responsible that there is no unnecessary delay in giving such notice. In the case of an officer on leave the order shall not be brought into operation until the leave expires.

NOTE (1).—["I would draw your attention to the necessity of securing that officers whom it may be decided to remove from the service for any cause, shall in future receive timely *official* notice that their services are to be dispensed with." (*Paragraph 4 of Secretary of State's Despatch No. 59, Financial, dated 13th March 1884.*)]

NOTE (2).—["Emoluments" in this rule means the emoluments or leave allowances (or partly the one, partly the other) which the officer would be receiving during the period in question, had the notice not been given him.]

479. The abolition of the appointment of an officer absent on leave out of India should be immediately communicated to the Secretary of State. (*See Article 248 of Part III.*)

Offer of Re-employment.

480. An officer discharged with a Compensation *pension* may not, without surrendering his *pension*, refuse to accept any appointment which the Local Government thinks fit, within six months from the date of his discharge, to offer to him. The salary of such new appointment must not, however, be less than enough to raise his total receipts, under the operation of Article 569, to the amount which he received as salary immediately before his discharge, nor should the new appointment be such as the officer cannot reasonably and equitably be expected to accept.

Conditions of Grant of Pension.

481. The rule in Articles 565 to 568, requiring the refund of a Compensation gratuity on re-employment, applies to a gratuity awarded under Article 478, if the officer is permanently re-employed within three months from the date of notice. But the officer need not refund that proportion of his gratuity under this Rule which the interval of his non-employment bears to the whole period for which the gratuity is given. If the officer is re-employed only temporarily, he need refund no part of his gratuity; but if such temporary employment is foreseen, the gratuity should be proportionately reduced.

482. Article 480 applies also to the case of an officer entitled to Compensation *pension* who, upon the abolition of his own appointment, is transferred by competent authority to another appointment. To such an officer a Compensation pension may be simultaneously awarded, subject always to the limitation prescribed by Article 569.

Acceptance of new Appointment.

483. If an officer who is entitled to Compensation pension accepts instead another appointment in the Public Service, and subsequently becomes again entitled to receive a pension of any class, the amount of such pension shall not be less than he could have claimed if he had not accepted the appointment.

484. Cancelled.

Section III.—Invalid Pension.

	ARTICLE.		ARTICLE.
CONDITIONS OF GRANT	485	SIGNALLERS IN THE TELEGRAPH DEPARTMENT	492
RULES REGARDING MEDICAL CERTIFICATES	486	SPECIAL PRECAUTIONS IN THE POLICE	493
FORM OF MEDICAL CERTIFICATE IN ENGLAND	489	RESTRICTIONS	496
FORM OF MEDICAL CERTIFICATE IN INDIA	491	APPLICANT TO BE DISCHARGED	499

Conditions of Grant.

485. An Invalid *pension* is awarded, on his retirement from the public service, to an officer who by bodily or mental infirmity is permanently incapacitated—

(i) for the public service, or

(ii) for the particular branch of it to which he belongs.

Rules regarding Medical Certificates.

486. If an officer applying for an Invalid *pension* is sixty years old or upwards, no certificate by a Medical Officer is necessary; it suffices for the Head of the Office to certify to the incapacity of the applicant. Otherwise, incapacity for service must be established by a medical certificate attested as follows:—

(*a*) If the officer submitting it is on leave in England;—by the Medical Board of the India Office.

(*b*) If he is serving at or near the capital town of a Province;—by the Surgeon-General or Surgeon-Colonel of the Province, or by a Medical Committee over which the Surgeon General or Surgeon-Colonel should, when practicable, preside.

(*c*) If he is an officer in Superior Service, and is serving in the interior of the country under such circumstances that, in the opinion of the *Local Government*, he can be conveniently required to appear before a Medical Invaliding Committee;—by such Committee.

(*d*) In other cases, the *Local Government* may either accept a certificate given by a single Commissioned Medical Officer or Medical Officer in charge of a civil station, or assemble a special Invaliding Committee at a convenient civil station.

(*e*) If the pension applied for exceeds R100 a month, a certificate by a single Medical Officer should not be accepted as sufficient, if it is possible, without undue inconvenience, to assemble an Invaliding Committee or to cause the applicant to appear before the Director-General, Indian Medical Department, or the Standing Medical Committee at the Presidency.

(*f*) Except in the case of an officer on leave in England, no medical certificate of incapacity for service may be granted unless the applicant produces a letter from the head of his office or his department, to show that the latter is aware of his intention to appear before the Medical Officer. The medical officer shall also be supplied either by the head of the office or by the head of the department in which the applicant is employed, with a statement of what appears from official records to be the applicant's age. Where the applicant has a service book, the age there recorded should be reported.

487. (*a*) A succinct statement of the medical case, and of the treatment adopted, should, if possible, be appended.

(*b*) If the Examining Medical Officer, although unable to discover any specific disease in the officer, considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and, if possible, a second medical opinion should always in such a case be obtained.

(*c*) In a case of this kind, special explanation will be expected from the head of the office or department of the grounds on which it is proposed to invalid the officer.

488. Medical Officers must not give a certificate that inefficiency is due to old age or natural decay from advancing years, to any officer whose age is less than fifty-five years. In the case of any officer whose age is less than fifty-five years, the cause of inefficiency must be exactly stated. [*See clauses* (*b*) *and* (*c*) *of the preceding Article*].

Form of Medical Certificate in England.

489. The form of the medical certificate given by the Medical Board attached to the India Office, respecting an officer applying for pension in England, is as follows:—

Certified that we have carefully examined A. B., of the Indian——————His age is, by his own statement,——years, and by appearance about——years. Looking at all the

facts of his case and his present condition, we consider that he is so far incapacitated for further service in India that we recommend that he be permitted to retire from the service of Government on pension. So far as we are in a position to judge, *his incapacity has not been occasioned by irregular or intemperate habits.*

NOTE.—[If the incapacity is obviously the result of intemperance, substitute for the words in italics: "In our opinion his incapacity is the result of irregular or intemperate habits."]

490. If any doubt arises regarding the validity of a certificate by the Medical Board attached to the India Office, the *Audit Officer* must not of his own motion reject the certificate as invalid, but submit the matter for the decision of the *Local Government*.

Form of Medical Certificate in India.

491. (*a*) The form of the certificate to be given respecting an officer applying for pension in India is as follows:—

Certified that I (we) have carefully examined A. B., son of C. D., a———— in the————

His age is by his own statement, ——years, and by appearance about——years. I (we) consider A. B. to be completely and permanently incapacitated for further service of any kind [or in the Department to which he belongs] in consequence of (*here state disease or cause*). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

(*If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made:*) I am (we are) of opinion that A. B. is fit for further service of a less laborious character than that which he has been doing [or may, after resting for——months be fit for further service of a less laborious character than that which he has been doing.]

NOTE.—[See note under Article 489 which applies here also.]

(*b*) The object of the second alternative certificate (of partial incapacity) is that an officer should, if possible, be employed even on lower pay, so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to *pension*; but it should be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full *pension* admissible under Rule. The principle of Article 469 must always be carefully borne in mind.

Signallers in the Telegraph Department.

492. (*a*) In the case of Signallers in the Indian and Indo-European Telegraph Departments, the medical certificate prescribed by Article 491 may, if it is found after medical examination that it cannot be granted, be dispensed with in special cases when inefficiency is not the result of misconduct, and instead of it two certificates—

(i) one in form A signed by two superior officers of the Telegraph Department; and

(ii) the other in form B signed by the Director General of Telegraphs—may be substituted.

FORM A. "We certify that, after a perusal of the records of A. B.'s service, and of the report of his immediate superior during the last twelve months of his service, we are satisfied that he is permanently incapacitated for the duties of a signaller in the Telegraph Department.

FORM B. "After a careful consideration of A. B.'s case, I concur with Messrs. C. and D. in thinking that he is permanently incapacitated for the duties of a signaller in the Telegraph Department, and accordingly recommend that he may be permitted to retire on the pension or gratuity for which he may be found eligible."

(*b*) The practice enjoined in Articles 491 (*b*) and 497 of re-employing pensioners should be carefully followed as far as practicable in these cases.

(c) Officers permitted to retire under this Article may be granted a pension or gratuity of only four-fifths of the amount that would be admissible for a man permanently unfit for any duty.

NOTE.—[This article applies only to men who are "Signallers," including in that term Telegraph Masters who are members of the signalling staff, when they retire.—(*Letter No. 2129, dated 24th July 1885, to the Director General of Telegraphs in India.*)]

Special Precautions in the Police.

493. District Superintendents of Police should be on their guard against endeavours to retire on Invalid pension by officers who are capable of serving longer.

494. Medical Officers should confine themselves to recommending leave to such policemen as are not likely to benefit by a further stay in hospital, and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.

495. Medical Officers should be specially searching in their examination of the physical unfitness of every applicant for pension, and, whenever the number of applicants for pensions is large, the examination should, if possible, be conducted by two Medical Officers.

Restrictions.

496. An officer discharged on other grounds has no claim under Article 485, even although he can produce medical evidence of incapacity for service.

497. Article 469 applies, *mutatis mutandis* in the case of an officer invalided under clause (ii) of Article 485 as unfit for employment only in some particular branch of the public service. Every effort should be made to find for such an officer other employment suited to his particular capacity.

498. If the incapacity is the result of irregular or intemperate habits, no pension can be granted. Otherwise, it is for the *Local Government* to decide whether the officer's incapacity is such as to render it necessary to admit him to invalid *pension*.

Applicant to be discharged.

499. An officer who has submitted under Article 486 a medical certificate of incapacity for further service, must not (except for special reasons to be reported to the Local Government) be retained in active service pending a decision on his application for pension, nor can he obtain leave of absence except subsidiary leave preparatory to retirement. Without the further special sanction of the *Local Government* service after the date of a medical certificate does not count for pension.

500. The object of the preceding Article is to discourage tentative applications; but an inferior servant (including in that term a police officer whose pay does not exceed twenty rupees) who in the opinion of the head of his office, is fit for light work, may be retained in employment till his pension is sanctioned, provided that his place is not filled up till he retires, and that his service counts only to the date of his medical certificate.

501. Article 499 refers only to the retention in *active* service of an officer who has furnished a medical certificate in support of an application for invalid

pension or gratuity while in India. The retirement of an officer who is absent on leave other than privilege leave, when such certificate is submitted, may have effect from the termination of his leave, and the officer may continue to draw leave allowance to the end of his leave.

Section IV.—Superannuation Pension.

	ARTICLE.		ARTICLE.
EXPLANATION	502	DELEGATION OF POWERS . .	506
SURVEY OF INDIA	505	PROCEDURE	507
OPTIONAL RETIREMENT AT FIFTY-FIVE . .	508		

Explanation.

502. A superannuation pension is granted to an officer entitled or compelled, by Rule, to retire at a particular age.

503. (*a*) An officer in superior service, who has attained the age of 55 years, may be required to retire, unless the *Local Government* considers him efficient, and permits him to remain in the service. But as the premature retirement of an efficient officer imposes a needless charge on the State, this Rule should be worked with discretion. And in cases in which the rule is enforced, a statement of the reasons for enforcing it shall be placed on record by the *Local Government* or other competent authority.

1. "I trust that the various Governments and Administrations will always be disposed to extend to this Rule a very liberal interpretation, and that the State may, in no case, be deprived of the valuable experience of really efficient Native Officers by the untimely exercise of the powers of compulsory retirement on pension."—(*Secretary of State, No. 87, dated 8th August 1872.*)

(*b*) These orders apply to all officers in superior service without reference to their nationality. If an officer is efficient after attaining the age of 55 years, his retention in the service is not barred by the accident of his being of other than purely native birth, and although the despatch of the Secretary of State mentions *Native* officers only, it has a much wider application, and should be held applicable to all officers in superior service, whether Natives or Europeans.

(*c*) The following rulings should be kept carefully in view in applying the rules regarding compulsory retirement :—

(1) * * " A Covenanted Civilian, or an officer of the Army in civil employ, is obliged to retire after a certain period of service, unless it is injurious to the public interest that he should do so; but an Uncovenanted officer in a superior grade, who has attained the age of fifty-five years, may be required to retire, unless the Local Government considers him efficient, and permits him to remain in the service. There is thus a clear distinction between the two classes of officers; for the former class is required, as a rule, to retire; while the latter is required, as a rule, to be retained, the result, in both cases alike, being decided by what is most expedient in the public interests.

The Government of India think it unnecessary to add to these Rules; but in the case of officers holding appointments open to the Covenanted Service, the standard of efficiency by which the retention of such officers is to be decided may reasonably be raised above the standard required in lower appointments."—(*Home Department, to Bengal, No. 524, dated 31st March 1876.*)

(2) "As some misapprehension appears to exist * * * on the subject of the Rule regarding the Compulsory Retirement of Uncovenanted officers after the age of fifty-five years, His Honour the President in Council thinks it desirable to state that not only does *Article 503 of these Regulations*

not require the compulsory retirement of any efficient officer of whatever age, but that, though the *Article* authorises the Local Authorities, at their discretion, to presume that an officer is inefficient at fifty-five years of age conditionally, and at sixty years of age absolutely, yet the whole tenor of the rules is that such presumption shall be exercised with careful consideration, both for the individual who would suffer by being deprived of his appointment while capable of discharging its duties, and for the finances of the country, which would suffer were officers, still efficient, prematurely thrown upon the Pension List."—(*Revenue Department, No. 31 F., dated 3rd September 1877.*)

504. An officer compelled to retire under the preceding Article, part of whose service has been Inferior, is entitled to pension on the Inferior scale on the same conditions as if he had been invalided under Article 524.

Survey of India.

505. Officers in the Survey of India of rank not lower than that of Assistant Surveyor, shall cease to be in employment on attaining the age of fifty-five years, unless specially permitted by the Secretary of State in the interests of the public service, to remain in the Department for a further definite period.

Delegation of Powers.

506. (*a*) The Local Government may delegate to heads of departments or to officers not under the rank of Collectors or District Judges :—

(1) the power of declaring any non-gazetted subordinate to be efficient and permitting him to remain in the service, provided he continues to be efficient, for a definite period up to, but not beyond, the age of sixty years;

(2) subject to such conditions as the Local Government may think fit, the power of declaring any non-gazetted subordinate to be inefficient and compelling him to retire either at the age of fifty-five years, or on the expiry of any further period up to which his service has been extended, or before the expiry of such further period if he ceases to be efficient.

Each such subordinate's case must be taken up when he is fifty-five years old and on the expiry of each extension of service.

(*b*) The Government of India have delegated the powers of a Local Government to the following officers :—

(i) the Director General of the Post Office of India in respect of all officers subordinate to him;

(ii) the Comptroller and Auditor General and Head Commissioner of Paper Currency in respect of all non-gazetted officers subordinate to him;

(iii) the Director General of Military Works, the Director General of Telegraphs, and the Director General of Railways in respect of all subordinates serving under them, except Accountants;

(iv) the Accountant General in the Public Works Department in respect of all subordinates serving under him, including all Accountants belonging to the establishment under the Government of India;

(v) the Accountant General, Military Department, the Adjutant General in India, and the Quarter Master General in India in respect of all non-gazetted subordinates employed in establishments under their control;

(vi) the General Superintendent of Operations for the Suppression of Thagi and Dakaiti in respect of all non-gazetted officers subordinate to him ;

(vii) the Agent to the Governor-General at Baroda in respect of all non-gazetted officers of the Baroda Residency and of those serving under his Assistants in Kathiawar and under the Cantonment Magistrate at Baroda.

Procedure.

507. On or before the 1st September in each year, *i.e.*, as soon as possible after the examination of the books of establishment, the *Audit Officer* will submit to the *Local Government*, or the officer empowered under the preceding Article, a list of officers, other than officers of the Indian Civil Service or the Army, who will attain the age of fifty-five years, or whose extensions of service will expire during the next official year, with a view to the necessary action being taken for the retention or otherwise of the officers in question.

Optional Retirement at Fifty-five.

508. An officer in superior service who has attained the age of fifty-five years may, at his option, retire from the service on a Superannuation *pension*.

Section V.—Retiring Pension.

	ARTICLE.		ARTICLE.
EXPLANATION	509	COMBINATION OF APPOINTMENTS .	511
RETIREMENT WITH VIEW TO RE-EMPLOYMENT	510		

Explanation.

509. A retiring pension is granted to an officer who voluntarily retires after completing qualifying superior service for thirty years or such less time as may for any special class of officers be prescribed.

Retirement with view to re-employment.

510. No officer may retire with the view of being re-employed, whether in the General Service or in service paid from an *Incorporated Local Fund*, and drawing pension in addition to pay. But a soldier in civil employ who has earned his Army pension may continue in civil employ, on condition that his Army pension remains in abeyance so long as he is in civil employ.

Combination of Appointments.

511. An officer holding two or more separate appointments may not, save with the express sanction of the Government of India in the Finance Department or, if pensions are a Provincial charge, of the Local Government, resign one or more of such appointments on a *pension*, without retiring from the Public Service altogether. There is no objection to his being relieved from one or more of such appointments at any time, without being compelled to leave the service altogether ; but in such case, any *pension* admissible to him for service in the office or offices from which he is relieved, will be deferred until he finally retires.

Chapter XIX.—Amount of Pensions.

Section I.—General Rules.

	Article.		Article.
Amount how regulated	512	Award of Full Pension	514
Currency	513	Limitations	515

Amount how regulated.

512. The amount of *pension* that may be granted is determined by length of service as set forth in Articles 518 to 529. Fractions of a year are not taken into account in the calculation of any *pension* admissible to an officer under this Part of these Regulations.

Currency.

513. A pension is fixed in rupees, and not in sterling money, even though it is to be paid in England.

Note.—["I cannot authorise a violation of the Rule under which all Indian pensions are fixed in rupees, and therefore I am unable to sanction the grant of a pension of £ (*x*) to A. B."—(*Secretary of State, No. 344, dated 25th October 1877.*)]

Award of Full Pension.

514. (*a*) The full pension admissible under the Rules is not to be given as a matter of course, or unless the service rendered has been really approved. (*See instructions of Secretary of State printed as Appendix No. 7.*)

(*b*) If the service has not been thoroughly satisfactory, the authority sanctioning the *pension* should make such reduction in the amount of *pension* as it thinks proper.

Note.—["The full pension admissible under the Regulations is not to be given as a matter of course, but rather to be treated as a matter of distinction."—(*Secretary of State, No. 319, dated 21st August 1879.*)]

Limitations.

515. An officer entitled to pension may not take a gratuity instead of pension.

516. In the case of an officer who has any service under the Imperial (British) Government, pension from Indian Revenues should not be fixed until it has been ascertained whether any pension is payable from Imperial funds in respect of the service under the British Government.

517. An officer, not being a Military Officer or a Member of the *Indian Civil Service*, transferred to service under a Colonial Government, on final retirement from the Colonial service on pension or compensation allowance, receives, at the charge of the Indian Revenues, for each completed year of qualifying and uninterrupted service in India, a pension of one-sixtieth of his average emoluments at the time of his transfer, such average emoluments to be calculated for the last five years, or, if the whole service in India is less than

five years, for the whole period of service. The pension is subject to a maximum limit of R2,000 a year for an Indian service not exceeding ten years and R4,000 a year in any other case.

NOTE.—[The sanction of the Government of India is required to the transfer of an officer to any service of the description mentioned in this Article.]

Section II.—Amount of Superior Pension.

AMOUNT ADMISSIBLE . . . ARTICLE. 518 | REDUCTION IN CERTAIN CASES . ARTICLE. 521

Amount admissible.

518. The amount of a *pension* is regulated by the length of service, as follows :—

(*a*) After a service of less than ten years a gratuity not exceeding (except in special cases, and under the orders of the Government of India) one month's emoluments for each completed year of service. If the emoluments of the officer have been reduced during the last five years of his service, otherwise than as a penalty, average emoluments may, at the discretion of the *Local Government*, be substituted for emoluments.

(*b*) After a service of not less than ten years a pension not exceeding the following amounts :—

Years of completed service.	Scale of Pension.	Maximum limit of Pension.
10	10 sixtieths of average emoluments	2,000 a year, or 166⅔ a month.
11	11 " " "	2,200 " 183⅓ "
12	12 " " "	2,400 " 200 "
13	13 " " "	2,600 " 216⅔ "
14	14 " " "	2,800 " 233⅓ "
15	15 " " "	3,000 " 250 "
16	16 " " "	3,200 " 266⅔ "
17	17 " " "	3,400 " 283½ "
18	18 " " "	3,600 " 300 "
19	19 " " "	3,800 " 316⅔ "
20	20 " " "	4,000 " 333⅓ "
21	21 " " "	4,200 " 350 "
22	22 " " "	4,400 " 366⅔ "
23	23 " " "	4,600 " 383⅓ "
24	24 " " "	4,800 " 400 "
25 and above	30 " " "	5,000 " 416⅔ "

NOTE.—[For the precise meaning of average emoluments, see Articles 530 and 531 of this Chapter.]

519. Officers holding any of the appointments enumerated in this Article and belonging to what was formerly termed the Uncovenanted Service, may be allowed by the Government of India an additional pension of R1,000 a year, provided they have rendered not less than three years of effective service in such appointment, and provided also that in each case during such service the officer has shown such special energy and efficiency as may be considered deserving of the concession.

REGISTRATION DEPARTMENT.—Inspectors General under Local Governments, but not under Chief Commissionerships.

POLICE DEPARTMENT.—Inspectors General under Local Governments and Administrations, and the Commissioners of Police, Calcutta and Bombay.

JAIL DEPARTMENT.—Inspectors General under Local Governments, but not under Chief Commissionerships.

EDUCATION DEPARTMENT.—Directors of Public Instruction under Local Governments and Administrations.

ACCOUNT DEPARTMENT (CIVIL).—Comptroller and Auditor General, Accountants General, Deputy Comptroller General and Deputy Auditors General, Assistant Secretary, Finance Department, Comptroller, India Treasuries.

POSTAL DEPARTMENT.—Director General of the Post Office, Deputy Director General of the Post Office, Postmaster General.

FOREST DEPARTMENT.—Inspector General of Forests, and Conservators, 1st Grade.

GEOLOGICAL SURVEY DEPARTMENT.—Director.

SURVEY DEPARTMENT.—Surveyor General.

METEOROLOGICAL DEPARTMENT.—Meteorological Reporter to the Government of India.

POLITICAL DEPARTMENT.—Officers of the rank of Resident in the graded list of the Political Department.

NOTE.—[See special addition to the form of certificate in form of application for pension, Form No. 15.]

520. The following special scale of pension is admissible to officers appointed in England to the Forest and Geological Survey Departments :—

(*a*) After a service of less than ten years, an invalid gratuity on the scale laid down in Article 518 (*a*).

(*b*) After a service of not less than ten years, an invalid pension not exceeding the following amounts :—

Years of completed service.	Scale of Pension.	Maximum limit of Pension.	
		R	R
10	...20 sixtieths of average emoluments	1,000 a year or	83⅓ a month.
11	...21 „ „ „	1,400 „	116⅔ „
12	...22 „ „ „	1,800 „	150 „
13	...23 „ „ „	2,200 „	183⅓ „
14	...24 „ „ „	2,600 „	216⅔ „
15	...25 „ „ „		
16	...26 „ „ „		
17	...27 „ „ „	3,000 „	250 „
18	...28 „ „ „		
19	...29 „ „ „		

(*c*) After a service of not less than twenty years, a retiring pension not exceeding the following amounts :—

20 to 24	30 sixtieths of Average Emoluments	4,000 a year or	333⅓ a month.
25 & above		5,000 „	416⅔ „

NOTE.—The rules in this Article do not apply to the following officers who have elected to remain under the rules in Articles 518 and 520 of the *Second Edition* of these Regulations :—

Forest Department.—Messrs T. A. Hauxwell and H. S. Ker-Edie.

Geological Survey Department.—Messrs. C. L. Griesbach, C. S. Middlemiss, T. H. D. LaTouche and Doctor F. Noetling.

Amount of Pensions.

520A. A Native Judge of the Chief Court, Punjab, who is not a Barrister, is eligible for pension according to the following scale :—

				R	
After	6¾	years,	invalid pension of	3,600	a year.
,,	10	,,	retiring ,,	6,000	,,
,,	10¾	,,	,, ,,	6,600	,,
,,	11½	,,	,, ,,	7,200	,,
,,	12½	,,	,, ,,	7,800	,,
,,	13½	,,	,, ,,	8,400	,,
,,	14½	,,	,, ,,	9,000	,,

Reduction in certain cases.

521. (*a*) A superannuation pension, or an invalid pension granted on account of incapacity for further service due to old age or natural decay from advancing years, shall, if the officer's qualifying service began after the 20th January 1871, and after he attained the age of thirty years, be reduced by one-fortieth for every year or part of a year by which his age at the commencement of his qualifying service exceeded thirty years.

NOTE (1).—[Article 521 (*a*) is not applied in calculating the second pension of an officer who is re-employed after discharge on compensation pension or gratuity.]

NOTE (2).—[The amount of pension under this Article is now—

$P\left(\frac{70-X}{40}\right)$, where P is the full pension and X is the age at entry into service (and therefore greater than 30.)]

NOTE (3).—[In the case of Jail officers in the Bombay Presidency who previously to joining the Jail Department, had served in the Army, the limit of age for the purpose of this Article has been fixed at thirty-eight years.]

NOTE (4).—[Port Officers in Madras are exempt from the operation of this Article.]

NOTE (5).—[This article does not apply to the officers subject to the rule in Article 441A.]

(*b*) Gratuities are not subject to any reduction, and in the case of pensions the fixed limits are to be applied before, and not after, making the reduction.

522. Clause (*a*) of the preceding article applies also to the Superior pension of an officer promoted from Inferior to Superior service after the 20th January 1871, if the officer entered the service of Government after he attained the age of twenty-five years.

NOTE.—[For the purpose of applying Article 521 (*a*), the date of commencement of qualifying service of a postman or Village postman, promoted to superior service under Article 439, is the date of actual commencement of inferior service.]

523. In the case of an officer whose qualifying service began after he attained the age of thirty years, the attention of the Examining Medical Officer should always be called to Article 521 (*a*) in order that he may adapt his certificate accordingly.

Section III—Amount of Inferior Pension.

	ARTICLE.		ARTICLE.
AMOUNT OF PENSION . . .	524	QUALIFYING SERVICE . . .	528
PREMATURE INVALIDING . .	527	DOCKYARD AND MILITARY ARTIFICERS	529
		TELEGRAPH MESSENGERS .	529A.

Amount of Pension.

524. For inferior qualifying service, *pension* may, subject to the conditions laid down in Chapter XVIII, Articles 468 to 501, be granted as follows :—

(*a*) Compensation and Invalid Gratuity :

(i) after a service of less than five years—*Nil* ;

(ii) after a service of not less than five years, but less than ten years—three months' pay;

(iii) after a service of not less than ten years, but less than fifteen years—four months' pay;

(iv) after a service of not less than fifteen years, but less than twenty years—five months' pay;

(v) after a service of not less than twenty years—six months' pay.

(*b*) Compensation and Invalid Pension: After a service of not less than thirty years—half-pay not exceeding four rupees a month.

There is no superannuation or retiring *pension* for Inferior Service.

525. If the pay of an officer has been reduced during the last five years of his service otherwise than as a penalty, his gratuity or pension under this Section may, at the discretion of the *Local Government*, be calculated upon the average of his pay during the last five years of his service.

526. In special cases the Government of India grants more than half-pay, but never more than four rupees a month.

Premature Invaliding.

527. An officer should not, without urgent necessity, be invalided when he has nearly completed thirty years' service: the Government cannot undertake to overlook a deficiency of service resulting from an officer being prematurely invalided. The principle of this Rule applies to all analogous cases.

Qualifying Service.

528. Article 521 applies to the Invalid pension of an Inferior servant, if he is invalided on account of incapacity for further service due to old age or natural decay from advancing years. (*See rule laid down in Article 523.*)

Dockyard and Military Artificers.

529. A Dockyard or Military Artificer whose qualifying service, on pay exceeding ten rupees, excluding interruptions of, and absence from, duty of *every* kind, amounts to not less than twenty-five years, may be granted a Compensation or Invalid pension not exceeding three-fourths of the pension to which he would be entitled if his service on pay exceeding ten rupees were reckoned as Superior.

Telegraph Messengers.

529A. A telegraph messenger paid on the task-work system shall, for the purposes of calculating pension or gratuity, be regarded as if he drew a monthly salary equal to the highest rate of pay drawn by messengers paid on the consolidated pay system in the locality in which he is serving.

Section IV.—Allowances reckoned for Pension.

	ARTICLE.		ARTICLE.
EMOLUMENTS AND AVERAGE EMOLUMENTS	530	ALLOWANCES WHICH DO NOT COUNT	532
		NET EMOLUMENTS TAKEN	533
COMBINATION OF APPOINTMENTS	536		

Emoluments and Average Emoluments.

530. The term "Emoluments" when used in this Part of the Regulations

Amount of Pensions.

means the emoluments which the officer was receiving immediately before his retirement, and includes—

(*a*) *Pay*;

(*b*) Personal allowance;

(*c*) Fees or commission, if they are the authorised emoluments of an appointment, and are *in addition* to *Pay*. In this case "Emoluments" means the average earnings for the last six months of service;

(*d*) Charge allowance to Signallers in the Indian and Indo-European Telegraph Departments, and to Inspectors for line maintenance in the Persian Section, Indo-European Telegraph Department;

(*e*) Commission in the case of a Thugyi in Lower Burma, "Emoluments" in this case being held to mean the average of his monthly receipts in commission during the five years' actual service previous to retirement—but see example (3) under Article 533;

(*f*) Bullock Train allowance in the Post Office Department;

(*g*) Allowances attached to a Minor Professorship in a Medical College under the Medical Warrant of 1867;

(*h*) Allowance attached to a Professorship or Lecturership in a Government Institution;

(*i*) Acting allowances of an officer without a substantive appointment if the acting service counts under Article 406, and allowances drawn by an officer appointed provisionally or substantively *pro tempore* to an office which is substantively vacant and on which no officer has a lien, or to an office temporarily vacant in consequence of the absence of the permanent incumbent on leave without allowances, or on transfer to Foreign Service.

1. In the case of Section-writers and Press servants, whose service qualifies under Article 414 "Emoluments" means the average earnings of the last six months of service. For calculating gratuity on the superior scale, "Emoluments" means the average earnings of the last six months in superior service, and for calculating *pension* on the inferior scale *Pay* means the average earnings of the last six months in inferior service.

531. The term "Average Emoluments" means the average calculated upon the last five years of service.

1. If, during the last five years of his service, an officer has been absent from duty on leave with allowances, or having been suspended, has been reinstated without forfeiture of service, his Emoluments, for the purpose of ascertaining the average, should be taken at what they would have been had he not been absent from duty or suspended: Provided always that his *pension* must not be increased on account of increase in pay not actually drawn. But if his absence during recess is reckoned as service under Article 447, only the allowances, if any, actually received during the recess should be taken into account.

2. If, during the last five years of his service, an officer has been absent from duty on leave without allowances (not counting for *pension*), or in Inferior service, or suspended under such circumstances that the period of suspension does not count as service, the periods so passed should be disregarded in the calculation of the average, an equal period before the five years being included.

3. Excepting as provided in rules 1 and 2, only emoluments actually received can be included in the calculation. For example, when an officer is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculations.

4. In the case of Section-writers and Press-servants, whose service qualifies under Article 414, "Average Emoluments" means the average earnings of the last seventy-two months in Superior Service.

NOTE 1.—This rule applies in the case of a Press-servant remunerated by a fixed rate of pay if his pay is met from the grant for piece-work.

NOTE 2.—Overtime earnings of Press-servants paid at piece-work rates may be taken into account in calculating average emoluments under this rule; but such earnings must be excluded in reckoning the average emoluments of Press employés who draw pay at fixed rates.

NOTE 3.—*If during the last 72 months of his service a Press-servant has been for some periods on fixed pay and for other periods a piece-work employé, overtime earnings may be taken into account in calculating pension only for the periods during which he was remunerated at piece-work rates.*

Allowances which do not count.

532. An officer cannot count the following allowances :—

(1) Local allowances, including allowances given for duties performed in addition to the work of a regular appointment ;
(2) Messing allowances, Working allowances, and Provision allowances to officers in the Marine Department ;
(3) House-rent allowance, or estimated value of free quarters ;
(4) Tour and other allowances (to officers who accompany the Viceroy or any Government) ;
(5) Compensation for dearness of provisions.

Net Emoluments taken.

533. Any part of an officer's pay or emoluments, which is specially intended to provide for expenses incidental to his duty, must be excluded. The following are examples of the operation of this Article :—

(1) When an officer's pay is intended partly to cover the expense of his providing or keeping a horse, his pay must be taken only at what it would be if it was not intended to cover such expense. When a water-carrier's (puckali) pay includes provision for a bullock, his pay must be taken at what it would be if he were not required to keep a bullock.

(2) When a consolidated pay specially includes Tentage, Travelling allowance, or House allowance, these must be deducted.

(3) The commission paid to a Thugyi in Lower Burma goes in part to pay expenses incidental to his office. In calculating "Emoluments" or "Average Emoluments" for pension purposes, 2½ per cent. on a Thugyi's commission, if the average commission of the last five years of his service exceeds R600 a year, is deducted, as representing the expenses of his office ; and pension is computed upon the remainder. No deduction is made if the average commission of a Thugyi for the last five years of service does not exceed R600 a year ; in such cases the pension is computed upon the total amount of such average commission.

(4) When an officer's pay is fixed at two rates, a smaller rate during stationary duty and a higher rate during periods passed on tour or travelling, the former rate alone should be the basis of the calculation.

534. When service on temporary duty counts for pension under Article 410, the pay of the permanent appointment held by the officer, and not that drawn in respect of the temporary duty, is taken into consideration in determining the amount of pension.

535. The preceding Article does not apply to an officer deputed temporarily to service in the Income Tax Department, or to an officer deputed on abolition of his appointment to special duty (*Article 413*), or to an officer who, when his appointment was abolished, was on special duty. In these cases the full allowances are counted.

Combination of appointments.

536. If an officer has held more than one appointment, in respect of each of which, if he had held it separately and alone, pension would have been

admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he had held each office separately and alone. The consolidated *pension* thus admissible is subject to the limitations prescribed in Articles 518 to 523.

537. An officer is not entitled for service in an office conjointly with another office, to any pension which would not have been admissible to him if he had held the office separately and alone.

Chapter XX.—Special Rules for the Police.

Section 1.—Extent of Application.

	ARTICLE.		ARTICLE.
Organised Police Forces . .	538	Municipal Police . . .	542
Other Government Police . .	539	Railway Police . . .	545

Organised Police Forces.

538. The Rules in this Chapter apply to members of Police Forces constituted under Acts XIII of 1856, XXIV of 1859, and V of 1861 of the Governor General of India in Council, Act IV of 1866, of the Lieutenant-Governor of Bengal in Council, and Acts VII of 1867 and I of 1872 of the Governor of Bombay in Council.

Other Government Police.

539. The Trans-Indus Police Force, though not organised under Act V of 1861 until the 4th August 1873, and never possessing a Superannuation Fund is on the same footing as to pension as the legally-constituted Police.

540. Members of the Salt Preventive Force employed on the Northern Frontier line, at the Runn Salt Works in the Bombay Presidency and on the salt preventive lines on the Goa and Daman Frontiers, though the Forces to which they belong are not constituted under any Act of the Legislature, and never possessed a Superannuation Fund, are entitled to pensions and gratuities under the Rules in this chapter. This concession applies to all members of the Forces in employ on the date from which the pay of the members was revised so as to ensure a saving of half an anna in the rupee on the salaries of those whose pay did not exceed Rs. 20 a month, and under it all service in the Forces whether rendered before or after the revision of pay, counts.

541. Members of the Police Force serving in the Baluchistan Agency, and sowars of the Somali Coast Mounted Police Force, although the Forces are not constituted under any Act of Legislature, are entitled to receive pensions and gratuities under the Rules contained in this Chapter.

Municipal Police.

542. (*a*) If the Police of a town are wholly supported by, and under the control of, a Municipality, the Government has no concern with their pensions.

(*b*) But if the Government, being interested in the efficiency of a Police Force, paid, wholly or partly, by a Municipality, the Calcutta Port Trust, or from Cantonment Funds, or from the General Revenues subsidised by a contribution from a Municipality, the Calcutta Port Trust, or from Cantonment Funds, undertakes the organisation and control of the Force, as connected with and auxiliary to the Civil Constabulary, service in such a Force qualifies. The contributions of Municipalities, the Calcutta Port Trust, or of Cantonment Funds towards the cost of the pensions of such Forces are, for the present, undetermined.

543. The Police Force in the Presidency towns of Calcutta, Madras, and Bombay, and in the Municipalities in Lower Bengal, come under clause (*b*) of the preceding Article.

544. Members of the Police Forces, employed by small Municipalities in Sind, and by Village Communities in the District of Hyderabad in Sind, are not entitled to *pensions*.

Railway Police.

545. The service of members of the Railway Police, appointed and controlled by Government, *qualifies*, though they may be either wholly or partly paid by the Railway Companies.

Section II.—Qualifying Service.

	Article.		Article.
Qualifying Service . . .	546	Incidence of Charge . .	550
Service before Enlistment .	549	Breaks in Service . . .	551

Qualifying Service.

546. Service in any of the Police Forces mentioned in Articles 538 to 541 after the establishment of a Superannuation Fund in the Force qualifies.

Note.—(1) [The Superannuation Funds were Funds to which, with the exception of certain soldiers of the Sikh Darbar (see Article 560) and members of the Oudh Military Police, Police Officers whose pay did not exceed twenty rupees were obliged to contribute. In return for these contributions they became entitled to *pensions* according to the Rules of the several Funds.

Officers whose pay exceeded twenty rupees did not contribute, as they came under the operation of the ordinary Pension Rules.

By Act X of 1869 the Superannuation Funds established under Act XXIV of 1859 and V of 1861 of the Governor General of India in Council, and VII of 1867 of the Governor of Bombay in Council, were abolished. The Superannuation Fund which had been established for the Madras Town Police under Act XIII of 1856 having been, by Act VIII of 1867 of the Governor of Madras in Council, amalgamated with that established under Act XXIV of 1859 of the Governor General in Council was abolished with the latter.

The Fund established under Act I of 1872 of the Governor of Bombay in Council ceased to exist after the 31st March 1886; but that established under Act IV of 1866 of the Lieutenant-Governor of Bengal in Council for the Calcutta Town Police is still in existence.

In the Police Forces of which the Superannuation Funds were abolished, the pay of the men was reduced, either individually or on the average, to its previous nominal amount, less subscriptions to the Funds, the Government undertaking the liabilities of the Funds.]

Note (2) ["I am directed to acknowledge the receipt of your letter No 1860, dated 27th April 1876, enquiring whether Armourers, Bellows-boys, Bhistees, and Muchies who have subscribed to the Police Superannuation Fund should be allowed *pensions* according to the special Rules

Special Rules for the Police.

for the Police, or according to the scale prescribed in *Article 524 of these Regulations*; and whether, in the latter case, the subscriptions recovered from them on account of the Police Superannuation Fund should not be refunded.

"In reply, I am to say that, as a general rule, the subscriptions recovered from the employés in question should be refunded to them with interest, and their claims to *pensions* will then be dealt with in accordance with the ordinary Rules for Inferior servants. In the case, however, of men who have served for not less than ten years, the option should be allowed them either of receiving back their subscriptions and coming under the ordinary Pension Rules, or of continuing their subscriptions and eventually receiving *pensions* under the special Rules for the Police."—(*Finance Department to Bombay No. 1051d., dated 23rd June 1876.*)]

547. Members of Office establishments permitted to subscribe to the Police Superannuation Funds by order of the Government of India in the Finance Department, No. 3398, dated 27th July 1863, may count the service during which they so subscribed.

548. Men of the Police Force of the City of Bombay who have served the full time for pension in the force and who joined the Force before the 1st April 1886, the date of the abolition of the Superannuation Fund, are, on being invalided, admitted to the benefits of the Superannuation Fund on paying up their subscriptions for the full period of their service. Under this Rule the service of an officer in the Bombay City Police before the establishment of the Superannuation Fund counts towards *pension* under the Rules of the Fund if he pays up his subscriptions for the whole period of his service in the Police Force.

1. This privilege applies only to Police Officers whose pensions are determined according to the Rules of the Superannuation Fund of the Bombay City Police, and not to any officer whose pension is granted in accordance with the Rules prescribed in Chapters XVIII and XIX for the calculation of pensions for Superior service.

Service before enlistment.

549. In the following cases service rendered before enlistment in the present Police Constabulary *qualifies* :—

(*a*) Soldiers transferred to the Police on reduction of the Native Army count their Army service.

1. This concession does not apply to a soldier voluntarily taking his discharge from the Army and entering the Police, except as to soldiers who, under the authority of the Order in the Military Department, No. 526 E.S., dated 25th October 1880, volunteered for service in the Port Blair Police.

2. In the Punjab Police men counting service under this Rule, if they were faithful during the Mutiny when their regiments joined the rebels, are entitled to pension as soldiers of the Line, instead of at the rates of the Superannuation Fund.

3. Men of the Bhagulpur Hill Rangers, who on the disbandment of the corps, took employment in the Police, count their service in that corps, including the period of employment in it during the time the corps was under the orders of the Civil Department after the reductions in the Native Army made in 1861.

(*b*) Men of the Berar Police, recruited from the Hill Rangers, count their service in that corps.

(*c*) Service in the 1st Bengal Military Police Battalion and in the Oudh Military Police qualifies.

(*d*) Service in Superior grades in the old Civil and Military Police (*i. e.*, as a Daroga or in any office of higher rank in the Civil Police, and as a Jamadar or in any office of higher rank in the Military Police), or in any other Department, qualifies.

(*e*) In the North-Western Provinces, the Punjab, and Oudh [save as

provided in clause (*e*)] men count half their service in the Inferior grades in the old Civil and Military Police.

(*f*) Service in the Bombay Excise (Abkari) Police, before that force was amalgamated with the Bombay District police, qualifies.

(*g*) Native commissioned officers and men of the Army, who volunteer for transfer to the new levies and Military Police raised in Burma, in consequence of the annexation of Upper Burma to the British dominions, are allowed to count their Army service for *pension* under the Rules applicable to the police in that Province.

Incidence of Charge.

550. Pensions granted to men who count Army service under the foregoing Rules are, if their Military service was sufficient to entitle them to pension if discharged without fault, a military charge; otherwise they are a civil charge.

Breaks in Service.

551. Subject to the provisions of Chapter XXI a Policeman on pay not exceeding twenty rupees, who re-enlists within one year after discharge or resignation, may, with the sanction of the Inspector General, count his service before such discharge or resignation.

Section III.—Amount of Pension.

	ARTICLE.		ARTICLE.
Officers on Pay not exceeding R20	552	Previous Inferior Service .	556
Officers on Pay exceeding R20 .	555	Calculation of Pension . .	558

Officers on pay not exceeding R20.

552. The pension admissible to an officer whose *pay* at date of discharge or resignation does not exceed twenty rupees, will be determined, as prescribed in Article 554, according to one of the following scales:—

Scale A.—According to the Rules of the Superannuation Fund of the Force.

1. As the Rules of the Superannuation Fund did not always provide for Compensation pension, the following orders were issued with reference to the reductions directed in 1869:—

(1) Compensation pension should be awarded at the same rate as the Superannuation Fund Rules provide for Invalid pensions.

(2) But if a gratuity thus awardable is less than the amount (without interest) of the officer's subscriptions to the Fund, the difference should be made up.

Scale B.—According to the Rules prescribed in Chapters XVII to XIX for the calculation of pensions for Superior service; except that—

(i) all service in the Police after the age of eighteen years qualifies;

(ii) in addition to the Privilege leave which, under Article 445, is reckoned as service, one year's leave in fifteen years' service, and two in thirty years' service, is so reckoned.

Note.—Policemen in the lower ranks of the Madras City Police, on salaries not exceeding R20 a month, who enlisted after the 19th July 1871, may retire on pension without medical certificate after twenty-five years' service.

Special Rules for the Police.

553. (*a*) The *pension* of an officer of the Town Police of Calcutta, and of an officer of the Town Police of Bombay who was in the Force before the 1st April 1886, is regulated by Scale A.

(*b*) The *pension* of an officer of the Town Police of Bombay, if he was enlisted or re-enlisted on or after 1st April 1886, is regulated by Scale B.

554. The *pension* of an officer of any other Force is regulated as follows :—

(*a*) If he was in the Police before the 19th July 1871 and has served continuously since that date, by Scale A or Scale B, according to his election (which, by order in the Finance Department, No. 2091, dated 19th July 1871, he was required immediately to declare) : Provided that, in the case of an officer who has elected to abide by Scale B, such election shall not prejudice his title to count as service for pension any leave obtained by him before his election, which, under the Rules of the Superannuation Fund, would have counted for pension.

(*b*) If he was enlisted or re-enlisted on or after the 19th July 1871, by Scale B.

Officers on pay exceeding ₹20.

555. The *pension* admissible to an officer whose pay at date of discharge or resignation exceeds twenty rupees, is determined by the Rules which apply to ordinary service, except that service rendered after the completion of twenty years of age, and declared by this Chapter to be qualifying, is treated as Superior service, and that the benefit of Article 551 is not withdrawn from a Police Officer by reason of his being promoted to *pay* exceeding twenty rupees a month.

1. When a Police Officer, by promotion to a *pay* exceeding twenty rupees, loses any benefit as to *pension* which he would have enjoyed had his *pay* remained unchanged, his *pension* may be regulated as if he had not received the promotion.

2. Men of the Bombay City Police count as superior their service in the Force in Inferior grades before the establishment of the Superannuation Fund.

Previous Inferior Service.

556. If part of an officer's continuous service qualifies for *pension* under the general Rules, but does not qualify under the Rules in this Chapter, he may elect to receive, in lieu of the *pension* admissible under this Chapter, such pension as is admissible to him under Articles 486 and 524 to 527 for the whole of his service, both Inferior and Superior (see Article 504).

Example.—An Officer who was transferred to the present Civil Police from an Inferior grade in the Old Police, or from the Military Police, and who is not entitled, under Article 549, to count former service, may obtain *pension* under this Article.

557. An officer who, under Article 554, has elected to abide by Scale B will, if he takes gratuity under the preceding Article, obtain, in lieu of the scale prescribed in Article 524, one month's pay for every complete two years of service, but not more than twelve months' pay in all.

Calculation of Pension.

558. Except in the case of officers of the Town Police of Calcutta, and of officers of the Town Police of Bombay who were in the Force before the 1st April 1886 (Article 553), pension is to be calculated upon the net pay, *i.e.*, the

pay actually received by the officer, and not upon the gross pay, *i.e.*, the pay from which were deducted the subscriptions to the Superannuation Funds [*see concluding sentence of Note* (1) *to Article 546*]. But this Rule shall not, unless he be either promoted to higher pay or degraded for misconduct to lower pay, be applied to any officer who, on the 19th July 1871, was entitled, by the Rules of the Superannuation Fund, to have his pension calculated on his gross pay.

559. Good Service pay is not reckoned in calculating pension, except in the case of those who, before the 19th July 1871, were members of the Police Forces of Bengal (excluding the East Indian Railway Police) or the Punjab.

560—563. Cancelled.

Chapter XXI.—Re-employment of Pensioners.

Section I.—Civil Pensioners.

	Article.		Article.
Notice of Re-employment	564	After Invalid Pension	574
After Compensation Gratuity	565	After Superannuation Pension	575
After Compensation Pension	569	After Retiring Pension	576
Exceptions	577		

Notice of Re-employment.

564. The rules in this Chapter require in certain cases deductions to be made from the pensions or salaries of re-employed officers. Instances have been brought to notice in which such deductions were not made owing to the officers of Account having been ignorant of the fact that the re-employed officer had been granted a pension for previous service. When a person, who was formerly in Government employ, is re-employed, whether temporarily or permanently, the authority re-appointing him shall specifically state in the order of re-appointment whether he received any gratuity, bonus, or pension, on retirement, and shall communicate a copy of this order to the *Audit Officer*, and, if necessary, direct that the proper deductions be made.

After Compensation Gratuity.

565. An officer who has obtained a Compensation Gratuity, if re-employed in qualifying service, may either retain his gratuity, in which case his former service will not count for future pension, or refund it and count his former service.

566. The intention to refund must be stated immediately on re-employment; but the refund may be made by monthly instalments of not less than one-third of the officer's salary, and also not less than the whole gratuity

divided by the number of months which have elapsed since the end of the service for which the gratuity was given. The right to count previous service does not revive till the whole amount is refunded.

567. The equity of the rule contained in the preceding Article is based upon the consideration that so long as the refund of the gratuity is postponed, the officer avoids the risk and the State loses the possibility of the gratuity lapsing absolutely to the public treasury by the death or dismissal of the officer. A subsequent refund of a gratuity, even with compound interest, does not compensate the State for the loss of this possibility meanwhile. By Resolution No. 3047, dated 8th September 1869, the attention of all re-employed officers was pointedly called to this rule, and a fresh and special opportunity was given to any officer then in the service who had neglected to refund a gratuity to repair his neglect.

568. The attention of every officer who is re-employed should be specially called to Article 566 by the authority re-employing him, and, whenever he becomes aware of such an appointment, by the *Audit Officer*; but the failure of such authority to do this will not be admitted as a ground for allowing the refund at a later date.

After Compensation Pension.

569. (*a*) An officer who has obtained a Compensation Pension, if re-employed, may retain his pension in addition to his pay: Provided that, if he is re-employed in a Government establishment or in an establishment paid from an Incorporated Local Fund, the pension shall remain wholly or partly in abeyance, if the sum total of the pension and the pay on re-employment exceeds the pay of the appointment on abolition of which the pension was given.

(*b*) If his re-employment is in qualifying service, he may either retain his pension (subject to the proviso above stated), in which case his former service will not count for future pension, or cease to draw any part of his pension and count his previous service. Pension intermediately drawn need not be refunded.

NOTE.—[An officer counts his previous service under clause (*b*) if on re-employment his pension remains wholly in abeyance under the proviso to clause (*a*). See also the note to Article 573.]

570. In the case of a Section-writer or Press servant (*see Article 414*) re-employed, the pay of the appointment abolished is taken at the average earnings of the last six months of employment.

571. If an officer does not, within three months from the date of his re-employment, exercise the option conceded by Article 569, of ceasing to draw pension and counting his former service, he may not thereafter do so without the permission of the Local Government.

572. An officer who, under Article 569, draws pension in addition to pay, shall, during leave of absence from his new office, draw so much of his pension as will bring his whole allowances during leave up to the amount which would have been admissible to him if he had taken leave of the same kind under the same circumstances while holding his abolished appointment: Provided that his allowances on leave shall never be less than his pension.

Ordinary Pensions.

573. (*a*) Article 569 applies to an Officer of the Public Works Department who retired under the terms of the Resolution in the Finance Department, No. 2079, dated 31st July 1879, except as regards re-employment in an establishment paid from a *Local Fund*.

(*b*) Any such officer, whether re-employed permanently or temporarily, is required on re-employment to refund the special gratuity received by him under paragraph 5, section II, clause (5) of the Resolution of the 31st July 1879; but if he does not make the refund, his pension will, for the purposes of this Article, be held to be increased by an amount equal to 5 per cent. per annum on his special gratuity. If the officer has capitalised his pension, the same deduction will, if necessary, be made from his allowances as if he had not done so.

(*c*) Any such officer re-employed in service paid from a *Local Fund* may, in addition to his *salary*, draw his pension and retain the special gratuity received by him under paragraph 5, section II, clause (5) of the Resolution of the 31st July 1879.

NOTE.—[Article 569 provides that if any portion of a pension is drawn by a pensioned officer on re-employment, that portion of his pension *plus* his pay on re-employment shall not exceed the pay he drew on retirement; that is to say, his pension can only be drawn in order to make up his present aggregate emoluments to what he drew at the time of his retirement. If his new pay is equal to the old, he will draw no pension; but there is no limit to the pay that he may draw on re-employment apart from pension, for it is manifest that it was not intended to place a pensioner on re-employment in a worse position than a non-pensioner.

"As 'A. B.' has capitalised his pension, he should, under the special provisions of this Article, pay to Government an amount equal to the pension thus capitalised; and if he has not refunded his special gratuity, the amount thus payable to Government on account of pension should be increased by an amount equal to five per cent. per annum on his special gratuity. On payment of these amounts direct to Government or on deduction of these amounts from his pay bills, the amounts deducted being credited to Government, there is no restriction, so far as the Government is concerned, on the amount of pay he may draw. It will perhaps be found most convenient to realise the sums to be paid by A. B. by deduction from his pay, and adjust them by credit to the Civil Department in your exchange account."—(*Letter from Accountant General, Public Works Department, to the Joint Auditor and Examiner of Accounts, Southern Mahratta Railway, No. 294E., dated 21st May 1883.*)]

After Invalid Pension.

574. There is no bar to the re-employment of an officer who has regained health after obtaining Invalid pension, or if an officer is invalided as being incapacitated for employment in a particular branch of the service, to his re-employment in some other branch of the service. The Rules in such a case as to refunding gratuity, drawing pension, and counting service, are the same as in the case of re-employment after Compensation pension.

After Superannuation Pension.

575. An officer who has obtained a Superannuation pension is, by the nature of the case, excluded from re-employment in the General Service; but may, with the sanction of the Local Government, which should be given only on strong public grounds, be re-employed in Service paid from a *Local Fund*. If so re-employed he is permitted to retain his *pension*. An officer who is superannuated may not be re-employed on the ground that he was entitled to a retiring pension.

Articles 573—575.

After Retiring Pension.

576. An officer who has obtained a Retiring pension cannot be re-employed, either in the General Service or in Service paid from an *Incorporated Local Fund*, except on strong public grounds, and with the express sanction of the Government of India in the Finance Department, or, if pensions are a Provincial charge, of the Local Government. If so re-employed, he is permitted to draw pension in addition to full pay.

Exceptions.

577. The foregoing Rules do not apply—

(i) to a pension paid from a Police Superannuation Fund constituted by contributions from the Force. Such a pension may be drawn, without restriction, in addition to salary; or

(ii) to pensioners re-employed in non-pensionable service on the subordinate establishment of a State Railway. Such pensioners retain their gratuities and continue to draw their pensions, subject, in the case of pensions of all classes, to the provisions of Article 569.

578. A pensioner of any class may be employed as an Extra Departmental Agent in the Post Office, or as a Sub-Registrar of Assurances remunerated by fees only.

579. A pensioner of any class may, with the sanction of the *Local Government*, be employed without loss of pension, on duty which is *bonâ fide* temporary, lasting for not more than a year. This rule applies to Military and Naval Pensioners as well as to Civil Pensioners.

Section II.—Other Pensioners.

	ARTICLE.		ARTICLE.
MILITARY PENSIONERS . . .	581	INDIAN NAVY PENSIONERS . .	585

580. Cancelled.

Military Pensioners.

581. The foregoing Rules do not apply to a Military pensioner in civil employ; save as provided in the following Articles, the claims of such an officer to salary and pension in the Civil Department are not affected by his Military pension.

582. The salary in the Civil Department of a Commissioned Military officer, not being a *Native of India*, whether the pay of his office be consolidated or Staff pay, shall be reduced by the amount of any annuity, pension, or pensionary allowances, including the Colonel's allowance, but not including a Good Service pension, which he receives in the Military

Department. If he has commuted any such allowance for a single capital payment, the same deduction will be made from his civil salary as would have been made if he had not done so.

583. The pension of the heir of a Native Commissioned or Non-Commissioned Military officer or soldier, or of a Medical subordinate will, during his employment in any civil department, merge in his salary.

584. Provided always that an Invalid Native Commissioned officer shall receive only so much of his Invalid pension as, with his civil pay, will make his whole allowances equal to his Military pay and allowances immediately before his retirement. If, therefore, the pay of his civil appointment is not less than his Military pay and allowances at the date of his retirement, he receives no portion of his Military pension.

Exception.—The pensions of Army pensioners who enlist into the Burma Military Police are held in abeyance during the time such pensioners continue to serve in that force.

The gratuities granted to discharged soldiers enlisting into the Burma Military Police need not be refunded.—(*Finance Department Order, No. 161, dated 11th January 1888.*)

Indian Navy Pensioners.

585. (*a*) The foregoing Rules do not apply to an officer pensioned on the abolition of the Indian Navy. If such an officer is re-employed, his services will be on exactly the same terms as if he had never been employed before. But so long as he is employed his Naval pension will be held in abeyance, excepting so much of it (if any) as is necessary to raise his total emoluments to one-and-a-quarter times the amount of his pension.

(*b*) The following Rules apply to the cases of officers of the late Indian Navy, re-employed under Government, who have commuted the whole or a portion, of their Indian Navy pensions :—

(1) If the re-employment of the officer commenced after the 31st of July 1883, his salary will be subject to a deduction equal to the amount of pension commuted : Provided that his total emoluments shall not thereby be reduced to a less amount than the original pension, together with a quarter thereof. The officer will not be entitled by reason of such deductions to resume, on the termination of his re-employment, any portion of the amount of pension commuted.

(2) If the re-employment of the officer commenced on or before the 31st of July 1883, his salary will be subject to deductions as above ; but—

(3) If deductions under Rule (2) have been regularly made during the whole period of his re-employment, he will be allowed to discontinue payment of the deductions when the aggregate amount deducted equals the capital value (calculated at the date of the commencement of his re-employment) of the amount of pension commuted.

(4) An officer under Rule (2) will be allowed, on the termination of his re-employment, to resume the amount of pension commuted, provided that the full capital value, as described in Rule (3) has been repaid by the deductions from his salary. If such capital value has not been repaid in full when the re-employment ceases, the

amount of pension commuted may be resumed on the officer paying up the balance, and with effect from the date on which he pays such balance.

(5) An Indian Navy pensioner re-employed on or before the 31st of July 1883, from whose salary the deductions prescribed in Rule (1) have not been regularly made during the whole period of his re-employment, is not entitled to the concessions specified in the subsequent rules, and is subject to deductions under Rule (1) from the date on which it is known that such deductions are not being made or such earlier date as may be determined by the Government of India.

586. Engineers, Boiler-makers, and Warrant Officers of the Indian Navy who were pensioned on its abolition, are permitted to draw their pensions, during re-employment, in addition to full pay.

Section III.—Pension for new service.

	ARTICLE.		ARTICLE.
WHEN ADMISSIBLE . . .	587	WHEN GRATUITY IS NOT REFUNDED	588

When admissible.

587. Except as provided in Articles 581 to 586 an Officer who having been discharged with a *pension* is subsequently re-employed, may not count his new service for a separate *pension*. *Pension* (if any) is admissible only for the new service combined with the old, the whole being counted as one service.

587A. If an officer who has obtained a compensation or invalid pension is re-employed in pensionable service and retains the pension (see Article 569), the pension or gratuity admissible for his subsequent service is subject to the following limitation, namely, that the gratuity or the capital value of the pension shall not be greater than the difference between the value of the pension that would be admissible at the time of the officer's final retirement, if the two periods of service were combined, and the value of the pension already granted for the previous service.

Illustration.—A., who had retired at the age of forty after eighteen years' service on a compensation pension of R90 (his salary having been R300), was re-employed after six years in an appointment on R200 continuing to draw his pension, and finally retired at the age of fifty-five. For the second period of service, the gratuity ordinarily admissible would be R1,800. But if the two periods were combined, the pension admissible would be R100. The difference between the value of this pension and of the pension previously granted at the age of fifty-five, is by Table A, Appendix No. 9, R1,085. The gratuity must therefore be reduced to R1,085.

When Gratuity is not refunded.

588. (*a*) If a gratuity received for the earlier service has not been refunded, gratuity or pension (as the case may be) may be allowed for the subsequent service, on condition that the amount of such gratuity or the present value of

such pension calculated according to Table A in Appendix No. 9 *plus* the amount of the previous gratuity, shall not exceed the amount of gratuity or the present value of the pension that would have been admissible had the gratuity received for the earlier service been refunded.

(*b*) If the amount of such gratuity or the present value of such pension, *plus* the amount of the previous gratuity, exceed the amount of gratuity or the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.

Article 588.

PART V.—RULES APPLICABLE TO SPECIAL DEPARTMENTS OR SPECIAL OFFICERS.

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PART V.—RULES APPLICABLE TO SPECIAL DEPARTMENTS OR SPECIAL OFFICERS.

Chapter XXII.—The Governor General, Governors, Lieutenant-Governors and Members of Council.

Section I.—Existing Pensions how affected.

589. The following is the Statute Law applicable to the Governor General, Governors, and Members of Council who hold or enjoy pensions :—

"Provided always and be it enacted, that if any Governor General, Governor, or Ordinary Member of the Council of India, or any Member of the Council of any Presidency, shall hold or enjoy any Pension, Salary, or any Place, Office, or Employment of Profit under the Crown or any Public Office, or (1) the said Company (East India Company), or any annuity payable out of the Civil or Military Fund of the said Company, the Salary of his Office of Governor General of India, Governor, or Member of Council, shall be reduced by the amount of the Pension, Salary, Annuity or Profits of Office so respectively held or enjoyed by him."—(3 and 4 Will. 4, Cap. 85, s. 77.)

(1) (*Sic* in original—Query "under.")

590. If an Ordinary Member of Council hold or enjoy any pension or any annuity payable out of the Civil or Military Fund, the salary of his office of Member of Council is to be reduced under Acts 3 and 4 Will. 4, Cap. 85, s. 77, by the amount of the pension or annuity held by him. A Good Service Pension enjoyed by Military Officers comes within the meaning of pension under the Act cited above.

Section II.—Lieutenant-Governors.

LEAVE RULES . . . . ARTICLE. 591 | ACTING LIEUTENANT-GOVERNOR . ARTICLE. 592

Leave Rules.

591. (*a*) Leave on medical certificate for not more than six months may be granted to a Lieutenant-Governor. On resuming his duties after such leave, a Lieutenant-Governor is entitled to half his salary for the period of his absence. If he is prevented from resuming his duties, he is entitled to no absentee allowances.

(*b*) A Lieutenant-Governor is not entitled to any other leave.

NOTE.—[A member of the Indian Civil Service, on resignation of the office of Lieutenant-Governor, is entitled to subsidiary leave preparatory to retirement under the ordinary rules.]

Acting Lieutenant-Governor.

592. The salary of a person appointed to officiate as Lieutenant-Governor is regulated in the same way as the salary of a person appointed to be a temporary Member of Council (see Article 596).

Section III.—Members of Council.

	Article.		Article.
Tenure of Office	593	Temporary Member	596
Leave Rules	594	Additional Members	599

Tenure of Office.

593. The tenure by a Member of Council of his office begins when he takes upon himself the execution of his office; and the resignation of his office by a Member of Council whose successor has not entered upon his office, takes effect from the day following that of his embarkation at any port in India, excluding Aden, or from the expiry of his five years' tenure of office, whichever date is earlier.

Leave Rules.

594. The leave admissible to an ordinary Member of the Executive Council of the Governor General or of the Governor of Madras or Bombay is regulated by Statute 24 and 25 Vict., Cap. 67, s. 26, as follows :—

Section 26.—It shall be lawful for the Governor General in Council, or Governor in Council of either of the Presidencies, as the case may be, to grant to an Ordinary Member of Council Leave of absence under Medical Certificate for a period not exceeding six months, and such Member during his absence shall retain his office, and shall, on his return and resumption of his duties, receive half his salary for the period of such absence; but if his absence shall exceed six months, his Office shall be vacated.

[Note.—A member of the Indian Civil Service, on resignation of the office of Member of Council, is entitled to subsidiary leave preparatory to retirement under the ordinary rules.]

595. Subject to any special orders by the Government of India to the contrary, leave of absence granted to an Ordinary Member of the Council of the Governor General (if taken out of India) commences on the day after such Member embarks at any port in India, excluding Aden, and ends on the day before he disembarks at any port in India, excluding Aden: Provided always that such Member has not been relieved of the charge of his office until he embarks, and that he resumes charge immediately upon his disembarkation.

Temporary Member.

596. The salary and the appointment of a temporary Member of the Executive Council of the Governor General or of the Governor of Madras or Bombay, is regulated by Statute 24 and 25 Vict., Cap. 67, s. 27, as follows :—

Note.—[The headings which are introduced to facilitate reference are not a part of the Statute.]

In case of vacancy.

Section 27.—If any vacancy shall happen in the office of an Ordinary Member of the Council of the Governor General, or of the Council of either of the Presidencies, when no person provisionally appointed to succeed thereto shall be then present on the spot, then, and on every such occasion, such vacancy shall be supplied by the appointment of the Governor General in Council or the Governor in Council, as the case may be; and until a successor shall arrive, the person so nominated shall execute the office to which he shall have been appointed, and shall have all the powers thereof, and shall have, and be entitled to, the salary and other emoluments and

advantages appertaining to the said office during his continuance therein, every such temporary Member of Council foregoing all salaries and allowances by him held and enjoyed at the time of his being appointed to such office.

In case of absence.

And if any Ordinary Member of the Council of the Governor General or of the Council of either of the Presidencies shall by any infirmity or otherwise, be rendered incapable of acting or of attending to act as such, or if any such Member shall be absent on leave, and if any person shall have been provisionally appointed as aforesaid, then the place of such Member absent or unable to attend shall be supplied by such person, and if no person provisionally appointed to succeed to the office shall be then on the spot, the Governor General in Council, or Governor in Council, as the case may be, shall appoint some person to be a temporary Member of Council, and until the return of the Member so absent or unable to attend, the person so provisionally appointed by the Secretary of State in Council, or so appointed by the Governor General in Council or Governor in Council, as the case may be, shall execute the office to which he shall have been appointed, and shall have all the powers thereof, and shall receive half the salary of the Member of Council whose place he supplies, and also half the salary of his Office under the Government of India, or the Government of either of the Presidencies, as the case may be, if he hold any such office, the remaining half of such last named salary being at the disposal of the Government of India, or other Government as aforesaid.

Proviso.

Provided always that no person shall be appointed a temporary Member of the said Council who might not have been appointed as hereinbefore provided to fill the vacancy supplied by such temporary appointment.

597. A Good Service pension comes within the "allowances" which a provisional Member of Council appointed on a vacancy occurring in the office of an Ordinary Member must forego.

598. The *salary* of the substantive office of a temporary Member of Council appointed in the place of an Ordinary Member of Council who, by reason of infirmity or otherwise, is rendered incapable of acting or is absent on leave, includes the Military pay or Staff Corps pay of an officer holding an appointment the pay of which is a Staff salary, but does not include a Good Service pension. Such a temporary Member is not liable to any deduction of salary on account of Good Service pension.

Additional Members.

599. A Public Officer nominated under Section 10 of the Indian Councils Act, 1861, to be a Member of the Council of the Governor General for the purpose of making Laws and Regulations, shall receive only, while actually present on duty with the Council and not at any other time, a Deputation allowance at the rate of R616⅔ a month, in addition to the *pay*, or if he held an officiating appointment, the *salary* of the appointment held by him at the time of his nomination to the Council: Provided that the aggregate monthly emoluments, including Deputation Allowance, of such officer as Additional Member of Council shall never be drawn at a *rate* in excess of R4,166⅔ a month.

NOTE 1.—[The deputation allowance provided for in this Article is admissible only when the Council is in Session, or when the member is employed on duty connected with the Council's legislative functions. For the purposes of this rule the Session ends when the Council adjourns *sine die*.]

NOTE 2.—[A Non-official Member who leaves his ordinary residence to attend Meetings of the Council of the Governor General at Calcutta receives an allowance to meet the expenses

attendant on travelling to and from Calcutta, as well as the expenses attendant on residence in that City, on the scale laid down in Article 1282 in Part XI,—see also Article 1283 regarding Meetings of the Legislative Councils of Madras and Bombay away from head-quarters.]

Chapter XXIII.—Judges of the High Courts.

ARTICLE. ARTICLE.
STATUTORY RULES . . . 600 | REVERSION TO THE GENERAL SERVICE . 601

Statutory Rules.

600. The following rules made under Statute 24 and 25 Vict., Cap. 104, s. 6, by the Secretary of State in Council of India, regulate the salaries, allowances, furloughs, retiring pensions, and (when necessary) expenses for equipment and voyage of the Chief Justices and Judges of the several High Courts established under the said statute. They have effect from the 11th of May 1891.

NOTE.—[The notes and the headings (other than those of sections) which are introduced to facilitate reference do not appear in the statutory rules.]

Definitions.

1. In these Rules, unless there is something repugnant in the subject or context,—

Appointments.

"Acting Chief Justice" means a Judge appointed under Section 7 of Statute 24 and 25 Vict., Cap. 104, to perform the duties of Chief Justice of a High Court.

"Acting Judge" means a person appointed under the said Section 7 to perform the duties of Judge of a High Court.

"Judge" includes a Chief Justice, an Acting Chief Justice, and an Acting Judge, except where the contrary is expressed.

Actual Service.

"Actual service" includes—

(a) time spent by a Judge on duty as Judge, or in the performance of such other functions as he may be directed to discharge by the Governor General of India in Council;

(b) time spent by a Judge on privilege or subsidiary leave;

(c) duly authorised vacations (provided that the Judge is not absent on furlough or on extraordinary leave under Rule 26).

Section I.—Salaries.

2. The Chief Justice, or Acting Chief Justice, of the High Court at Calcutta shall be paid a salary at the rate of R72,000 per annum.

3. The Chief Justice, or Acting Chief Justice, of the High Courts at Madras and at Bombay and for the North-Western Provinces, respectively, shall be paid a salary at the rate of R60,000 per annum.

4. A Judge, or Acting Judge, of the High Courts at Calcutta, Madras, and Bombay, and for the North-Western Provinces, respectively, shall be paid a salary at the rate of R45,000 per annum: Provided always, that every Judge of the High Court at Calcutta appointed before the 18th day of January 1881 shall be paid a salary at the rate of R50,000 per annum.

Section II.—Leave.

Furlough earned.

5. One year's furlough shall be placed to the credit of each Judge after the completion of the fourth, eighth, and twelfth years of actual service: Provided that the aggregate amount of

all furlough which can, during the whole period of his service, be granted to a Judge shall not exceed three years: Provided further that the maximum amount of furlough which may be taken at any one time is fifteen months.

Furlough admissible.

6. Except under Rules 8 and 9, no furlough shall be granted until at credit under Rule 5. But any Judge already in the service of the Government at the time of being appointed to the High Court, who, when so appointed, was entitled, under the rules applicable to the branch of the service to which he belonged, to furlough without medical certificate, may be granted furlough for a term not exceeding that to which he was so entitled: Provided that such furlough shall not be taken until the completion of two years' actual service in the High Court, and shall not exceed one year.

Conditions of Grant.

7. Except under Rules 8 and 9, furlough shall not be granted until after the completion of three years' actual service from the date of the last return from furlough or from extraordinary leave.

8. Under medical certificate, furlough may be granted before it is at credit under Rule 5, and although three years' actual service may not have been completed since the last return from furlough or from extraordinary leave.

9. On urgent private affairs, furlough may be granted to a Judge before it is at credit under Rule 5, and although three years of actual service have not been completed since the last return from furlough or extraordinary leave: Provided that furlough under this Rule shall not exceed six months, and shall be granted only once during the whole period of a Judge's service.

Commencement and end of Furlough.

10. Furlough taken in India shall be reckoned from the date on which the Judge quits his office to the date of his resuming duty. Furlough taken out of India shall be reckoned from the date of embarkation at the port of departure from India to the date of debarkation on return to India except in a case falling under Rule 24.

11. If furlough be taken partly in India and partly out of India, the commencement and termination of the furlough shall be respectively determined under the provisions of Rule 10, according as the furlough begins or ends in or out of India.

Subsidiary Leave.

12. For the interval between the date of quitting his office and the commencement of furlough out of India, and between the termination of furlough out of India and resuming his office, a Judge may be allowed subsidiary leave not ordinarily exceeding thirty days, which in special cases may be extended.

Leave Allowances.

13. A Judge, when on furlough, shall receive allowances at the rate of R833-5-4 a month, if the furlough be taken in India, and at the rate of £1,000 a year if the furlough be taken out of India, and payment be made in England. A Judge, when on subsidiary leave, shall receive allowances at the rate of R833-5-4 a month.

Number of Furloughs admissible.

14. Except under medical certificate, the number of furloughs to be granted at any one time and the grant of furlough to individual Judges, shall be subject to, and limited by, the exigencies of the service, which exigencies shall be determined exclusively by the authority with whom rests the question of granting the furlough.

15. Applications for furlough not supported by medical certificate shall be granted usually in the following order:—

The Judge who has the greatest amount of furlough to his credit under Rule 5 shall have the preference. If two or more applicants are on an equality in this respect, preference shall be given to the applicant whose actual service in a High Court is longest, reckoning, in the case of a Judge who has not taken furlough or extraordinary leave, from the date of his commencement of service

Rules applicable to Special Departments or Special Officers.

in the High Court, and in the case of a Judge who has taken furlough, subsidiary or extraordinary leave, from the date of his last return from such furlough, or extraordinary leave. If two or more applicants are equal in both the above-mentioned respects, the preference shall be given to the senior in the Court.

Privilege Leave—Present Rules.

16. Subject to the exigencies of the public service, a Judge who has completed eleven months' continuous duty, including the vacation, may take privilege leave for one month in each year but except as provided in Clause (a), his salary will cease during such leave. A Judge may not take privilege leave in instalments, or more than a month at a time; and except as provided in Clause (b), privilege leave may not be combined with vacation.

(a) A Judge who has been detained on duty as Vacation Judge may, provided that he has not in the meantime had any furlough or leave of any kind, during his next subsequent privilege leave, draw his salary for any period not exceeding one month in the whole by which his vacation may (by reason of his being on duty) have fallen short of one month.

(b) Once in three years, and not oftener, privilege leave may be prefixed or affixed to the vacation.

Privilege Leave—Special Rules.

17. Rule 16 does not apply to the following Judges:—

T. Muthuswami Aiyar	Madras.
Bayley, L. H.	Bombay.
Prinsep, H. T.	Calcutta.
Sargent, Sir C., Kt.	Bombay.
Tottenham, L. R.	Calcutta.
Wilson, A.	Calcutta.

18. Privilege leave may be granted to any of the Judges named in Rule 17, under the following Rules:—

(1) Subject to the exigencies of the public service, privilege leave for one month may be granted to a Judge who has been on duty without interruption for eleven months, including the vacation.

(2) An additional month of privilege leave accrues to a Judge after each further period of eleven months' continuous duty, including the vacation.

(3) Privilege leave may not be taken in instalments, but any balance of privilege leave not taken when due may be added to the next privilege leave which accrues: Provided that the privilege leave taken at one time shall not exceed three months, and that any accumulation of privilege leave beyond that period shall be forfeited.

(4) Save as provided in the next succeeding clause (5), a Judge when on privilege leave shall receive half his salary.

(5) A Judge who discharges the duties of Vacation Judge during the whole or any part of a vacation shall be entitled, for each day of such duty, to draw his full salary for one day of any privilege leave which he may subsequently obtain.

Privilege Leave Declaration.

19. Every Judge applying for privilege leave must sign a declaration that he intends to return to duty on the expiration of the leave applied for, and that he has no intention of resigning his office or retiring from the service or taking leave of any kind within three months after his return to duty. Such declaration shall not be held absolutely to debar the person making it from applying for permission to resign his office, or to retire from the service, or to take leave, within three months after his return to duty; but every such application must be accompanied by an explanation of the special circumstances under which it is made, and it shall be in the absolute discretion of the Government to grant or withhold the permission sought.

Commutation of Leave.

20. Furlough and privilege leave shall not be taken as such in continuation of each other; but if a Judge absent on leave of one of these kinds is allowed to change it for leave of the other kind, the whole period of his absence shall be held to be under leave of the latter kind.

Applications for Leave.

21. Applications for leave shall in all cases be submitted in such manner as the Government shall from time to time prescribe.

Payment of Leave Allowances.

22. Leave allowance shall be payable monthly if payment is made in India, and quarterly if in England.

NOTE.—[Leave allowance is now paid monthly in arrear if payment is made in England.]

Effect of leave on substantive appointment, etc.

23. No substantive appointment shall be vacated merely by reason of leave being granted under these Rules.

24. If a Judge overstays any leave, he shall forfeit all salary during the time of his remaining so absent; and if he overstays his leave for more than one week his office shall be liable to be declared vacant. But a Judge on leave (other than leave under Rule 16 or 18) is not obliged to return to duty on an authorised holiday, unless another officer is officiating as Judge in consequence of his absence.

Vacation is not an authorized holiday within the meaning of this Rule; and a Judge whose furlough terminates at the commencement of or during a vacation shall not be entitled to full pay for any part of the period of such vacation (except a part subsequent to his return to duty). If, after the termination of his furlough, he remains absent during the whole or any part of a vacation, he will, for such period of absence, draw the leave allowances admissible under Rule 13, but the time will count as actual service, not as furlough, provided that he returns to duty immediately at the end of the vacation.

Effect of leave on Pensionary Service.

25. No leave except privilege leave and leave subsidiary to furlough shall count as service for pension.

Extraordinary Leave.

26. If the Government shall in its discretion deem it necessary in any special instance to grant to any Judge leave of absence which is not expressly provided for in the foregoing rules such leave shall be without pay: Provided always, that in no case shall such leave exceed six months, or be granted more than once in the whole course of the Judge's service.

Leave under this Rule is termed "Extraordinary" leave.

Section III.—Pensions.

Chief Justice.

27. A Chief Justice of the High Court at Calcutta after an actual service of fourteen and a half years as Judge of a High Court, of which period at least seven years shall have been as Chief Justice of the High Court at Calcutta, shall receive a pension not exceeding 1,800*l.* per annum.

28. A Chief Justice of the High Courts at Madras and Bombay, and for the North-Western Provinces, respectively, after an actual service of fourteen and a half years as Judge of a High Court, of which period at least seven years shall have been as Chief Justice, shall receive a pension not exceeding 1,500*l.* per annum.

Judges.

29. A Judge of a High Court, not being eligible for pension at a higher rate under Rule 27 or 28, shall, after an actual service of fourteen and a half years as Judge, receive a pension not exceeding 1,200*l.* per annum.

30. A Chief Justice or Judge shall, after an actual service of ten years, receive a pension according to the following graduated table:—

1 Years of actual service.	2 Chief Justice, Calcutta.	3 Chief Justice, Madras and elsewhere.	4 Judge.
	£	£	£
10	1,200	1,000	800
10½	1,320	1,100	880
11½	1,440	1,200	960
12½	1,560	1,300	1,040
13½	1,680	1,400	1,120

Rules applicable to Special Departments or Special Officers.

Invalid Pensions.

31. A Chief Justice or Judge, who retires on medical certificate after six years and nine months' actual service, shall receive a pension not exceeding in the case of a Chief Justice of the High Court at Calcutta, 700*l.* per annum; in the case of the Chief Justice of any other High Court, 600*l.* per annum; and in the case of a Judge of a High Court, 500*l.* per annum.

Previous Service.

32. In the event of a Judge receiving a pension under the preceding Rules, he will not be entitled to any other pension or retiring allowance.

33. When a Judge, who at the time of his appointment to a High Court, was a member of one of the Government Services in India, is permitted to retire without a pension under the preceding rules, he shall receive such a pension as he might receive under the rules applicable to the branch of the service to which he belonged when so appointed, reckoning the period of his service as a Judge of a High Court towards service for that pension.

34. If a Judge who, at the time of his appointment to a High Court, was a member of one of the Government Services in India, shall be permitted to retire on medical certificate after six years and nine months of actual service as Judge, he shall have the option of taking this pension or retiring allowance either under these Rules or under the Rules applicable to the branch of the service to which he belonged when appointed.

Members of the Indian Civil Service.

35. No Judge, selected from the Indian Civil Service, shall receive any pension under these Rules unless he shall have fully complied with all the rules and regulations in force for the time being as to payments to be made by him as a Member of the Indian Civil Service on account of the provision for his own pension or retiring allowance, and for pensions to his wife and children.

Transfer to another High Court.

36. If a Judge be transferred from one High Court to another, the period he shall have served in each Court shall count towards his qualification for pension.

Promotion to be Chief Justice.

37. If a Judge be appointed to be a Chief Justice in the High Court in which he has theretofore served or in another Court, the period of his service as Judge will count for pension according to the rate of a Judge's pension, and the period of his service as Chief Justice will count for pension according to the rate of pension of a Chief Justice of the Court to which he may have been appointed.

38. If a Chief Justice of the High Court at Madras, at Bombay, or for the North-Western Provinces be appointed Chief Justice of the High Court at Calcutta, his period of service in the Court from which he is transferred will count for pension according to the rate of pension of a Chief Justice of that Court, and his period of service as Chief Justice of the High Court at Calcutta will count for pension according to the rate of pension of a Chief Justice of the High Court at Calcutta.

39. A Judge appointed under Statute 24 and 25 Vict., Chapter 104, Section 7, to perform the duties of Chief Justice, is not a Chief Justice within the meaning of these Rules as to pension: Provided that if such Judge be afterwards appointed to be a Chief Justice, the period during which he performed the duties of Chief Justice as aforesaid shall count as service for pension, at the rate of 1,500*l.* or of 1,800*l.* per annum, as the case may be: Provided also, that the period during which a Judge performs [under Section 7 of the Statute 24 and 25 Vict., Chapter 104] the duties of Chief Justice of the High Court at Calcutta shall not count towards pension at a rate exceeding 1,500*l.* a year, unless such Judge is subsequently appointed to the office of Chief Justice of the said High Court at Calcutta.

40. These Rules numbered, respectively, 1 to 26, inclusive, and 34 to 39, inclusive, shall apply to every Chief Justice and Judge now holding office, as well as to those who may be hereafter appointed. Rules 27 to 33 inclusive shall not apply to any Chief Justice or Judge now holding office who shall not before the 1st day of January 1892 give notice to the Government of India that he elects to come under the operation of the said last-mentioned Rules in lieu of the Rules under which he may be now serving.

Article 600.

[*N.B.*—The Rules referred to in the last line of this rule will be found in Appendix No. 29A of these Regulations.]

Section IV.—Expenses for Equipment and Voyage.

41. For the purpose of defraying the expenses of equipment and voyage from Europe on first appointment, there shall be allowed—

To a Chief Justice or Judge of any High Court, 300*l*. But no such allowance shall be made to any person who, being in India, is appointed to the office of Chief Justice or Judge, or who, having been in India, is in Europe at the time of his appointment with the intention of returning to India.

Reversion to the General Service.

601. (*a*) An officer subject to the Rules of any of the other Chapters of these Regulations who has for a time been removed from the operation of such rules by reason of officiating as Judge of the High Court, shall, on return to general service, have to his credit the same amount of service towards privilege leave as was at his credit when he began to officiate as High Court Judge.

(*b*) In addition to this, he is entitled to count towards privilege leave, under the Rules to which he is subject, any period that has elapsed since he last obtained privilege leave or enjoyed vacation as High Court Judge, which he could have counted for privilege leave as a High Court Judge, if his officiating service had been prolonged until leave became admissible under the Rules applicable to Judges of the High Court.

602. If a Judge, who is a Member of the Indian Civil Service or a Statutory Civil Servant, shall be permitted to resign his office and remain in the service, all leave which he may have taken as a Judge of the High Court shall be reckoned as if it had been taken under the Rules for the leave of absence of Members of the Indian Civil Service or Statutory Civil Servants, as the case may be.

Chapter XXIV.—Barrister Appointments.

	ARTICLE.		ARTICLE.
BARRISTERS' PRIVILEGES . . .	603	SPECIAL PENSIONS . . .	607
LEAVE RULES	605	COMPULSORY RETIREMENT . .	608

Barristers' Privileges.

603. No Civil officer, whether a Member of the *Indian Civil Service* or otherwise, is entitled to any special privileges by reason of his being a Barrister, unless, on his first admission to the service, he is appointed to some office in which the Local Government, with the sanction of the Government of India, has declared it to be necessary on public grounds to employ a *Barrister*.

NOTE.—[See Article 441 in Chapter XVII.]

1. A Barrister without a substantive appointment, appointed to act in an office which is either reserved for a Barrister or for which a Barrister is generally selected, may, with the special sanction of the Government of India, be allowed to draw an acting allowance not exceeding two-thirds of the *pay of the appointment*.

604. The following officers being *Barristers*, and not being Members of

the *Indian Civil Service* are entitled to the special privileges detailed in this Chapter :—

Judges of the Chief Court of the Punjab ;
First Judges of Small Cause Courts of Presidency towns ;
Recorder of Rangoon;
Secretary to the Government of India in the Legislative Department.
Judicial Commissioner or Additional Judicial Commissioner of Oudh.

Leave Rules.

605. (*a*) The Statutory Rules which regulate the Furlough and Leave of absence of High Court Judges (Article 600, Rules 5 to 26) are applicable also to the officers named in the preceding Article.

(*b*) The allowances of these officers while on Furlough or Subsidiary leave must not exceed half their salaries, and are limited also to the rate prescribed in Statutory Rule No. 13, Article 600.

(*c*) The Privilege leave of the Secretary to the Government of India in the Legislative Department and of the Judicial Commissioner or Additional Judicial Commissioner of Oudh is regulated by the Rules in Part III.

606. Cancelled.

Special Pensions.

607. (*a*) Special pensions are admissible as follows, but the officers named in Article 604 are otherwise subject to the "Ordinary Pension" regulations in Part IV :—

	In the case of Judges of the Chief Court of the Punjab.	In the case of persons holding any of the other barrister appointments specified in Article 604 of the Civil Service Regulations.
(1) After an active service of not less than 6¾ years, an invalid pension of .	£400 a year.	£300 a year.
(2) After 10 years of such service a retiring pension according to the following scale :—		
After 10 years,	£650 a year.	£500 a year.
„ 10¾ „	£725 „	£550 „
„ 11½ „	£800 „	£600 „
„ 12½ „	£850 „	£650 „
„ 13½ „	£925 „	£700 „
„ 14½ „	£1,000 „	£750 „

NOTE.—[This scale of pension applies to Judges of the Chief Court of the Punjab whenever appointed. It does not apply to any other officer appointed substantively before 2nd November 1892. These officers are subject to the rules in Appendix No. 29B.]

(*b*) The Active Service of the officers referred to in Article 604 includes, besides time spent on duty, whether in substantive or acting service, Privilege leave, Subsidiary leave, and periods of vacation during which the officer is not on Furlough or Extraordinary leave.

Compulsory Retirement.

608. *Barristers* to whom the rules of this Chapter apply are exempt from the general rule (see Article 503) regarding compulsory retirement at fifty-five years of age.

Articles 605—608.

Chapter XXV.—Members of the Indian Civil Service.

	Article.		Article.
Application of Rules . . .	609	Annuity Deductions . .	615
Date of Arrival in India . .	610	Civil Fund Deductions . .	616
Rules regarding Pay and Allowances	612	Retirement and Annuity . .	620
Leave Rules	613	Compulsory Retirement . .	624

Application of Rules.

609. The rules in this Chapter are applicable to Members of the Indian Civil Service appointed by the Honourable East India Company, or, after competitive examination in England, by Her Majesty's Secretary of State for India.

1. No Member of the Indian Civil Service is entitled to any special privileges by reason of his being a *Barrister* (see Chapter XXIV).

2. The rules applicable to a Member of the Indian Civil Service occupying the position of a High Court Judge are laid down in Chapter XXIII.

3. The grant of privilege leave to a Member of the Indian Civil Service occupying the position of a Judge of the Chief Court of the Punjab is regulated by Rule 16, Article 600.

Date of Arrival in India.

610. From the 5th May 1869 the date of an officer's first arrival in India is held to be as follows:—

(*a*) In the case of an officer who is posted in England to Upper India, and arrives *viâ* Bombay, and who has been instructed by the Secretary of State to enquire at the Secretariat of the Government of Bombay for any orders as to his ultimate destination,

(i) if he receives no orders at Bombay;—the date on which he reports himself at Allahabad to the Secretary to the Government of India in the Home Department, and to the Secretary to the Government of the North-Western Provinces;

(ii) if he receives orders at Bombay;—the date on which he reports his arrival at any Station or Province to which he is attached by such orders.

(*b*) In the case of any other officer;—the date on which he reports his arrival at the capital town of the Presidency or Province to which he is attached.

Note 1.—[Before the 31st January 1868, the date to be taken is the date of his actual arrival in India.]

(2) [From the 31st January 1868 to the 4th May 1869 inclusive, the date to be taken is the date on which he reported his arrival at the capital town of the Presidency to which he was attached, or, if he was attached to the North-Western Provinces, the Punjab, or Oudh, and had permission to enter India *viâ* Bombay, the date on which he reported his arrival at Bombay.]

611. Article 207 in Chapter IX (joining time) provides for the case of an officer being unable from illness to proceed to the seat of Government.

Rules regarding Pay and Allowances.

612. Unless there be something repugnant in the subject or context, the

pay and allowances of a Member of the Indian Civil Service are governed by the rules in Part II. The rules regarding calculation of acting allowances are laid down in Chapter VI, Articles 124 to 127.

Leave Rules.

613. The European Service Leave Rules, prescribed in Part III, apply to Members of the Indian Civil Service.

614. No leave but Privilege leave may be granted to a Member of the Indian Civil Service who has completed thirty-five years' service. Any leave other than Privilege leave granted to a Member of the Indian Civil Service before such date ceases to have effect on the date he completes thirty-five years' service.

Annuity Deductions.

615. (*a*) Four per centum shall be deducted at the time of payment from every officer's *pay*, and from such of his other public emoluments as are mentioned in the last column of the following table :—

If the officer was in the service in 1875, or was appointed to it after passing a competitive examination held before the end of the year 1875, and belongs to the	Bengal Establishment .	Every allowance, excepting— (1) Minimum Furlough allowance, (2) Subsistence allowance while on Furlough, (3) Establishment allowance, (4) Sumptuary allowance, and (5) Travelling allowance.
	Madras or Bombay Establishment.	The following allowances, *viz.*— (1) Acting allowance, (2) Deputation allowance, (3) Personal allowance, (4) Fees, (5) Allowances while on Privilege or Subsidiary leave, (6) Subsistence allowance when not on leave other than Privilege and Subsidiary leave, and (7) Local allowances other than travelling allowance and Tentage. [*N.B.*—An Assistant or Head Assistant Collector in the Madras Presidency is not required to pay the contribution on account of annuity on that part of his consolidated pay which, before the orders of the Government of India, in the Finance Department, No. 956, dated 1st June 1880, was drawn as house-rent allowance.]
If the officer is appointed to the Service after passing a competitive examination held in or after the year 1876.		Every allowance, excepting :— (1) Minimum Furlough allowance, (2) Subsistence allowance while on Furlough, (3) Establishment allowance, (4) Sumptuary allowance, (5) Travelling allowance, and (6) Tentage.

[*N.B.*—The deduction prescribed in this Article is not made from the salary of an Ordinary Member of the Council of the Governor General, or of the Council of the Governor of Madras or Bombay.]

(*b*) The deduction from allowances required to be made by this Article is included in the contribution levied from an officer on Foreign Service of the first and second kind under the regulations contained in Part VII; when, however, a Member of the Indian Civil Service is on Foreign Service, and no contribution is made by him or on his behalf under Part VII, he is required to contribute four per cent. under clause (*a*).

Example.—The Chairman of the Commissioners of the Town of Calcutta, the Municipal Commissioner for the City of Bombay, or any of the officers referred to in Articles 815 to 817.

Civil Fund Deductions.

616. (*a*) Deductions on account of subscriptions to Civil Funds shall be made at the time of payment from the emoluments of officers according to the rules of the Fund to which the officer belongs. The Funds are—

A.—Bengal Civil Fund.
B.—Madras Civil Fund.
C.—Bombay Civil Fund.
D.—Indian Civil Service Family Pension Regulations.

(*b*) The rates of subscriptions to the several Funds are given in Appendix No. 10.

617. European officers who arrived before 1881-82 are alone allowed to subscribe to the three Civil Funds—A, B, and C, but the following Native members of the Indian Civil Service on the Bengal and Bombay Establishments are allowed, on payment of equal subscriptions, to secure like benefits to those which the Civil Funds secure to European members:—

Bengal Establishment.

(1) Mr. R. C. Dutt.
(2) „ B. L. Gupta.
(3) „ A Barroah.
(2) Mr. B. De.
(3) „ C. Rustamji.
(3) „ K. J. Badshah.

Bombay Establishment.

(1) Mr. S. N. Tagore.

(2) Specially admitted to the Civil Funds.
(3) Allowed to subscribe to the "General Revenues" at Civil Fund rates.

618. The following members of the Indian Civil Service who arrived in 1881-82, and all European members junior to them, are required to subscribe under the "Indian Civil Service Family Pension Regulations":—

Mr. E. T. Lloyd	Bengal.
„ F. E. Robinson	Madras.
„ A. C. Logan	Bombay.

619. (*a*). The recovery of subscriptions due on the absentee allowances of subscribers to the Bengal, Madras, and Bombay Civil Funds, is made under the following rules:—

(1) If the officer is on leave out of India and draws his allowances in England and has not paid his subscription in advance, or made arrangements for its payment in India as it falls due, recovery will be made at the Home Treasury by deductions from his absentee allowances, unless he is a member of the Bengal or Madras Civil

Fund, and has exercised the option allowed to members of those funds of postponing the payment of his subscriptions until after return to duty.

[*N. B.*—The option allowed to subscribers to the Bengal Civil Fund of postponing payment of subscriptions on absentee allowances is limited to a period of one year.]

(2) For payment of leave allowances in any of Her Majesty's colonies, warrants will be issued only on condition that the subscriptions shall be either paid in advance or taken by deduction; in the latter case the warrant to the colony should show only the net allowance payable after such deduction.

(*b*) The recovery of subscriptions due on the absentee allowances of subscribers to the Indian Civil Service Family Pension Regulations, is made under the following rules:—

(1) If the subscriber is in Europe the rules require his subscription to be paid in England in sterling, and recovery of it will therefore be made at the Home Treasury by deduction from his absentee allowances.

(2) For the payment of leave allowances in the colonies, the warrants issued will show the gross allowance payable, with instructions to recover the amount of monthly subscription due in sterling.

Retirement and Annuity.

620. An officer who has been twenty-five years in the service, counting from the date of his covenant, or from the date of the despatch of the Secretary of State announcing his appointment (whichever may have been earlier), and who has rendered twenty-one years' *active service*, is entitled, on his resignation of the service being accepted, to an annuity of £1,000.

621. An officer who resigns the service will, by such resignation, vacate any office under the Government which he may then be holding. But this rule does not apply to the offices of Viceroy and Governor General of India, Governor of Madras, and Governor of Bombay.

622. The resignation of the Civil Service by a Lieutenant-Governor, Member of the Council of the Governor General, or of the Council of the Governor of Madras or Bombay, or Judge of a High Court, shall not be accepted unless his resignation of his office is at the same time tendered and accepted.

623. An officer who, having proceeded to India and made or become liable to any payment on account of the provision for the annuity to which he might become entitled under Article 620, is declared by a medical certificate in due form to be incapacitated for further service and is thereupon permitted to resign the service before he is entitled to such an annuity, is entitled to a gratuity or annuity as follows:—

(i) If he have been in the service for less than five years;—a gratuity of £500.

(ii) If he have been in the service for five years or more;— an annuity of £150, *plus* £20 for each complete year of service in excess of five; provided that the whole annuity shall not exceed £450.

NOTE.—[Articles 620 and 623 are based on Act 37 Vict., cap. 12.]

Articles 620—623.

Compulsory Retirement.

624. (*a*) After thirty-five years' service, counting from the date of his arrival in India, an officer shall not, except for special reasons, and with the sanction of the Secretary of State, retain his office or be appointed to any new office: Provided that if such an officer has held his office for less than five years, he may, for special reasons, with the sanction of the Government of India, be permitted to retain his office until he has held it for five years. The term "office" in this article includes an officiating appointment.

(*b*) The period of five years referred to in this Article begins to run from the date on which the officer first takes up the office, whether substantively or temporarily, provided that, if temporary, he is confirmed without reverting to his substantive appointment; but the currency of the period is not interrupted by any subsequent temporary promotion to a higher appointment.

NOTE.—[The term "office" as used in this article does not include any office held under direct appointment by Her Majesty the Queen-Empress of India, but the retention of such an office should be subject to the condition prescribed in Article 622.]

Chapter XXVI.—Statutory Civil Servants.

	ARTICLE.		ARTICLE.
PAY AND ALLOWANCES . .	625	PENSION REGULATIONS . .	626
LEAVE REGULATIONS	627		

Pay and Allowances.

625. The following Rules regulate the pay and allowances of Statutory Civil Servants:—

1. The pay (or salary) of a Statutory Civil Servant holding an office, the pay of which has been fixed with a view to its being held by a Member of the Indian Civil Service or a Member of a Commission is, unless otherwise specially ordered, 64 per cent. of what would be the gross pay (or salary) of the office if it were held by a Member of the Indian Civil Service.

2. The subsistence allowance of a Statutory Civil Servant when out of employ is as follows:—

	R
To an officer who has rendered not more than eight years' Active Service [as defined in *Article 626, Section 1 (a)*]	250
To an officer who has rendered more than eight but less than twelve years' such active service	320
To an officer who has rendered not less than twelve years' such active service	400

Pension Regulations.

626. The following rules regulate the *Pensions* of *Statutory Civil Servants*:—

Section 1.—In these Regulations—

(*a*) "Active Service" means Active Service in an office ordinarily held by a Member of the Indian Civil Service, and includes—

(1) Time spent on duty:

(2) Any period not exceeding two years spent on probation in India:

(3) Privilege leave of absence:

Rules applicable to Special Departments or Special Officers.

(4) Subsidiary leave of absence;
(5) Time passed in India out of employ on subsistence allowance:
(6) Time passed on leave with allowances out of India as follows:—

If the total service of the officer is not less than—	*He counts as service a period not exceeding—*
15 years	1 year.
25 years	2 years.

NOTE.—[Total service in this clause means total service reckoning from the date of commencement of service qualifying for pension and includes periods of leave.]

Section 2.—Except with the special sanction of the Governor General in Council, a Statutory Civil Servant, who has reached the age of fifty-five years, shall not be appointed, either substantively or officiating, to a new office, or be permitted to retain any office which he has held, either substantively or officiating, for five years.

N.B.—[It has been ruled that the period of five years referred to in this section begins to run from the date on which the officer first takes up the office, whether substantively or temporarily, provided that, if temporary, he is confirmed without reverting to his substantive appointment; but the currency of the period is not interrupted by any subsequent temporary promotion to a higher appointment.]

Section 3.—The pension of a Statutory Civil Servant shall in no case exceed the following limits, namely:—

	R
After an active service of not less than 25 years	5,000 a year.
Ditto ditto 30 „	6,000 „

All the rules in this part are subject to these maxima.

Section 4.—(*a*) On his resignation of the service being accepted after not less than twenty-five years' active service, a Statutory Civil Servant is entitled to a retiring pension of half his average salary during the three last years of his active service.

(*b*) A Statutory Civil Servant who, upon a medical certificate in the form prescribed in *Article 491 of these Regulations*, is permitted to resign the service before he has completed twenty-five years' active service, is entitled to invalid pension as follows:—

(1) After an active service of less than ten years, gratuity of one month's pay for each year of active service.

(2) After an active service of not less than ten years, pension of R1,500 a year, *plus* R150 for each complete year of active service in excess of ten.

Section 5.—(*a*) A Statutory Civil Servant removed from the service, under Section 2, after an active service of less than twenty-five years, is entitled to a superannuation pension.

(*b*) On reaching the age of fifty-five years, a Statutory Civil Servant may retire upon a superannuation pension.

(*c*) The amount of a superannuation pension is the same as that of an invalid pension.

Section 6.—(*a*) A Statutory Civil Servant who filled a pensionable office before his appointment to an office ordinarily held by a Member of the Indian Civil Service, may, at his option, count his whole pensionable service and receive a consolidated pension, made up as follows:—

(1) That proportion of the pension to which he would have been entitled under Sections 4 and 5 if his whole service had been passed in an office ordinarily held by a Member of the Indian Civil Service, which his active service in such an office or offices bears to the whole of his qualifying service.

(2) That proportion of the pension to which he would have been entitled if his whole service had been in an office not ordinarily held by a Member of the Indian Civil Service, which his previous qualifying service bears to the whole of his qualifying service.

(*b*) If such Statutory Civil Servant is entitled to gratuity only, his gratuity shall be calculated as if his whole service had been passed in an office ordinarily held by a Member of the Indian Civil Service.

Section 7.—The procedure upon an application for pension and upon the payment of pension is that described in *Chapter XLV of Part X.*

Statutory Civil Servants.

Leave Regulations.

627. The following rules regulate the leave of *Statutory Civil Servants* :—

Section 1.—In these Regulations—

"Average salary" means average salary for a month, calculated for so much of the three years immediately preceding the day on which a Statutory Civil Servant gives up office as he has passed on duty, or on privilege or examination leave. Average salary in excess of R1,400 a month is not reckoned.

"Service" means all qualifying service, whether rendered in an office ordinarily held by a Member of the Indian Civil Service or otherwise, and includes periods spent on leave with allowances.

Section 2.—During leave on medical certificate in excess of fifteen months at one time, or of thirty months in all, and during subsidiary leave following such excess leave, a Statutory Civil Servant is entitled to a quarter of his average salary. During any other leave excepting privilege leave, examination leave or extraordinary leave, an officer is entitled to half his average salary:

NOTE.— [A Statutory Civil Servant who is compelled owing to ill-health to take any leave with allowances out of India is entitled to the benefits of Article 374A.]

Provided that the leave allowances of an officer shall in no case exceed his actual salary when he was last before on duty.

Section 3.—Leave on Medical Certificate may be granted for three years in all, but not for more than two years at one time.

Section 4.—(*a*) An officer may take either leave on private affairs or furlough as follows, but not both these kinds of leave:—

(*b*) Leave on private affairs may be taken, first, after not less than six years' service and thereafter, at intervals of not less than six years. The duration of leave on private affairs must not exceed six months at one time.

(*c*) Furlough, not exceeding two years in all, may be taken, first, after not less than ten years' service, and thereafter at intervals of not less than eight years. The duration of furlough must not exceed one year at one time, unless it be taken, for the first time, after not less than eighteen years' service, when it may extend to two years.

Section 5.—Subsidiary leave, privilege leave and examination leave may be granted to Statutory Civil Servants *under Part III.*

Section 6.—The Local Government may grant extraordinary leave without allowances at its discretion. Subject to the provisions of Section 10, there is no limit to the length or frequency of leave under this section; and it may be granted in continuation of any leave with allowances excepting privilege leave.

Section 7.—Leave taken by a Statutory Civil Servant before his appointment to an office ordinarily held by a Member of the Indian Civil Service shall, for the purpose of calculating the leave admissible to him under this *Chapter*, be treated as leave taken under *this Chapter*.

Section 8.—Leave on private affairs or furlough may not be granted in continuation of any leave except subsidiary leave, but any leave granted under these rules may be retrospectively changed for any other kind or amount of leave, which might at first have been granted. If a Statutory Civil Servant absent on privilege leave, leave on private affairs, or furlough, takes extension of leave on medical certificate, the whole of his absence must be treated as leave on medical certificate.

1. Extraordinary leave cannot be changed retrospectively into leave on medical certificate; but leave on medical certificate may be given in continuation of extraordinary leave.

Section 9.—A Statutory Civil Servant who has reached the age of fifty-five years is not eligible for any leave, excepting privilege leave. Leave, other than privilege leave, granted to a Statutory Civil Servant before his fifty-fifth birthday cannot extend beyond that date.

Section 10.—If a Statutory Civil Servant is absent without leave, or remains absent after the end of the leave (excepting privilege leave, in which case a week's grace is allowed), he vacates his appointment; and, after five years' continuous absence from duty, whether with or without leave, a Statutory Civil Servant ceases to belong to the Public Service.

1. A Statutory Civil Servant who takes leave other than privilege leave, or examination leave, has no claim to return to the particular appointment from which he took leave.

Section 11.—The procedure upon application for leave is that prescribed in *Part IX.*

628, 629, 630, and 631. Cancelled.

Chapter XXVII.—Ecclesiastical Officers.

Section I.—Bishops.

632. The leave of absence of the Bishops of Calcutta, Madras, and Bombay is regulated by the following Statutory Rules made under Royal Warrant, dated 4th November 1884, under Statute 34 and 35 Vict., Cap. 62, and amended by Royal Warrant, dated 28th July 1888.

[*N.B.*—The italicised headings are introduced merely to facilitate reference, and are not in the Statutory Rules.]

Statutory Rules.

1. Bishops may be allowed leave of absence either on medical certificate or on furlough.

Leave on Medical Certificate.

2. The amount of leave of absence on medical certificate admissible to a Bishop is limited to two years.

3. Subject to the limitation in Rule 2, leave of absence may be granted to a Bishop upon medical certificate for a period not exceeding one year. Leave so granted may be extended upon medical certificate to any period not exceeding eighteen calendar months.

Furlough.

4. The amount of furlough admissible to a Bishop at one time is limited to six calendar months.

5. The amount of furlough earned by a Bishop is one-eleventh of the time during which he has been on duty, provided that no additional furlough can be earned by duty done while six months' furlough is due. The furlough due to a Bishop is the furlough which he has earned, less the period during which he has been absent on furlough.

6. To a Bishop who has been on duty without interruption for thirty-three calendar months and who has not for twelve calendar months been absent on furlough, the whole or any part of the furlough due to him may be granted.

NOTE.—[For the purposes of this rule, leave on medical certificate is, and furlough is not, an interruption of duty].

7. Furlough and leave on medical certificate cannot be taken in continuation of each other; but furlough granted under these rules may be retrospectively changed into leave on medical certificate.

Acting Allowance of Locum Tenens.

8. An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of the Bishop is entitled to an allowance of R500 a month in addition to the pay of his substantive office.

Absentee Allowance.

9. A Bishop while absent upon furlough or upon leave on medical certificate is entitled to full pay less R500 a month, but not to any other allowances.

Travelling and similar Allowances of Locum Tenens.

10. An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of the Bishop upon leave on medical certificate, is entitled to the travelling and other similar allowances admissible to the Bishop.

Ecclesiastical Officers.

Acting Allowances of Locum Tenens of Metropolitan.

11. The allowances of the Bishop of Madras or Bombay when performing the functions of the Bishop of Calcutta during his absence on leave are regulated by 5 and 6 Victoria, Chapter 119. In such case the Bishop of Madras or Bombay is entitled to an allowance at the rate of R833-5-4 per mensem in addition to his salary as Bishop of Madras or Bombay, and the Bishop of Calcutta will receive during such absence the salary of his office less R833-5-4 per mensem.

Grant of leave.

12. Leave under these rules may be granted to the Metropolitan by the Governor General in Council, and to the Bishops of Madras and Bombay by the Governments of those Presidencies on the recommendation of the Metropolitan.

633. A Bishop of Madras or Bombay exercising the Episcopal Jurisdiction and Functions appertaining to the See of Calcutta during a vacancy of the See by the demise of the Bishop thereof for the time being, or otherwise, is entitled to the full pay fixed for the office, *viz.*, R3,831-6-8.

[*N.B.*—By Act 53 Geo. III, Cap. 155, s. 49, the pay of the Bishop of Calcutta is fixed at £5,000, to be paid at an exchange of two shillings for the Bengal current rupee. One hundred Bengal current rupees = $\frac{100}{115}$ of one hundred sicca rupees = sicca rupees 86·2068 = rupees 91·9540. Thus, the pay of the Bishop of Calcutta is Rupees 3,831-6-8 a month. (*Resolution by the Government of India, Finance Department, No. 490, dated 31st May 1876, paragraph 3.*)]

634. The Statutory rules in Article 632 do not apply to the Bishops of Rangoon or Lahore, whose official status is that of a Senior Chaplain, and who, as such, are subject to the rules prescribed for Chaplains, Articles 637 to 661 of this Chapter.

Section II.—Archdeacons, and Senior Chaplains of the Church of Scotland.

635. The following special allowances are granted to Archdeacons, and Senior Chaplains of the Church of Scotland :—

	Allowance to substantive officers.	Allowance to officiating officers.
	R	R
Archdeacon of Calcutta, Madras, or Bombay . .	266⅔	166⅔
,, of Lahore, or Senior Chaplain of the Church of Scotland in Calcutta	200	100
Senior Chaplain of the Church of Scotland in Madras or Bombay	150	75

636. (*a*) Formal appointment of the Archdeacon by the Government to hold charge of a Diocese is not necessary to enable the Accountant General to pass the extra allowance of R500 (see Statutory Rule 8 in Article 632) and the travelling and other allowances admissible to the Bishop.

(*b*) It is sufficient for the Accountant General if he has received notice officially that the Government has directed the Archdeacon to undertake the Bishop's jurisdiction or take charge of the Diocese.

(*c*) The allowance of R500 is paid to an Archdeacon or Acting Archdeacon for holding charge of the Diocese in addition to his allowances as Archdeacon or Acting Archdeacon.

Chapter XXVII.—Ecclesiastical Officers.

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Furlough.

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5. The amount of furlough earned by a Bishop is one-eleventh of the time during which he has been on duty, provided that no additional furlough can be earned by duty done while six months' furlough is due. The furlough due to a Bishop is the furlough which he has earned, less the period during which he has been absent on furlough.

6. To a Bishop who has been on duty without interruption for thirty-three calendar months and who has not for twelve calendar months been absent on furlough, the whole or any part of the furlough due to him may be granted.

NOTE.—[For the purposes of this rule, leave on medical certificate is, and furlough is not, an interruption of duty].

7. Furlough and leave on medical certificate cannot be taken in continuation of each other; but furlough granted under these rules may be retrospectively changed into leave on medical certificate.

Acting Allowance of Locum Tenens.

8. An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of the Bishop is entitled to an allowance of R500 a month in addition to the pay of his substantive office.

Absentee Allowance.

9. A Bishop while absent upon furlough or upon leave on medical certificate is entitled to full pay less R500 a month, but not to any other allowances.

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Grant of leave.

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(*b*) It is sufficient for the Accountant General if he has received notice officially that the Government has directed the Archdeacon to undertake the Bishop's jurisdiction or take charge of the Diocese.

(*c*) The allowance of R500 is paid to an Archdeacon or Acting Archdeacon for holding charge of the Diocese in addition to his allowances as Archdeacon or Acting Archdeacon.

Section III.—Chaplains.

	Article.		Article.
Residence and Service . .	637	Benefices in the United Kingdom.	660
Date of Arrival in India . .	638	Right and Title to Pension . .	661
Rules regarding Pay and Allowances	640	Compulsory Retirement . .	663
Rules regarding Leave . .	644	Leave after completion of period of Service	664

Residence and Service.

637. (*a*) Residence (or Active Service), is reckoned, in the case of a Chaplain appointed in England, from the date of his arrival in India; and in the case of a Chaplain who is appointed while resident in India, from the date on which he takes charge of his office. It includes—

(i) time spent on duty,
(ii) Privilege and Subsidiary leave,
(iii) time passed out of employ in India otherwise than on leave.

(*b*) A Chaplain who is appointed while resident in India must not take charge of his office before the despatch appointing him is received in India. His service cannot count before the date of such receipt.

(*c*) "Service" includes "Residence" and also all time spent on leave of any description, but no time before the beginning of "Residence."

Date of Arrival in India.

638. A Chaplain is held to have arrived in India on the date on which he reports his arrival either at the head-quarters of the Diocese to which he is attached or at any other station to which he may be appointed and to which he may proceed direct.

639. (*a*) A Chaplain on the Bengal Establishment who is posted in England to the Lahore Diocese or to any station in the Central Provinces, or north of Allahabad, who comes to India *viâ* Bombay, or by direct steamer to Karachi, and who is instructed by the Secretary of State to enquire from the Secretary to the Government of Bombay, or, at Karachi, from the Commissioner in Sind, for orders as to his ultimate destination, is held to have arrived in India on the date on which he reports his arrival at the station to which he is directed to proceed in the orders he receives at Bombay, or at Karachi, if he travels by direct steamer to that port.

(*b*) A Chaplain who is *not* on the Bombay Establishment and who is *not* posted to any station in the Lahore Diocese or to any station in the Central Provinces or north of Allahabad, but who comes out to India *viâ* Bombay, is held to have arrived in India from the date on which he reports his arrival at the Presidency Town of the Presidency to which he is attached, or if he receives orders at Bombay to proceed to any particular station, from the date of his arrival at that station.

(*c*) The report of arrival, in each instance, is to be made to the Bishop of the Diocese to which the Chaplain is attached.

Rules regarding Pay and Allowances.

640. Chaplains are divided into two grades :—

(i) Senior Chaplains on ₹800 a month.
(ii) Junior Chaplains on ₹500 a month.

The pay of each grade is personal, hence a Junior Chaplain succeeding a Senior Chaplain in a particular charge is not entitled to any acting allowance.

A Chaplain appointed after the 25th June 1891 is required to serve on probation for a term of three years on a pay of ₹400 a month. At the end of that period he will be confirmed in the service as a Junior Chaplain, if reported fit by a Medical Board in India, and if his conduct and character are approved by the Bishop of the Diocese in which he is serving. Time spent in India on service under the Additional Clergy Society, or on other approved service, may be included in the period of probation. With the exception of such service probationary service counts towards leave and gratuity. Chaplains, however, appointed after 17th March 1892 can count *all* probationary service towards pension also.

NOTE.—A Clergyman must have been three years in priest's orders before his nomination as a probationer.

641. Junior Chaplains are entitled to be appointed "Senior Chaplains" after ten years' service, as defined in Article 637 (*c*), in the grade of Junior Chaplain.

642. The pay and allowances of a Chaplain of the Church of England are paid in the Civil Department.

643. It is only on rare occasions that a Chaplain of the Church of Scotland is specially attached to a particular Regiment, although usually he is moved with the Regiment, and is appointed Chaplain of the Station where the Regiment is quartered. When so appointed, he draws pay from the Civil Department. On the other hand, when attached to a Regiment, his pay becomes a charge upon the Military Department, and should be drawn thence.

Rules regarding Leave.

NOTE.—[A Chaplain on probation is not entitled to any leave during his probation, except privilege leave under Article 656].

Furlough.

644. The amount of Furlough "admissible" to a Chaplain is limited to six years. All the Rules in this Section are subject to this limitation.

Furlough and leave with allowances on medical certificate under former rules are counted as Furlough under this rule.

645. The amount of Furlough "earned" by a Chaplain is one-fourth of his Active Service, and three months in addition thereto.

646. The amount of Furlough "due" to a Chaplain is the amount which he has earned, diminished by—

(i) the amount of Furlough which he has enjoyed under these or any former rules;
(ii) the excess over one year in the amount of leave with allowances on medical certificate which he has enjoyed under former rules.

647. (*a*) To a Chaplain who has rendered three years' *Continuous Service*, Furlough for not more than two years may be granted as follows:—

First, on medical certificate, unconditionally (see Chapter XL, Articles 893 to 902, for the procedure rules).

Secondly, without medical certificate, subject to the following provisos:—

(i) that the Furlough be due to him;

(ii) that he have rendered seven years' Active Service;

(iii) that the whole number of Chaplains absent on Furlough and Special leave do not exceed the limit appointed by the Government of India. Except on medical certificate or on very urgent private affairs, Furlough or Special leave may not be granted to a Church of England Chaplain if twenty per cent. of the whole number of Chaplains belonging to his Diocese, are already absent on Furlough or Special leave. The Bishop of Calcutta will report to the Government of India when the limit is reached, and the Bishops of Lucknow, Lahore, or Rangoon, as the case may be, to their respective Local Governments.

(*b*) Furlough taken under this Article may, on medical certificate, be extended to not more than three years.

(*c*) The Furlough of a Chaplain is strictly limited to a period of three years at one time, and cannot be extended even without allowances. But the Secretary of State for India reserves to himself the power of allowing a Chaplain to remain in Europe beyond three years, should special and exceptional circumstances require it.

648. (*a*) To a Chaplain who has not rendered three years' *Continuous Service*, Furlough for not more than one year may be granted on medical certificate.

(*b*) Furlough granted under this Article for less than one year may, on medical certificate, be extended to not more than one year.

Furlough Allowances.

649. (*a*) A Chaplain on Furlough is entitled to allowances as follows:—

	On Ordinary Furlough. £	On Other Furlough. £
Archdeacon of Calcutta, Madras, or Bombay, and the Senior Chaplain of the Church of Scotland at the same places .	600 a year.	480 a year.
Senior Chaplain	500 „	384 „
Junior Chaplain	350 „	300 „

(*b*) To a Chaplain proceeding on Furlough to England, an advance of the first quarter's allowances may be made, which advance is not recoverable in the event of his death.

(*c*) Ordinary Furlough includes—

(i) the first two years of each separate period of Furlough under Article 647;

(ii) so much of Furlough under the preceding Article (648) as may be due: Provided that the Chaplain have rendered six months' *Continuous Active Service*.

A Chaplain on Furlough or special leave does not forfeit his past leave allowances by resigning the service without returning to India.

649A. A Chaplain returning from Furlough out of India is not granted an advance of allowances for more than thirty-five days beyond the date of embarkation for India.

650. An Archdeacon of Rangoon or Lahore draws no extra "Furlough allowance" by reason of his office as Archdeacon.—[*Secretary of State's (Ecclesiastical) Despatch No. 37, dated 19th April 1888.*]

Special Leave.

651. Special leave on urgent private affairs may be granted at any time for not more than six months :

Provided that a Chaplain who has had Special leave must render six years' *Active Service* before he can again have such leave.

652. For the first period of a Chaplain's Special leave he is entitled to the leave allowance admissible during Ordinary Furlough. In subsequent periods he is entitled to no leave allowance.

Subsidiary Leave.

653. The Subsidiary leave of a Chaplain and the beginning and ending of his Furlough and Special leave are regulated by the Rules in Chapter XIII.

654. A Chaplain on subsidiary leave is entitled to the same allowances as during the leave to which it is subsidiary.

655. A Chaplain may draw allowances as if he were on Privilege leave, for any part of his Subsidiary leave, preparatory to retiring from the service or going on Furlough or special leave, for which, if he were not retiring from the service or going on Furlough or on Special leave, Privilege leave would be admissible to him.

Privilege Leave.

656. Privilege leave may be granted as follows :—

(i) After five months' uninterrupted duty,—for not more than one month.
(ii) After ten months' uninterrupted duty,—for not more than two months.
(iii) After fifteen months' uninterrupted duty,—for not more than three months.

NOTE.—[Time spent by a Chaplain in Kashmir under Foreign Department Order No. 84, dated 13th March 1863, counts as time spent on duty, except for the purposes of this Article.]

657. In applying for Privilege leave, a Chaplain must record a declaration that he has no intention of retiring or of taking Furlough, Special leave, Subsidiary leave, or leave on medical certificate for three months after his return to duty. Though not absolutely debarred by this declaration from applying to retire or to take such leave within three months, he should, if he does so, explain his change of mind.

658. A Chaplain may not take Privilege leave in instalments.

659. A Chaplain on Privilege leave is entitled to the same pay and House-rent as if he were on duty.

1. An Archdeacon, a Senior Chaplain of the Church of Scotland, or a Chaplain, on privilege

leave, may draw any Local Allowance attached to his office, such as Conveyance Allowance, or Jail Allowance, provided that it is not drawn by his *locum tenens*.

2. An Archdeacon, or Senior Chaplain of the Church of Scotland, on privilege leave, may draw his Special Allowance (*see Article 635*), but an officer acting as Archdeacon or Senior Chaplain of the Church of Scotland in a privilege leave vacancy may not draw his Special Allowance for the first thirty days of the officiating tenure of the appointment. An officiating Archdeacon or Senior Chaplain of the Church of Scotland may not, during privilege leave, draw his Special Allowance.

3. The Chaplain's substitute may draw the House-rent, although it is also drawn by the absentee.

659A. Extraordinary leave under Article 366 may be granted to the officers in this Section.

Benefices in the United Kingdom.

660. The orders in the following Resolution by the Secretary of State for India in Council, dated 11th December 1888, regarding the acceptance by Chaplains of Benefices in the United Kingdom should be strictly adhered to :—

"A Chaplain accepting a Benefice in the United Kingdom must forthwith report his having done so to the Government under which he is serving, if he is in India, or to the Secretary of State if he is out of India on furlough ; and on the expiry of any leave which may (whether before or after such acceptance) have been granted to him, his Indian appointment will be deemed vacant. If he desires to retain his Indian appointment, he must, before the expiry of his leave, resign the Benefice, having first obtained the consent of the Secretary of State and of the Bishop of the Diocese in which the Benefice is situated to his doing so.

"No extension of leave will, under any circumstances, be granted to a Chaplain on furlough who has accepted a Benefice in the United Kingdom, unless he has resigned the same before the expiry of such furlough with the consent before mentioned."—(*Secretary of State's Despatch No. 132 Public (Ecclesiastical), dated 27th December 1888.*)

Right and Title to Pension.

661. Chaplains are entitled to pension according to the following scale :—

Chaplains appointed before 25th June 1891.	Chaplains appointed after 25th June 1891, but before 17th March 1892, and the following : Revds. H. W. Bush, C. J. Palmer, W. A. Dicklns, H. R. Coulthard, L. H. Lermit, H. Naish, L. Klugh, C. P. Cory, C. E. C. deCoetlogon, C. Mayhew, G. J. Chree.	Chaplains appointed after 17th March 1892.
	Retiring Pension.	
Per annum.		Per annum.
After 17 years' residence and 20 years' service . . £365	The same as Chaplains appointed before 25th June 1891.	After 20 years' residence and 23 years' service . . £365
Gratuity and Pension on Medical Certificate.		
Per annum. £ s. d.	Gratuity. £ s. d.	Gratuity. £ s. d.
Under seven years' residence . 63 17 6	Over three years' residence, for each completed year . . 80 0 0	Under ten years' residence, for each completed year . . 80 0 0
Seven years and over . . 127 15 0	Seven years and over, the same as Chaplains appointed before 25th June 1891.	Per annum. £ s. d.
Ten " " 173 7 6		Ten years and over . . 127 15 0
Fifteen " " 292 0 0		Thirteen " " 173 7 6
		Eighteen " " 292 0 0

NOTES.—(a) Gratuities are subject to a maximum of £800 and a minimum of £200.

(b) The Invalid pensions of £63-17-6, £127-15-0, and £173-7-6 a year are admissible only after a trial of a temperate climate and upon a certificate from the Medical Board attached to the Office of the Secretary of State for India that the officer is permanently unfit to serve in India.

Ecclesiastical Officers.

662. Cancelled.

Compulsory Retirement.

663. A Chaplain must retire after twenty-five years' service, unless especially exempted by the Secretary of State, on the recommendation of the Governor General in Council, or if he belong to the Madras or Bombay Establishment, of the Governor in Council of his Presidency.

NOTE.—[Articles 663 and 664 do not apply to the Bishops of Rangoon and Lahore (see Article 634).]

Leave after completion of period of Service.

664. No Leave, other than Privilege leave under Article 656, may be granted to a Chaplain who has completed twenty-five years' service (*see preceding Article*). Leave other than Privilege leave granted to a Chaplain before his completion of twenty-five years' service ceases to have effect on such completion.

Section IV.—Ministers other than Chaplains.

665. A Clergyman appointed under the orders of the Government to perform the duties of a Chaplain on the Regular Establishment is entitled to an allowance of ₹100.

666. The allowances of a Clergyman (whether of the Additional Clergy Society or any other recognised Society) are regulated by the Local Government within an annual grant for each Government.

667. Allowances as follows may be granted to Wesleyan or Presbyterian Ministers officiating with British troops in any station in India:—

(i) A monthly capitation allowance of one rupee for each man up to one hundred, with eight annas additional for each man beyond one hundred; and

(ii) Travelling allowance, under the ordinary rules, for ministers visiting out-stations under proper authority.

668. The Treasury Officer shall pass the allowances referred to in the preceding Article on receipt of—

(i) evidence as to the nomination;

(ii) a certificate from the Officiating Minister that he has substantially performed the required duties; and

(iii) a return countersigned by the District or Station Staff Officer showing the number of soldiers (officers and men) at the particular station who have entered themselves in the regimental records as "Presbyterians" or "Wesleyans."

NOTE.—[In the case of the Church of Scotland the evidence referred to in clause (i) should be in the form of a certificate from the Senior Chaplain of the Church of Scotland that the services of the Minister are recognised by that Church.]

Chapter XXVIII.—Military Officers. (1)

Section 1.—Pay, Allowance, and Leave Rules.

	Article.		Article.
Acting Allowance Rules . .	669	Officers subject to the Military Leave Rules	671
Officers subject to the Civil Leave Rules	670		

Acting Allowance Rules.

669. The acting allowances of Military Officers in Civil employ are prescribed in Part II,—*vide* Chapter VI, Articles 124 to 135.

Officers subject to the Civil Leave Rules.

670. *Military Officers subject to the Civil Leave Rules* are granted leave under the European Service Rules in Part III.

Officers subject to the Military Leave Rules.

671. The *Local Government* may grant furlough or leave under Military Rules or special leave under Article 348 to a *Military officer subject to the Military Leave Rules.*

Note.—The grant of furlough or leave, other than privilege leave, out of India to a *Military Officer subject to the Military Leave Rules* carries with it the grant of subsidiary leave under the provisions of Article 353. See also note under Article 348.

672. A *Local Government* may also grant Short Leave under Chapter XII to a *Military Officer subject to the Military Leave Rules*: Provided that he is not employed in the Military Secretariat of the Government of India, or as Military Secretary to the Resident at Hyderabad, or as Private Secretary to a Lieutenant-Governor appointed from Military employment.

Note—[This article also applies to officers of the British Service employed in a Civil Department in India.]

673. No other leave of absence may be granted under the Regulations in Part III to a *Military Officer subject to the Military Leave Rules.*

(1) The following is the Rule of the Military Department for regulating the treatment of regimental officers selected for temporary employment in certain Civil Departments :—

Clause 129.—With the sanction of the Secretary of State for India, it is notified that a regimental officer selected for temporary employment with a department of the State in an appointment other than those (2) whose seconding is regulated by the provisions of paragraph 4 of G. G. O. No. 811 of 1877, will on the expiration of a year of such temporary duty, be seconded, provided that the department employing him certifies that there is a fair likelihood of his being brought on the permanent establishment of that department; otherwise he must immediately be returned to his regiment.

(2) Army or personal staff appointments tenable for fixed periods.

An officer so seconded must either return to his regiment at the end of five years, or be struck off its strength on retention in a department for any period beyond that term.—(*Indian Army Circulars, Military Department, No. 1451, dated 20th October 1880.*)

Military Officers.

1. An officer proceeding on furlough or leave under Military Leave Rules forfeits, *ipso facto* his lien on any acting appointment. Consequently, a Military Officer, with no substantive appointment in the Civil Department, loses, on proceeding on such furlough or leave, his lien on any temporary or officiating appointment in the Civil Department that he may have held. It is not, therefore, competent to a Local Government to grant furlough or leave under the Military Leave rules to such an officer unless it is prepared to re-employ him immediately on the expiry of his furlough or leave.

674. No leave of absence can be granted, under the Regulations in Part III, to a *Warrant Officer*, excepting under Article 672.

675. The allowances of a *Military Officer subject to the Military Leave Rules* during subsidiary leave are regulated as if he were subject to the Civil Leave Rules: Provided that—

(i) if under the action of the Leave Rules such an officer have lost his lien on his appointment, he draws allowances under Military Leave Rules during his Subsidiary leave.

(ii) His allowances on Subsidiary leave must not be less than his allowances during the Furlough to which the leave is subsidiary.

NOTE.—[The Subsistence allowance of a *Military Officer subject to the Military Leave Rules* is that prescribed in Article 131.]

676. Subsidiary leave preparatory to his retirement from the service may be granted to a *Military Officer subject to the Military Leave Rules* provided such leave does not vitiate his claim to retire on the date fixed.

677. Whenever the Furlough of a Military Officer subject to the Military Leave Rules begins before embarkation or ends after disembarkation, the *Audit Officer* should inform the Government of India in the Military Department and the Account officer in charge of the officer's record of pension service of the date on which it begins or ends.

678. The Military Leave Rules are printed as Appendices Nos. 11 and 12.

Section II.—Compulsory Retirement from Civil Employ.

	ARTICLE.		ARTICLE.
ORDINARY RULES . . .	679	LEAVE AFTER COMPLETION OF PERIOD OF CIVIL EMPLOY . . .	689
PUBLIC WORKS DEPARTMENT .	683		

Ordinary Rules.

679. (*a*) A Military or Naval Officer in Civil employ, after attaining the age of fifty-five years, shall not, except for special reasons, with the sanction of the Secretary of State, retain his office or be appointed to any new office: Provided that, if such an officer has held his office for less than five years, he may, for special reasons, with the sanction of the Government of India, be permitted to retain his office until he has held it for five years. The term "office" in this Article includes an officiating appointment, and the currency of the period of five years is not interrupted by any sub-equent temporary promotion to a higher appointment.

1. This rule will be applied to Military and Naval Officers who were in Civil employ on 7th February 1889, from the 7th February 1891 (being two years after the receipt of the Secretary of

State's Despatch (Public) No. 4, dated 17th January 1889). Till then the rule formerly in force will continue to be applied; it is as follows:—

After the age of fifty-five years no Military or Naval Officer shall be appointed to a new office in Civil employment, whether substantive or officiating; nor, except in special cases sanctioned by the Secretary of State, (1) shall he be permitted to retain any such office which he has held for five years and upwards. This rule should be strictly enforced, unless the retirement of any officer should be considered by the Government under which he is serving to be injurious to the public interest.—(*Secretary of State's Despatch No. 106, dated 30th August 1873.*)

NOTE—(1) ["Her Majesty's Secretary of State has recently pointed out that when his authority is required for the extension of the term of service of a Military Officer in Civil employment after attaining the age of fifty-five years, the necessary sanction should be obtained previous to the event. I am accordingly directed to request that this order may in future be observed, and that sufficient notice may always be given to the Government of India in such cases to admit of a timely reference being made to the Secretary of State."—(*Circular in the Home Department No. 57-1922-28, dated 20th December 1880.*)]

(*b*) The period of five years referred to in clause (*a*) begins to run from the date on which the officer first takes up the office, whether substantively or temporarily: Provided that, if temporary, he is confirmed without reverting to his substantive appointment; but the currency of the period is not interrupted by any subsequent temporary promotion to a higher appointment.

680. As an exception to the preceding Article, Medical Officers of the Administrative grades in the Service—namely, Surgeons-General and Surgeons-Colonel are not compelled to retire from the service until they attain the age of sixty years.

681. The undermentioned officers cease to be in Civil employment on attaining the age of fifty-five years:—

(*a*) Military Officers in the Survey of India, unless specially permitted by the Secretary of State, in the interests of the Public Service, to remain in the department for a further definite period;

(*b*) Brigade Surgeons or Surgeons-Major, who entered the service on or after the 13th January 1860.

(*c*) *Warrant Officers*,—see Article 37 of clause 83 of the Indian Army Circulars of 1884 quoted below:—

Clause 83, Article 37.—Retirement will be compulsory at the age of fifty-five years, and all warrant medical officers of that age now in the service, as well as those who may attain that age within one year, will be required to retire at the expiration of one year from the date of this order.—(*Issued as a Special Army Circular on the 16th July 1884.*)

682. On succession to the Colonel's Allowance, a Military Officer (not holding an appointment the tenure of which is limited to five years) must vacate any Civil appointment which he then holds. But, with the sanction of the Secretary of State in Council, he is eligible for reappointment or for employment in the same or any other appointment, at the discretion of the Government of India in the Military Department.

Public Works Department.

683. A Military Officer in the Public Works or Military Works Department, who, on reaching the age of fifty years, has not attained the rank of Superintending Engineer, will be liable to be called upon to vacate his appointment.

684. Military Officers in the Public Works and Telegraph Departments cease to be in Civil employ on attaining the age of fifty-five years.

685. A Military Officer serving in the Public Works Department must vacate absolutely any appointment he may hold in that Department on succession to the Colonel's allowance.

Military Officers.

686. An officer of the rank of Lieutenant-General is not eligible to hold an appointment of any kind in the Secretariat or departmental branches of any of the Public Works Departments in India, and an officer holding any such appointment shall vacate his appointment on promotion to the rank of Lieutenant-General, being allowed, however, to retain his appointment to the 31st March following his promotion, provided he shall not, under any other regulation, vacate it in the interval.—[*Secretary of State's Despatch No. 8 (Military), dated 6th January 1887.*

687. (*a*) Article 684 applies to officers of Royal Engineers serving in the Public Works Department.

(*b*) Officers of the Royal Engineers, who have attained or hereafter may attain the rank of General officers, must vacate their appointments in the Public Works Department. But if an officer at the time of so vacating office is a Chief Engineer, 1st class, or holds a post carrying that rank, he may be continued in the position which he had been required to vacate, for the remainder of the term of five years referred to in clause (*c*), unless in the meantime he must vacate office by some other regulation. Officers of the Royal Engineers holding rank below that of Chief Engineer, 1st class, vacating office under this rule are not ordinarily eligible for reappointment to the Public Works Department, but exceptions to this rule may, at the discretion of the Government of India, be made in the case of officers who, on account of specially accelerated Military promotion for distinguished service in the field, have reached the rank of Major-General without attaining the Departmental rank of Chief Engineer, 1st class.

(*c*) No Chief Engineer of the Corps of Royal Engineers shall, without reappointment, hold the same post for more than five years.

(*d*) The foregoing Rules are applicable to officers of Royal Engineers who hold the post of Secretary or of Deputy Secretary to the Government of India in the Public Works Department—(*Notification in the Public Works Department, No. 293, dated 3rd September 1880.*)

NOTE 1.—[Clauses (*c*) and (*d*) were extended to all officers of the Public Works Department by Public Works Department Resolution No. 2023 G., dated 12th October 1887, *vide* Article 718 in Chapter XXIX and note 1 thereto.]

NOTE 2.—[The period of five years referred to in clause (*c*) begins to run from the date on which the officer first becomes entitled to draw the full pay of the appointment, whether holding the appointment substantively or only in an officiating capacity; provided that, if officiating, he is confirmed in the appointment without a break of service.]

688. The tenure of the appointment of the Director General of Telegraphs is limited to five years. (*See also Article 717 in Chapter XXIX.*)

Leave after completion of period of Civil Employ.

689. (*a*) No leave but privilege leave may be granted to a Military Officer in Civil employ, whether subject to Civil Leave Rules or Military Leave Rules or to any Naval Officer who is more than fifty-five years old. Any leave, other than privilege leave, granted in the Civil Department to a Military or Naval Officer in Civil employ before he is fifty-five years old ceases to have effect on his fifty-fifth birthday on which date he reverts to Military employ. The absentee allowances of a Military Officer in Civil employ on leave other than privilege leave become a Military charge, and he becomes subject to

Military Rules on his fifty-fifth birthday, whether his leave was granted in the Military or the Civil Department.

NOTE.—[In the case of a Military or Naval Officer in Civil employ, who reverts to Military employ under the operation of the rules in this section, privilege leave cannot be granted at the end of his service in the Civil Department for any period which will expire within the three months previous to his reversion.]

(*b*) In applying clause (*a*) to Medical Officers of the Administrative grades in the service,—namely, Surgeons-General and Surgeons-Colonel—"sixty" or "sixtieth," as the case may be, should be substituted for the words "fifty-five" or "fifty-fifth."

Chapter XXVIIIA.—Civil Veterinary Department.

	ARTICLE.		ARTICLE.
ACTING ALLOWANCES . . .	689A.	COMPULSORY RETIREMENT . .	689D.
LEAVE RULES	689B.	SERVICE IN THE FIELD . . .	689E.
PENSION RULES	689C.	FAMILY PENSIONS	689F.

Acting Allowances.

689A. Officers officiating in the Department draw the pay of their military rank *plus* half the civil allowance attached to that rank.

Leave Rules.

689B. The leave and leave allowances of Civil Veterinary officers are regulated by the rules in Chapter XIII applicable to military officers subject to the Civil Leave Rules, with the following special conditions :—

(*a*) Officers on ordinary furlough will draw half the pay of their military rank *plus* half their civil allowances.

(*b*) Civil Veterinary officers are treated, in applying the rules mentioned, as if they had before entering the Civil Department been subject to the leave rules for the Staff Corps (1886) from the date of their arrival in India.

NOTE 1.—[For the purposes of this rule the date of arrival in India must be held to be the date of arrival on the last tour of service.]

NOTE 2.—[An officer must be substantively appointed to the Civil Veterinary Department or have officiated continuously in it for three years, before he can become subject to the Civil Leave Rules; but an officer subject to Civil Leave Rules at the time of joining the Civil Veterinary Department counts all service rendered under those rules as service for civil furlough.]

NOTE 3.—[An officer holding an appointment which has been absorbed into the Civil Veterinary Department is allowed, for the purposes of this rule, to count service in that appointment as if it were service (substantive or officiating as the case may be) in the Civil Veterinary Department.]

Pension Rules.

689C. The pension rules of officers of the Civil Veterinary Department, other than the Inspector-General, are as follow :—

(*a*) No officer of the Department becomes qualified for pension under the scale now fixed for the Civil Veterinary Department until he has rendered ten years' service in the Department.

(*b*) Pension for military and civil service combined is at the rate of £15 a year for every completed qualifying year of service up to a maximum of £450 a year.

(*c*) Leave, apart from privilege leave, counts as service qualifying towards pension to the extent of two months for every year of actual service.

(*d*) Retirement is optional after twenty years' service and allowed on medical certificate after fifteen years' service.

The pension of the Inspector-General, if he has qualified under clause (*a*), is at the rate of £500 a year after three years' tenure of office. Should an officer have completed five years' tenure of the post of Inspector-General before having rendered ten years' service in the Department he is eligible for a pension of £450 per annum.

Officers retiring before having completed ten years' service in civil employment are dealt with under military rules for pension or gratuity.

NOTE.—[Previous service in an appointment absorbed into the Civil Veterinary Department counts as service rendered in that Department for the purposes of this rule.]

Compulsory Retirement.

689D. The rules in the Civil Service Regulations relating to the compulsory retirement of military officers in civil employ upon attaining the age of fifty-five years apply to Army Veterinary officers in the Civil Veterinary Department (*see Article 679*).

Service in the Field.

689E. Officers of the Civil Veterinary Department called upon to serve with an army in the field are entitled to the privileges of their army rank, and retain the pay and allowances drawn by them in the Civil Department. Such service counts for leave and pension in the same way as service rendered in the Civil Department.

Family Pensions.

689F. The family of a Civil Veterinary officer recruited from the Veterinary Staff of the Army are eligible for pension under the provisions of the Royal Warrant, 'Pay and Non-effective Pay,' applicable to the families of Army Veterinary officers.

Chapter XXIX.—Civil Engineers and Telegraph Officers.

Section I.—Pay and Leave Allowances.

	ARTICLE.		ARTICLE.
EXTENT OF APPLICATION . .	690	RULES REGARDING PAY AND ALLOWANCES	696
COMMENCEMENT OF SERVICE . .	691	LEAVE RULES	697

Extent of Application.

690. The rules in this Chapter apply, to the extent stated in the several Articles, to the following officers:—

Appointed in England.

(*a*) "Cooper's Hill Engineers" of the Public Works Department, *i.e.*,

Civil Engineers trained in the Royal Indian Engineering College at Cooper's Hill.

(*b*) "Stanley Engineers" of the Public Works Department, *i.e.*, Civil Engineers appointed in England in the years 1859-1871 under covenant and after competitive examination, in general accordance with Lord Stanley's Despatch No. 11 (Public), dated 9th March 1859.

(*c*) Other Civil Engineers appointed to the Public Works Department, by the Secretary of State, before the 1st November 1873.

(*d*) Officers of the Telegraph Department specially trained in Europe who entered the Department under covenant with the Secretary of State.

NOTE.—[Mr. J. Possman, of the Indo-European Telegraph Department, has been admitted on special consideration to the benefit of this Article.]

(*e*) "Cooper's Hill Telegraph officers," *ie.*, Officers of the Telegraph Department appointed from, and trained in, the Royal Engineering College at Cooper's Hill.

Appointed in India.

(*f*) "Indian College Engineers" of the Public Works Department, *i. e.*, Civil Engineers trained in the Civil Engineering Colleges in India and appointed by competent authority in India.

(*g*) Other Civil Engineers, who are not of purely Asiatic descent, appointed by competent authority in India.

NOTE.—[Sections II and IV of this Chapter apply not only to the Civil Engineers and Telegraph officers enumerated in this Article, but also to the following classes :—
(*a*) Superior Civil officers of the Telegraph Department not included in clauses (*d*) and (*e*) ;
(*b*) Civil Engineers of the class described in clause (*g*) who are of pure Asiatic descent.]

Commencement of Service.

691. If a "Cooper's Hill Engineer" lands in India on or before the 1st December of the year in which he passes out of College, his service counts from the preceding 1st October, unless another date should be specified in his letter of appointment.

692. If a "Cooper's Hill Engineer" is, after completing his three years' residence at College, required to go through a course of practical engineering in England under a Civil or Mechanical Engineer, his service, unless another date should be specified in his letter of appointment, will reckon from the commencement of the practical course, or from such later date as will be consistent with the regulation that he may count as service towards pension the time spent on such practical course to the extent of one year only.

693. The service of a "Cooper's Hill Engineer," whose case is not provided for in Article 691 or 692, and who does not land in India by the 1st December, and that of any other Civil Engineer appointed by the Secretary of State, counts from the date on which he landed in India.

694. The service of an officer appointed to the Telegraph Department, after training or competitive examination, by the Secretary of State, begins as follows :—

(i) If appointed after competitive examination, from date of covenant.
(ii) If appointed after training at the Royal Engineering College at Cooper's Hill, from date of sailing of vessel selected by the

Secretary of State, or 1st October in the year of passing out of the College, whichever is named in his letter of appointment, provided that he reaches India within two months of that date or other approximate date named in his letter of appointment; otherwise from date of arrival in India. Except in the case of officers appointed from the years 1883 to 1885, both inclusive, whose service will reckon from date of appointment, *i.e.*, date of passing out of College, provided they arrive in India by the vessel in which they were ordered to embark, or within two months of the date on which such vessel was advertised to sail, or other approximate date named in their letter of appointment; otherwise from date of arrival in India.

695. The service of an officer appointed in India begins ordinarily from the date on which he takes charge of the office to which he is first appointed (*see Article 64*).

Rules regarding Pay and Allowances.

696. (*a*) Unless there be something repugnant in the subject or context, the rules in Part II govern the pay and allowances of officers to whom the rules in this Chapter apply.

(*b*) The rules regarding the calculation of acting allowances are laid down in Chapter VI, Section III.

Leave Rules.

697. The Civil Engineers and Telegraph Officers whose leave is regulated by the European Service Rules (Chapter XIII) are enumerated in Article 330, clauses (*c*) and (*e*). The leave of all other officers is regulated by the Indian Service Leave Rules (Chapter XIV).

Section II.—Provident Fund.

	Article.		Article.
Character of Fund . .	698	Disposal and Administration of Fund	701
Amount of Contribution and Interest	700		

Character of Fund.

698. A Provident Fund, on the following basis, is sanctioned for the following officers of the Public Works and Telegraph Departments :—

(*a*) Civil Engineers on the effective list of the Public Works Department.

(*b*) Civil Engineers transferred to the Accounts Branch, or Superior Railway Revenue Establishments, or to Foreign Service under Part VII.

(*c*) All Civil members of the Superior Accounts Establishment who are not Civil Engineers.

(*d*) All Superior Civil Officers of the Indian Telegraph Department.

(*e*) All Civil Officers of the Superior Revenue Establishments of State Railways who are pensionable.

Rules applicable to Special Departments or Special Officers.

(*f*) Civil Under-Secretaries and Assistant Secretaries in the Public Works Branch of the Secretariat of the Government of India or a Local Government or Administration.

699. In the case of officers who were in the Public Works or Telegraph Departments before the constitution of the Fund, the deposits are voluntary, and may be discontinued and renewed at the option of the contributor. But officers who joined the departments after the constitution of the Fund must contribute to it. Apprentices may contribute to the Fund, but are not compelled to do so.

NOTE.—[The Fund was constituted as a compulsory Fund for "Civil Engineers," and Civil Members of the Superior Account Establishment who are not Civil Engineers who entered the Department on and after 4th February 1885, and was extended to "Telegraph officers" with effect from 13th October 1886. It was extended to Civil Under, and Assistant Secretaries of the Public Works Department with effect from 16th August 1888.]

Amount of Contribution and Interest.

700. (*a*) The obligatory contribution to the Fund is five per cent. on *salaries*, with voluntary contributions of a further five per cent.

(*b*) Compound interest at four per cent. on all sums contributed under clause (*a*) is annually credited by Government to each contributor's account.

Disposal and Administration of Fund.

701. The sum which will accumulate under Articles 699 and 700 to the credit of an officer will be his absolute property, to be handed over to him, or to his heirs, unconditionally, on his leaving the service, or in the event of his death, as the case may be.

702. The administration of the Fund rests with the Government of India in the Public Works Department.

Section III.—Pension Rules.

	ARTICLE.		ARTICLE.
EXTENT OF APPLICATION . .	703	PERIOD ADDED ON ACCOUNT OF PREVIOUS EXPERIENCE . .	708
APPLICATION OF ORDINARY PENSION RULES	706	PERIODS OF LEAVE . .	711
SERVICE UNDER AGE . . .	707	AMOUNT OF PENSION . .	712
SPECIAL ADDITIONAL PENSIONS .	714		

Extent of Application.

703. The rules in this Section apply to all officers of the classes described in Article 690 as "appointed in England" and also to those Engineers "appointed in India" who have been specially admitted to the benefits of this Section on account of previous European training; the names of officers so admitted are given in Appendix No. 13.

NOTE 1.—[The Rules in Article 714-A apply to all classes of officers of the Public Works and Telegraph Departments.]

NOTE 2.—[The death, resignation, removal, or retirement of any of these officers should be promptly reported by the Government, Department, or Head of Office, under whom he is serving, directly to the Government of India in the Finance Department.]

Civil Engineers and Telegraph Officers.

704. The pensionary claims of "Indian College Engineers" and of "other Civil Engineers" (whether of purely Asiatic descent or not) "appointed in India," whose names are not included in Appendix No. 13, and of Telegraph Officers not included under clauses (*d*) and (*e*) of Article 690, are governed by the ordinary rules prescribed for officers in "superior" service in Part IV. But in the case of officers of this class who may rise to the rank of Superintending Engineer, or in the Telegraph Department, of Superintendent, 1st grade, or in the Indo-European Telegraph Department, of Director, the Government of India will be prepared to consider favourably their admission to the pension rules, including those contained in Article 714, applicable to the officers specified in Article 703, subject to any general restriction that may be prescribed as to the amount of pension payable to public servants who are *Natives of India*:

Provided that Civil Engineers and Telegraph Officers who are Members of the Provincial Services constituted under the orders contained in the Resolutions No. 2112-G., dated 19th July 1892, and No. 156-T. E., dated 25th August 1892, are not eligible for the concession described in this Article.

1. The concessions made under this Article do not affect the operation of the rules which determine the age from which qualifying service begins.

705. The Government of India may, on special grounds, recommend for sanction of the Secretary of State the grant of an invalid pension on the scale referred to in Article 713 (*a*) to an officer belonging to the classes referred to as "appointed in India" in Article 690, provided that he be not of purely Asiatic descent. This Article does not apply to officers of the Provincial Service.

Application of Ordinary Pension Rules.

706. Unless there is something repugnant in the subject or context, the rules of Part IV apply to officers defined in Article 703, but they are modified in the points noted in the following Articles

Service under age.

707. The rule which excludes service under the age of twenty years does not apply to the officers defined in Article 703. "Indian College Engineers" are also exempted from this disability.

Period added on account of previous experience.

708. The Government of India may, in special cases, add a period, not exceeding three years, to the service of any Civil Engineer appointed to the Public Works Department before the 1st November 1873, with initial rank higher than that of a 1st grade Assistant Engineer.

709. The Civil Engineers whose names are included in lists (*a*) and (*b*) of Appendix No. 14, who were appointed to the Department as Assistant Engineers, 1st grade, are, subject to the proviso in Article 710, allowed, on account of previous experience, to add to their pensionable service a period not exceeding three years: Provided such previous experience was not acquired before the age of twenty-five.

1. The service of an officer who receives any benefit from this concession cannot commence from a date anterior to that on which he attained the age of twenty-five.

NOTE.—[The death, resignation, removal, or retirement of any of these officers should be promptly reported by the Government, Department, or Head of Office, under whom he is serving directly to the Government of India in the Finance Department.]

710. The concessions referred to in Articles 708 and 709 will not, however, be granted to any officer taken over, directly or indirectly, from one of the Guaranteed Railway Companies who received a bonus on leaving the service of the Company.

Periods of Leave.

711. (*a*) An officer belonging to any of the classes defined in Article 703 counts leave with allowances out of India as service as follows :—

If the total service of the officer is not less than—	*He counts as service a period not exceeding —*
20 years	2 years
25 „	3 „
30 „	4 „
35 „	5 „

If the officer's total service is not less than fifteen years, he counts as service a period not exceeding one year spent on leave with allowances out of India.

NOTE.—[The addition of the words "out of India" in the second line of this Article has effect from the 16th October 1894, and leave taken in India after that date, or in the case of officers admitted after that date, to the benefit of this Article at any time, does not count.]

(*b*) Otherwise time passed on leave, other than Privilege or Subsidiary leave, does not count.

(*c*) Total service in this Article means total service reckoning from the date of commencement of service qualifying for pension and includes periods of leave and any period that may be added under Article 708 or 709.

Amount of Pension.

712. The following special scale of Pensions is admissible to the officers defined in Article 703 :—

(*a*) *After a service of less than ten years, an invalid gratuity on the scale laid down in Article 518* (*a*).

(*b*) *After a service of not less than ten years, an invalid pension not exceeding the following amounts* :—

Years of completed service.	Scale of Pension.	Maximum limit of Pension.	
		R	R
10	20 sixtieths of Average Emoluments	1,000 a year	or 83⅓ a month.
11	21 „ „ „	1,400 „	116⅔ „
12	22 „ „ „	1,800 „	150 „
13	23 „ „ „	2,200 „	183⅓ „
14	24 „ „ „	2,600 „	216⅔ „
15	25 „ „ „	3,000 „	250 „
16	26 „ „ „		
17	27 „ „ „		
18	28 „ „ „		
19	29 „ „ „		

(*c*) *After a service of not less than twenty years, a retiring pension not exceeding the following amounts:—*

20 to 24	30 sixtieths of Average Emoluments	4,000 a year or 333⅓ a month.
25 and above		5,000 „ 416⅔ „

713. The officers to whom the above scale applies, who were in the Public Works Department on the 18th April 1884 or in the Telegraph Department on the 23rd January 1885, will, at the time of retirement, be allowed an option between the above scale and the pensions allowable under rules in force on the dates named, namely :—

(*a*) *An invalid pension on the following scale, not being less than R1,000 or more than R2,000 a year :—*

If the qualifying service of the officer be not less than—	*Forty-fifth part of the officer's Average Emoluments.*
10 years	10
11 „	11
12 „	12
13 „	13
14 „	14

(*b*) *An invalid or superannuation pension on the following scale :—*

(i) *After a service of not less than fifteen years, but less than twenty-five years :—*
A pension not exceeding one-third of Average Emoluments, and also not exceeding R3,000 a year; or if the Average Emoluments do not exceed R12,000 a year, R2,000 a year.

(ii) *After a service of not less than twenty-five years :—*
A pension not exceeding one-half of Average Emoluments, and also not exceeding R5,000 a year; or if the Average Emoluments do not exceed R12,000 a year, R4,000 a year.

1. For the exact meaning of the term "Average Emoluments" see Article 531 in Part IV.

Special Additional Pensions.

714. For officers who were members of the Public Works Department or Telegraph Department on 11th October 1893, the following special additional pensions, over and above those allowed in Article 712, may be allowed by the Government of India as rewards of approved service in the responsible positions referred to below :—

(*a*) *Additional pensions of R2,000 per annum to those who have served three years as—*

(i) Chief Engineers, or officers who may have been graded as such.
(ii) Director General, or Deputy Director General of Telegraphs.

NOTE.—[If an officer to whom this clause applies is compelled to retire under the 55 years' rule, or on medical certificate, before he has served the full period of three years, he may, with the special sanction of the Government of India, receive a special pension, which bears the same ratio to the full pension of R2,000, as the number of complete months of service in the grades referred to in this clause bears to the full period of three years.]

(*b*) *Additional pensions of R1,000 per annum to those who have served three years as—*

(i) Superintending Engineers.
(ii) Director of Construction; Director of Traffic; or Superintendent, 1st Grade, in the Indian Telegraph Department.
(iii) Directors of the Persian and Persian Gulf Telegraphs in the Indo-European Telegraph Department.

For the purpose of awarding these special additional pensions, the following officers are treated as of equivalent rank to a Superintending Engineer :—

(i) Civil Engineers (of the classes enumerated in Article 703) in Class I of the State Railway Revenue Establishments.
(ii) Civil Engineers (of the classes enumerated in Article 703) in Classes I, II, and III of Examiners, Public Works Accounts.

Articles 713—714.

Rules applicable to Special Departments or Special Officers.

"It is important to bear in mind that these additional pensions cannot be claimed as a matter of right, but that they will be granted at the discretion of the Government of India as rewards of 'approved services'."—(*Secretary of State's Despatch No. 21 (Public Works), dated 27th May 1888.*)

NOTE.—[See special addition to the form of certificate in form of application for Pension. Form No. 15A.]

714A. For officers to whom special additional pensions under Article 714 are not admissible, the following special additional pensions may be allowed by the Government of India :—

Additional pensions of Rs. 1,000 per annum to those who have rendered not less than three years of effective service in the following appointments, provided that in each case during such service the officer has shown such special energy and efficiency as may be considered deserving of the concession :—

Secretary to the Government of India, Public Works Department.

Director General of Railways and Deputy Secretary, Public Works Department, Railway Branch.

Inspector General of Irrigation and Deputy Secretary, Public Works Department, Civil Works Branch.

Accountant General, Public Works Department, and Deputy Secretary, Public Works Department, Accounts Branch.

*Chief Engineers and Officers of corresponding rank in the several branches of the Public Works Department.

Officers graded as Chief Engineer and seconded from the Department holding appointments of corresponding rank and responsibility in foreign service.

Director General of Telegraphs in India.

Deputy Director General of Telegraphs in India.

Director-in-Chief of the Indo-European Telegraph Department, when the office is held by a member of either the Indian or the Indo-European Telegraph Department.

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* *Detailed list of appointments referred to in this head under Public Works Department as at present held.*

1. Madras	. Chief Engineer	and Secretary,	Public Works Department.	
2. Ditto	. Ditto	and Joint Secretary,	Public Works Department.	
3. Bombay	. Ditto	and Secretary,	Public Works Department.	
4. Ditto	. Ditto	Central Division.		
5. Bengal	. Ditto	and Secretary,	Buildings and Roads Branch.	
6. Ditto	. Ditto	ditto	Irrigation Branch.	
7. N.-W. P. and Oudh	. Ditto	ditto	Buildings and Roads Branch.	
8. Ditto	. Ditto	ditto	Irrigation Branch.	
9. Punjab	. Ditto	ditto	Buildings and Roads Branch.	
10. Ditto	. Ditto	ditto	Irrigation Branch.	
11. Burma	. Ditto	ditto	Public Works Department.	
12. Central Provinces or Assam	Ditto	ditto	ditto	ditto.

(either of these but not both at one time might be held by a Chief Engineer).

13—18. † Railway Branch—

Consulting Engineer to the Government of India for Railways.

Manager, North Western Railway.

Consulting Engineer of any constituted circle, when the appointment is held by a Chief Engineer.

Engineers-in-Chief of Railways under Survey, Construction, or open, when the appointment is held by a Chief Engineer.

† *N. B.*—The present sanctioned number of appointments carrying the rank of Chief Engineer in the Railway Branch is six

Civil Engineers and Telegraph Officers.

715. (*a*) All Service, whether temporary or substantive, counts as service towards these special additional pensions, but periods passed on leave, other than privilege leave, will be excluded.

(*b*) All periods during which an officer officiates for another absent on privilege leave are excluded; also all periods, not exceeding three months, during which an officer officiates for another, who counts, or would, if he were a Civil Engineer, count the time for the special pension.

716. Certain officers of the Indo-European Telegraph Department, appointed before or during 1878, who have a clause in their covenant assuring them of the same status in respect to pensions as officers of the Indian Public Works Department, will, if they rise to or above the grade of Assistant Superintendent, obtain the pensions provided in this Section for officers of the Public Works Department. Their names are as follows :—

Name.	Year of appointment.	Name.	Year of appointment.
Persian Gulf Section.		*Persian Gulf Section.*	
Possman, J.	1863	Butcher, S.	1876
Barber, G.	1869	Johnson, F. W.	1876
Leach, E. A.	1873	Kelly, J. H. C.	1876

(*Secretary of State's Despatch No. 13 (Tel.), dated 22nd July 1886.*)

1. Officers of the Indian Telegraph Department, who may be transferred to the Indo-European Telegraph Department, retain the pensionary privileges of their own branch of the department.

Section IV.—Compulsory Retirement.

LIMITED TENURE OF CERTAIN OFFICES . ARTICLE. 717 | COMPULSORY RETIREMENT . . ARTICLE. 719

Limited Tenure of certain Offices.

717. The tenure of the appointment of Director General of Telegraphs is limited to five years. Extensions of this term can be sanctioned by the Secretary of State alone.

718. No Chief Engineer of the Engineer Branch of the Public Works Department, nor any officer of corresponding rank in the Superior Revenue Establishment of State Railways, or in the Superior Accounts Establishment of the Public Works Department, nor any officer holding the office of Secretary or Deputy Secretary to the Government of India in the Public Works Department, can, without reappointment, hold the same post for more than five years.

NOTE 1.—[This rule applied to Royal Engineers of the Engineer Branch of the Public Works Department, and to Royal Engineers holding the appointments specified in the Public Works Secretariat of the Government of India, under Public Works Department Notification No. 293, dated 3rd September 1880; it applies to all other officers of the classes enumerated in this Article with effect from the 12th October 1887, from which date the period of five years began to run.—(*Public Works Department Resolution No. 2023 G., dated 12th October 1887.*)]

NOTE 2.—[The period of five years referred to in Articles 717 and 718 begins to run from the date on which the officer first becomes entitled to draw the full pay of the appointment, whether holding it substantively or only in an officiating capacity: provided that, if officiating, he is confirmed in the appointment without a break of service.]

718A. The following rules apply to officers, whether civil or military, holding the appointments enumerated below:—

Secretary to Government of India, Public Works Department.
Director General of Railways.
Inspector General of Irrigation.
Accountant General, Public Works Department.
Chief Engineers, Class I, who have held one appointment with that rank for five years continuously.
Consulting Engineer with the Government of India.
Manager, North-Western Railway.
Director General of Telegraphs.

(1) An Officer who is granted a special extension of time in any high appointment in the Public Works or Telegraph Department, the tenure of which is limited by rule, shall not be allowed any leave during such extension except privilege leave; and, should longer leave be necessary on account of ill-health, urgent private affairs, or other cause, the extension shall, *ipso facto*, cease from the departure of the officer on such leave.

(2) An Officer who has served his full time in any of the posts referred to, whose time is not extended, and for whom no suitable post can be found, and who desires to take leave to England until the time for his retirement arrives, whether leave is permissible to him under the rules or not, shall be permitted to take leave on leave allowances not exceeding a maximum limit of £600 a year until he completes the service which entitles him to the maximum pension attainable by him. The same rule applies to an officer compelled to vacate his appointment under rule (1).

(3) The appointments vacated under rule (2) shall be considered vacant, and substantive promotions made in the vacant places.

Compulsory Retirement.

719. Any Civil Engineer of the Public Works Department, who, on reaching the age of fifty years, has not attained the rank of Superintending Engineer, will be liable to be called upon to retire.

720. All Civil Engineers in the Public Works Department, Civilian Under, and Assistant, Secretaries in the Public Works Branch of the Secretariat of the Government of India, or of a Local Government or Administration, and Civilians in the Superior Accounts Branch of the Public Works Department, in the Superior Railway Revenue Establishment, and in the Superior Establishment of the Telegraph Department, are required to retire on attaining the age of fifty-five years.

NOTE.—[The above rule is applicable to all Civilians of the several establishments named, whatever the source of their appointment may be.]

Chapter XXX.—Law Officers.

	ARTICLE.		ARTICLE.
DEFINITION	721	OFFICERS ON FULL-TIMED SALARIES	724
MEMBERS OF THE INDIAN CIVIL SERVICE	722	OFFICERS RETAINED ON FIXED ALLOWANCES	725
GOVERNMENT PLEADER OR GOVERNMENT PROSECUTOR . . .	723	OFFICERS PAID BY FEES . .	726
OTHER OFFICERS . . .	727		

Definition.

721. In this Chapter, unless there is something repugnant in the subject or context, the term "Law Officer" includes—

An Advocate General.
A Standing Counsel.
An Administrator General.
An Official Trustee.
An Official Assignee.
A Receiver of a High Court.
An Officer of a High Court who holds an appointment which by law can be held only by a *Barrister*.
A Secretary in the Legislative Department to a Local Government.
A Remembrancer or Deputy Remembrancer of Legal Affairs.
A Government Advocate, or Assistant to the Government Advocate in Burma, and the Junior Government Advocate in the Punjab.
A Clerk of the Crown.
A Government Solicitor.
A Government Pleader, and a Government Prosecutor.

Members of the Indian Civil Service and of the Statutory Civil Service.

722. The leave of absence and acting allowances of a Law Officer who is a Member of the *Indian Civil Service* or a *Statutory Civil Servant* are regulated by the rules applicable to the Indian Civil Service or the Statutory Civil Service, as the case may be.

Government Pleader or Government Prosecutor.

723. A Government Pleader or Government Prosecutor is entitled to such leave of absence and allowances when on leave, and to such acting allowances, as the Authority who appoints him may think fit to grant, provided that no extra expense be caused to the Government.

Officers on full-timed Salaries.

724. The leave of absence and acting allowances of a Law Officer who is not a Member of the *Indian Civil Service*, or a *Statutory Civil Servant*, or a Government Pleader, or a Government Prosecutor, but whose pay is fixed, and whose whole time is retained for the service of Government, are regulated as if he were a Member of the *Indian Civil Service*.

NOTE.—[See the rule under Article 603.]

Officers retained on fixed allowances.

725. The leave of absence and acting allowances of a Law Officer who is not a Member of the *Indian Civil Service*, or a *Statutory Civil Servant*, or a Government Pleader, or a Government Prosecutor, whose pay is fixed, but whose whole time is not retained for the public service, are regulated by the following Rules which received the sanction of the Secretary of State in his Despatch No. 48, dated 4th November 1875 :—

Active Service.

1. "Active Service" includes, besides time spent on duty, leave of absence taken under Rule 3, and Subsidiary leave of absence taken under Rule 8.

Application.

2. An application for leave of absence must be submitted through the officer who passes his pay to the Authority to whom the officer is directly subordinate.

Leave during Vacation.

3. Leave of absence during the vacation of the High or Chief Court within whose jurisdiction the officer serves may be granted without deduction of pay, provided that no expense be caused by the grant of such leave.

Medical Certificate.

4. Leave may be granted on medical certificate for a period not exceeding one year, and leave so granted may, on medical certificate, be extended to twenty months.

5. Leave of absence on medical certificate may not be granted again until after three years' "Active Service."

Private Affairs.

6. Leave of absence on Private Affairs for a period not exceeding six months may be granted once only to an officer who has rendered six years' "Active Service."

Furlough.

7. After four years' "Active Service" Furlough without pay, but with retention of appointment, may be granted for a period not exceeding one year.

Subsidiary Leave.

8. In very urgent cases, Subsidiary leave of absence may be granted under *Chapter XIII*, provided that no expense be caused by the grant of such leave.

Commutation of Leave.

9. Excepting Subsidiary leave, no kind of leave may be granted in continuation of any other kind of leave; but any leave granted under these Rules may be retrospectively changed for any other kind or amount of leave which might at first have been granted.

Commencement and termination of Leave.

10. If an officer who has obtained leave of absence makes over charge of his office before noon, his leave begins on, and includes, the day on which he makes over charge; otherwise, it begins on, and includes, the following day.

11. If an officer resumes charge of his office after noon, his leave of absence ends on, and includes, the day on which he resumes charge; otherwise, it ends on, and includes, the day before he resumes charge.

Law Officers.

Leave Allowances.

12. An officer, while on leave under Rule 4, 5, or 6, is entitled to half-pay: Provided that his maximum leave allowance shall be, if paid in India, R833⅓ a month, and if paid at the Home Treasury of the Government of India, £250 a quarter.

NOTE.—[An officer compelled to take leave out of India under Rule 4, 5 or 6 owing to ill-health is entitled to the benefits of Article 374A of the Regulations. In applying that Article the word "pay" should be substituted for the word "salary."]

Acting Officers.

13. (*a*) An officer officiating for an officer on leave under these Rules is entitled to the pay of the appointment, less the fraction of it drawn by the absentee, in addition to the same fraction of the pay of his own substantive office, if any. In calculating this fraction the maximum leave allowance of £250 a quarter, payable from the Home Treasury of the Government of India, is held to be equal to R2,500.

Illustrations.—A., the Remembrancer of Legal Affairs in Bombay (pay R1,000 a month), officiates for B., the Advocate General (pay R2,000 a month), who is on leave with an absentee allowance of £1,000 a year = R833⅓ a month, or $\frac{5}{12}$ths of the pay of the Advocate General. A. is entitled to $\frac{5}{12}$ths of the pay of the Advocate General = R1,166⅔, and $\frac{5}{12}$ths of that of Legal Remembrancer = R416⅔, *i. e.*, to a total of R1,583⅓ a month.

(*b*) Provided that—

(i) The minimum salary of a Standing Counsel at Calcutta is R1,000 a month:

(ii) The minimum salary of the Public Prosecutor and Standing Counsel in the North-Western Provinces and Oudh and of a Government Advocate at Lahore, Rangoon, or Moulmein, is three quarters of the pay of the appointment.

Deputation Vacancy.

14. An officer officiating for an officer deputed to act in another appointment or on special duty is entitled to two-thirds of the pay of the appointment in which he officiates, *plus* one-third of the pay of his own substantive appointment if any.

Combination of Offices.

15. If an officer holds more than one appointment, his salary is regulated by *Chapter VIII.*

NOTE 1.—[The rules in the Civil Service Regulations do not apply to the Assistant Secretary to the Government of Bengal in the Legislative Department. If he takes leave, he is not entitled to any allowance from Government.]

NOTE 2.—[Mr. A. B. Miller, Official Assignee, Calcutta, remains (by his own desire) under the Indian Service Leave Rules in Part III, subject to the provisions of Article 726 down to the word "appointed."]

Officers paid by Fees.

726. Leave of absence may be granted under the Rules in the preceding Article to a Law Officer who is paid by Fees, whether his whole time be retained for the service of Government or not, on condition that he make such arrangements for the performance of his duties as are satisfactory to the Authority by which he is appointed, and on condition that, in case of his obtaining leave of absence on private affairs under Rule 6 in that Article, the officiating officer shall receive the whole of the Fees attached to the office.

Other Officers.

727. An officiating Law Officer, who is not subject to the foregoing rules, draws, as acting allowance, the difference between the allowance attached to the appointment and the portion of it drawn by the absentee for whom he officiates: Provided the maximum *salary* (*see Article 117*) is not exceeded.

727A. Extraordinary leave under Article 366 may be granted to the officers in this Chapter.

Rules applicable to Special Departments or Special Officers.

Chapter XXXI.—State Railway Establishments.

Section I.—Revenue Establishments.

	ARTICLE.		ARTICLE.
CLASSIFICATION OF SERVICE . .	728	LEAVE IN CONSEQUENCE OF ACCIDENTS	733A
ORDINARY LEAVE RULES . . .	730	LABOURERS	734
SPECIAL SERVICE LEAVE RULES .	732	RECOVERY OF ADVANCES . .	735

Classification of Service.

728. In the State Railway Revenue Establishment the different classes of service are as follows:—

(*a*) *Permanent pensionable*,—that is, service in all permanent appointments made before 1st September 1881, and service of officers such as Civil Engineers and members of the Engineer and Upper Subordinate Establishment, who may be transferred to the Revenue Establishment, as Managers, etc., even after 31st August 1881.

The service of an officer in the Traffic Department (appointed before 1st September 1881), before he passed the test examination, does not qualify.

NOTE (1).—[If after 1st September 1881 it is considered advisable to employ on a State Railway any permanent servant of the State, whose transfer is not covered by this clause, the case must be specially referred to the Government of India.]

NOTE (2).—[When a pensionable servant is transferred in the interests of the public service and by competent authority, from one Railway to another, in the same capacity, or on analogous work in the same Department of the Railway Establishments, and on the same pay, he retains his pensionable status.]

Exception.—The service of Civilian Upper Subordinates appointed after the 3rd October 1888 to open State Railways and not transferred from permanent pensionable posts, does not *qualify* unless they were serving on that date as apprentices after passing through the Thomason College course, or were attached as students to the Upper Subordinate class of the Thomason College, Rurki, eventually obtaining one of the guaranteed appointments.

(*b*) *Permanent non-pensionable*,—that is, service in all permanent appointments made after 31st August 1881, except as allowed for in clause (*a*).

(*c*) *Temporary*,—that is, service in appointments made from time to time for periods not exceeding twelve months according to the requirements of traffic.

(*d*) *Special service*,—that is, service of engine-drivers, firemen and mechanics, etc., under covenant with the Secretary of State, or who, at the expiry of the term of their covenant, have renewed their engagement under a covenant with the Government of India.

729. A subordinate officer transferred before 1st September 1881 from the temporary to the permanent Revenue Establishment of a State Railway may, with the sanction of the *Local Government*, count towards *pension* the whole or a part of so much of his temporary service as immediately preceded his qualifying service, without interruption.

Ordinary Leave Rules.

730. (*a*) Leave on medical certificate with half-pay to the extent of sixty days in any calendar year may, in addition to any leave admissible under the Indian Service Leave Rules in Part III, be granted, at the discretion of the Manager, to drivers and other subordinate employés of the State Railway Revenue Establishment, whose service is classed as *Permanent "pensionable"* or *"non-pensionable"* under clauses (*a*) and (*b*) of Article 728, and who are not employed exclusively on in-door work, provided the illness has not been caused by the man's misconduct.

(*b*) It may be granted without prejudice to privilege leave, and in continuation of privilege leave, or *vice versâ*. (*See also Rule 1 under Article 291.*)

(*c*) The leave thus granted is included in the leave to which the limit of three years prescribed in Article 369 applies.

731. Leave to members of superior and subordinate State Railway Revenue Establishments classed as "pensionable" or "non-pensionable" under Article 728, clauses (*a*) and (*b*), other than those referred to in the preceding Article, is governed by the ordinary leave rules for European or Indian Services (as the case may be) laid down in Part III.

Special Service Leave Rules.

732. Members of subordinate State Railway Revenue Establishments whose service is classed as "special" under clause (*d*) in Article 728, may be allowed leave as follows, at the discretion of the Manager :—

(*a*) Privilege leave on full pay to the extent of one month in twelve, irrespective of the conditions laid down in Article 291. Any subordinate may, however, be permitted to exercise the option of allowing his privilege leave to accumulate up to three months under the usual conditions regarding such accumulation.

(*b*) Leave on medical certificate on half-pay to the extent of sixty days in one calendar year, provided that the illness has not been caused by misconduct. This leave may be granted without prejudice to privilege leave, and in continuation of privilege leave, or *vice versâ*. (*See also Rule 1 under Article 291.*)

(*c*) In the case of deserving men, the Manager may extend the leave on medical certificate admissible under clause (*b*) to a maximum of six months in one calendar year.

733. The Manager may grant furlough according to the following scale to any of the officers mentioned in the preceding Article who can be conveniently spared :—

(*a*) A first furlough for a period not exceeding—

12	months,	after 7	years' service.
14	ditto	8	ditto.
16	ditto	9	ditto.
18	ditto	10 or more	ditto.

(*b*) A second or subsequent furlough for a period not exceeding—

6	months,	after 3	years' further service,	dating from the expiration of the previous furlough, or sick leave.
8	ditto	4	ditto,	
10	ditto	5	ditto,	
12	ditto	6	ditto,	
14	ditto	7	ditto,	
16	ditto	8	ditto,	
18	ditto	9	ditto,	

(*c*) The period of service upon which furlough may be granted is to be exclusive of time spent on leave of absence of any kind whatever except privilege leave. No second or subsequent furlough shall be granted till after a further actual service of three years, commencing from the date of the expiration of the previous furlough ; and no single furlough shall be granted for a longer period than eighteen months.

(*d*) An officer absent on furlough will be allowed half the substantive pay of his appointment, excluding all allowances, except personal allowances.

NOTE.—[An officer compelled to take furlough, or leave on medical certificate, out of India owing to ill-health is entitled to the benefits of Article 374A. In applying that Article the term "pay" should be substituted for "salary."]

(*e*) The service towards first or subsequent furlough is not cancelled by the grant of sick leave ; but an interval of three years of service must elapse between the return of an officer from sick leave lasting more than sixty days and the grant of any furlough that may be due to him.

(*f*) When an officer has earned either first or subsequent furlough, if from any cause it may be found inconvenient to grant him the whole of the furlough earned, an instalment may be granted, leaving the balance at his credit to be taken when convenient, subject, however, to the maximum limit of eighteen months prescribed above.

Leave in consequence of accidents.

733A. To subordinates on salaries not exceeding ₹250 per mensem leave in India on full pay may be granted by Managers of State Railways in addition to any leave otherwise admissible for the period during which they may be absent from duty for medical treatment, in consequence of accidents met with in the execution of duty, subject to a limit of six months and to record in the minutes of official meetings. The period of absence is treated entirely as duty and does not interrupt privilege leave or deprive the absentee of any allowance of the character of salary or local allowance.

Labourers.

734. Labourers in State Railway workshops employed upon daily wages when temporarily absent from work in consequence of injuries sustained while on duty in workshops, etc., may, under the authority of the Managers of the State Railways concerned, be granted allowances, during their absence, as under, the amount not to exceed—

(i) fifty rupees ;
(ii) one month's pay ;
(iii) (in cases where the absence is less than a month) the pay which the absentee would have earned during the period of leave if he were present on duty.

Recovery of Advances.

735. (*a*) Advances whether made in India (*see Articles 81 and 82*) or by the Home Government should be recovered by monthly instalments of one-third *salary* except in the case of—

(i) Covenanted Engine-Drivers, and
(ii) Covenanted Mechanics, Boiler-Makers, etc.

(*b*) In such cases the recovery should be in such a manner as will ensure their receiving in any one month not less than—

(i) Rupees twenty-five, exclusive of overtime or other allowances, or

(ii) Rupees fifty.

Section II.—Upper and Lower Subordinates and Office and Petty Establishments on lines under construction.

735A. The service of Civilian Upper Subordinates appointed after the 3rd October 1888 to State Railways under construction or survey and not transferred from permanent pensionable posts does not *qualify* for pension unless they were serving on that date as apprentices after passing through the Thomason College course, or were attached as students to the Upper Subordinate class of the Thomason College, Rurki, eventually obtaining one of the guaranteed appointments.

735B. All Lower Subordinates appointed to lines under construction or survey since 21st July 1880 are non-pensionable.

736. All members of the office and petty establishments of State Railways under construction are regarded as temporary servants, unless they were before the 20th July 1880 transferred from a permanently sanctioned post, not being a post on a Railway when under construction. They are not eligible for *pension*, and are liable to discharge whenever their services are no longer required after one month's notice, as provided for in Article 384 (*b*) in Part IV.

737. As regards officers who were, before the 20th July 1880, transferred to railways under construction from permanently sanctioned posts, not attached to railways under construction, the pensionable service of such officers is in no way prejudiced by their fresh employment, and they will continue to enjoy their right to *pension*, even if transferred from the line on which they were on that date engaged to another line also under construction.

738. The service of persons whose service prior to July 21st, 1880, had been solely on lines under construction, and who had been transferred from another line under construction to the line under construction on which they were engaged on the above date, was ordered to be treated as pensionable until the work on which they were engaged was completed. On that date their pensionable service ceased, and if their services were then dispensed with, they were allowed to be paid the pension or gratuity to which they were entitled. If re-employed on another line under construction, their services in the new appointment are not pensionable.

739. The service of officers whose service under Government began on the line on the construction of which they were engaged on July 21st, 1880, is pensionable up to that date only. Service subsequent to that date, though in the same capacity, and on the same line, is non-pensionable, and if entered in the officer's service-book, must be shown as such. Officers whose service under this rule changed from pensionable to non-pensionable, were not allowed to claim their pensions until the work on which they were engaged was completed.

740. The service of all officers engaged for a line under construction since July 21st, 1880, is temporary and non-pensionable.

Section III.—Other offices.

740A. Sub-storekeepers, and Lower Subordinate, Petty, and Clerical Establishments, entertained for any Railway Survey, come under the general rules in Articles 736—740.

740B. The services of all clerks appointed after the 31st January 1889 to the Railway Branch of the Public Works Secretariat of the Government of India, and to all Consulting Engineers' and Port Store-keepers' Offices, and of all Accountants and clerks appointed after the 16th July 1889 to any of the Offices of Examiners of Guaranteed Railway Accounts, do not qualify for *pension* unless transferred from a permanent pensionable post.

Chapter XXXII.—The Bengal Covenanted Pilot Service.

Section I.—Pay and Leave Rules.

	Article.		Article.
Pay of Grades	741	Special Leave	744
Furlough	742	Subsidiary Leave	745
Leave on Medical Certificate	743	Privilege Leave	746
Leave after Superannuation Age	747		

Pay of Grades.

741. (*a*) For the purposes of the Leave Rules, the pay of the several grades of the Service shall be taken to be as follows:—

	R		R
Branch Pilot	1,000 a month.	1st Mate Leadsman passed as Mate Pilot after 1st September 1894	175 a month.
Master Pilot	700 „	1st Mate Leadsman	150 „
Mate Pilot appointed before 1st October 1894	450 „	2nd Mate Leadsman	125 „
Mate Pilot appointed with effect from 1st October 1894	400 „	Leadsman Apprentice	100 „

(*b*) The allowances of Pilots while on special duty and for certain journeys to join vessels are embodied in Appendix 15.

Furlough.

742. Furlough may be taken to the extent of four years during the entire period of service, in the following instalments, *viz.*, after ten years' service, two years, and after every subsequent eight years, one year, on an allowance of half the average pay for the last three years: Provided that no Furlough can be granted to an officer who has taken leave on medical certificate until three years after his return from leave on medical certificate.

If a portion of an instalment is taken, the remainder may be added to any later instalment: Provided that not more than two years' furlough may be taken at one time.

The Bengal Covenanted Pilot Service.

Leave on Medical Certificate.

743. Leave on medical certificate may be taken to the extent of three years during the whole period of service, but not for more than two years at a time, and not more than twice out of India. Such leave cannot be taken for more than one year, except after three years' continuous service immediately preceding. Leave on medical certificate cannot be counted as service for Furlough and no leave on medical certificate can be taken while any Furlough is due. An officer on leave under this Article is entitled to half his Average *Pay* for the first fifteen months of each period of absence, but not for more than thirty months in all. For the rest of his leave under this Article he is entitled to a quarter of his Average *Pay*. The minimum furlough allowance during leave on medical certificate to the officer to whom any allowance is due shall be—

	R
In the case of a Branch Pilot, Master Pilot, and Mate Pilot . .	100 a month.
In the case of a Mate Leadsman and Leadsman Apprentice . .	50 ,,

Special Leave.

744. (*a*) Special leave on urgent private affairs may be granted at any time for not more than six months: Provided that an officer who has had Special leave must render six years' Active Service before he can again have such leave.

(*b*) For the first six months for which an officer is on Special leave, whether the six months be included in the same leave or not, he is entitled to a leave allowance of half his Average *Pay* for the last three years.

(*c*) Thereafter he is entitled to no leave allowance.

744A. An officer compelled, owing to ill-health, to take leave out of India under Article 742, 743 or 744 is entitled to the benefits of Article 374A. In applying that Article the word "pay" should be substituted for the word "salary."

Subsidiary Leave.

745. Subsidiary leave on half Average *Pay*, on the terms and conditions prescribed in Chapter XIII, Articles 352 to 365, may be prefixed and affixed to Furlough, Leave on medical certificate, and Special leave on urgent private affairs, taken out of India.

Privilege Leave.

746. (*a*) Privilege leave may be taken either under the ordinary rules prescribed in Chapter XII, Articles 277 to 305; or

(*b*) For a period of two months in every twelve, on half pay (which cannot be accumulated), on a medical certificate showing that the applicant requires, through sickness, more leave than he could take under the ordinary Privilege Leave Rules. When such leave is taken in extension of ordinary Privilege leave, the period of ordinary Privilege leave first taken under clause (*a*) must be commuted to double the period on half pay under this clause. Leave taken under this clause shall be reckoned as Active Service: Provided that if leave taken under this clause be extended under medical certificate, the whole of the leave shall be treated as leave on medical certificate under Article 743.

(*c*) The leave authorised in clause (*b*) may be taken in instalments; but a Pilot may not take leave under clause (*a*) for eleven months after his return to duty from his last leave taken under clause (*b*).

746A. Extraordinary leave under Article 366 may be granted to the officers in this Chapter.

Leave after Superannuation Age.

747. A Pilot is eligible after he attains the age of fifty-five years for Privilege leave, and for any Special leave on urgent private affairs to which he may be otherwise entitled. No leave, other than Privilege leave or Special leave on urgent private affairs, granted to a Pilot before his fifty-fifth birthday, has effect after that date.

Section II.—Pension Rules.

	Article.		Article.
Retiring Pension . .	748	Invalid Pension . . .	749
Superannuation Pension . .	751		

Retiring Pension.

748. (*a*) After an actual service of thirty years in India, a member of the Bengal Covenanted Pilot Service is entitled to a Retiring pension according to his rank, as follows :—

Rank of retiring officer.	Monthly pension. R
Branch Pilot	200
Any lower rank	100

Invalid Pension.

749. Upon a certificate [in the form prescribed in Article 489 or 491 (as the case may require) of the Ordinary Pension Rules] of incapacity for further service from the Medical Board of the India Office, or from the Surgeon-General or Surgeon-Colonel in Calcutta, or from a Medical Committee over which the Surgeon-General or Surgeon-Colonel should, when practicable, preside, such a Pilot is entitled to an Invalid pension, varying according to his rank, as follows :—

Rank of retiring officer.	Monthly pension. R
Branch Pilot	200
Master „	100
Mate „	60
Leadsman Apprentice	30

750. A Pilot retiring on an Invalid pension while absent on leave in England or in the Colonies will receive the pension of the rank which he held when his leave began, unless he have been promoted within twelve months from that date, in which case he will receive the pension of the rank to which he has been thus promoted.

Superannuation Pension.

751. A Pilot who has attained the age of 55 years may be required to retire unless the Local Government considers him efficient and permits him to

remain in the service. But as the premature retirement of an efficient officer imposes a needless charge on the State the rule should be worked with discretion. A Pilot who has attained the age of 55 years may not at his option retire from the service on a superannuation pension. In every case the question whether retirement should be allowed is one for settlement by the Local Government.

751A. The scale for superannuation pensions is the same as that laid down in Article 749 for invalid pensions.

Section III.—Family Pension Rules.

	Article.		Article.
Contributions	752	Effect of Resignation or Dismissal	758
Amount of Pensions	753	Declarations	759
Births, Deaths, and Marriages	757	Re-marriage	760
Forfeitures	761		

Contributions.

752. (*a*) Members of the Bengal Covenanted Pilot Service other than those described in clause (*b*) must make the following monthly contributions towards the cost of pensions for their widows and orphans :—

	R
Branch Pilot	40
Master „	20
Mate „	10
Leadsman Apprentice	4

(*b*) Under a special concession made on the reorganisation of the Service in 1873, the Pilots whose names are entered below, by a monthly contribution of R16 each, secure for their widows pensions of R100 a month, and full pensions for their children :—

Anderson, G. M.	Hudson, E. F.	Williams, W. R.
Christie, J.	Rayner, F. T.	

Amount of Pensions.

753. Pensions are granted to the widows of pilots married before their husbands retired on pension from the service at the following monthly rates :—

(*a*) To the widow of a Branch Pilot and, excepting as provided in Article 755, of any Pilot whose name is entered in Article 752(*b*), rupees one hundred.

(*b*) To the widow of any other Pilot according to the rank of her husband at the time of his death or retirement, as follows :—

		R
(i)	The widow of a Master Pilot	50
(ii)	„ „ „ Mate „	30
(iii)	„ „ „ Leadsman Apprentice	15

754. Pensions are granted at the following monthly rates to the children

of Pilots of all ranks by wives married before their husbands retired on pension from the service :—

		₹
(*a*)	To each son until the age of fifteen years . . .	12
(*b*)	,, daughter until the age of ten years . . .	14
(*c*)	,, ,, over the age of ten years until marriage .	20

755. If any Pilot whose name is entered in clause (*b*) of Article 752 dies or retires on pension before attaining the rank of Branch Pilot, and before his subscription aggregates ₹5,000, his widow's pension will be reduced by one-sixth, *i.e.*, to ₹83⅓ a month, until the deficiency is made up.

756. A wife married to a Pilot after his retirement on pension from active service and her children are entitled to no pension.

Births, Deaths, and Marriages.

757. To entitle widows and orphans to pensions under these Regulations Pilots are to forward to the Port Officer certificates of their marriage, and of the births of their children and their baptisms, within one month after the occurrence thereof. Notices of death are in like manner to be forwarded to the Port Officer.

Effect of Resignation or Dismissal.

758. Subscriptions by a Pilot for the purpose of securing pensions for his wife and children are refunded in the event of his resignation or dismissal.

Declarations.

759. Widows and female orphans above the age of fifteen years are required to forward to the Office of the Accountant General, Bengal, declarations, half-yearly, in May and November, that they are not married, and that they have not been married at any intervening period. The declarations are to be countersigned by the Executor to the estate of the deceased member of the Pilot Service or pensioner, or by the guardian of an orphan, and by a member of the Pilot Service, or a person exercising any of the powers of a Magistrate, or of a Minister of Religion, certifying to the truth of the declaration to the best of their knowledge and belief. Forms of the declaration will be furnished on application to the Accountant General, Bengal.

Re-marriage.

760. If a widow pensioner marries, her pension ceases during her coverture; but in the event of her again becoming a widow, she is re-admitted to the pension to which she was entitled during her first widowhood unless her second husband was a member of the Pilot Service, and, at his death, of a higher grade than her first husband, in which case she is entitled to the pension of the higher rank.

Forfeitures.

761. No widow who may have been legally divorced or separated from her husband for adultery, or who, at the period of her husband's demise, may have

quitted his protection and be living in a state of notorious adultery, though not divorced or separated from him by law, or who, after her husband's decease may be living in a notorious state of incontinence, and no female orphan living in such state shall be entitled to receive, or continue to receive, any pension under these rules.

Section IV.—Rate of Exchange for Pensions.

762. (*a*) The pension of a Pilot who was in the service prior to the 30th August 1883, if drawn in England or in the Colonies, is payable at the rate of 1*s.* 1*d.* per rupee.

(*b*) The pension of the family of a Pilot who was in service on the 15th September 1881, if drawn in England or in the Colonies, is paid at the rate of 1*s.* 1*d.* per rupee.

(*c*) The pension of a Pilot or of the family of a Pilot, as the case may be, who was appointed to the service after the dates named in clauses (*a*) and (*b*), will be paid at the rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and Indian Governments.

Chapter XXXIII.—Port Blair Police.

Section I.—Leave Rules.

	Article.		Article.
Privilege Leave . . .	763	Extraordinary Leave . .	769A
Leave to India . . .	764	Leave allowances . . .	770

Privilege Leave.

763. (*a*) Privilege leave may be granted to the men employed in the Port Blair Police Force as under :—

(i) Two months after thirty months' consecutive service.

(ii) Three months after thirty-six months' consecutive service.

(*b*) Such leave cannot be claimed as a right, and will only be granted when it can be given without inconvenience to the Public Service.

(*c*) Such leave, if taken to India, may be overstayed without forfeiture of pay by such a period not exceeding eight days as may intervene between the date of the expiration of the leave and the date preceding that of the departure of the next mail steamer from Calcutta to Port Blair.

Leave to India.

764. Furlough and leave on Medical Certificate to India is granted to Inspectors and Sub-Inspectors under the Indian Service Leave Rules in Part III.

Rules applicable to Special Departments or Special Officers.

765. (*a*) Furlough to unmarried men, or men whose families remain at their homes in India, may be given, in turn, after five years' continuous service in the Settlement.

(*b*) Furlough may also be given, in special cases, at the discretion of the Superintendent, to married men having their families at the Settlement, after a continuous service of not less than five years.

(*c*) It may be granted for periods of from four to six months, according to the distance of the applicant's home from Calcutta.

766. Policemen of all ranks below that of Inspector proceeding to India on leave of any kind are entitled to free passages both ways by sea, and Sergeants and Constables proceeding on furlough or leave on medical certificate are also entitled to free passages by rail to and from their homes.

767. (*a*) Policemen proceeding to India on leave of any description should ordinarily be employed on the voyage in guarding transferred convicts.

(*b*) On the expiration of their leave they will report themselves to the Commissioner of Police, Calcutta, with a view to their employment as convict guards on the return journey.

768. The total number of men on leave at one time from all causes other than Privilege leave shall not exceed ten per cent. of the Force.

769. Absence without leave is punishable by dismissal or forfeiture of pay.

Extraordinary Leave.

769A. Extraordinary leave under Article 866 may be granted to the officers in this Chapter.

Leave Allowances.

770. During Privilege leave full pay is admissible.

771. While ill in hospital at Port Blair or Nancowri, absentee allowances are granted as follows :—

(*a*) Constables and Sergeants—Full pay for so long as they may be in hospital.

NOTE.—[This concession does not interfere with the grant of any leave admissible under this Section.]

(*b*) Chief Constables, Sub-Inspectors, and Inspectors—In accordance with the Indian Service Leave Rules in Part III.

772. During leave on Medical Certificate spent in India an absentee allowance is granted at the following rates :—

(*a*) Constables—Subsistence allowance of R6 a month.

(*b*) Naiks—Subsistence allowance of R8 a month.

(*c*) Sergeants—Subsistence allowance of R10 a month.

(*d*) Chief Constables—Half-pay for fifteen months and subsistence allowance of R15 a month after that term.

773. During Furlough under Article 765 an absentee allowance of half-pay is granted.

Section II.—Pension Rules.

	ARTICLE.		ARTICLE.
PENSION ADMISSIBLE . . .	774	HOSPITAL LEAVE NOT COUNTED .	775

Pension admissible.

774. Members of the Port Blair Police Force are entitled to *pensions* under the regulations contained in Part IV, for the calculation of ordinary *pensions* for Superior service, except that the amount of the pension or gratuity which may be granted shall not, except in the case of an Inspector, a Subadar, or a Jemadar, exceed three-fourths of what is admissible under Chapter XIX.

Hospital Leave not counted.

775. Time spent in hospital at Port Blair or Nancowri by constables and sergeants of the Port Blair Police Force, during which they receive full pay under Article 771, does not *qualify* for *pension*.

Chapter XXXIIIA.—Assam Military Police.

775A. Pensions will be granted to policemen, and in the exceptional cases specified in the rules, to their heirs, in accordance with Parts IV and VI of the Civil Service Regulations.

775B. Furlough on private affairs may be granted by Commandants of Battalions on the following conditions, namely :—

(*a*) That the number absent on furlough and sick leave at any one time shall not exceed 5 per cent. of the strength of the Battalion from 15th October to 15th April, and 10 per cent. from 16th April to 14th October.

(*b*) That the pay of all ranks on furlough shall be half Assam pay.

(*c*) That free passages to and from their homes by river and rail shall be given to all ranks.

(*d*) That the period of furlough shall not exceed six months, counting from the day of departure from the head-quarters to the date of return to those head-quarters.

775C. Sick leave on medical certificate may be granted by Battalion Commandants to all ranks on the following conditions, namely :—

(*a*) That leave may be given without regard to the number of men absent.

(*b*) That a man taking sick leave shall forfeit his turn for furlough, and that his name shall be placed at the bottom of the furlough roster.

(*c*) That sick leave shall not be given for a period of longer than six months, counting from the date of departure from the head-quarters to the date of return to them, without the sanction of the Chief Commissioner.

Articles 774—775C.

(*d*) That pay on sick leave shall be full pay for as long a time as the man is entitled to privilege leave, and half-pay for the remainder of the first six months; and, in case of extension being granted, half-pay. The pay of a man on sick leave taken in extension of furlough shall be half Assam pay.

(*e*) That free passage by river and rail to and from their homes shall be given to all ranks proceeding on sick leave.

(*f*) Sick leave on full pay for a period not exceeding one month may be granted to all ranks while in hospital. In exceptional cases, *e.g.*, in consequence of wounds received in action, or for other special reasons this privilege may be extended to two months under the special sanction of the Chief Commissioner. After this period, such leave may be granted on half pay. Leave granted under this rule shall not interfere with the grant of ordinary sick leave on medical certificate.

775D. Privilege leave on urgent private affairs may be given under Part III of these Regulations to men whose conduct has been good. The granting of leave under this Section shall be at the discretion of the Commandant.

Free passages will not be given by river or rail to men going on privilege leave or returning from it.

The Inspector General of Police may frame subsidiary rules not inconsistent with these rules for the guidance of Commandants in granting furlough and leave.

775E. Any member of the force belonging to races foreign to Assam, who may be recruited outside the Province, may bring his family to Assam on the following conditions, namely:—

(*a*) That the term "family" means his children, his wife, and one relative; not more than one wife may be brought.

(*b*) That quarters are available in the police lines.

(*c*) That the permission in writing of the Commandant has been obtained.

For the conveyance of the families, third-class passages will be granted by railway, and deck passages by steamer, in the case of all Native officers on payment of one-third of the passage money and fare; in the case of 20 per cent. of the non-commissioned officers of each battalion, free of charge; in the case of 5 per cent. of the privates of each battalion, free of charge. The percentage must be reckoned on the number of foreigners only.

Return passages to their homes will be granted to the families of such officers and men dying in Assam.

Chapter XXXIIIB.—Calcutta and Suburban Police Forces.

775F. The leave of absence and acting allowances of officers and men of the Calcutta and Suburban Police Forces, whose pay does not exceed Rs. 20 a month, are regulated by the following Rules:—

(1) One month's leave may be granted at any time, but without pay; such leave is only to be granted in special cases, and when good ground exists for granting the indulgence.

(2) One month's leave may be granted after eleven months' actual service, without deduction of pay.

(3) Special leave for four months may be granted on half pay to any officer or constable, who has served for four years without taking leave of any description whatsoever.

(4) Officers and constables, whose homes are more than 400 miles from Calcutta, may in special cases, have the leave, granted under Rule (3), extended to five months, and those whose homes are more than 800 miles to six months.

(5) Sick leave may, at any time, be granted for one month on full pay.

(6) Sick leave, on production of a certificate signed by the Police Surgeon declaring such leave to be absolutely necessary, may be granted for four months on half pay. (The longer periods granted to men, whose homes are more than 400 and 800 miles from Calcutta, in Rule (4), may be also granted to applicants under this rule.)

(7) Leave granted under Rules (1), (2), (3) and (4), cannot be claimed as a right, but may be granted at the discretion of the Commissioner of Police, provided that no inconvenience to the public service will be occasioned, and that the funds admit.

(8) The place of any officer or constable absent from duty on leave, under Rules (3), (4), or (6), may be filled up by the temporary promotion of a substitute from the next lower grade, whose place again may, in like manner, be filled up by promotion from the lower grades.

(9) Any officer or constable acting for another absent from duty under Rules (3), (4) or (6) shall draw half his own salary *plus* half that of the superior officer for whom he is acting, and any saving accruing from such arrangement shall be carried to the credit of the Leave Fund.

(10) The half salary of any officer or constable on leave, whether special or on medical certificate, will be payable only on return to duty. Should the absentee not rejoin upon the expiration of the leave granted to him, he will be liable to forfeit all claim to the half pay he would otherwise receive upon return. All sums thus forfeited are to be carried to credit of the Leave Fund.

(11) The number of men allowed to be absent on special leave is not to exceed 10 per cent. of the effective numerical strength.

PART VI.—WOUND AND OTHER EXTRAORDINARY PENSIONS.

GENERAL ARRANGEMENT.

CHAPTER XXXIV.—WOUND AND OTHER EXTRAORDINARY PENSIONS:—

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PART VI.—WOUND AND OTHER EXTRAORDINARY PENSIONS.

Chapter XXXIV.—Wound and other Extraordinary Pensions.

Section I.—Wounds on Military Service.

	ARTICLE.		ARTICLE.
EXPLANATION	776	CIVIL OFFICERS OF GOVERNMENT .	778
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Explanation.

776. Gratuities and pensions to officers wounded, and to the families of officers killed, in action, or in the execution of duty otherwise than in action, and to the families of officers whose death is due to illness contracted on service with an army in the field may, in cases in which, under the Army Regulations, India, they would be admissible to the officers or men of the Regular Forces or to their families, be granted under the following Regulations, the grant being reported to Her Majesty's Secretary of State for India.

NOTE.—In a case falling clearly and strictly within the letter of the rules, the Local Government may grant the pension admissible, the report to the Secretary of State being made through the usual channel.

Volunteers.

777. Officers and servants of Government, being Volunteers, who are called out on actual Military Service, are entitled (themselves and their families) to the pensions, allowances, or gratuities admissible under Army Regulations, India, Vol. IX, Sec. XIX, as amended by India Army Circulars of 1896, clause 168: Provided that, if any such officer or servant of Government is wounded or killed in such actual Military Service, and he or his family are in consequence thereof, entitled by the following rules or by the rules of the Service to which he belongs, to a higher pension, allowance or gratuity than is provided by the rules under Army Regulations, India, Vol. IX, Sec. XIX, as amended by India Army Circulars of 1896, clause 168, then he or his family shall receive such higher pension, allowance, or gratuity in lieu of that provided by the said rules. Provided also, in every case, that he has given to the head of his office if he is a member of an office establishment, or to his superior officer in other cases, notice of his having been called out.

Civil Officers of Government.

778. Gratuities and pensions are granted to members of the Indian Civil Service and other Civil Officers wounded, and to the families of such officers killed, while serving (in circumstances justifying their presence) with a military force, and to the families of such officers whose death is due to illness contracted on service with an army in the field, according to the scale

applicable to officers or men of the Regular Forces or their families, the rank of the officers being determined as follows:—

(i) In the case of Members of the *Indian Civil Service*:—

An officer of—	Ranks as—
Less than 5 years' standing	a Lieutenant.
More than 5 „ „	a Captain.
„ 12 „ „	a Major.
„ 18 „ „	a Lieutenant-Colonel.
„ 23 „ „	a Colonel.
„ 31 „ „	a Major-General.
Lieutenant-Governor or Chief Commissioner	a Lieutenant-General.

(ii) In the case of any other Civil officer:—

An officer whose salary is—	Ranks as—
R 16 a month or upwards	a Sepoy.
50 ditto	a Jemadar.
100 ditto	a Subadar.
200 ditto	a Lieutenant of less than 3 years' service.
300 ditto	a Lieutenant of more than 3 years' service.
500 ditto	a Captain.
1,000 ditto	a Major.
1,500 ditto	a Lieutenant-Colonel.
2,000 ditto	a Colonel.
2,500 ditto	a Major-General.

(iii) A Viceroy of India or Governor of a Presidency ranks as a Field Marshal, General, or Lieutenant-General Commanding-in-Chief.

(iv) A person who is not in the service of Government ranks according to his status in life as compared with an officer of the Regular Forces.

Place of Payment.

779. A Civil officer in receipt of a wound pension cannot draw it from the Home Treasury of the Government of India, while serving or residing in India, but must draw the pension at the place where his pay, absentee allowance, or pension is disbursed.

Mutiny Pensions.

780. The widow of a Civil officer (not being a Member of the *Indian Civil Service*) who receives a pension on account of her husband having been killed in the Mutiny, retains half her pension after re-marriage. Her half pension is not increased on second widowhood.

Section IA.—Special Cases.

	Article.		Article.
Special Cases	780A	Wound Leave . . .	780B

780A. In special cases, as, for instance, when an officer is wounded in an encounter with dacoits, the Government of India may relax the condition of Article 778 as to service with a military force. In such cases the pension or gratuity granted to a Civil officer will be calculated according to the scale laid down in the Army Regulations, India, Volume I, for wounds and injuries received in the execution of military duty otherwise than in action, the rank of the civil officer being determined as in Article 778.

Wound Leave.

780B. An officer compelled to absent himself from duty, in consequence of wounds received in action, or of illness contracted by active service in the field (in circumstances justifying his presence) with a military force (*i.e.*, service recognized as such by the Government of India), or of illness which was originally contracted on such service, being aggravated or reproduced by subsequent service of a similar nature, may be allowed extraordinary leave on medical certificate, irrespective of the period which has elapsed since his last return from leave of any description. Such leave will not reckon as part of the maximum admissible under general rules, and it will, except as regards the earning of furlough, count, up to a maximum of 12 months, as active service, provided that—

(*a*) it must be taken immediately in consequence of the wound or illness, *i.e.*, without any intervening period of active service ;

(*b*) it is certified by the Medical Board, before which the officer appears, that the disability owing to which leave has become necessary originated on active service in the field and was solely caused by hardship and exposure undergone, or by wounds received, during such service ;

(*c*) it cannot be combined with any other kind of leave, except leave on medical certificate ;

(*d*) allowances during such leave will be half average salary, subject to the maxima applicable to ordinary furlough ; and no allowances will be paid for any leave in excess of two years ;

(*e*) the medical certificate must state the term for which leave is necessary in consequence of the wound or illness, and any extension of that period can be granted only on a fresh medical certificate ;

(*f*) an interval of three years must intervene between expiry of such leave and furlough, except in the case of furlough on medical certificate, when the interval need not exceed six months.

Section II.— Injuries received on Duty.

ARTICLE.

EXTENT OF APPLICATION . . . 781 | AMOUNT OF PENSION . . . ARTICLE. 785

Extent of Application.

781. (*a*) The rules in this Section are analogous to the Regulations for the grant of pensions to soldiers wounded in action and to the heirs of soldiers killed in action, and provide for a *pension* in cases of injury or death :—

(i) to a man so injured in the execution of a public duty as to be incapacitated for earning a livelihood ;

(ii) to the family of a man killed in the execution of a public duty.

(*b*) They apply to any person employed in the service of the Government, whether permanently, temporarily, or even casually, and whether remunerated by fixed pay, or (as, for example, Miners in the Salt mines) for piece-work.

(*c*) They apply also to a Village Watchman (including a Municipal Chowkidar in the North-Western Provinces and Oudh) or his family, even though he receives no pay from the State.

782. A wound or extraordinary *pension* is granted only when injury or death is met in the performance of a duty which is attended with extraordinary bodily risk. The Government recognises no claims on account of loss of life or bodily injury resulting from an ordinary accident. The following are examples of cases of ordinary accident:—

A Policeman falling from a horse; a Policeman on escort duty killed by sunstroke; a Lascar killed by the snapping of a hawser; a Labourer falling under a burden.

NOTE.—[In an Order by the Government of India in the Finance Department, No. 3131, dated 20th September 1873, it was observed that this rule being based upon the analogy of the regulations for the grant of pensions to soldiers wounded, and to the families of soldiers killed in action, the Government is compelled strictly to limit its application to the cases for which it is intended to provide; and, moreover, that it is obviously inexpedient for the Government to dispense charity in individual cases, or to do anything which might weaken the inducements to officers to secure proper provision for their families.]

783. A pension is granted to the family of a man killed in the execution of his duty, only if he had a wife, legitimate child, father or mother, dependent upon him for support.

784. The Government does not bind itself to grant pension in every case, or, if it grants pension, to grant it for life.

Amount of Pension.

785. The amount of *pension* is to be regulated by—

(i) the character and service of the injured or killed;

(ii) the nature of the risk undergone, and the conduct of the man in accepting it;

(iii) the nature and extent of the injury received;

(iv) the pecuniary circumstances and prospects of the claimant.

786. Injuries for the purposes of this Section are classed in four degrees:—

1st Degree.—Men losing two limbs or both eyes from wounds; or being so severely wounded as to be totally incapable of earning a livelihood and to require the care and assistance of some other person.

2nd Degree.—Men losing one limb or one eye; or being so disabled as to be incapable of earning a livelihood, though not requiring the care of another person.

3rd Degree.—Men not losing a limb or an eye who have received an injury equal to the loss of a limb, or who are otherwise so disabled as to be capable of contributing in only a small degree towards earning a livelihood.

4th Degree.—Men able to contribute materially towards a livelihood, although unfit, from wounds, for the ordinary duties of the service.

787. Under ordinary circumstances, the Local Government may grant a gratuity not exceeding six months' pay and also not exceeding R600, report-

ing the grant as in the case of an ordinary gratuity. The Government of India may likewise grant a gratuity not exceeding six months' pay or R1,000, whichever is greater.

787A. The Government of India has also the power to grant gratuities, not exceeding in any case R1,000, to officers injured and to the families of officers dying or killed in the execution of public duties, in circumstances which do not fall strictly within the conditions of Article 782.—(*Despatch from Secretary of State, No. 1 (Financial), dated 8th January 1891.*)

788. A *Local Government* may, as a special case, grant a gratuity not exceeding R20, or two months' pay, whichever is less, to a day labourer or mechanic injured, or to his representatives if he is killed, in the execution of duty by causes beyond his control, if the injury is not such as to allow of a wound or extraordinary pension being granted under the foregoing rules.

The object of such gratuity is to enable the injured person or the representative of the deceased to return to his friends or to afford him subsistence for a little time. The gratuity is chargeable to the work on which the injured person or the deceased was engaged.

A list of gratuities granted under this rule during the year should be forwarded annually on the 1st March to the Government of India in the Public Works Department.

789. Under special circumstances the *Local Government* may grant a pension not exceeding R10 a month, and the Government of India may grant a pension not exceeding R25 a month, to a Government officer injured, or to the family of a Government officer killed, in the execution of his duty as follows :—

(i) To an officer wounded in the first or second degree, a pension not exceeding full pay.

(ii) To an officer wounded in the third or fourth degree, a pension not exceeding half pay ; or, if the officer is entitled to an invalid pension of half pay under the ordinary rules for superior or inferior service, then not exceeding three-quarters pay.

(iii) To the family of an officer killed in the execution of his duty, a pension not exceeding half the pay of the deceased officer, and not less than R2½ a month.

790. (*a*) A pension granted under clause (i) or (ii) of the preceding Article will, unless the pensioner is more than sixty years old (in which case it will be permanent), continue, in the first instance, for two years only.

(*b*) At the end of eighteen months, the pensioner shall be examined afresh by a Medical Officer in charge of a civil station, upon whose report the Local Government will decide whether the pension shall be continued or not for a further term, or permanently, and whether the pensioner shall be subjected or not to further medical examination.

791. (*a*) If a pension is granted to a family under Article 789 (iii), it is allotted for the support of the family to the eldest surviving son :—

(i) failing sons, to the eldest widow, for the same purpose ;

(ii) failing both sons and widows, to the eldest surviving unmarried daughter, for the same purpose ;

(iii) these failing, to the father, for the same purpose;
(iv) and failing all others, to the mother for the same purpose.

(*b*) To a male, pension is given as follows:—
(i) if the pensioner is under six years of age, till he is eighteen years old;
(ii) if above six and under fifty years, for twelve years;
(iii) if not under fifty years, for life.

(*c*) The pension to a female is for life or until marriage; (1) but, on her suitable marriage, the Local Government may, at its discretion, grant her five years' pension as a dowry.

NOTE (1).—[A Political, Extraordinary, or other pension granted in the Civil Department to a female infant, native of Asia, shall, in the absence of special orders to the contrary, last until she leaves her own family to cohabit with a husband, or, being married, attains the age of sixteen years, whichever event happens first.—(*Finance Resolution No. 8767, dated 2nd November 1876.*)]

(*d*) A pension is given to only one member of each family, and no transfer of the pension to another member is permitted on its lapse either by the demise of the pensioner or for any other reason, or on its remaining in abeyance under the operation of the rules in Chapter XXI.

NOTE (1).—[The words "for the support of the family" should be inserted in every order sanctioning a pension under Article 789 (iii.)]

Section III.—State Railway Rules.

	ARTICLE.		ARTICLE.
RAILWAY SERVANTS . . .	792	OTHER PERSONS	796

Railway Servants.

792. A Local Government having State Railways under its control may grant a gratuity to any State Railway servant who may be injured, or to the representatives of any State Railway servant who may be killed, by the working of trains or engines, otherwise than through his own negligence or wilful action: Provided that such gratuity shall not exceed a sum equal to six months' pay of the servant injured or killed, or a maximum of ₹200.

793. If the Local Government thinks ₹200 insufficient, a reference must be made to the Government of India.

794. The Director General of Railways exercises the powers of a Local Government on State Railways not under Local Governments.

795. Gratuities paid to Railway servants or their families under Article 792, or, if the sanction of the Government of India is required, under Articles 792 and 793, are paid by the *Accountant General* and charged to the head "Superannuations" on the accounts of the Civil Department.

Other Persons.

796. Gratuities to injured persons who are not in Government employ are dealt with under departmental rules, and not under these Regulations.

Section IV.—Procedure.

	Articles.		Articles.
Preliminary Inquest	797	Application for Pension	798

Preliminary Inquest.

797. Whenever a claim for Wound or Extraordinary *pension* arises, the Head of the Office in which the man killed or injured was employed must hold a formal inquest, taking evidence on the following matters:—

(i) the circumstances under which the injury was received, or the life lost;

(ii) the relationship (in the case of a death) and the pecuniary circumstances of the claimants.

Application for Pension.

798. The Head of the Office will then submit the case, with a report through his official superiors, to the Government, together with, in the case of a man injured, an application in the usual form (No. 15), and in the case of a man killed, an application in the following form:—

Application for an Extraordinary pension (or gratuity) for the family of A. B., late a _____ *killed in the execution of duty. Submitted by the* _____

Description of claimant.
1.—Name and residence, showing Village and Pergunnah.
2.—Age.
3.—Height.
4.—Race, caste, or tribe.
5.—Marks for identification.
6.—Present occupation and pecuniary circumstances.
7.—Degree of relationship to deceased.

Description of deceased.
8.—Name.
9.—Occupation and service.
10.—Length of service.
11.—Pay when killed.
12.—Nature of injury causing death.

13.—Amount of pension or gratuity proposed.
14.—Place of payment.
15.—Date from which pension is to commence.
16.—Remarks.

(*Place.*)
(*Date.*)

Signature of Head of Office.

799. Whenever application is made for a pension under the preceding Article, a list should be given of the names and ages of the surviving kindred of the deceased officer, as follows:—

	Name.	Date of birth by the Christian era.
Sons		
Widows		
Daughters		
Father		
Mother		

If the deceased has left no son, or no widow, or no daughter, or no father, or no mother surviving him, the word "None" or "Dead" should be entered opposite to such relative.

Section V.—Re-employment of Wound Pensioners.

800. A Wound or Extraordinary pension granted under these Regulations, or under Military Rules, to a Native Commissioned officer or a Non-Commissioned officer or soldier for wounds and injuries, may, in the event of the pensioner's subsequent employment in the Civil Department, be, during such employment, reduced or suspended by the Government which granted the pension.(1)

(1).—["The withdrawal of pension is optional with the Local Government, and it should not be withdrawn except in cases of *complete* recovery. If A. B. is still capable of contributing in only a small degree towards earning a livelihood, his pension should not be withdrawn now that he is serving in the Custom House, Bombay, as he is not earning as much as he might have done had he not suffered from the wound or injury."—(*Military Department, to Bombay, No. 5008., dated 13th September 1878.*)]

801. If, however, the Wound or Injury pension of a Native Commissioned officer or a Non-Commissioned officer or soldier includes an Invalid pension, he may, if the Wound or Injury pension is withheld, draw the Invalid pension in addition to civil salary.

PART VII.—FOREIGN SERVICE AND SERVICE UNDER LOCAL FUNDS.

GENERAL ARRANGEMENT.

		ARTICLES.	PAGE.
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PART VII.—FOREIGN SERVICE AND SERVICE UNDER LOCAL FUNDS.

Chapter XXXV.--General Definitions and Conditions.

	ARTICLE.		ARTICLE.
CLASSIFICATION	802	BERAR OFFICERS	804

Classification.

802. Foreign service is of three kinds, *viz.*: —

First.—When an officer of Government is allowed to take service under an employer who is not under the orders of Government and is allowed while in such service to maintain his claim to *pension* and leave in the same way as if he were still in the service of Government.

Examples.—Officers lent to Egypt, or to the Colonies or to a Native State, or a Port Trust, or a Municipality, or a Railway Company.

Second.—When Government having obtained control over or having received in trust certain funds other than *General Revenues*, creates special appointments or special establishments at the cost of the said funds for the purpose of exercising such control or trust.

Examples.—Administrators of Native States, Managers of Courts of Wards' Estates.

Third.—When additions are made to an existing service or an existing establishment to provide for work which has to be done under the supervision and control of the supervising and controlling officers of the service or establishment, the cost of the additions being charged to, or recovered from, the persons or bodies in whose interest the work is done.

Examples.—Political Agents appointed at the cost of the States concerned; Assistant Opium Agents in Native States and their establishments; establishments employed in Government offices for the control of local funds the members of which are appointed and controlled by Government, but the cost of which is recovered from the foreign services or local funds concerned.

803. (*a*) Foreign service of the first and second kinds qualifies for leave and *pension* or for *pension* only in the case of officers transferred by competent authority from qualifying service under Government with the privilege of retaining their title to leave or pension, which in all but special cases is made subject to payment of contributions to Government in respect of the cost of such leave or *pension*.

(*b*) Foreign service of the third kind qualifies for leave and *pension* in the same way as service in the rest of the department or establishment, of which the appointment forms a part; but arrangements are made for the recovery of the cost, as laid down in Chapter XXXVII.

Berar Officers.

804. An officer may be transferred from qualifying service payable from the revenues of Berar in the same way and on the same conditions as from general qualifying service. In such case his contributions, unless he is a member of some general establishment or service under the British Government, or unless he is one of the officers enumerated in the exception under Article 34, will be credited to the revenues of Berar, and the service will *qualify* in the same way as if it were paid from the revenues of Berar.

Chapter XXXVI.—Foreign Service of the first and second kinds.

Section I.—Conditions of Foreign Service of the first kind.

	ARTICLE.		ARTICLE.
EXPLANATION . . .	805	SERVICE IN EGYPT . .	811
SANCTION TO TRANSFER .	806	FOREIGN SERVICE DURING LEAVE	812
CONTRIBUTION REQUIRED .	808	TEMPORARY TRANSFERS . .	815
EXEMPTIONS FROM CONTRIBUTION . .	817		

Explanation.

805. The position of the Government of India, and the difficulty experienced by Native States and public bodies in obtaining competent officers without its assistance, frequently render it necessary for the Government, for political or for public reasons, to transfer its officers to the service of such States or bodies. Such transfers would, as a general rule, be impossible if the condition were insisted on, that the officer transferred should give up his privileges as an officer in the service of the Government of India, and the rules prescribed in this Part of these Regulations show what financial arrangements are to be made in the case of officers of Government lent or transferred to service paid by Native States, Municipalities, and other bodies whose revenues are distinct from the public revenues of Government, such as Courts of Wards, Port Trusts, etc., and permitted at the same time to retain their privileges as servants of Government.

Sanction to Transfer.

806. An officer may not be transferred to Foreign service of the first kind unless the following conditions are complied with :—

(i) The service required of the officer transferred is one which it is advantageous for public reasons (and not merely in the interest of the officer concerned) should be provided for by a servant of the British Indian Government.

(ii) The transfer is made by, or with the consent of,

(*a*) The *Local Government* under which the officer is serving, in the case of transfer to Foreign service in India, subject, if the case is one of transfer to the service of a Native State, and if the remuneration proposed exceeds that specified in clause (iv) of this Article, to the sanction of the Government of India in the Foreign Department.

(*b*) The Government of India in the case of transfer to the service of Her Majesty's Government in England or of any Colonial or Foreign Government.

(iii) The officer transferred either has ten years' qualifying service (for pension) under Government or belongs to one of the following services: The Indian Civil Service; the Army; the "Commission" of any Non-Regulation Province; the graded Political Departments; the Superior Service of the Public Works (including Railway Revenue and Account Branches), Telegraph, Survey, or Forest Department; the graded Educational Service; the Indian Educational Service; the Royal Indian Marine.

(iv) The officer transferred shall receive only the remuneration agreed upon or sanctioned by the *Local Government* or the Government of India, as the case may be, on his behalf. The remuneration admissible shall ordinarily be determined by the following rules:

(1) If an officer is transferred to a post the duties of which are similar to those of the post which at the time of his transfer he was holding in British service, his pay, if he belongs to a graded service, shall not exceed that of the grade to which he would next rise if he remained in British service. If he does not belong to a graded service, it shall not exceed by more than 25 per cent. his pay in British service at the time of transfer.

NOTE.—If at the time of transfer an officer is receiving acting allowance for officiating in an appointment from which it is unlikely that he will revert, his initial pay in Foreign service may be calculated with reference to his *salary* at the time of transfer.

(2) If an officer transferred to a post the duties of which entail unusual responsibility and require special capacity, or to a post belonging to a branch of the public service different from that in which he was previously serving, his pay shall not exceed the pay ordinarily allowed for similar duties in British Service.

(3) The limit of pay fixed under rule (1) for an officer belonging to a graded service may be increased from grade to grade on the dates on which he would, had he remained in British service, have received substantive promotion in that service. In the case of any other officer no increase of pay above the amount sanctioned at the time of transfer shall be granted until he has served for three years in foreign employ, after which an increment may be granted not exceeding 20 per cent. of pay: subsequent increments may be allowed at intervals of not less than three years, each increment being limited to 20 per cent. of the original pay in foreign service. These increases of pay are not claimable as of right and should not be given except on the initiation of the foreign employer concerned. After such initiation the question whether any increase is justified should be considered, both with reference to the qualifications of the officer transferred and the nature of his duties.

(4) The officiating allowance of an officer appointed to officiate during the absence of the permanent incumbent of a sanctioned appointment in Foreign service, shall be regulated in accordance with the rules in Part II of these Regulations.

(5) In cases of transfer to the service of a Native State, transfers made and increments granted by Local Governments within these rules shall be reported for the information of the Government of India in the Foreign Department.

(v) The officer transferred shall remain, while on Foreign service, subject to the general and disciplinary rules which apply to officers on active Government service.

NOTE.—[Service under a landholder who retains the management of his own estate is not "Foreign Service" for the purpose of these Regulations, unless, in an altogether exceptional case, the importance of the estate or its owner is such as to justify the transfer of the services of a Government officer to occupy an important position, such as manager, etc.]

807. Cancelled.

Contribution required.

808. Whatever may be the actual pay and allowances drawn by an officer in Foreign service from his employers, his salary, for the purpose of calculating his leave allowances and *pension*, and of requiring a contribution towards the cost of such leave allowances and *pension*, shall be assumed to be as follows :—

(*a*) *If he is a member of any of the special services mentioned in Article 806 (iii)*—

	Members of the Indian Civil Service.	Other Special Services.
	R	R
(i) During the first two years of his service reckoning from the first day of April next following his arrival in India, or date of appointment if he was appointed in India	400	350
(ii) For each subsequent year of service . .	100	50
Up to a maximum of	2,500	Twice the maximum furlough allowance admissible to the officer concerned. (1)

Example (1).—If an officer's furlough allowance is subject to a maximum of £250 per quarter and the official rate of exchange for the year is 1 shilling 4 pence per rupee, the maximum on which a contribution is required would be R2,500 per mensem. If the furlough allowance is subject to a maximum of £120 per quarter, the maximum on which a contribution is required would be R1,200 per mensem.

NOTE.—[Percentage deductions (*e. g.*, for Civil Fund in the case of a member of the Indian Civil Service) will be calculated upon the "assumed salary."]

(*b*) *If the officer is not a member of any of the above services, then*—

(i) If he belongs to a graded service, his name will be retained on it (as seconded), substantive promotion from grade to grade being given to him in due course, and his assumed pay will be that of the grade in which from time to time he is.

NOTE.—[If the officer belongs to a graded service in which the pay of appointments is progressive, his assumed pay will be the pay he last drew in Government employ. If he is promoted to a higher grade while in foreign service, his assumed pay will be the minimum pay of the grade to which he is promoted.]

Foreign Service of the first and second kinds.

(ii) If he does not belong to a graded service, the assumed pay will be, and will remain, that which he last drew when in Government employ.

809. (*a*) From every officer transferred in the manner specified in Article 806, who does not wholly resign the service of the British Government, or who is not, for recorded special and public reasons, exempted from the operation of the rules in this Chapter, a contribution is levied as follows :—

(i) In the case of officers of the special services mentioned in Rule 806 (iii), on account of leave allowances (excepting privilege leave) and *pension*—one-fourth of the assumed pay : Provided that in the case of an officer whose pension is subject to the maximum of R5,000 a year, the contribution shall not be calculated on a higher salary than (*a*) R1,500 a month in the case of officers subject to the European Service leave rules, and (*b*) R1,250 a month in the case of officers subject to the Indian Service leave rules.

NOTE 1.—[In the case of an officer transferred to foreign service before 1st September 1896, the contribution is not calculated on a higher salary than R1,250 a month if the officer is subject to the European Service leave rules, and R1,000 a month if the officer is subject to the Indian Service leave rules.]

NOTE 2.—[In the case of officers subject to the European Service leave rules, a higher limit has been fixed because of the higher maximum furlough allowance drawn by them.]

NOTE 3.—[The pensions of officers who, though not yet eligible, may in the future become eligible for the special additional pensions admissible under Article 714, are not considered to be subject to the maximum of R5,000 a year.]

(ii) In the case of others, on account of *pension* only—one-eighth of the assumed pay : Provided that, in the case of an officer whose pension is subject to the maximum of R5,000 a year, the contribution shall not be calculated on a higher salary than R1,000 a month.

NOTE.—[In the case of an officer transferred to foreign service before 1st September 1896, the contribution is not calculated on a higher salary than R833⅓ a month.]

(*b*) An officer is not permitted to withhold the contribution upon condition that the time of his foreign service shall not count for *pension* or leave : he must either wholly resign the British service or, unless he is specially exempted, make the contribution required by this Article.

(*c*) An officer of a *Local Fund* transferred to foreign service of the first kind cannot make any contribution under the terms of this Section, even though the *Local Fund* by which he is employed may contribute for a *pension* for him under these Regulations. Transfers to foreign service of the first kind can only be made from qualifying (British) service.

NOTE.—[As an exception to clause (*c*) of this Article an officer paid from and rendering pensionable service under a Patwari Fund transferred to foreign service, is permitted to make contributions to General Revenues, and to count his foreign service for pension as if paid from General Revenues.]

810. (*a*) The rates of contribution prescribed in the preceding Article apply to all officers transferred to foreign service after the 7th January 1889, the date of Finance Department Resolution No. 109. The rates which were

previously in force will continue to operate, in the case of all officers transferred to foreign service before that date, subject to the following conditions :—

(1) That in the cases of officers of the Public Works Department transferred to the service of a Railway Company, on terms agreed upon between Government and the Company, their appointments under the Company remain unchanged. If their appointments under the Company are changed, or if they enter on fresh engagements even without returning to the service of Government, they become subject to the new rates of contribution. It will rest with the Government of India in the Public Works Department to decide whether the appointments have been changed or not;

(2) That in the cases of all officers transferred to foreign service, the former rates of contribution will operate only until the new rates are applied, in each case, under the orders of the Local Government by whom the officer was transferred. In all cases in which the new rates have not been so applied, and in which the officers' salary may not, under existing rules, be increased without the sanction of the British Government, such sanction will, in future, be subject to the condition that the increase shall not be liable to contribution, and shall not be reckoned for any purpose of leave allowance or *pension*.

(*b*) Previous to the issue of the Resolution of 7th January 1889 above referred to, the rates of contribution were determined by the following Rules :—

From every officer transferred to foreign service who does not wholly resign the service of the British Government, or who is not, for recorded special and public reasons, exempted from the operation of this Rule, a contribution is levied as follows :—

(A) In the case of a Member of the Indian Civil Service :—at the rate of 16⅔ per cent. (one-sixth) on the gross salary which he receives from his foreign employers.

(B) In the case of any other officer :—at the rate of 14⅔ per cent. (one-seventh) on the gross salary which he receives from his foreign employers; provided always that the contribution from a Civil Officer other than a Member of the Indian Civil Service or a Civil Engineer shall in no case exceed R166⅔ a month, and from a Civil Engineer, R233⅓ a month.

That is to say, the officer receives from his foreign employers salary fixed in accordance with the rules of the public service for the appointment which he holds or in which he officiates, and retaining five-sixths or six-sevenths accordingly as he is an Officer of Class (A) or (B), pays one-sixth or one-seventh, as the case may be, to the Government of India.

In return for this contribution, the Government accepts the charge for the officer's pension, and also that for his absentee allowances (except on privilege leave, when the Government will pay only its share according to the rule of proportions, and during which the contribution must be paid in the same manner as if the officer were on duty) in the same manner and to the same extent as if he were in the regular service of the British Government, saving only that the calculation of pension or absentee allowance is based upon the five-sixths or six-sevenths (as the case may be) pay which he retains; and not upon the full amount which he receives.

Service in Egypt.

811. Officers transferred for service under the Egyptian Government shall contribute for pension only. Such contributions shall, in the case of all officers transferred on or after the 1st of April 1890, be regulated by the provisions of Articles 808 and 809. The rate leviable in the case of officers of the special services mentioned in Rule 806 (iii) will be one-sixth of their assumed

pay, which represents the proportionate share on account of pension only of the one-fourth prescribed in Article 809 (*a*) (i) on account of both leave and pension. Service in Egypt will in no case count as service towards Indian furlough. To officers transferred before 1st April 1890, Article 811 as published in the 1st Edition of the Civil Service Regulations will continue to apply.

NOTE 1.—[In the case of a Military Officer, the contribution prescribed covers the liability of Indian Revenues for temporary half-pay, or half-pay pension in any case of an officer losing his health during Egyptian service before becoming entitled to ordinary so-called full-pay pension.]

NOTE 2.—[See note under Article 828 (*c*).]

Foreign Service during Leave.

812. (*a*) When an officer's services are lent for other than imperial purposes either to Her Majesty's Government in England, or to a British Colony or to a foreign state or municipality, the officer shall make a contribution to the Indian Exchequer in accordance with the rules in this Chapter.

NOTE.—[An officer holding any appointment out of India, civil or military, under Her Majesty's Government and paid from the imperial, that is, the home revenues, as distinguished from local, municipal, or colonial funds, is to be considered as having been lent for imperial purposes and is therefore exempt from payment of contribution under this chapter.]

(*b*) But if an officer while absent on furlough is permitted to take employment of the above kind, or if an officer is allowed to take furlough for the purpose of taking such employment, he may draw his furlough allowance from Indian revenues in addition to any allowance which may be assigned to him for the employment; in this case the contribution is not required for the period of the officer's employment as above, but will be payable from the date of the expiry of the furlough should the officer continue in it. Service under Her Majesty's Government in England or under any Colonial or Foreign Government outside of India will in this case be held to begin from the date of the expiry of the furlough.

NOTE.—[The sanction of the Government of India is required to the transfer of an officer to any service of the description mentioned in this Article.]

813. No officer employed as above on any duty unconnected with India shall, except as provided in Articles 812 and 814, receive any allowances from Indian revenues while so employed.

814. If an officer is at the time of his transfer entitled to privilege leave and obtains it with the avowed intention of taking employment under the Egyptian Government, he may draw his privilege leave allowances from Indian revenues in addition to any allowances which may be assigned to him by the Egyptian Government without being required during the period of leave to make the contribution for pension in respect of employment in Egypt. The right to receive privilege leave allowance is, however, contingent on his return to duty under the Indian Government on the expiry of the leave: if, therefore, an officer continues in the service of the Egyptian Government after the end of seven days from the date of expiry of his privilege leave, the leave will be considered as cancelled, and the officer's foreign service will be held to have begun on the date from which he availed himself of his privilege leave.

Temporary Transfers.

815. (*a*) No contribution is levied from an officer who is transferred to foreign service for a special temporary duty not lasting more than six months: Provided that exemption can only be claimed under this Article if it is specially provided for from the beginning as part of the terms of the arrangement under which the officer's services are transferred.

(*b*) In determining whether contributions are payable or not, the point to be considered is the duration of the appointment or duty to which the officer is transferred, and not the duration of the particular officer's employment in the appointment or on the special duty.

(*c*) In these cases the stipulation of Article 806 (iii) as to ten years' qualifying service need not be applied, and the officer cannot, for the purposes of leave allowance and pension, count for the time passed in such service higher *salary* than he had when he was transferred to it.

1. In arranging for the transfer of an officer's services under this Article it should always be stipulated that, in the event of the transfer exceeding the limit of six months, the prescribed contribution must be paid for the whole period of transfer.

NOTE.—[The Local Government may, by a general or special order, delegate its powers to sanction transfers for temporary duty, not lasting more than six months, to any officer not below the rank of Political Agent.]

816. The Local Government may remit the contribution for any period during which an officer on foreign service is temporarily employed under the British Government on duties additional to, or distinct from, his duties on foreign service.

Exemptions from Contribution.

817. The following officers are exempted from contribution under the above rules, and their leave allowances and pensions are calculated according to the rules applied to Government service:—

(*a*) Officers transferred before 14th October 1871 by competent authority to service under Native States for a purpose in which Government is interested.

NOTE.—[Before 14th October 1871, the date of the promulgation of the rules relating to foreign service, foreign service did not ordinarily qualify, as it did not satisfy the first and third conditions of qualifying service. Unless especially exempted, or unless their case fell within one of the exceptions stated beneath, officers, not being Members of the Indian Civil Service or Officers of the Army, who accepted such service, ceased to have any claim on the Government of India in respect of pensions or gratuities.]

(*b*) Teachers transferred before 22nd October 1875 to the service of the Chamba State. In this case the pension is paid by the Government of India and the Raja of Chamba, according to the *Rule of Proportions*.

(*c*) Officers transferred before 22nd October 1875 to service in the Kolhapur School, the pension being chargeable, according to the *Rule of Proportions*, to the Government of India, and to a fund formed by contribution proportional to salary paid by the Chief of Kolhapur. If such an officer is transferred to British service, any pension to which he may thereafter become entitled is payable, according to the *Rule of Proportions*, by the British Government and from the said fund.

(*d*) Officers transferred before 14th October 1871 under the authority of the Government of the Punjab to service under the Bhawalpur State. In this case the charge for the pension will be shared by the Bhawalpur State according to the *Rule of Proportions*.

(*e*) Subordinates in the Revenue Survey, temporarily lent to Municipalities for duty, which though paid for by them, also promotes Imperial interests.

(*f*) The Chairman of the Commissioners of the Town of Calcutta, the Municipal Commissioner for the City of Bombay, the President of the Municipal Commission for the Town of Madras or the President of the Rangoon Municipality. The exemption of these officers from the operation of the rules in this Chapter is a substantial contribution by the Government to the municipal revenues, granted in consideration of the fact that the Local Government, and not the Municipalities, appoints these officers.

(*g*) Officers lent to the Nair Brigade of the Travancore State. The Travancore State pays a portion of the furlough allowances of officers attached to the Brigade.

(*h*) Officers lent to the Travancore State to fill the office of Durbar Physician or any offices held by officers of the British Government on the 29th January 1873.

(*i*) Medical officers lent to charitable dispensaries or hospitals in British India.

(*j*) Deputy Superintendent of Vaccination, Calcutta, who is paid from Municipal Funds.

(*k*) Inspectors of Vaccination, Native Superintendents of Vaccination and Vaccinators enrolled as officers of Government and employed in Military cantonments or under Municipalities or paid from Local Funds except in the Bombay Presidency.

(*l*) Officers of the Royal Indian Marine lent to Port Trusts. The pensions and leave allowances of these officers will (except in the case of privilege leave) be borne wholly by Government with effect from 1st May 1889.

(*m*) Assistant Opium Agents in Native States, and their establishments, who are paid by the Native States.

Section II.—Conditions of Foreign Service of the second kind.

	ARTICLE.		ARTICLE.
GENERAL RULES . . .	818	RECOVERY OF COST . . .	822
ACTING APPOINTMENTS . . .	821	CONTRIBUTION REQUIRED . .	823

General Rules.

818. Foreign service of the second kind *counts* for *pension* from the *General Revenues* only in the case of officers transferred by competent authority from qualifying service; and to enable Government to appoint to such service officers who are already in service qualifying for *pension* from *General Revenues*, the following rules are prescribed.

819. Appointments to this class of foreign service will require the sanction of the Local Government which controls the expenditure, and the transfer of officers from qualifying service should be regulated by Article 806. If the service is paid from the revenues of a Native State, the sanction of the Government of India in the Foreign Department is required to the grant of allowances in excess of the amount admissible under the rules in clause (iv) of Article 806; but when an appointment of a permanent character has been sanctioned under proper authority, the separate sanction of the Government of India is not required in the case of each officer who may from time to time be appointed to it.

820. The service must be strictly connected with the management or control of the Government, and appointments existing apart from that management and control can be made only under the conditions of foreign service of the first kind. Also should it be necessary, after Government has relinquished control of the funds, to continue the services of the Government officer, he cannot continue under the rules laid down in this Section, but should be considered to be transferred to "Foreign service of the first kind."

Example.—An officer having been appointed administrator of a State during the minority of its chief is permitted on public grounds to continue in the service of the chief after he has attained his majority. Such an officer would cease to be in "Foreign service of the second kind," and arrangements for his continued employment should be made under Section I of this Chapter.

Acting Appointments.

821. The *salary* of an officer appointed to act for an officer on Foreign service of the second kind shall be calculated according to the rules laid down in Part II.

Example.—A. B., a Member of the Indian Civil Service, receiving a pay of R500 from the British Government, officiates in an appointment in foreign service, the *pay* of which is R1,000. A. B.'s *salary* is—

	R
Pay	500
Acting allowance (⅔ 1,000—500)	333⅓
SALARY	833⅓

The charge to the foreign service would be R833⅓ + ¼ of R833⅓, or R1,041⅔.

The above illustration is equally applicable to the case of a Military Officer, a Civil Engineer, or any other officer subject to the European Service Leave Rules.

Recovery of cost.

822. Whenever an officer is transferred by competent authority from qualifying service to foreign service of the second kind, arrangements should be made not only to pay such officer the sanctioned *salary* of the office, but also to recover from the funds of the foreign service, or Trust, a contribution sufficient to cover the cost of his pension and leave allowances.

Contribution required.

823. For every officer transferred in the manner specified in Article 819, who is not, for recorded special and public reasons, exempted wholly or in part, from the operation of the rules in this Chapter, contribution should be levied as follows :—

(*a*) In the case of a Member of the *Indian Civil Service*, a Military Officer, and any other officer subject to the European Service Leave Rules, one-fourth of his actual sanctioned *salary*.

(*b*) In the case of an officer subject to the Indian Service Leave Rules—

(i) If he is of gazetted standing, 20 per cent. (one-fifth) of his actual sanctioned *salary*.

(ii) If he be of clerical standing, 16⅔ per cent. (one-sixth) of his actual sanctioned *salary*.

That is, if the officer's sanctioned *salary* is R1,000, the foreign funds must pay him R1,250, or R1,200, or R1,166⅔, as the case may be ; he will retain the R1,000, and pay the rest to Government by way of contribution.

Provided that, in the case of an officer whose pension is subject to the maximum of R5,000 a year, the contribution shall not be calculated on a higher salary than—

(1) R1,500 a month in the case of officers subject to the European Service leave rules, and

(2) R1,250 a month in the case of officers subject to the Indian Service leave rules.

Nothing in this rule shall be deemed to entitle an officer to include "acting allowances" in "emoluments" for the purpose of the calculation of *pension*.

Foreign Service of the first and second kinds.

NOTE 1.—[In the case of an officer transferred to foreign service before 1st September 1896 the contribution is not calculated on a higher salary than ₹1,250 a month if the officer is subject to the European Service leave rules, or ₹1,000 a month if the officer is subject to the Indian Service leave rules.]

NOTE 2.—[For a member of the Indian Civil Service a sanctioned *salary* of ₹1,000 in foreign service is the equivalent of a sanctioned *salary* of ₹1,041⅔ in Government service; as the latter is subject to 4 per cent. deduction, while the former is not. The Civil Fund deductions will be calculated at a percentage on the ₹1,000.]

NOTE 3.—[The provisions of Article 810 (*a*) apply to foreign service of the second kind.]

(*c*) From inferior servants the contribution required is one anna in the rupee for *pension* only: the Government of India pay no leave allowances to such servants.

824. In the case of officers transferred between 23rd April 1863 and 14th October 1871 by the authority of Government, or their official superiors, from qualifying service under Government, to service under the Court of Wards, only six per cent. of the salary was required to be contributed to the Government of India, either by the officer himself, or from the funds whence the salary was paid. This rate had effect from the 9th November 1870.

NOTE.—[In the Madras Presidency an officer transferred between 21st August 1862 and 14th October 1871 from qualifying service to service under the Court of Wards, counts service under the Court of Wards rendered before that date as if it were under Government.]

825. No contribution was required from Political Officers employed in the Savant-Wadi and Kolhapur States on the 18th August 1875, and the same rule applies to those who may be thereafter appointed to offices held by British Officers in those States on the 18th August 1875.

Section III.—Rules for payment of Contributions.

	ARTICLE.		ARTICLE.
RESPONSIBILITY . . .	826	REPORT OF DATES . .	829
PROCEDURE ON ORDER OF TRANSFER	827	REMITTANCE REQUIRED .	831

Responsibility.

826. If the salary of an officer is paid under the orders of the *Accountant General* at a British Government Treasury, the required contribution is deducted at the time of payment. In all other cases the officer himself must pay the amount directly to the British Government in the manner prescribed in the following rules: the Government will not ordinarily enter into any direct arrangements with the foreign employers of its officers or make any direct demands upon them.

NOTE.—[The contributions in the case of officers lent to the Mysore State are paid by that State through the Comptroller, Mysore, and not by the officers themselves, under the Foreign Department letter No. 1714 I., dated 13th May 1884.]

Procedure on order of Transfer.

827. An officer transferred to foreign service of the first or second kind and permitted by competent authority to retain claim to pension or absentee

allowance must immediately on receiving the order of transfer, furnish a copy thereof to the Audit Officer, and must apply for orders, to whom he is to account for the contribution required.

828. (*a*) If the salary of the transferred officer in his new appointment is to be paid from a Government Treasury upon a bill subject to the audit of the Government Account Officer—it will be the said Account Officer.

(*b*) Otherwise—it will be the *Accountant General* of the province within which the Municipality, Port Trust, Local Fund or other body concerned, is situated ; or, if the case is one of service under a Native State, the *Accountant General* of the Government under whose administration the Native State is.

NOTE.—[In the case of officers transferred with the Rajputana-Malwa Railway to the Bombay, Baroda and Central India Railway Company, and of officers transferred with the Bellary-Kistna State Railway to the Southern Maratha Railway Company, the arrangement for payment of the required contributions forms part of the contract with the Company. The contributions are recovered by the Public Works Department from the Company, and credited in the "India" Civil Accounts.]

(*c*) If the foreign service is outside India—it will be the Comptroller, India Treasuries (1).

NOTE (1).—[The contributions for pension from Military Officers lent from India for service under the Egyptian Government will be realised by the Comptroller, India Treasuries, in the manner laid down in the *Civil Service Regulations*.

In addition to the report to be made by the officer himself direct to the Account Officer in accordance with *Article 828 of these Regulations*, the Controller of Military Accounts of each Command should forward quarterly to the Comptroller, India Treasuries, a return showing the names of the officers lent for, or withdrawn from, the service of the Egyptian Government during the quarter, with such other particulars as are required by the above-quoted rules.

Officers should be required to remit their fund subscriptions direct to the Pay Examiner concerned, that is, the Pay Examiner, Military Accounts Department at Madras, Poona (for the Bombay Command) or Calcutta (for the Bengal and Punjab Commands).]

Report of Dates.

829. The officer transferred must, immediately on his being relieved of his duty under the British Government, report to the Account Officer mentioned in Article 828, the date and time on which he made over charge, and furnish particulars regarding his salary in foreign service, and his postal address : he should also report the date on which he takes, and that on which he relinquishes, charge of his appointment in foreign service. Any change in these particulars, and any leave taken by him, should also be reported to the Account Officer ; and he must furnish all information which may at any time be required from him by the Account Officer.

830. (*a*) The salary of an officer on Foreign service must be borne by the Foreign body to whose service he is transferred, and his contribution to Government must commence from the date on which he is relieved from his duty under the British Government.

(*b*) The salary to be paid by the foreign body and the contribution to Government will cease from the date on which he is relieved from his duty under the Foreign body.

Articles 828—830.

Foreign Service of the first and second kinds.

NOTE.—[But when an officer on or after leaving foreign service proceeds on privilege leave, and the Foreign body is liable to pay a share of his allowances according to the *Rule of Proportions* (*see Article 835* (*a*), the contribution payable to Government must continue to be paid.]

(*c*) The amount of net salary to be paid to the officer during joining time will be regulated by the rules in Chapter IX.

Remittance required.

831. The officer must, not later than fifteen days after the end of th quarter for which salary in Foreign service is earned, remit direct to the Account Officer mentioned in Article 828, the amount payable by him on account of contribution under these Regulations in respect of his salary for the said quarter: the remittance to be advised in such form as the said Account Officer may require. When the contribution falls into arrears, the Account Officer should forward to the officer a copy of Article 832 of these Regulations with a request for payment.

832. If the officer fails to make the remittance within the said period of fifteen days, or if the amount remitted is less than that properly payable, interest at the rate of 4 pies a day per 100 rupees (about 8 per cent.) will be levied upon the amount due from the date of expiry of the said fifteen days until the date of receipt of the remittance by the Account Officer. If any amount due is not paid up, together with the interest for the time it has been overdue, within twelve months of its accrual, the Account Officer should inform the officer that in consequence of the default in payment his claim on the Government for pension and leave allowances has lapsed, and should intimate to the officer the amount due up to the date of the communication. If the officer desires to have his claim revived, he should pay the amount specified in the Account Officer's letter, and submit a representation to the Local Government for submission to the Government of India.

833. In the case of members of clerical establishments transferred to Foreign service of the second kind, the contributions should be levied in accordance with the rules laid down in Section I of this chapter, but the responsibility for paying the contributions to the *General Revenues* rests with the officer entrusted by Government with the control of the funds or administration of the Trust, who should see that the rules are complied with in other respects.

834. No officer has any right of property in contributions made under Article 809 or 823 or any claim upon Government in respect to such contributions, except to receive such *pension* or absentee allowance as may become admissible to him in accordance with the rules of the service to which he belongs.

Section IV.—General Conditions of Service.

	ARTICLE.		ARTICLE.
As to Leave and Pension	835	Uncovenanted Service Funds	841
Pensions from Native States	840	Lien on Government Appointment	842
Applications for Leave	845		

As to Leave and Pension.

835. (*a*) In return for the contributions prescribed in Article 809 (*a*) (i) (Foreign Service of the first kind), the Government accepts the charge for the officer's pension, and also that for his absentee allowances (except on privilege leave, when the Government will pay only its share, according to the *Rule of Proportions*, calculated on the assumed pay referred to in Article 808(*a*), and during which contribution calculated on the share of the leave allowances payable by the foreign body must be paid in the same manner as if the officer were on duty), in the same manner and to the same extent as if he were in the regular service of the British Government, saving only that the calculation of pension or absentee allowance is based upon the pay upon which he contributes (see Article 808) and not upon the amount which he receives from his Foreign employer.

NOTE.—[In calculating the leave allowances of a Member of the *Indian Civil Service* one twenty-fourth must be added to the assumed or actual salary, in order to provide for the four per cent. annuity deduction. For example: if the average salary is R960 (net) the half average fixed for leave allowance will be R500 and not R480; because the leave allowance of R500, being subject to four per cent. deduction, the net amount payable will be only R480.]

(*b*) In return for the contribution prescribed in Article 809 (*a*) (ii), the Government accepts the charge for the officer's *pension* only, but not for his absentee allowances, of which the British Government will thenceforth only pay its share according to the *Rule of Proportions*, calculated on the assumed pay referred to in Article 808 (*b*).

836. In return for the contribution prescribed in clauses (*a*) and (*b*) of Article 823 (Foreign Service of the second kind), the Government accepts the charge for the officer's *pension* and absentee allowances (except during privilege leave when the Government will pay only its share according to the *Rule of Proportions* and during which the contribution must be paid in the same manner as if the officer were on duty) in the same way as if he were in its own service.

837. An officer who contributes for *pension* only must, during privilege leave, pay his contribution in the same manner as if he were on duty, and if, after return to his British appointment, he takes privilege leave, a portion of which is earned by Foreign service, he will receive from the *General Revenues* the Government share of his leave allowance, according to the *Rule of Proportions* and must pay to the *General Revenues* the contribution required by Article 809 (*a*) (ii) for that portion of his privilege leave which was earned by his Foreign service.

838. The *pension* and leave of an officer on Foreign service, whether

acting or permanent, are regulated by the rules which apply to officers of the Government of India. And an officer may not get leave unless he actually quits duty and proceeds on leave.

[NOTE.—The Government of India cannot recognise any leave granted, otherwise than in accordance with these Regulations, to an officer on Foreign service who is permitted to contribute towards pensionary and leave allowances or for pension only under the rules in this Chapter. If such leave is granted to an officer, the Account Officer shall, on the fact coming to his notice, require the leave so granted to be commuted to the leave for which the officer is eligible under rule, and call upon him to refund any allowance drawn by him in excess of the amount admissible under rule. If the officer fails to comply with these conditions, he will be liable to forfeit his previous service under Government, and to cease to have any claim on Government in respect of either pensionary or leave allowances. (*See also Article 829.*)]

839. Subject to the regular rules, any saving arising from the absence of a permanent officer accrues to his employer, except when an officer is exempted from the payment of the contribution prescribed in Article 809 [*see Article 817, Exception* (*f*)], when the saving should be paid to the British Government.

Pensions from Native States.

840. Except with the sanction of the Government of India, no officer belonging to the service of, or in receipt of a pension from, the British Government, who is employed under a Native State, may accept a pension or gratuity from such State.

Uncovenanted Service Funds.

841. (*a*) In addition to his contribution under Article 809 or 823, a subscriber to the Bengal or Bombay Uncovenanted Service Family Pension Fund must pay to the British Government one-fourth of the premium which he pays to the Fund. This contribution is required to compensate the Public Treasury for the cost of favourable interest paid to the Fund on behalf of the subscriber.

(*b*) This premium when due from subscribers to the Bengal Fund is collected by the Directors of the Fund and adjusted in communication with the Comptroller, India Treasuries.

(*c*) The arrangements for the Bombay Fund are somewhat different; if the subscription is paid at a Government Treasury, the premium is collected at the same time without the intervention of the Directors of the Fund; but in cases in which subscription is paid to the Directors direct, they collect the premium also and adjust it in communication with the Accountant General, Bombay.

Exception (1).—An officer who, being at the time of transfer a subscriber to either of the above-mentioned funds, was transferred to Foreign service before the 24th December 1879, and has not returned to Government service since then, is not required to pay any additional premium.

Exception (2).—An officer who has been on Foreign service and has gone on furlough retaining a lien upon any appointment in Government service, or who, being a member of any Government establishment, has his allowance on furlough paid by Government, is not required while on such furlough, to pay any extra premium in respect of his fund subscriptions.

NOTE (1).—[Subscribers to the Uncovenanted Service Family Pension Funds paid from the Berar Revenues are liable to pay the additional premium prescribed in this Article, on that part of their salary which is charged to Berar, the charge on this account being borne by the Berar Revenues.]

NOTE (2).—[Subscribers to the Uncovenanted Service Family Pension Funds transferred to service under a local fund, which qualifies for pension payable from the local fund, must, while employed under the local fund, pay the additional premium prescribed in this Article.]

Lien on Government Appointment.

842. Whenever an officer is, under the rules in this Chapter, transferred from qualifying service to *Foreign service*, it must be arranged that he does not forfeit a lien upon or a right to return to a substantive office under the British Government. His *locum tenens* can hold the appointment only in subordination to such lien by the *absentee*, but, subject to this condition, the status of the *locum tenens* is that of a substantive officer.

843. An officer so transferred when he returns to British service is entitled to resume the same position as that in which he left it; if he holds a progressive appointment his Foreign service does not count towards increments; and he cannot return to acting service under the British Government without reverting also to his substantive British office, the *locum tenens* of this office thereupon falling back upon acting allowances. (*See also Rule 1 under Article 79.*)

NOTE.—[The object of this Article is to secure to an officer the right to resume, on his return to British Service, the position he held when he left it. A Local Government is not debarred from giving an officer any promotion to which his standing in the British Service would have entitled him had he not been transferred to foreign service, but the officer has no claim to such promotion.]

844. No officer, while acting in any appointment under the British Government, or the pay of which is regulated by the British Government, is entitled to allowances on account of any Foreign office. But there is no objection to his being permitted to retain a lien upon such an office, or to the actual incumbent being appointed thereto, during his absence substantively for a time only.

NOTE.—[This rule refers to an officer of the British Government lent to Foreign service, who subsequently returns to service under the British Government, and is not affected by the last sentence of Article 79 (Chapter III), which refers only to a servant of a Foreign State, etc., whose services are temporarily borrowed by the British Government.]

Applications for Leave.

845. Privilege leave may be granted by the Foreign employer after receiving a report from the Account Officer concerned that it is admissible under rule.

846. Applications for any other description of leave should be made through the Foreign employer to the *Local Government* under which the officer was serving before transfer to Foreign service.

847. Article 846 does not apply and no report need be called for from the Account Officer under Article 845 in cases in which the applicant contributes for pension only [*see Article 809 (a) (ii)*], and no claim arises against the British Government for a share of the absentee allowance.

848. An officer must furnish all information which may be required from him by the Account Officer as directed in Article 829; exact compliance with this rule is absolutely essential when leave is granted under the preceding Article.

Foreign Service of the first and second kinds.

Section V.—Special Cases.

ARTICLE.
AIDED SCHOOL TEACHERS . . 849 | RAJKUMAR COLLEGE, KATHIAWAR . 852

Aided School Teachers.

849. The Government of the Punjab in August 1882 referred for the orders of the Government of India certain questions connected with the loan to aided schools of the services of schoolmasters belonging to the Educational Department; and the Government of Bombay in November of the same year submitted for orders an application from Managers of certain schools at Ahmedabad praying for permission to pay the prescribed contribution in order to secure pensions from Government for the teachers employed in their schools. After consulting the Education Commission then sitting in Calcutta, the Governor General in Council arrived at the following conclusions on the question of the pensionary position of teachers in aided and other schools :—

(1) that it is unnecessary for the State to concern itself with arrangements for pensions, to teachers in aided schools ;

(2) that teachers then employed in Government schools which might hereafter be transferred to local bodies should be held to be still rendering service qualifying for pension ;

(3) that in the case of teachers hereafter employed in institutions under local bodies, it will be optional for such bodies, with the previous sanction of the Provincial Government, to secure pensions for the teachers by contributing a lump sum annually on this account unless the Provincial Government should prefer to make a part of its contribution to the school in the form of free pensions; and

(4) that, save in very exceptional cases, Government should not undertake to lend teachers to aided schools.

NOTE.—[The concession granted by clause (2) of the above Article applies to all the members of the pensionable establishment of a Government school who were on the establishment of the school at the time of its transfer.]

849A. An officer of the Education Department, who is transferred by the Local Government in the public interests to a non-departmental College or School managed by a Board on which the Local Government is represented or which is administered under a constitution and regulations approved by the Local Government, and of which the scale of superior appointments is sanctioned by the Local Government, may pay contribution to secure pension and leave allowances (except during privilege leave) in accordance with these Regulations, from the General Revenues.

850 and **851.** Cancelled.

Rajkumar College, Kathiawar.

852. The officers at present, and those who may hereafter be, employed in the Rajkumar College, Kathiawar, are allowed to contribute under these

Regulations. Officers who avail themselves of this concession count service under these Regulations from the date on which they begin to pay the prescribed contribution. The pension and leave allowance due to officers in respect of their service in the College, before the date on which they begin to contribute, will be charged to the source from which they received their pay, any adjustment necessary on account of service rendered before the date of contribution being made according to the *Rule of Proportions*.

Chapter XXXVII.—Foreign Service of the third kind.

	ARTICLE.		ARTICLE.
GENERAL RULE . . .	853	CONTRIBUTIONS REQUIRED .	854

General Rule.

853. In the case of Foreign service of the third kind the relations between Government and the officers employed in respect to their pensions and leave allowances are the same as if they were in ordinary Government service.

Contributions required.

854. The cost of the service should be recovered from the person or body on whose account the service is rendered. The amount to be recovered should not vary with the actual expenditure of any month. It should be the sum of—

(1) the gross sanctioned cost of the service; and

(2) the amounts required according to Article 823 to provide for pensions and leave allowances; these amounts being calculated on the sanctioned rates of pay of the members of the establishment.

The amount to be recovered will not be altered, because of the grant of privilege leave to any member of the establishment, unless additional expense is caused by the appointment of an officiating officer; if additional expense is so caused, the amount of it should be recovered in addition to the amount fixed as above, but without any provision for leave and pension contribution under (2).

If in any period the expenditure incurred, or to be incurred, should be considerably less than the sanctioned cost, the Local Government may reduce the amount of the recovery, the reduction being roughly proportionate to the difference.

The omission of item (2) from the amount of the recovery will require the same special sanction as is required for the remission of contributions under Article 823.

NOTE 1.—[When a Political Agency is established at the charge of a Native State, the State must pay to the British Government, in respect of the pension and absentee allowances of every member of the establishment, whether gazetted or not, the contribution prescribed in Article 823. This condition was ordered, on the 30th December 1871, to be introduced gradually whenever existing arrangements were revised. Officers of the Rewah Political Agency then already paid 6 per cent.]

NOTE 2.—[The undermentioned officers are exempted from the payment of contribution under this Article:—

(*a*) The following officers employed in the Vaccination Department, who are paid from Municipal Funds:—

Superintendent of Vaccination, Karachi, and the clerk in his office.

Assistant Superintendent of Vaccination, Bombay, and the head, second, third and fourth clerks in the Presidency Vaccination Office, Bombay.

(δ) Native Superintendents of Vaccination and Vaccinators in the Bombay Presidency enrolled as officers of Government, and employed in Military Cantonments, or under Municipalities, or paid from Local Funds.]

855. These contributions should be recovered by the direct action of the department concerned, the officers themselves not being responsible for it.

856. Cancelled.

Chapter XXXVIII.—Service under Local Funds.

Section I.—Pensions.

	Article.		Article.
General Rule	857	Post Office Annuities	867
Pensions charged to Local Funds	858	Local Fund Pension Funds	868
Pensions from the General Revenues	863	Exceptional cases	869

General Rule.

857. Apart from any special provisions made under the following rules service paid for from a *Local Fund* does not qualify for pension :—

Pensions charged to Local Funds.

858. In the case of *Incorporated Local Funds*, the Local Government may, subject to any provisions of law applicable to the case allow the Trustees, Committee, or Managers to treat the service as qualifying, and may itself do so in the case of funds under its own direct administration.

859. The same procedure should be observed in the calculation, grant and payment of pensions for service treated as qualifying under the preceding Article, as is prescribed for pensions payable from General Revenues, but the pensions must be paid from and charged against the Local Fund.

860. When part of the pensionable service of an officer qualifies for pension from the *General Revenues* and part under the above Articles from *Incorporated Local Funds*, his pension is paid and charged according to the *Rule of Proportions* : it is not admissible to disregard the pensionable Local Funds service, and award a pension only for the service paid from General Revenues : Provided that if, under this rule, less than one-fourth of the pension would be payable from either source, no distribution shall be made ; in such case the other source shall bear the whole charge.

861. In the case of an *Excluded Local Fund*, the rule that service does not *qualify* does not prohibit the grant and payment of pensions in conformity with the general terms of the pension rules by the authorized administrators of the fund concerned. But the Government is in no way responsible for the sanction or continuance of such pensions, and no standing order for their payment may be issued to, or received by, any Government Treasury, and the procedure rules in Part X do not apply to these pensions.

Foreign Service and Service under Local Funds.

862. Service in the following Establishments paid from Excluded Local Funds is treated as qualifying, provided that pension for service under the Fund is paid from the Fund, the *Rule of Proportions* being applied in the case of service paid partly from the Fund and partly from other sources :—

(i) Establishments paid from Port Funds managed by the Government.

NOTE.—[The rule regarding officers of the Royal Indian Marine lent to Port Trusts is given in Article 817 (*l*).]

(ii) The Establishment of the Fire Brigade, Calcutta.

NOTE.—[The rule in this case applies only to members of the Force whose pay at the date of discharge exceeds R20 a month. Members of the Force whose pay does not exceed R20 a month contribute to the Police Superannuation Fund, and pensions and gratuities sanctioned to them are paid from that Fund.]

(iii) Establishments in the Cotton Frauds Department, Bombay, eligible for pension from the Cotton Improvement Fund.

NOTE.—[The transfer of Government servants to service under Excluded Local Funds should ordinarily be dealt with under the Rules regarding Foreign Service (Chapters XXXV to XXXVII). The application of the *Rule of Proportions* to service partly under an Excluded Local Fund (other than those mentioned in this Article) requires the special sanction of the Government of India.]

Pensions from the General Revenues.

863. The administrators of a *Local Fund* which banks with a Government Treasury may, with the permission of the Local Government, make a permanent arrangement for contributing for *pensions* from the *General Revenues* for its permanent employés, or for any specified classes of them, by paying to Government an amount equal to one-ninth of the sanctioned salaries of the several appointments ; provided that the bills on which the establishment charges are drawn from the treasury are subject to the audit of the *Accountant General* under the rules from time to time prescribed for the audit of Government establishment charges, and that the contribution is added to the establishment bill and paid from the Local Fund by transfer credit to the *General Revenues* at the time the establishment bill is cashed.

1. The Municipal Corporation of the City of Bombay and the Committees of District Municipalities in the Presidency of Bombay may make a similar arrangement for contribution to pensions from the General Revenues for teachers employed in Municipal schools, without enforcement of the conditions of banking with a Government Treasury and of audit by the Accountant General, provided the Accountant General is furnished with—

(1) An annual list of the Establishment of teachers in Civil Account Form No. 3 with accompaniment in Form No. 3A.

(2) Health certificates of all new employés.

(3) Last-pay certificates of all teachers transferred from other schools.

2. (*a*) Teachers employed in schools maintained from Local or Municipal Funds in Bombay,

(i) who were appointed to Local (not Municipal) Fund service before the 26th June 1882, and on whose behalf contributions were made from Local Funds to the Local Fund Pension Fund : or

(ii) who were appointed or transferred from Government service after the 26th June 1882 (the date the Local Fund Pension Fund was closed to new entrants) and before the 7th January 1889, the date of the new Foreign service rules, and on whose behalf contributions were specially permitted by the Local Government to be paid to secure a title to pension from General Revenues under the rules in force before 7th January 1889 (see "note" below)

continue to be in pensionable service when they are transferred, together with the schools in which they are employed, from Local to Municipal service, and *vice versâ*.

(*b*) Also teachers, fulfilling either of the conditions (i) and (ii) above, who are transferred under

rders of the Local Government and in the interests of the Public service, and not for private reasons, between Local Fund and Municipal schools, continue to render service pensionable from the *General Revenues*: Provided that contributions are paid in all cases under the rules in this Chapter.

(c) In case (i) any pension granted is charged to the Local Fund Pension Fund and to the *General Revenues* according to the *Rule of Proportions*.

NOTE.—[Under the rules in force prior to the issue of Finance Department Resolution No. 109, dated 7th January 1889, an officer paid from a Local Fund was allowed on first appointment with the permission of the Local Government, and upon production of a medical certificate under Article 61 (Chapter III), to subscribe for a pension from the *General Revenues*, the contribution being calculated at one-eleventh of the gross salary received from his Foreign employers subject to a maximum of R100 a month. This permission, in so far as it relates to individual officers (apart from the regular system of contribution under the above Article), is now withdrawn, but officers who have already been permitted to subscribe may continue to do so subject to the conditions prescribed in Article 810 (*a*). These regulations will then apply to such officers so long as they continue to subscribe for pension as if they were paid from the *General Revenues*.]

864. An officer who is in qualifying service under Government may be transferred by the Local Government to service under a Local Fund under the same limitations and conditions as are applicable to transfers to Foreign service. If the establishments are fixed and controlled by Government in the same way as Government establishments, the limitations and conditions are those applicable to Foreign service of the second kind; otherwise they are those of Foreign service of the first kind.

865. If an officer, whose service is reckoned as pensionable under the provisions of Article 863, is transferred to the similarly pensionable establishment of another Local Fund, the transfer will not interrupt the continuity of service for pension. Transfers may also be made between such service under Local Funds and service in Government establishments.

866. Article 842 does not apply to an officer transferred to service under a *Local Fund* under the conditions and limitations of Foreign service of the second kind otherwise than as a merely temporary arrangement; but it does refer to transfers to service under a *Local Fund* under the conditions and limitations of Foreign service of the first kind.

Post Office Annuities.

867. With the permission of the Government, the Trustees, Committee, or Managers of any *Local Fund* may purchase from the Post Office (Life Assurance Branch) a pension or annuity for any of their servants for whom such pension or annuity is not otherwise admissible: Provided that such pension shall not exceed the amount which the servant might have obtained if his service had been paid from the *General Revenues*.

Local Fund Pension Funds.

868. The Government does not guarantee the solvency of Funds (such as the Educational and Public Works Local Fund Pension Funds, Bombay) formed by the subscriptions of Local Fund Officers, and established to provide pensions for the subscribers thereto. (*See Appendix 16.*)

NOTE.—[The funds above named were closed to new entrants from 26th June 1882 by the Government of Bombay, and a general permission was given to the employés of the Local Funds in question to contribute for pension from the *General Revenues* under the rule referred to in the note to Article 863 of this Chapter.]

Exceptional cases.

869. In the following cases, service paid from *Local Funds* qualifies :—

(*a*) Public officers transferred to establishments under the Cotton Frauds Act, Bombay, before the receipt of the Secretary of State's Despatch to the Government of India, No. 302, dated 16th December 1864, which directed their early re-transfer to the regular service.

The pensions are payable from *General Revenues* only in respect of service up to the date on which the officers were given the option of returning to the regular service.

(*b*) Second writers and daroghas on Jail establishments in the Bombay Presidency formerly paid from a Jail Labour Fund.

(*c*) Muharirs attached to the court of any Honorary Magistrate in the Central Provinces, and paid from Municipal Funds.

(*d*) Officers in the North-Western Provinces and Oudh, transferred in connection with the introduction of the Local Self-government scheme before the 1st April 1885 to service under the Local Committees constituted under Acts III and IV of 1878.

(*e*) Officers in Assam transferred after the issue of the Chief Commissioner's Resolution No. 1912 of 10th May 1882, and before the 12th May 1884, to service under the Local or District Committees constituted by the Assam Local Rates Regulation (1879).

(*f*) Officers in the Punjab transferred before the 1st July 1886 to service under District Boards constituted under Act XX of 1883.

(*g*) Service paid from the "Quetta Revenue Fund" before the 1st April 1883, from which date the charges previously paid from the Fund became charges on the *General Revenues*.

Section II.—Leave Rules.

	Articles.		Articles.
General Rules	870	Applications for Leave . .	872

General Rules.

870. Service under an *Incorporated Local Fund* may qualify for leave under Part III of these Regulations; but the allowances given during such leave must be disbursed from the *Local Fund* and *General Revenues* according to the *Rule of Proportions*: Provided that if less than one-fourth of the said allowances would be payable from either source, the whole of the allowances shall be charged to the other source.

871. No leave or allowances during leave to an officer paid from a *Local Fund*, or from any other sources under the control of a Government officer, shall, without the express sanction of the Government of India, exceed what would be admissible under the rules which apply to an officer paid from *General Revenues*.

Applications for Leave.

872. Applications for leave are ordinarily made to the Managers of the

Local Fund concerned; but when the officer contributes for *pension* and leave or *pension* only, under Chapter XXXVI, Articles 845 to 848 of that Chapter should be complied with.

Section III.—Travelling Allowances.

873. The travelling allowance rules in Part XI do not apply to officers paid from a *Local Fund* or from any sources other than *General Revenues* under the control of any Government officer; but the travelling allowance paid to such officers shall not, without the express sanction of the Local Government, exceed what would be admissible to similar officers under these Regulations.

PART VIII.—RECORD OF SERVICE.

GENERAL ARRANGEMENT.

	ARTICLES.	PAGE.
CHAPTER XXXIX.—RECORD OF SERVICE:—		
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PART VIII.—RECORD OF SERVICE.

Chapter XXXIX.—Record of Service.

Section I.—Gazetted Officers.

	ARTICLE.		ARTICLE.
GENERAL RULES	874	RULES REGARDING CHAPLAINS .	875

General Rules.

874. A record of the service of Gazetted Officers and of Myooks in Burma is maintained by the *Audit Officer* under arrangements which differ in different departments. The general arrangement to be observed is that the service registers should be kept by the *Audit Officer* who audits the salaries, and that when an officer passes from one audit circle to another, a record of his past service should be passed on from the *Audit Officer* whose circle he leaves to the *Audit Officer* to whose circle of audit he is transferred.

1. When a Gazetted Officer is transferred to Foreign service under the rules in Part VII, a copy of his service register will be sent by the *Audit Officer* whose duty it was to keep it, to the *Accountant General* who will account for the contribution, and the latter will return the register (or an extract from it), duly written up to date, when the officer is re-transferred to British service.

2. Examiners of Public Works Accounts will keep the service registers and service books of officers and subordinates of the Public Works Department transferred to Foreign service, and will issue their last-pay certificates, all contributions paid into the treasuries on account of these officers being reported to the Examiners by the *Accountant General*.

Rules regarding Chaplains.

875. (*a*) A record of each Chaplain's services shall be kept in the office of the Comptroller, India Treasuries, for Chaplains of the Bengal Ecclesiastical establishments, and in the office of the Accountants General of Bombay and Madras for those of the Bombay and Madras establishments.

(*b*) When a Chaplain of the Church of Scotland is attached specially to a regiment, and when he is relieved from that charge, the *Accountant General* concerned should be informed by the Military Department.

Section II.—Non-Gazetted Officers.

	ARTICLE.		ARTICLE.
SERVICE BOOKS AND SERVICE ROLLS	876	RECORD OF LEAVE . . .	884
RESPONSIBILITY FOR ENTRIES .	882	FOREIGN SERVICE . . .	885

Service Books and Service Rolls.

876. With the exceptions noted below, every Non-Gazetted Officer holding a substantive appointment on a permanent establishment is required to keep up

a service book in which every step in his official life should be recorded, each entry being contemporaneously attested by the head of his office. If the officer is himself the head of an office (*e.g.*, a Deputy Postmaster, or a Sub-Inspector of Police), the contemporaneous attestation should be made by his immediate superior. The following are the exceptions referred to :—

(1) Non-Gazetted Officers the particulars of whose service are recorded in the "History of Services of Gazetted and other officers" or in Service Registers maintained by the *Accountant General*.
(2) Police officers whose pay does not exceed R20.
(3) Officers of the Northern India Salt Revenue Department and of the Kohat Salt Mines Establishment whose pay does not exceed R10.
(4) Officers of the Salt and Customs Department in the Bombay Presidency whose pay does not exceed R10.
(5) Postmen, village postmen, runners, boatmen, coolies in the Post Office Department, and inferior servants of the Aligarh and Bombay postal presses.
(6) Menial and inferior servants belonging to local offices of the Telegraph Department for whom the Director General of Telegraphs may consider service books to be unnecessary.
(7) Mandals employed in the Assam Valley Districts.
(8) Myooks in Burma.

877. Except in the case of runners, boatmen, and coolies in the Post Office Department, in all cases where service books are not kept, service rolls, such as those prescribed for the Police in Article 886, should be maintained.

878. (*a*) The opening page of the service book should contain the following entries :—

(1) Name.
(2) Race.
(3) Residence.
(4) Father's name and residence.
(5) Date of birth by the Christian era as nearly as can be ascertained.
(6) Exact height by measurement.
(7) Personal marks for identification.
(8) Signature of (non-gazetted) officer.
(9) Signature and designation of the head of the office or other attesting officer.

(*b*) The entries in this page should be renewed or re-attested at least every five years, and the signatures in lines (8) and (9) should be dated.

879. The remaining folios of the service book should be divided into twelve columns, *viz.*,—

(1) Name of appointment.
(2) Whether substantive or acting, and whether permanent or temporary.
(3) If acting, here state substantive appointment.
(4) Pay.
(5) Acting allowance.
(6) Date of appointment.
(7) Signature of (non-gazetted) officer.
(8) Signature and designation of the head of the office or other attesting officer.
(9) Date of termination of appointment.
(10) Reason of termination (such as promotion, transfer, dismissal, etc.).
(10A) Leave taken – nature and duration of.
(11) Signature of head of the office or other attesting officer.
(12) Reference to any recorded punishment or censure, or reward or praise of the officer.

880. No uniform rule can be laid down regarding the language in which service books should be written. But in an office the head of which is acquainted with English, that language should, as far as is convenient, be employed. All the headings in the service book, without exception, should be printed in both English and the Vernacular.

Record of Service.

881. A service book is supplied, at his own cost, to every officer on his *first appointment*. It is to be kept in the custody of the head of the office in which he is serving, and transferred with him from office to office. It may be given up to the officer if he resigns or is discharged without fault, an entry being first made therein to this effect.

Responsibility for entries.

882. It is the duty of every officer to see that his own service book is properly kept up, and that all erasures in it are properly attested. If the book is not carefully kept up, difficulties may arise as to verification of service, when the officer applies for *pension*.

883. (*a*) Personal certificates of character should not, unless the *Local Government* so directs, be entered in column (12).

(*b*) When, however, an officer is reduced to a lower substantive appointment, the cause of the reduction should always be briefly stated thus—"reduced for inefficiency," "reduced owing to revision of establishment," etc.

Record of Leave.

884. Every period of suspension from employment, and every other interruption in service should be noted, with full details of its duration, by an entry written across the page, and attested by the head of the office or other attesting officer.

1. The head of the office should take efficient measures to see that these entries are made with regularity. The duty should not be left to the non-gazetted officer concerned.

Foreign Service.

885. (*a*) If the officer is transferred to Foreign service under the Rules in Part VII, the head of his office or department should send his service book to the *Accountant General*, who will return it to the officer submitting it after noting therein, under his signature, the orders of Government sanctioning his transfer to Foreign service, the effect of the transfer in regard to leave admissible during his Foreign service, and any other particulars which the *Accountant General* may consider to be necessary in connection with the transfer.

(*b*) If the officer is re-transferred to the British service, his service book should again be sent to the *Accountant General*, who will then note therein, under his signature, all necessary particulars connected with the officer's Foreign service.

1. No entries made in the service book of an officer on Foreign service of the first kind can be attested by any officer except the *Accountant General*.
2. Rule 1 does not apply in the case of Public Works Subordinates (*vide rule 2 under Article 874*).

(*c*) In cases in which the salaries are audited by an *Accountant General*, this Article does not apply to Foreign service of the second and third kinds.

Section III.—Non-Gazetted Police Service.

Service Rolls.

886. In the case of Police Officers who are exempted, under Article 876 from keeping service books, there shall be kept up for each district by the District Superintendent of Police a Service Roll in English, in which shall be recorded the date of the enrolment of each man in the Constabulary; his caste, tribe, village, age, height, and marks of identification when enrolled; his rank, promotion, reduction or other punishment; his absences from duty, on leave or without leave; the interruptions in his service; and every other incident in his service which may involve forfeiture of portions of his service, or affect the amount of his pension.

887. The Roll shall be checked by the Vernacular Roll and Order Book and the Punishment Register, and every entry in it shall be signed by the District Superintendent of Police.

888. From this Roll the necessary statement of service of every applicant for pension shall be prepared, additional proofs being collected, as prescribed in Article 989, in respect of any service rendered before enrolment in the Constabulary which the applicant may be entitled to count.

PART IX.—PROCEDURE RELATING TO LEAVE.

GENERAL ARRANGEMENT.

	ARTICLES.	PAGE.
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PART IX.—PROCEDURE RELATING TO LEAVE.

Chapter XL.—Applications for and grant of Leave.

Section I.—Applications.

	ARTICLE.		ARTICLE.
TO WHOM SUBMITTED . . .	889	MEDICAL CERTIFICATES—GAZETTED OFFICERS	893
PRIVILEGE LEAVE . . .	890		
		MEDICAL CERTIFICATES—NON-GAZETTED OFFICERS .	903

To whom submitted.

889. Except as provided in Articles 910 to 915 and 920 of this Chapter, every application for leave should be submitted to the *Local Government*, or other authority whose duty it would be to fill up the appointment of the applicant if it was vacant.

1. When a Gazetted Officer applies for leave, he should quote the Article or Section of these Regulations under which he considers himself entitled to the leave.

Privilege Leave.

890. An application for privilege leave should not be made more than six weeks before the leave is wanted, or more than eight weeks if the officer is employed at Aden, or under the Resident at Aden. This rule does not apply to officers serving at Port Blair or the Nicobars.

891. An officer applying for privilege leave must record a declaration that he has no intention of retiring or of taking Furlough, Special leave, Subsidiary leave, Leave on Private Affairs, or Leave on Medical Certificate, for three months after his return to duty. Though not absolutely debarred by this declaration from applying for permission to retire or to take such leave within the three months, he should, if he does so, explain his change of mind.

1. Formal joining at the end of privilege leave with the intention of taking other leave within a few days is not permitted, as the other leave granted in such circumstances would practically be in continuation of the privilege leave. The principle on which this rule and the requirements of this Article should be enforced, is that no deliberate or intentional evasion of the rule should be permitted; but so long as this condition is satisfied, it is left to the discretion of the authority granting the leave to grant or refuse it, as may seem proper in each case.

892. In applying the preceding Article to officers of the State Railway Revenue Establishments referred to in Article 730, clause (*a*), the words "otherwise than as provided by Article 730 (*a*)" should be added after "Certificate."

Medical Certificates—Gazetted officers.

893. An application from an Officer in India for leave, or extension, or commutation of leave, on medical certificate, must be accompanied by a certificate

in the following form, or as nearly in this form as the circumstances allow :—

I, *A. B.*, Surgeon at (*or of*) ——————, do hereby certify that *C.D.* of the —— service, is in a bad state of health, and I solemnly and sincerely declare that, according to the best of my judgment, a change of air is essentially necessary to his recovery, and do therefore recommend that he may be permitted to proceed to sea [*or to such place as the Surgeon may think proper, expressing it in the certificate*].

894. (*a*) With the cognizance of the head of his office, or, if he is himself the head of his office, of the head of his department, the applicant must, except in the cases provided for in Articles 897 and 898, present himself with two copies of the statement of his case at the seat of the Government under which he is serving, or at such other place as may be appointed by that Government, where a Committee of Medical Officers can be assembled under the orders of the Administrative Medical Officer of the Province, and when practicable, presided over by him. From this Committee the officer should obtain a certificate as follows :—

We do hereby certify that according to the best of our professional judgment, after careful personal examination of the case, we consider the health of C. D. to be such as to render leave of absence for a period of (x) months absolutely necessary for his recovery.

895. Before deciding whether to grant or refuse the certificate to an applicant for a medical certificate under the preceding Article, a Medical Board may, in a doubtful case, detain him under professional observation during a period not exceeding fourteen days. (*See Article 356.*)

896. The time spent by an officer after leaving his station in obtaining a certificate under Article 894 reckons as subsidiary leave, unless he is expressly permitted by the *Local Government* to retain charge of his duties, and to resume them before proceeding on leave.

897. If the state of the applicant's health be certified by a Commissioned Medical Officer or by a Medical Officer in charge of a Civil Station, to be such as to make it highly inconvenient for him to repair to the seat of the Government under which he is serving, or to any other place, the *Local Government* may accept a certificate from any two Medical Officers, either Commissioned or in charge of Civil Stations. The certifying officers need not belong to the same Province as the applicant.

NOTE.—[A medical certificate from the Civil Surgeon or Civil Medical Officer of the Station countersigned by the District Officer or by the Commissioner of the Division, may be accepted in exceptional cases in which the Local Government considers it impracticable or undesirable to insist on the production of a certificate signed by two Medical Officers.]

898. If an applicant for furlough in India is exempted by a *Local Government* from appearing at the seat of the Government, or at any other place, he should produce a certificate signed by at least two Medical Officers, either Commissioned or in charge of Civil Stations, provided neither of them is his regular medical attendant.

899. The certificate obtained should then be submitted to Government for orders. The grant in Article 894 of the option of undergoing medical examination at the seat of the Government under which he is serving, or at any other place, does not confer on the applicant a right to proceed on leave without the sanction of the Government to which he is subordinate.

Applications for and grant of Leave.

900. If the officer is going on leave out of India, he should take with him one copy of the medical report upon his case.

901. A duplicate of the medical report upon the case of an officer going to Europe on leave on medical certificate should be forwarded direct to the India Office, addressed to the Under-Secretary of State for India, by the Local Government under which the officer is employed, for the information of the Medical Board attached to the India Office, so as to arrive as soon as the officer reaches England. No delay should be allowed to occur in the transmission of the duplicate report to the India Office.

902. If an applicant for an extension or commutation of leave on medical certificate be residing out of India, and within sixty miles from London, he must produce a certificate from the Medical Board attached to the India Office, showing the necessity for the extension or commutation. If he be residing more than sixty miles from London, certificates in the form given in Article 893 must be produced from two medical practitioners ; and he may be called upon to produce other evidence.

Medical Certificates—Non-Gazetted Officers.

903. Application for leave or extension or commutation of leave on medical certificate must, in the case of an Officer in superior service, be accompanied by a certificate from the applicant's medical attendant. The certificate should distinctly state the nature of the illness, its symptoms, causes and duration, and the period of absence from duty considered to be absolutely necessary for the restoration of the applicant's health. It should be countersigned by a Presidency Surgeon, if the applicant is at a Presidency Town, and in all other cases, by the Officer in chief medical charge of the district where the applicant resides.

904. The countersigning Officer may at his discretion require the applicant to appear before him, unless it appears from the certficate of his medical attendant that he is too ill to bear the journey, in which case such Officer may, after careful investigation of the case, either countersign the certificate or refuse to do so as he thinks fit. No certificate should be submitted for countersignature without the cognizance of the head of the applicant's office, or, if the applicant be himself the head of his office, without immediate report to the head of his department.

905. (*a*) If the leave be for more than six months, the papers must, in the case of an Officer in superior service, be submitted for countersignature by the Administrative Medical Officer of the Province to which he belongs.

(*b*) It is not necessary that the applicant for leave should appear in person before the Administrative Medical Officer, unless that officer call upon him so to appear. The Administrative Medical Officer should only call upon an applicant from a distant station to appear for very special reasons.

1. In the case of an officer who is granted leave on medical certificate for three months, and who subsequently applies for an extension which, if granted, would have the effect of making the entire period of leave more than six months, it is necessary that the application for extension should be supported by a medical certificate countersigned by the Administrative Medical Officer.

906. If the applicant be already on leave out of India, the certificate under Article 903 must state the period during which the Surgeon or Physician has attended the officer, and it must be countersigned, after personal examination, by the Medical Board of the India Office, or by the Principal Medical Authority of the colony or country where the absentee may be.

907. The forms of certificate prescribed in Articles 893 to 902 should be used as far as they are applicable.

Section II.—Grant of Leave.

	ARTICLE.		ARTICLE.
GENERAL RULES	908	GAZETTED OFFICERS . . .	910
		NON-GAZETTED OFFICERS . . .	915

General Rules.

908. Leave may be granted with retrospective effect from the date on which it is admissible.

909. Unless specially otherwise ordered, leave must begin within thirty-five days of the date on which it is granted.

Gazetted Officers.

910. (*a*) After obtaining a report from the *Audit Officer* upon the title of the applicant to the leave applied for, the *Local Government* may grant any leave admissible under the Regulations.

NOTE.—[For the purposes of this rule, Myooks in Burma are treated as gazetted officers.]

(*b*) In the case of Gazetted Officers the *Local Government* may, with or without restrictions, delegate its powers of granting leave conferred by clause (*a*) to any officer who, in its opinion, can judge of the expediency of granting the leave and who can, without reference to higher authority, make the necessary arrangements for carrying on the absentee's duties during the leave. The *Local Government* may at any time withdraw powers delegated under this clause.

(*c*) An officer acting under clause (*b*) must first obtain a report from the *Audit Officer* that the leave is admissible. If he grants the leave he must communicate his orders to the *Audit Officer* by insertion in the Gazette or otherwise. In delegating its powers of granting leave in accordance with clause (*b*) the *Local Government* will decide whether either the grant or the refusal of the leave should be reported to it.

911. A *Local Government* granting leave to a Member of the Indian Civil Service on the Bengal, Madras, or Bombay Establishment serving out of his own Presidency, should inform the Government of India, Madras, or Bombay, as the case may be.

912. Leave to an officer appointed by a High Court is granted by the Chief Justice, subject, in the case of gazetted officers, to the report of the *Accountant General*, that the officer is entitled to the leave.

Applications for and grant of Leave.

913. An *Accountant General* may deal with an application for privilege leave from an Enrolled Officer of the Financial Department whose rank is not higher than Assistant, or from a Chief Superintendent serving under his immediate orders, unless the absence of an applicant involves the appointment of an officer to act for him. Grants of leave and the date of each officer's departure on, and return from, leave should be reported to the Government of India. If leave be refused in any case, the reason for the refusal should be reported to the Government of India.

914. An application for leave from any officer in the Financial Department, which requires the sanction of the Government of India, should be submitted to the Comptroller and Auditor General, who will forward it to the Government of India, with his opinion as to whether the leave should be granted, and suggest the departmental arrangements to be made if the leave is granted.

Non-Gazetted Officers.

915. (*a*) In the case of an officer who is not gazetted leave may be granted by the authority whose duty it would be to fill up his appointment if vacant. The *Local Government* may, with or without restrictions, confer powers of granting leave on any officer who, in its opinion, can judge of the expediency of granting the leave and who can, without reference to higher authority, make the necessary arrangements for carrying on the absentee's duties during the leave. The *Local Government* may at any time withdraw powers conferred under this [illegible]

(*b*) An *Audit Officer* is not required to submit any report on the title to leave of an applicant who is not a Gazetted Officer.

916. Cancelled.

Section III.—Rules regarding Chaplains.

	ARTICLE.		ARTICLE.
CHURCH OF ENGLAND . . .	917	CHURCH OF SCOTLAND . .	927

Church of England.

917. Applications for leave from Chaplains on the Bengal Ecclesiastical Establishment, and from Chaplains on other establishments serving in the Bengal Presidency, are dealt with under the Rules in this Section, the priority of claim being determined in accordance with Chapter XIII, Article 342.

918. Subject to the exigencies of the Public Service, Local Governments in the Bengal Presidency are empowered, with the concurrence of the Bishop of the Diocese, to grant any Furlough or Special leave authorised by these Regulations to Chaplains serving within their respective jurisdictions.

919. If a Chaplain applying for Furlough or Special leave belong to the Madras or Bombay Ecclesiastical Establishment, the Local Government under which he is serving will, if the Furlough or leave be granted, inform the Government of Madras or Bombay, as the case may be.

Procedure relating to Leave.

920. The Bishop of the Diocese is empowered to grant privilege leave to Chaplains under Article 656, subject to the public exigencies, of which the Bishop shall be the judge. But the grant, cancelment, or extension of such leave should be reported to the Local Government concerned.

921. (*a*) All applications for leave should be accompanied by a certificate from the *Accountant General*, shewing that the applicant is entitled to the leave asked for, and should, as a general rule, be forwarded, in the first instance, through the proper channel, to the Bishop of the Diocese, who will transmit applications for furlough or special leave, with His Lordship's remarks, to the Local Government concerned, and will himself dispose of applications for privilege leave.

(*b*) But in cases of urgency, leave on medical certificate may be granted by the Local Government in anticipation of the concurrence of the Bishop, who should, however, be informed without delay.

922. Except under orders of the Secretary of State, the term of Furlough or Special leave cannot be altered without the permission of the Government by which it may have been granted.

923. Every Chaplain who obtains leave shall supply himself with a last-pay certificate, and with a statement shewing the allowances which he is entitled to draw while absent. It shall be the duty of the *Accountant General* to furnish these documents (*see Chapter XLII*), and no leave allowances will be payable without their production.

NOTE.—[If a Chaplain's term of twenty-five ye[illegible] the [illegible]rvice expires (*see Article 664*) during his leave, or during the period to which it is stated that [illegible]e *Local* may be extended, the fact should be noted on the last-pay certificate.]

924. A Chaplain shall report his return to duty to the Bishop, and to the Local Government by which his leave or furlough may have been granted.

925. If any Local Government shall see fit to refuse a Furlough to any Chaplain on the ground of the exigencies of the Public Service, it shall report such refusal for the confirmation of the Government of India.

926. Applications for leave from Chaplains on the Madras and Bombay establishments are made in accordance with the foregoing rules, but Article 925 applies only to Chaplains on the Bengal establishment.

Church of Scotland.

927. (*a*) As noted in Article 643, it is only on rare occasions that a Chaplain of the Church of Scotland is attached to a particular regiment. Leave of absence, however, whether the Chaplain is attached to a regiment or not, should be granted by the Local Government and notified in the local gazette.

(*b*) When the Chaplain is attached to a regiment, the application for leave will be forwarded through the Commanding Officer.

(*c*) In the case of the Senior Chaplain of the Church of Scotland in Bengal, the leave should be granted by the Local Government and by the Government of India concurrently, and be notified in the local gazette and in the *Gazette of India*.

928. Cancelled.

Section IV.—Rules regarding Military Officers.

	ARTICLE.		ARTICLE
OFFICERS SUBJECT TO THE CIVIL LEAVE RULES . . .	929	OFFICERS SUBJECT TO THE MILITARY LEAVE RULES	930
COMMISSIONED MEDICAL OFFICERS .	935		

Officers subject to the Civil Leave Rules.

929. (*a*) *Local Governments* when granting furlough or leave to a Military Officer, who is subject to the Civil leave rules, will forward a copy of the order or notification to the Account Officer in charge of the officer's record of pension service, and also to the Military Department. *Local Governments* will forward to the same authorities copies of orders granting extensions of furlough or leave. The Civil *Audit Officer* will keep these authorities informed of the date of the beginning and ending of all such furlough or leave.

(*b*) When the grant of furlough or leave out of India (elsewhere than to the Colonies) to Military Officers, including officers of Royal Engineers, subject to the Civil leave rules, has been gazetted or notified by the *Local Government*, the Account Officer in charge of the officer's record of pension service will forward to the Under-Secretary of State for India a statement of the officer's service. [*See Article 930* (*d*)].

* Officers subject to the Military Leave Rules.

930. (*a*) An application for furlough or leave in or out of India under military rules from an officer in permanent civil employ or an officer holding an appointment in the Civil Department, the tenure of which is limited, should be submitted through the Account Officer in charge of the officer's record of pension service, who will forward it to the *Local Government*, stating the furlough or leave regulations to which the officer is subject; and in addition—

(i) if the applicant is subject to the Military Furlough Regulations of 1868 or 1875—the particular rule or rules of the regulations under which the furlough is admissible;

(ii) if the applicant is subject to the leave rules for the Staff Corps—the year of service for pension he has entered upon, and the date on which that year commenced;

(iii) if the application is for furlough in India—the particular rule of the regulations under which the leave is admissible.

NOTE.—All other applications should be submitted direct to Local Governments.

(*b*) In the case of officers subject to the leave rules applicable to Regimental officers of the British Army serving in India and holding civil appointments, the Account Officer in charge of the officer's record of pension service will, on application, furnish the Civil auditors concerned with a certificate showing the rate of pay admissible during leave and how the leave may be extended or commuted.

* Officers in Civil employ who are subject to the Military Leave Rules are eligible for privilege leave under the rules in Chapter XII, Civil Service Regulations.

Procedure relating to Leave.

920. The Bishop of the Diocese is empowered to grant privilege leave to Chaplains under Article 656, subject to the public exigencies, of which the Bishop shall be the judge. But the grant, cancelment, or extension of such leave should be reported to the Local Government concerned.

921. (*a*) All applications for leave should be accompanied by a certificate from the *Accountant General*, shewing that the applicant is entitled to the leave asked for, and should, as a general rule, be forwarded, in the first instance, through the proper channel, to the Bishop of the Diocese, who will transmit applications for furlough or special leave, with His Lordship's remarks, to the Local Government concerned, and will himself dispose of applications for privilege leave.

(*b*) But in cases of urgency, leave on medical certificate may be granted by the Local Government in anticipation of the concurrence of the Bishop, who should, however, be informed without delay.

922. Except under orders of the Secretary of State, the term of Furlough or Special leave cannot be altered without the permission of the Government by which it may have been granted.

923. Every Chaplain who obtains leave shall supply himself with a last-pay certificate, and with a statement shewing the allowances which he is entitled to draw while absent. It shall be the duty of the *Accountant General* to furnish these documents (*see Chapter XLII*), and no leave allowances will be payable without their production.

NOTE.—[If a Chaplain's term of twenty-five years' service expires (*see Article 664*) during his leave, or during the period to which it is stated that it may be extended, the fact should be noted on the last-pay certificate.]

924. A Chaplain shall report his return to duty to the Bishop, and to the Local Government by which his leave or furlough may have been granted.

925. If any Local Government shall see fit to refuse a Furlough to any Chaplain on the ground of the exigencies of the Public Service, it shall report such refusal for the confirmation of the Government of India.

926. Applications for leave from Chaplains on the Madras and Bombay establishments are made in accordance with the foregoing rules, but Article 925 applies only to Chaplains on the Bengal establishment.

Church of Scotland.

927. (*a*) As noted in Article 643, it is only on rare occasions that a Chaplain of the Church of Scotland is attached to a particular regiment. Leave of absence, however, whether the Chaplain is attached to a regiment or not, should be granted by the Local Government and notified in the local gazette.

(*b*) When the Chaplain is attached to a regiment, the application for leave will be forwarded through the Commanding Officer.

(*c*) In the case of the Senior Chaplain of the Church of Scotland in Bengal, the leave should be granted by the Local Government and by the Government of India concurrently, and be notified in the local gazette and in the *Gazette of India*.

928. Cancelled.

Articles 920—928.

Section IV.—Rules regarding Military Officers.

	ARTICLE.		ARTICLE
OFFICERS SUBJECT TO THE CIVIL LEAVE RULES . . .	929	OFFICERS SUBJECT TO THE MILITARY LEAVE RULES	930
COMMISSIONED MEDICAL OFFICERS .	935		

Officers subject to the Civil Leave Rules.

929. (*a*) *Local Governments* when granting furlough or leave to a Military Officer, who is subject to the Civil leave rules, will forward a copy of the order or notification to the Account Officer in charge of the officer's record of pension service, and also to the Military Department. *Local Governments* will forward to the same authorities copies of orders granting extensions of furlough or leave. The Civil *Audit Officer* will keep these authorities informed of the date of the beginning and ending of all such furlough or leave.

(*b*) When the grant of furlough or leave out of India (elsewhere than to the Colonies) to Military Officers, including officers of Royal Engineers, subject to the Civil leave rules, has been gazetted or notified by the *Local Government*, the Account Officer in charge of the officer's record of pension service will forward to the Under-Secretary of State for India a statement of the officer's service. [*See Article 930* (*d*)].

* Officers subject to the Military Leave Rules.

930. (*a*) An application for furlough or leave in or out of India under military rules from an officer in permanent civil employ or an officer holding an appointment in the Civil Department, the tenure of which is limited, should be submitted through the Account Officer in charge of the officer's record of pension service, who will forward it to the *Local Government*, stating the furlough or leave regulations to which the officer is subject; and in addition—

(i) if the applicant is subject to the Military Furlough Regulations of 1868 or 1875—the particular rule or rules of the regulations under which the furlough is admissible;

(ii) if the applicant is subject to the leave rules for the Staff Corps—the year of service for pension he has entered upon, and the date on which that year commenced;

(iii) if the application is for furlough in India—the particular rule of the regulations under which the leave is admissible.

NOTE.—All other applications should be submitted direct to Local Governments.

(*b*) In the case of officers subject to the leave rules applicable to Regimental officers of the British Army serving in India and holding civil appointments, the Account Officer in charge of the officer's record of pension service will, on application, furnish the Civil auditors concerned with a certificate showing the rate of pay admissible during leave and how the leave may be extended or commuted.

* Officers in Civil employ who are subject to the Military Leave Rules are eligible for privilege leave under the rules in Chapter XII, Civil Service Regulations.

(*c*) In the case of an officer in Civil employ proceeding on furlough under the Military Furlough Regulations of 1868 or 1875, the Account Officer in charge of the officer's record of pension service will furnish the Civil auditors concerned with the necessary certificates as in forms 2, 3, 4, 5, 5A, or 5B. Certificates in forms 2 and 4 for officers entitled to furlough pay at the rate of 2*s.* the rupee should be issued on blue paper.

(*d*) When the grant of furlough or leave out of India (elsewhere than to the Colonies) has been gazetted or notified by the *Local Government*, the Account Officer in charge of the officer's record of pension service will forward to the Under-Secretary of State for India a statement of the officer's service prepared on form 5C or 5D according as the officer is subject to the furlough regulations of 1868 or 1875, or to the leave rules for the Staff Corps. No such statement of service is required in the case of officers of the British Army serving in India proceeding on furlough under British Leave Rules or Article 704, Army Regulations, India, Volume I, Part I.

931. (*a*) After the furlough or leave has appeared in orders, the *Local Government* will, in the case of furlough or leave out of India (elsewhere than to the Colonies) on medical certificate, forward the medical statement of the officer's case to the Under-Secretary of State for India.

(*b*) *Local Governments*, when granting furlough or leave to a military officer in Civil employ, will forward a copy of the order or notification to the Account Officer in charge of the officer's record of pension service, and also to the Military Department. *Local Governments* will forward to the same authorities copies of orders granting extensions of furlough or leave. The Civil *Audit Officer* will keep these authorities informed of the date of the beginning and ending of all such furlough or leave.

(*c*) All reports of officers' arrival from, and departure on, furlough or leave in or out of India with dates of embarkation and debarkation, as well as those of being struck off or of resuming duty, should be forwarded to the Account Officer in charge of the officer's record of pension service and the Government of India in the Military Department.

(*d*) On the return of an officer from furlough or leave, it will be the duty of the Account Officer in charge of his record of pension service to satisfy himself that he has returned within his leave; and if not, to report the case to the sanctioning authority.

932. When a *Military Officer subject to the Military Leave Rules* applies for leave of absence on medical certificate, or proceeds to a seaport for the purpose of appearing before a Medical Board, he should communicate his intention to his immediate departmental superior when he sends in his application, or before he leaves his station, as the case may be.

933. An application from a *Military Officer subject to the Military Leave Rules* for special leave under Article 348, should be submitted to the *Local Government* for sanction with a certificate from the officer in charge of the officer's record of pension service that he is entitled to it.

934. *A Military Officer subject to the Military Leave Rules* proceeding on furlough or special leave, cannot obtain a last-pay certificate or a warrant,

as the case may be, until he submits to the *Audit Officer* a certificate in form Nos. 1, 2, 3, 4, 5, 5A, or 5B by the Account Officer in charge of the officer's record of pension service.

Commissioned Medical Officers.

935. (*a*) An application for any leave except privilege leave and leave on medical certificate from a Commissioned Medical Officer in permanent or temporary civil employment, should be submitted by the applicant, together with the Audit Officer's certificate, to the Local Administrative Medical Officer, by whom it will be forwarded to the Director-General, Indian Medical Service.

(*b*) The Director-General, Indian Medical Service, will countersign the application, if the state of the public service admits of leave being granted, and forward it to the *Local Government*. If the state of the public service does not admit of leave being granted, the Director-General, Indian Medical Service, will abstain from countersigning the application.

(*c*) On the application so countersigned, or from which countersignature has been withheld, the *Local Government* will at once be in a position to pass the necessary orders.

(*d*) The same procedure will be followed in the case of medical officers applying for extension of furlough on private affairs.

(*e*) An application from a Medical Officer appointed by the Government of India should be forwarded, with the Audit Officer's certificate, through the Administrative Medical Officer and *Local Government*, to the Department of the Government of India concerned, who, after consultation with the Director General, Indian Medical Service, will pass the necessary orders.

NOTE.—[A Local Government granting leave or extension of leave to a Commissioned Medical Officer in temporary Civil employ should communicate a copy of the order to the Principal Medical Officer, Her Majesty's Indian Forces.]

Chapter XLI.—Payment of Leave Allowances.

	ARTICLS.		ARTICLS.
PLACE OF PAYMENT . .	. 936	RATE OF EXCHANGE . .	. 945
PAYMENT IN INDIA . .	. 937	METHOD OF PAYMENT IN ENGLAND	. 948
PAYMENT OUT OF INDIA .	. 942	IF NOT DRAWN IN ENGLAND .	. 949

Place of Payment.

936. Leave allowances are payable in India after the end of each calendar month; but an officer on Furlough or Special leave out of India may, at his option, take payment at the Home Treasury of the Government of India, and, if he proceeds to any colony named in the list in Appendix No. 17, in such colony.

An officer having selected the country in which he desires to draw his leave allowances is permitted to change only once during any one period of leave.

Payment in India.

937. Except in the Public Works Department, a Gazetted Officer on leave in India may draw his allowances at any treasury in India. An officer

on Furlough or Special leave out of India may draw his allowances in India either at his own Head-quarters, or at the Chief Town of the Province, or Capital town of the Presidency in which he is employed.

NOTE 1.—[For the purposes of this Article Bombay may be treated as their Chief Town in the case of officers serving in the Hyderabad Assigned Districts, Rajputana and Central India.]

NOTE 2.—[For the purposes of this Article Myooks in Burma are treated as gazetted Officers.]

938. If a Gazetted Officer signs his bill himself, he must either appear in person at the place of payment, or furnish a life certificate signed by a responsible officer of Government, or some other well-known and trustworthy person. If he draws his allowances through an authorised agent, the agent, whether he has or has not a Power-of-Attorney, must either furnish a life certificate as aforesaid, or execute a bond to refund over-payments. A life certificate may be given periodically, a bond being given to cover intermediate payments not supported by the life certificate.

939. The proper stamp duty upon bonds executed under the preceding Article is that chargeable upon Indemnity Bonds according to the First Schedule of the Indian Stamp Act, I of 1879.

940. The leave allowances of a Non-Gazetted Officer on leave in India can be drawn only at the treasury where his salary is paid, and under the signature of the head of his office, who is responsible for any overcharges: no other security is required.

941. The following special departmental rules regulate the payment of the leave allowances of officers of the Public Works Department during absence on leave in India:—

(*a*) The allowances of an officer or subordinate of the Public Works Department who is absent on leave in India, and who is entitled to draw allowances during such absence, should be included monthly as they become due, in the salary bill of the Division or Office to which he is attached, and submitted for audit to the Examiner. The allowances, if admissible, should be audited by the latter Officer provisionally, subject to receiving an assurance that the officer is alive.

(*b*) If the absentee is attached to a Division, the Executive Engineer of this Division, on receipt of the audited bill, should either remit the amount, on receipt of a life certificate, or request the Executive Engineer at the station at or nearest which the absentee resides during his leave, to pay the allowances to the absentee on his appearing in person to receive payment, or on his furnishing a life certificate by a Member of the Indian Civil Service, a Magistrate, a Notary, a Banker, a Military Officer, a Chaplain, an officer of the Engineer Establishment of the Public Works Department, or any other officer of the Department holding an analogous position. If the amount exceeds R500, and has to be paid in another Province or Branch of the Department, the requisition for payment should be sanctioned by the Superintending Engineer of the Circle, in accordance with the orders contained in Public Works Department Circular No. 63, dated 21st December 1872.

(*c*) The Executive Engineer who complies with the requisition should send the Executive Engineer of the Division to which the absentee belongs an advice of transfer of the payment, accompanied by the necessary life certificate or statement of the absentee having appeared in person for the payment.

(*d*) If the absentee is attached to an office, the head of the office should request the Executive Engineer by whom the bills of the office are paid, to arrange for the payment of the absentee's leave allowances, and the procedure indicated in the preceding Rules will then be gone through.—(*Circulars of the Public Works Department, Government of India, No. 58, dated 10th October 1873, and No. 61, dated 12th August 1879; and Circular of the Accountant General, Public Works Department, No. 81, dated 23rd December 1876.*)

Articles 938—941.

NOTE.—[If a life certificate cannot be furnished, a bond executed by a recognised Bank or Agency firm may be accepted.—*Circular of the Public Works Department, Government of India, No. 82, dated 2nd June 1874.*]

Payment out of India.

942. An officer proceeding on Furlough or Special leave out of India cannot draw his leave allowances at the Home or any Colonial treasury unless he is provided with a Last-pay certificate or warrant in accordance with the rules laid down in Chapter XLII.

943. (*a*) Privilege leave allowances are not payable out of India; but in case an officer leaving India should afterwards want his leave to be commuted, he should take with him a certificate as follows:—

(*Name of, and designation of office held by, the officer.*)

PRIVILEGE LEAVE CERTIFICATE.

1. Government under which employed.
2. Date of beginning of leave.
3. Date on which leave will end.
4. Whether Furlough or Special leave is admissible on privilege leave being commuted, and if so, to what extent and on what terms.

NOTE.—[If Furlough or Special leave is granted, the leave allowances admissible will not be paid out of India until the officer produces a last-pay certificate.]

(Place) (Signature)
(Date) *Audit Officer.*

N. B.—Privilege leave allowances are not payble out of India.

(*b*) This certificate should be furnished to those officers only who may apply for it, and the *Audit Officer* need make no enquiries as to the place in which an officer intends to spend his Privilege leave. *A Military Officer subject to the Military Leave Rules* must himself obtain the certificate prescribed in Rule 1 of Article 949, and submit it to the *Audit Officer* with a view to the preparation of his Privilege leave certificate, should he require one.

944. Duplicate of a Privilege leave certificate is not to be forwarded to the Secretary of State.

Rate of Exchange.

945. Except as provided in Articles 946 and 947 when payment is made at the Home Treasury of the Government of India or in a Colony where the standard of currency is gold, rupees are converted into sterling at the rate of exchange fixed for the time being, for the adjustment of financial transactions between the Imperial and the Indian treasuries, subject to the condition that with effect from the 1st April 1893, 1*s.* 6*d.* to the rupee is fixed as the minimum rate at which the conversion into sterling shall be effected. If any payments are made at a different rate or otherwise erroneously, they should be adjusted in subsequent payments.

Exception.—The officers whose names are mentioned in Appendix No. 30 have been specially authorised by the Secretary of State to receive leave allowances, while on leave out of India, at the rate of exchange of 2 shillings to the rupee.

946. If in any covenant or contract, dated before the 23rd day of November 1871, with any officer for service in India, it is provided that, in payments to be made under, or in pursuance of, the contract, a pound sterling

shall be considered an equivalent or equal to, and calculated after the rate of ten rupees, any leave allowance which the officer is, under his covenant or contract, entitled to receive in England, shall be converted into sterling at that rate. But if, in such contract, no provision is made for the payment of any allowances during leave, the aforesaid rate of exchange will not apply to any leave allowances.

947. The absentee allowance of a Military Officer on Furlough out of India and drawn in England, who elected the Military Furlough Rules of 1868 before the 1st July 1871, is paid at the rate of two shillings the Government rupee, but this exception does not apply to a Military Officer in civil employ subject to the Military Furlough Regulations of 1868 on Special leave under Article 348. The absentee allowance of such an officer if drawn in England is paid at the rate of exchange laid down in Article 945.

Method of Payment in England.

948. The furlough allowances of all officers are issued at the Home Treasury monthly in arrear.

The quarterly dates to which the allowances of Military (including Military Officers in Civil employ), Medical, Ecclesiastical, and Marine Officers are made up, are 15th February, 15th May, 15th August, and 15th November; whilst the quarterly dates to which the allowances of other officers are made up are 15th January, 15th April, 15th July, and 15th October, respectively. Payment in each case is made on or after the day following.

Advances (omitting shillings and pence) of one-third, approximately, of the net quarterly amount are payable on the 16th of the first and second month of each quarter, and the balance of the three months, less Income Tax, and other deductions (if any) on the quarterly dates on which the allowances are payable as specified above.

Payment is made—

(i) to the officer on his personal application; or

(ii) to his banker or other agent, duly authorised under power-of-attorney, on production of a life certificate, filled up and executed in the manner directed thereon (except in cases where proof of existence is not required owing to the banker having guaranteed the Secretary of State against loss consequent on his dispensing with the production of such proof); or

(iii) on presentation of a draft, duly filled up and signed by the officer, in a form which, with the requisite form of life certificate attached, may be obtained from the India Office, London, on the officer's written application.

If not drawn in England.

949. (*a*) If an officer proceeding on Long Leave to Europe does not intend to draw allowances from the Home Treasury during his absence, he must nevertheless take with him a Certificate of Leave in the following form, from the *Audit Officer* in whose circle of audit his appointment is held. If

the officer visits England, this certificate is to be presented at the India Office :—

CERTIFICATE OF LEAVE GRANTED TO (*name of, and designation of office held by, the officer*) PROCEEDING OUT OF INDIA.

NOTE.—[*The allowances admissible to the officer during leave will be paid in India.*]

1.—Government under which employed.
2.—Date of beginning and ending of any leave already taken; the nature of such leave, and the rule under which it was taken.
3.—Article of the Civil Service Regulations under which the leave is granted.
NOTE.—[*Distinguish Furlough granted on medical certificate from Furlough granted without medical certificate.*]
4.—Period of leave.
5.—Date of commencement of leave.
6.—Monthly rate of absentee allowance.
7.—Source from which absentee allowance is payable.
* 8.—Period for, and terms on which leave may be extended or commuted otherwise than to Extraordinary leave.

(Place) (Signature)

Audit Officer.

* In filling up entry 8 the *Audit Officer* should *always* mention that no extension or commutation of the leave, otherwise than on medical certificate, will be allowed by the Secretary of State for India, unless the previous consent of the Local Government has been obtained. It should also be noted that an extension of leave on medical certificate is not granted by Her Majesty's Secretary of State for India for a longer period than six months, subject to renewal if necessary. (*Despatches from Secretary of State, Nos. 25 and 212 (Financial), dated respectively 29th January 1891 and 15th November 1894.*)

1. A *Military Officer subject to the Military Leave Rules* proceeding on Furlough cannot obtain the certificate in this Article until he submits to the *Audit Officer* a certificate in Form 1, 2, 3, 4, 5, 5A or 5B, as the case may be, by the Account Officer in charge of the Officer's record of pension service.

(*b*) If the officer afterwards desires to draw his leave allowances at the Home treasury of the Government of India or at some Colonial treasury he must obtain a last-pay certificate from the *Audit Officer* in whose Circle of Audit he was employed when he proceeded on leave.

950. An officer proceeding on Long Leave to a Colony in America or the West Indies must take with him a "certificate of leave granted" in the form referred to in Article 949 (*a*). If the officer visit England or has occasion to apply for an extension of leave, the certificate should be presented at the India Office. If not previously presented, it must be forwarded to the India Office when permission to return to duty is applied for.

Chapter XLII.—Last-pay Certificates and Warrants.

Section I.—Last-pay Certificates.

	ARTICLE.		ARTICLE
GENERAL RULES . . .	951	LEAVE OUT OF INDIA . .	958
EXTENSIONS AND COMMUTATIONS .	954	COLONIAL WARRANTS . .	966
LEAVE IN INDIA . . .	955	COPY OF RULES TO BE FURNISHED	972

General Rules.

951. Except as provided in Article 956, no officer can begin to draw his leave allowances at any treasury in India, or at the Home treasury of the

Government of India, without producing a last-pay certificate from the treasury where his pay or allowances were last disbursed, or from the *Accountant General* within whose jurisdiction this treasury is.

1. No-demand certificates are not required by an officer going on leave.

952. Last-pay certificates (and warrants) cannot be issued to *Military Officers subject to the Military Leave Rules*, until Article 934 has been complied with.

953. Except in respect to Colonial Warrants (Articles 966 to 971), this Section does not apply to Public Works Officers whose last-pay certificates are issued under departmental rules. [*See Chap. IV (paragraphs 33 to 47) of the Public Works Code.*]

Extensions and Commutations.

954. If the leave of an officer, whether in or out of India, is extended or commuted, the *Audit Officer* within whose jurisdiction the officer is employed must, on receiving advice of such extension or commutation, forthwith communicate it to the *Audit Officer* within whose jurisdiction his leave allowances are drawn. He should also communicate any other circumstances connected with the leave which may be required to be known to the *Audit Officer* who passes the officer's leave allowances.

Leave in India.

955. When an officer proceeds on leave from one place to another in India, he should obtain a certificate in Form No. 8 from the *Accountant General* of his Presidency or Province.

956. An officer on leave, who does not leave his district, does not require a last-pay certificate: nor does an officer who leaves his district on leave in India without allowances.

957. If during leave the officer desires to change the treasury at which he receives payment of his allowances, he must obtain a new last-pay certificate.

Leave out of India.

958. When an officer proceeds on leave out of India, other than privilege leave, and is entitled to allowances during the leave, the *Accountant General* who audits the pay of the officer will, as soon as the leave is gazetted or otherwise notified to him, send to the officer a letter in Form No. 6 with enclosure in Form No. 7 requiring him to call at his office or give the necessary information.

959. If the officer calls at the *Accountant General's* office, the *Accountant General* will pay him up to the day before he leaves India. The *Accountant General* will also—

(i) if the officer proceeds to Europe and intends to draw leave allowances at the Home treasury of the Government of India, give him a completed last-pay certificate in Form No. 8;

(ii) if the officer proceeds to a Colony and intends to draw leave allowances there, a last-pay certificate in Form No. 9.

Last-pay Certificates and Warrants.

960. If the officer is unable to call at the *Accountant General's* office, the *Accountant General* will prepare a Bill for the officer's allowances from the end of the month preceding that of his making over charge, to the day before he sails, and will (if the officer intends to draw leave allowances at the Home treasury of the Government of India or in a Colony) forward it with the certificate in Form No. 8 or 9, as the case may be, to the Treasury Officer, for delivery to the officer according to the instructions in Form No. 10.

961. With every such last-pay certificate a blank Form No. 11 will be given on which the officer proceeding on leave is to report to the *Accountant General*, from the first port at which the vessel touches, the day of his departure from India.

962. When the *Accountant General* delivers, or receives from the Treasury Officer, a report in Form No. 12 that he has delivered a last-pay certificate to the officer concerned, he will, if he is not the Accountant General at Bombay or Madras, and the certificate is in Form No. 8, forward a duplicate of the certificate to the Comptroller and Auditor General for transmission to the India Office in London. In the case of Bombay or Madras, the Accountant General himself will forward a duplicate to the India Office.

963. When an officer proceeding to England is compelled to leave without a last-pay certificate, the necessary document should be forwarded to the India Office at the earliest possible date through the Government of India, Madras, or Bombay, as the case may be. If delayed beyond fifteen days, or the second mail after the officer's departure, it should be accompanied by an explanation as to the cause of delay.

964. An officer proceeding to Europe should present his last-pay certificate at the India Office in London. When he returns to India, he should obtain a last-pay certificate from the India Office.

965. A last-pay certificate in Form No. 8—the 11th and 13th columns and the notes below it, being omitted—is required in the case of an officer proceeding on leave out of India whose leave allowances, payable in India, are required to be paid in a circle of audit other than that under which the officer's appointment is held. If change of treasury is at any subsequent time desired, a new last-pay certificate in the same form must be issued by the *Accountant General* who last paid the allowances.

Colonial Warrants.

966. (*a*) An officer, including an officer of the Public Works Department (*see Article 953*), proceeding to a Colony should submit his last-pay certificate—

(i) to the Comptroller, India Treasuries, at Calcutta, if he embarks at any port not in the Madras or Bombay Presidency;

(ii) to the Accountant General at Madras or Bombay, as the case may be, if he embarks at any ports in the Madras or Bombay Presidency.

(*b*) The Comptroller, India Treasuries, or the Accountant General at Madras or Bombay, as the case may be, will retain the last-pay certificate, and, in lieu

thereof, issue a Warrant in Form No. 13 upon the Colonial Authority concerned.

967. Every Warrant shall be issued in duplicate. The original, bearing the payee's signature, should be forwarded to the Colonial Authority concerned, and the duplicate should be made over to the payee. Each payment should be endorsed on the back of both the original and the duplicate Warrant, an acknowledgment of receipt of money being rendered by the payee. When no space for such entries remains, or when a Warrant is lost or destroyed, a fresh Warrant shall be issued by the officer who issued the original Warrant, on application being made through the Colonial disbursing officer.

968. Upon his return to India, an officer should deliver up his duplicate Warrant which will serve the purpose of a last-pay certificate.

969. In case an absentee desires transfer of payment of his leave allowance from one Colony to another, the Government of India will recognise the proceedings of the Colonial Authorities sanctioning such transfer, which should, however, be reported separately by the absentee to the Government of India and to the Under-Secretary of State for India.

NOTE.—[Articles 966 to 969 apply to *Military Officers subject to the Military Leave Rules.*]

970 and 971. Cancelled.

Copy of Rules to be furnished.

972. Every officer going on leave out of India should procure from the Account Office and take with him a copy of the "Memorandum of Information issued for the guidance of officers proceeding on leave (other than privilege leave) out of India."

Section II.—Rules for preparing Last-pay Certificates.

	ARTICLE.		ARTICLE.
GENERAL RULES . . .	973	ARREARS OF INDIAN PAY AND ALLOWANCES . . .	982
AMENDED CERTIFICATES . .	978	COMPLETION OF SERVICE . .	983
SOURCE FROM WHICH ABSENTEE ALLOWANCE IS PAYABLE . .	980	CIVIL FUND DEDUCTIONS . .	984
CHAPLAINS . .		. . .	985

General Rules.

973. In Forms Nos. 8 and 9, the Presidency to which an officer belongs should be stated in the title, and the Presidency or Province in which he is employed should be stated under the first heading, and it should be distinctly stated in the certificates whether the absentee allowance is chargeable to the Civil, the Military, or the Public Works Department.

974. (*a*) The certificates of officers proceeding on leave to Europe shall be prepared—

(i) in BLACK ink for officers in the employ of the Military Department.

(ii) in BLUE ink for officers in the employ of the Public Works Department.

(iii) in RED ink for officers in the employ of the Civil Department.

(*b*) The object of the use of ink of different colours is to enable the Home Authorities to ascertain at once the Department to which the absentee allowance of an officer is to be charged.

975. Except in the case of Chaplains, allowances should be stated in rupees a month, and not in pounds a year; and in entering "the rate of absentee allowances," it should be stated, in the first place, without reference to the maximum or minimum applicable, and then, if a maximum or minimum applies, or if the allowance is such that a future change in the official rate of exchange may render a maximum or minimum applicable, the words should be added, "subject to a maximum (or minimum) of," etc.

976. In Form No. 8 it must be shown whether an officer is entitled to the full amount of Furlough permitted by the Rules.

NOTE.—[See Note under Article 923.]

977. In column 11 in Forms Nos. 8 and 9, the Articles of these Regulations or of the Military Furlough Regulations under which the advance is made, should be mentioned.

Amended Certificates.

978. Whenever a corrected last-pay certificate, whether original or duplicate, is furnished, it should invariably be marked "Amended Certificate."

979. (*a*) If it becomes necessary to amend a last-pay certificate in Form No. 8, the amended certificate should not be forwarded to the officer, but to the Local Government, for transmission to the Secretary of State, with appropriate explanations, direct or through the usual channel.

(*b*) The last-pay certificate is issued on the assumption of the correctness of the intended dates of making over charge and of leaving India. If these dates are changed, the required adjustment of allowances will be made when the officer returns to India, or, if necessary, sooner. No alteration may be made in the certificate as issued by the *Accountant General* unless there is time to send it to him for alteration.

Source from which Absentee Allowance is payable.

980. In making entries against the heading "Source from which," etc., the term "Indian Revenues" should be used in all certificates intended to be sent to England, as the term "Imperial Revenues" has there a different signification. If the allowance is not chargeable finally to the Government of India, the Local Administration or Fund from which it is recoverable must be expressly stated.

981. When leave allowances are chargeable according to the *Rule of Proportions*, the following is the service to be thus taken into account:—

(*a*) *Privilege Leave, under Chapter XII, Articles 277 to 311* :—

Privilege leave; duty without interruption for a period eleven times as long as the Privilege leave.

(*b*) *Long Leave, European Services, under Chapter XIII*:—

Furlough on medical certificate (Articles 340 to 343); the whole continuous service.
Furlough without medical certificate, including extensions (Articles 340 and 341); the whole continuous active service.
Special leave; active service for six years.
Subsidiary leave; as for the leave to which it is subsidiary.

(*c*) *Military Furlough Regulations of 1868, Appendix No. 11*:—

Furlough without medical certificate—
First two years (Rule IX); actual service in India for eight years.
The rest; actual service in India for six years.

(*d*) *Military Furlough Regulations of 1875, Appendix No. 12*:—

Furlough without medical certificate (Rule 1); proportion of service in India or under the Government of India taken into calculation in the grant of furlough.

(*e*) *Leave Rules for the Staff Corps. See Army Regulations, Vol. I, Part I, Articles 709 to 741*:—

All leave; the whole pensionable service; but, in this case, in calculating the charge to be borne by a Foreign Body and the British Government, the period of service, and not the aggregate *salary* drawn, is taken into account.

(*f*) *Long Leave, Indian Services, under Chapter XIV, and Statutory Civil Servants, under Chapter XXVI*:—

Leave on Private Affairs [Article 370 or 627, Section 4 (*b*)]; service for six years.
Furlough [Article 371 or 627, Section 4 (*c*)]—
First year; service for ten years counting in the case of the Indian Services from date of last return from leave on private affairs.
The rest; service for eight years.

(*g*) *Other cases.*

In unenumerated cases the whole service in India is counted.

Arrears of Indian Pay and Allowances.

982. No entries in regard to arrears of Indian pay and allowances due to an officer proceeding on leave or on retirement to Europe should be made in his last-pay certificate. Such allowances are not paid at the Home treasury of the Government of India.

Completion of Service.

983. The date on which any officer will, during the currency of leave, complete the term of service, or attain the age after which by any rule he is required to retire from the service, should be shown.

Civil Fund Deductions.

984. (*a*) The Secretary of State recovers subscriptions on account of the different Civil Funds from subscribers absent from India on leave who draw their leave allowances in England, who either are required by the rules of their Fund to pay their subscriptions in that country during leave, or elect to do so. Particulars of the Fund deductions to be made from the absentee allowances of officers on leave drawing their leave allowances in England should be noted on the last-pay certificates; and where a subscriber elects to make payments of his subscriptions in India while on leave, or to postpone such payments until his return to India, the fact should also be noted on the last-

pay certificate. The rules under which the deductions are made, and the method by which they are calculated in the cases of the different Funds, will be found in Chapter XXV, Articles 616 to 619.

(*b*) The deductions to which the allowances of a Member of the *Indian Civil Service* are subject while he is on leave on account of his annuity should invariably be stated in his last-pay certificate. (*See Chapter XXV, Article 615.*)

Chaplains.

985. A certificate in the form in Article 1078 (*b*) showing the service and residence of a Chaplain proceeding on leave to Europe, should be attached to his last-pay certificate.

PART X.—PROCEDURE RELATING TO PENSIONS.

GENERAL ARRANGEMENT.

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PART X.—PROCEDURE RELATING TO PENSIONS.

Chapter XLIII.—Applications for and Grant of Pensions.

Section I.—Applications.

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Extent of Application.

986. The rules in this Chapter apply to all officers applying for *pension* under these Regulations, except—

(*a*) Members of the Indian Civil Service—vide *Chapter XLV*;

(*b*) Chaplains,—vide *Chapter XLVI*;

(*c*) Judges of the High Courts, for whom no special procedure is laid down.

987. There is no limitation on the period after retirement within which an application for pension or gratuity must be submitted; but apart from special orders, a pension applied for after the officer has retired begins from the date of application. (*See also Article 1013.*) An officer may be admitted to *pension* while absent on leave, whether in or out of India.

Non-Gazetted Officers—Preliminary Verification.

988. (*a*) An applicant for pension, not being a Gazetted Officer, should submit to the authority whose duty it would be to fill up his appointment, if vacant, his service-book, and a statement of the following particulars :—

1. The date, by the Christian era, on which the applicant was born.
2. List of appointments, substantive and acting, held during the service for which pension is claimed, showing, when any appointment was only an acting one, what substantive appointment was held at the same time. The dates of beginning and ending of each appointment should be stated, and the pay and acting allowance drawn in each.
3. Dates of beginning and ending of each period of leave.
4. An explanation of each interruption in service.

NOTE.—[For the purposes of this Article, Myooks in Burma are treated as gazetted officers.]

(*b*) An officer may submit this statement even though he has not ceased to be borne on the establishment, provided that, before it is sent to the *Audit Officer*, it is supported by a certificate from the Authority receiving it that the officer is likely, within six months, to retire from the public service.

(*c*) This provision is intended to obviate delay in the verification of service; and it is not to be understood as justifying the preparation of the formal

application in the Form prescribed in Article 990 before the officer has actually retired.

989. The Authority receiving the statement should then, in communication with the Account and Audit Department, verify the services claimed according to the following procedure :—

(*a*) If the service has been wholly or in part inferior (regarding which service the records of the Audit Offices are sometimes incomplete), he should first gather from official records and other sources all the information procurable. In respect to superior service, it will be sufficient to gather, in the first place, only such information as is easily procurable.

(*b*) The information thus received should then be forwarded to the *Audit Officer* concerned for information as to whether his office records bear out the applicant's statements.

(*c*) If there be any discrepancy, the *Audit Officer* will detail the nature of such discrepancy; for instance, that the post which the applicant states that he filled during a certain period is shown by the Audit Office registers to have been filled by another man.

(*d*) If the service claimed cannot be wholly verified from the records of the Audit Offices, reference must be made to the head of the office in which the applicant states that he served during the period in doubt.

(*e*) If it be found impossible to verify the service otherwise, the officer receiving the application should take the statement in writing of the applicant on plain paper [*see Indian Stamp Act, I of 1879, Schedule II, No. 1* (*c*)], and should also collect such collateral evidence as may be procurable; for instance, certificates, such as those given by an officer to a subordinate on his leaving an office, and the testimony of contemporary servants.

NOTE.—["The Governor General in Council has recently had under consideration a case in which a Public Officer, the Head of a Department, in granting a certificate to one of his subordinates, suppressed the true reason for which the subordinate had been removed from his appointment. Such an omission may obviously be injurious to the interests of the public service. I am therefore directed to draw attention to the subject, and to request the issue of orders to all Public Officers, warning them to be careful, in giving certificates to their subordinates, to state the whole truth in respect of character and cause of dismissal or resignation of appointment."—(*Circular, Home Department, dated 15th June 1869.*)]

989A. In the case of a gazetted officer, part of whose service has been rendered in non-gazetted appointments, the ungazetted portion of his service should be similarly verified. The statement mentioned in Article 988 (*a*) may, however, be sent to the *Audit Officer* direct or through the head of the department.

Non-Gazetted Officers—Formal Application.

990. After completing the verification in the manner prescribed in the preceding Article, the Authority receiving the statement of services should draw up the application in Form No. 15, and arrange with it all the documents relied upon for verification of the service claimed, in such manner that they can be conveniently consulted, and then forward it, together with the officer's service book, through his official superiors to the *Audit Officer* for submission to the *Local Government* (*see Article 994*). If an applicant for pension (not gratuity) is no longer in active service, a last-pay certificate should be attached to the application, except when he retires from the service while on leave in England and desires to draw his pension in England.

Applications for and Grant of Pensions.

991. (*a*) The officer who submits the application should certify on the application, whether the character, conduct, and past services of the applicant are such as to entitle him to the favourable consideration of the Government. If the application is for pension on the superior scale, he must be careful to enter all periods of leave, suspension, etc., which are not reckoned as service.

(*b*) He must also invariably record his own opinion whether the service claimed has been established, and should be admitted or not; more especially in those cases in which it becomes necessary to resort to the procedure prescribed by clause (*e*) of Article 989, when the exact nature of the investigation made, and the conclusion at which the Authority has arrived, must be especially reported.

(*c*) If the application is for an Invalid pension, and the applicant is less than sixty years old, the requisite medical certificate should be attached to the application. But if omission has been made in this respect, the *Local Government* may accept a certificate bearing a later date.

Remarks on Pension Applications.

992. If an officer in superior service whose age is less than sixty years, is required to retire under Article 503 (*a*), the head of his office must certify in the column for "Any other remarks," on the third page of the application for his pension, the cause of the applicant's inefficiency, and quote the order of the Local Government sanctioning the applicant's retirement as superannuated. If the officer wishes to retire of his own accord under Article 508, the fact should be stated.

Gazetted Officer's Application.

993. (*a*) A Gazetted Officer should submit his application through his official superiors and the *Audit Officer* (*see Article 994*) to the *Local Government*.

NOTE.—[For the purposes of this Article, Myooks in Burma are treated as gazetted officers.]

(*b*) The application of a gazetted officer of the classes mentioned in Articles 330 (*c*), 724 and 748, whether appointed by the Secretary of State or not, should be prepared in Form 15A. In the case of other gazetted officers the application should be prepared in Form (15) prescribed in Article 990 either by the officer himself or by the head of the department in which he is serving; and the rules under that Article apply, save that it is not necessary, if all the service has been gazetted, to have the service formally verified before forwarding the application.

Submission to Government.

994. (*a*) The last officer through whom the application passes should send it to the *Audit Officer*, who will (after verifying the service in the manner prescribed in Article 989 or satisfying himself that it has already been so verified) submit the application to the *Local Government*, with a report upon the claim for pension and the rules applicable to the case.

In the case of officers whose service has been partly gazetted and partly non-gazetted, the verification statement prepared in the Audit office should be attached to the application on its submission to the Local Government.

(*b*) He will also certify the correctness of the calculations of service and of pension, and retain the last-pay certificate (*Article 990*) unless the pension, if granted, will be payable in another circle of audit, in which case he will forward the certificate to the *Audit Officer* of that audit circle, noting in the application that the certificate has been so forwarded.

1. If the case is plainly incorrect or incomplete, the *Audit Officer* should return it for correction or explanation.

2. In the column of Form No. 15 reserved on the second page for the remarks of the *Audit Officer*, or in his Certificate and report on the third page of Form 15 A, he should note briefly his reasons for disallowing any service claimed, and his explanation of any apparent discrepancies, and the like.

3. The *Audit Officer* should always call special attention to Article 514, in his report of the amount of *pension* admissible.

NOTE.—[Each *Audit Officer* shall submit in Form No. 14, quarterly, to the Government of India, in the Finance Department, a return of applications received and disposed of under this Article.]

Premature Applications.

995. (*a*) The Government of India is ordinarily unwilling to pass orders on questions affecting the *pension* of an officer until he actually retires, because their premature discussion occupies valuable time almost always to no purpose, and uselessly.

(*b*) Accordingly, no question about the pension of an officer who has not retired from the public service should be submitted either to the *Local Government*, or by the *Local Government* to the Government of India, unless there are special reasons (which should always be set forth) for a departure from the general rule. The mere desire of an officer for a decision upon some doubtful abstract questions affecting his prospects does not justify public correspondence on his behalf.

996. Except under orders from the Government of India or the *Local Government*, an *Audit Officer* should, as a rule, decline to advise upon any questions connected with the claim of an officer to pension until he absolutely retires or is about to retire. Memorials which relate to such questions addressed prematurely to the Secretary of State are uniformly returned.

997. Articles 995 and 996 do not prohibit the submission of a preliminary application for pension [*see Article 988* (*b*)] on behalf of an officer intending to retire immediately, while he is still in employ.

Section II.—Powers of Sanction.

	ARTICLE.		ARTICLE.
ORDINARY CASES . .	998	POWER OF REVISION . . .	1003
DELEGATION OF POWERS .	999	SPECIAL CASES	1004
NON-GAZETTED POLICE OFFICERS	1001	QUARTERLY RETURN OF PENSIONS GRANTED	1006

Ordinary Cases.

998. In a case falling clearly and strictly within the letter of the Regulations, the *Local Government* may grant the *pension* admissible; but the grant is subject to revision by the Government of India in the Finance Department.

Delegation of Powers.

999. The Board of Revenue, Madras, Commissioners of Divisions in Bombay and the Commissioner in Sind have been empowered to grant *pensions* to men on Revenue and Forest Establishments subordinate to them drawing twenty rupees a month and less, in cases where such claims are certified by the *Accountant General* to be admissible under the strict letter of the Regulations.

1000. The Director of the North-Western Railway has also been empowered to grant *pensions* to such of his subordinates as may not have been appointed by the Government of India, in cases where claims to pensions are certified by the *Audit Officer* to be admissible under the strict letter of the Regulations.

Non-Gazetted Police Officers.

1001. A claim to pension by a Police officer, on pay not exceeding twenty rupees, only for the period of continuous and verified service in the Force in which at the time of his application he is serving, may, if admissible under the strict letter of the rules, be allowed by the Inspector General of Police, and reported to the *Accountant General*, with the necessary particulars for identification. All other claims will be treated under the ordinary rules.

1. Claims to Wound and other Extraordinary *pension* (*see Chapter XXXIV*), even though they may be provided for by other rules of the Superannuation Fund, are subject to the rules in Articles 787 and 789.

1002. The Political Agent in Kathiáwar exercises the powers of an Inspector General of Police under the preceding Article in respect to the members of the Kathiáwar Police.

Power of Revision.

1003. Should the amount granted to an officer be found to be in excess of that to which the Government of India in the Finance Department considers him entitled under the Regulations, he will be called upon to refund such excess.

Special Cases.

1004. (*a*) If any interpretation of the rules is involved, or if any indulgence not provided for by the rules is proposed, the Local Government should submit the case, with its opinion and recommendation, [1] to the Government of India in the Department in which the service to which the communication relates is administered.

NOTE [1].—[In respect to such recommendations, see orders printed as Appendix No. 7.]

(*b*) Until the orders of the Government of India are received, a recommendation for any special indulgence should never be communicated, directly or indirectly, to the officer concerned.

(*c*) The Governments of Madras and Bombay should, upon questions of pension, communicate with the Secretary of State, through the Supreme Government, and not directly.

(*d*) An application in Form No. 15, or the form given in Article 798, as the case may be, should accompany every special recommendation made under this Article.

Procedure relating to Pensions.

1005. (*a*) Pensions in excess of the amounts admissible under these Regulations, or involving any relaxation of rule, require the sanction of the Secretary of State. (1)

NOTE (1).—[See Note (1) of clause (*a*) of the preceding Article and note to Article 92.]

(*b*) The Government of India have, however, been authorized to grant pensions in excess of the amounts admissible under rule, without reference to the Secretary of State in special cases, provided that the pension granted in each case does not exceed R10 a month.

(*c*) When special circumstances appear to justify a departure from the rules laid down regarding "Ordinary pensions" to Civil officers, it is generally desirable that the allowance granted should be an arbitrarily fixed sum, rather than any exact proportion of the amount to which it might be supposed that the rules afford a claim.

Quarterly Return of Pensions granted.

1006. (*a*) Returns, in the following Form, of *pensions* granted during the quarter, should be submitted by the *Local Governments* to the Government of India as soon as possible after the end of each quarter of the financial year.

$\frac{\text{Pensions}}{\text{Gratuities}}$ *sanctioned by the Secretary of State, the Government of India, or the Government of*_____*in all Departments during the Quarter ended*_____*18*—

Column 1.—Serial number.
" 2.—Name of Recipient.
" 3.—Date of Recipient's birth by Christian era.
" 4.—Designation of last employment.
" 5.—Name of office in which last employed.
" 6.—Date of commencement of service.
" 7.—Date on which employment ceased.
" 8.—Character.
" 9.—Period counted as service.
" 10.—$\frac{\text{Average Emoluments.}}{\text{Pay or Emolument at time of discharge.}}$
" 11.—Amount of $\frac{\text{Monthly Pension}}{\text{Gratuity}}$ granted—
(*a*)—Chargeable to Indian Revenues.
(*b*)—Chargeable otherwise than to Indian Revenues.
(*c*)—Total of (*a*) and (*b*).
" 12.—Remarks. (Here note any cases where less than the full pension or gratuity admissible has been granted; also note the number and date of the Order of the Government of India or Secretary of State in cases in which the pensions and gratuities are sanctioned by the Government of India or the Secretary of State.)

(*b*) A separate Return should be made of each of the following classes of pensions and gratuities, a note being added of such of these separate Returns as are blank :—

I.—Compensation Pensions. Superior Service.
II.—Invalid Pensions. Superior Service.
III.—Superannuation Pensions. Superior Service.
IV.—Retiring Pensions. Superior Service.
V.—Compensation Pensions. Inferior Service.
VI.—Invalid Pensions. Inferior Service.
VII.—Compensation Gratuities. Superior Service.
VIII.—Invalid Gratuities. Superior Service.
IX.—Superannuation Gratuities. Superior Service.
X.—Compensation Gratuities. Inferior Service.
XI.—Invalid Gratuities. Inferior Service.
XII.—Wound and other Extraordinary Pensions.

Applications for and Grant of Pensions.

XIII.—Wound and other Extraordinary Gratuities.
XIV.—Wound and other Extraordinary Family Pensions.
XV.—Wound and other Extraordinary Family Gratuities.
XVI.—Compassionate Pensions. } See Article 1008.
XVII.—Compassionate Gratuities. }

1007. These returns should include all civil *pensions* granted during the quarter under, or with reference to, any rule in Part IV, Chapter XXIV, XXIX or XXXIII of Part V or Part VI of these Regulations, in whatever department, by the Government of India or the Secretary of State, as well as by the *Local Government*, the Inspector General of Police, or other authority, care being taken, however, to enter each pension once only.

1008. The Return should also include Compassionate allowances specially granted with the sanction of the Secretary of State to officers discharged on account of inefficiency or misconduct.

Section III.—Anticipatory Pensions.

	ARTICLE.		ARTICLE
PAYABLE IN INDIA . . .	1009	PAYABLE IN ENGLAND . .	1011A
PREVENTION OF DELAY . .	1012		

Payable in India.

1009. (*a*) When an officer whose pension is payable in India, retires before the necessary enquiries preliminary to the settlement of the *pension* to which he is entitled can be completed, the *Audit Officer* may, upon a declaration, as follows, by the officer, sanction the immediate disbursement of the pension to which, after the most careful summary investigation that he can make without delay, he believes the officer likely to be entitled.

(*b*) If the *Audit Officer* thinks it likely that the officer would be found entitled to a gratuity only, one-sixth of the amount of such probable gratuity may, upon a similar declaration, be disbursed to him monthly until the amount is finally settled.

(*c*) The settlement of such provisional payments should be made so as to admit of their disbursement not later than one month after the officer has ceased to hold his post.

(*d*) When the sanction under this Article is given by an *Audit Officer* other than the *Accountant General*, he shall send a copy of his order to the *Accountant General* for the issue of the requisite orders for disbursement from the Treasury concerned.

DECLARATION.—*Whereas the (here state the designation of the officer sanctioning the advance) has consented, provisionally, to advance to me the sum of* ₹ *a month in anticipation of the completion of the enquiries necessary to enable the Government to fix the amount of my pension, I hereby acknowledge that, in accepting this advance, I fully understand that my pension is subject to revision on the completion of the necessary formal enquiries, and I promise to base no objection to such revision on the ground that the provisional pension now to be paid to me exceeds the pension to which I may be eventually found entitled. I further promise to repay any amount advanced to me in excess of the pension to which I may be eventually found entitled.*

Procedure relating to Pensions.

1010. (*a*) If, upon the completion of the regular investigation, it be found that the pension thus summarily assigned differs from the pension finally settled, the difference must be adjusted in the first subsequent payments.

(*b*) Provided that, if a gratuity summarily assigned under Article 1009 proves to be larger than the amount found actually due upon completion of the enquiries, the officer shall not be required to refund any excess actually paid to him, except as provided in Chapter XXI (Re-employment of Pensioners).

1011. (*a*) To enable the *Audit Officer* to exercise the jurisdiction thus entrusted to him, the head of the office from which the officer is removed should furnish to the *Audit Officer*, as early as possible, immediately that it becomes known to him that the officer must retire, and without waiting for his actual retirement, the fullest information that can be obtained regarding the officer's service, without correspondence, which must cause delay.

(*b*) This information is to be furnished in anticipation of the regular investigation required by Article 989, which also should on no account be delayed until the officer has actually retired.

Payable in England.

1011A. When an Officer whose pension is payable in England, retires before the necessary enquiries preliminary to the settlement of the pension to which he is entitled can be completed, the *Audit Officer*, if he sees reason to believe that there will be delay before the pension can be finally sanctioned, should, after the most careful summary investigation that he can make without delay, report to the authority who will sanction the pension, the minimum amount of pension to which he believes the Officer to be entitled. This report should be forwarded at once to the India Office through the usual channel. The India Office will then, on receiving from the Officer a declaration similar to that in Article 1009, at discretion, sanction the immediate disbursement of the amount of pension reported to be the minimum amount to which the Officer is likely to be entitled, or such smaller amount as may be deemed proper. The final pension certificate in due form should follow the provisional certificate with the least possible delay.

Prevention of delay.

1012. All officers should bear in mind that delay in the payment of pensions may involve peculiar hardship, and everything should be done to prevent or shorten to the utmost such delays.

Chapter XLIV.—Payments.

Section I.—Place of Payment.

	Article.		Article.
Beginning of Payment	1013	Covenanted rate of Exchange	1016
Option allowed	1015	Transfers between England and India	1017

Beginning of Payment.

1013. Apart from special orders, a pension, other than a Wound or Extra-

ordinary pension under Part VI, is payable from the date on which the pensioner ceased to be borne on the establishment, or from the date of his application whichever is later. The object of this latter alternative is to prevent unnecessary delay in the submission of applications. The rule may be relaxed, in this particular, by the authority sanctioning the pension when the delay is sufficiently explained.

1. The pension of an officer who, under Article 478, has received a gratuity in lieu of notice, is not payable for the period in respect of which the gratuity is paid.

1014. The preceding Article applies to ordinary, not to special, cases. If under special circumstances, a pension is granted long after an officer has retired, retrospective effect should not be given to it without the special orders of the Government which granted it; in the absence of which special orders such a pension will take effect only from the date of sanction.

1014A. In cases where considerable delay has occurred in making application for a wound or injury pension, it will be granted only from the date of the report by the Medical Board, and no application for a gratuity or pension will be entertained unless submitted within five years of the date of the wound or injury.

Option allowed.

1015. When a pension is stated in rupees, it is payable at any treasury of the Government of India in India; or, at the pensioner's option, at the Home Treasury of the Government of India.

1015A. Pensions granted in rupees which are drawn at or through the Home Treasury are converted into sterling at the rate of exchange annually fixed for the adjustment of transactions between the British and Indian Governments, subject to the condition (with effect from the 1st April 1890), that in the case of persons resident out of India in any country in which the standard of currency is gold the rate of 1*s.* 9*d.* the rupee is fixed as the minimum rate at which the conversion into sterling shall be effected.

NOTE 1.—[The same rate of exchange is adopted in issuing gratuities to persons residing in any country other than India in which gold is the standard of currency. But when the service of an officer to whom a gratuity is granted terminates in India, the gratuity should be paid in India.]

NOTE 2.—[A pensioner who leaves India within six months of his retirement and proceeds to a country in which the standard of currency is gold will be entitled to draw his pension from or through the Home Treasury at the minimum rate of 1*s.* 9*d.* the rupee from the date to which it has been paid in India, or, if no payment has been made there, from the date of its commencement.]

NOTE 3.—[A pensioner who has been drawing his pension at the minimum rate of 1*s.* 9*d.* the rupee will, in the event of proceeding to India or a country in which the standard of currency is silver, and continuing to draw his pension from the Home Treasury, cease to be entitled to that minimum rate after the expiration of six months from the date of his arrival in such country.]

NOTE 4.—[A pensioner who has remained in India, or in a country in which the standard of currency is silver, for more than six months either from the date of his retirement or from the date of his subsequent arrival in such country, will not be entitled to the minimum rate of 1*s.* 9*d.* the rupee until after the expiration of six months from the date on which he shall have quitted such country for a country in which the standard of currency is gold.]

NOTE 5.—[In the event of a case arising which appears not to be covered by the foregoing rules, reference must be made to the Secretary of State.]

Covenanted Rate of Exchange.

1016. The rule for the payment at the Home Treasury of a pension at the

rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and the Indian Governments applies to an officer under covenant who is entitled by his covenant to pension; the covenanted rate of exchange for his pay and allowances does not, unless it is expressly so stated, apply to his pension.

Transfers between England and India.

1017. (*a*) Transfer of a pension from the Home treasury to an Indian treasury is permitted whenever desired.

(*b*) Transfer of a pension from an Indian treasury to the Home treasury is permitted only once.

1018. An application for transfer of payment from India to the Home treasury should be made to the *Accountant General* within whose jurisdiction the treasury of payment is. If the transfer is admissible, he will grant a last-pay certificate, forwarding a duplicate, with copy of the first page of the application upon which the pension was originally granted, to the Comptroller and Auditor General (or, in Bombay and Madras, to the Local Government) for transmission to England; if the transfer is not admissible, he will take the orders of the Government of India in the Finance Department.

Section II.—Payment in India.

	Article.		Article.
Communication of Sanction	1019	Transfers in India	1032
Authority to pay	1020	Certificate of Non-employment	1035
Procedure in paying	1021	Renewal of Permanent Pay-order	1036
Identification	1026	Lapses and Forfeitures	1038
Payable to Agents	1031	Deceased Pensioners	1041

Communication of Sanction.

1019. (*a*) The order granting a *pension* to be paid in India should be forwarded with a copy of the first page of the application if in Form No. 15 or No. 15A, or of the whole application if in the Form given in Article 798, as the case may be, to the *Accountant General* of the province in which payment is to be made.

(*b*) A copy of the order should also be furnished to the *Audit Officer* who submitted the application.

(*c*) In the case of officers for whom the forms referred to in clause (*a*) are not used, the information required for the Permanent Pay-order should be communicated in a separate letter.

Authority to pay.

1020. The *Accountant General* of the Province in which payment is to be made will then communicate to the officer who is to pay the *pension*, authority to make the payment; in the case of a pension, such authority will be a Permanent Pay-order in Form No. 16 or No. 16A.

Payments.

NOTE.—[Form No. 16 may not be used when for pensions chargeable to *Excluded Local Funds* (*see Article 861 in Part VII*) or "Native States." The following extract from a letter No. 1769, dated 28th November 1884, from the Government of India in the Finance Department, to the Accountant General, Bombay, indicates the form of Permanent Pay-order to be used and procedure to be followed when a Treasury is authorised to pay a pension on behalf of a Native State:

"I am directed to acknowledge the receipt of your letter No. 13470 (Pension Department), dated 14th October 1884, enquiring, with reference to *Article 861 of these Regulations*, whether the payment of pensions from Government Treasuries on behalf of Native States is permitted.

2. "In reply I am directed to say that if a Native State desires a periodical payment to be made from a Government Treasury, the amount being recovered from the Native State, there is no objection to the request being granted with the sanction of the Local Government, provided the amount of each payment is not less than R100, and provided that the treasury at which payment is desired is under the Government which is in political connection with the Native State concerned. Such payments will be made by Government merely as an agent for the Native State.

3. "When such payments on account of pensions are arranged for, the form of pay-order should not be the same as that used for pensions payable from Indian Revenues. The order should be of the same kind as the ordinary permanent pension pay-order, but should be clearly distinguished in form."]

Procedure in paying.

1021. A gratuity is paid in a single sum, and not by instalments, on receipt of the *Accountant General's* authority.

1022. A gratuity may, at the discretion of the Government of India, or with the sanction of the Government of India, on the application of the recipient, be converted either into a life annuity, or into a temporary life annuity, or into an annuity payable for a fixed number of years with remainder to the annuitant's heirs in case of his death.

1023. The amount of the life annuity or temporary life annuity will be determined by Table A printed as Appendix No. 9.

1024. The Government of India will never insist on the conversion of a gratuity into a life annuity, or temporary life annuity, unless the expectation of life of the officer be reported by competent medical authority to be equal to the average.

1025. A pension is payable in India monthly on and after the first day of the following month under the following rules :—

1. On receipt of the Permanent Pay-order the Disbursing Officer will deliver one-half to the pensioner, and keep the other half carefully, in such manner that the pensioner shall not have access thereto.

2. Each payment made is to be entered on the reverse both of the pensioner's half and of the Disbursing Officer's half of the Permanent Pay-order, both entries being attested at the time of payment by the signature of the Disbursing Officer.

3. With reference to Articles 1038 and 1039, a pension should, under no circumstances, be paid for the first time in arrears for more than six months without special orders of the Local Government.

NOTE.—[The Local Government may delegate its powers under this rule to Commissioners of Divisions and to such other Officers as it may desire.]

4. A pension is payable for the day on which the pensioner dies.

5. In regard to the liability of *Pensions* to attachment by a Civil Court, see Section 11 of Act XXIII of 1871, which runs as follows :—

Section 11.—"No pension granted or continued by Government on political considerations, or on account of past services or present infirmities or as a compassionate allowance, and no money due, or to become due, on account of any such pension or allowance, shall be liable to seizure, attachment or sequestration by process of any Court in British India at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a decree or order of any such Court."

Identification.

1026. As a rule, a pensioner must take payment in person after identification by comparison with the Permanent Pay-order.

NOTE.—Officers of the classes mentioned in Articles 330 (*c*), 724 and 748, whether appointed by the Secretary of State or not are, when pensioned, paid on pay orders in Form No. 16-A, which do not contain a full description of the payee. In case of doubt, if such a pensioner is not known to the paying officer, he may be required to produce a life certificate or other evidence of identity.

1027. A pensioner specially exempted by the Local Government from personal appearance, a female pensioner not accustomed to appear in public, or a male pensioner who is unable to appear in consequence of bodily illness or infirmity, may receive his or her pension upon the production of a life certificate signed by a responsible officer of Government, or by some other well-known and trustworthy person.

1028. A pensioner of any description, who produces a life certificate signed by some person exercising the powers of a Magistrate of any class under the Criminal Procedure Code, or by any Registrar or Sub-Registrar under the Registration Act, or by any pensioned officer who, before retirement, exercised the powers of a Magistrate, or by a Chaplain, or any Gazetted Officer of Government, is also exempted from personal appearance.

1029. (*a*) In all cases referred to in Articles 1027 and 1028, the Disbursing Officer must take precautions to prevent imposition, and must, at least once a year, require proof independent of that furnished by the life certificate of the continued existence of the pensioner.

(*b*) For this purpose he should (save in cases of exemption from personal appearance granted by the Local Government) require the personal attendance and due identification of all male pensioners who are not incapacitated by bodily illness or infirmity from so attending, and in all cases where such inability may be alleged, he should require proof thereof in addition to the proof submitted of the pensioner's existence.

1. The Disbursing Officer is personally responsible for any payment wrongly made. In case of doubt he should consult the *Accountant General*.

2. A pensioner of rank may be privately identified by the Disbursing Officer and need not be required to appear at a Public Office.

1030. Payment of pensions to retired members of the Police force are made in accordance with the rules in this Section, but if the Disbursing Officer entertains any doubt as to the identity of a Police pensioner, he may require the local Inspector of Police to identify the pensioner. The Inspector would then be responsible for the correct identification of the pensioner.

Payable to Agents.

1031. (*a*) A pensioner not resident in India may draw his pension at any treasury in India through a duly authorised agent, who must either produce a certificate by a Magistrate, a Notary, a Banker, or a Minister of Religion, on each occasion, that the pensioner was alive on the date to which his pension is claimed, or execute a bond to refund over-payments, and produce such a certificate as aforesaid at least once a year.

(*b*) The pension of such an officer should not be paid on account of more than a year after the date of the life certificate last received, and the *Account-*

ant General should be on the watch for authentic information of the decease of any such pensioner, and, on receipt thereof, should promptly forbid further payments.

Transfers in India.

1032. A Local Government or an *Accountant General* may, on application and on sufficient cause being shown, permit transfer of payment from one treasury in India to another. This jurisdiction may be delegated by the Local Government to Commissioners of Divisions, or to any higher Executive Authority.

1033. (*a*) A copy of any order issued by a *Local Government* or other Executive authority under the preceding Article, should be forwarded to the *Accountant General*, and the Collector of the District from which the payment is to be transferred should be instructed to return his half of the Permanent Pay-order.

(*b*) The *Accountant General* will then either issue a new pay-order, or enface the pay-order for payment at the new Treasury, and forward it to the Treasury Officer, who will, in future, pay the pension, or, if the treasury is in another Province, will move the *Accountant General* of that Province to do so.

1034. A Collector or other District Officer may authorise payment in any of the outlying treasuries subordinate to his District treasury of a pension payable, under proper authority, at his head-quarters, and may transfer the payment of a pension from such subordinate treasury to the District treasury, or from one subordinate treasury to another in the same district.

Certificate of Non-Employment.

1035. (*a*) A pensioner drawing pension in India is required to append to his bill a certificate as follows :—

"*I declare that I have not received any remuneration for serving in any capacity, either in a Government establishment or an establishment paid from an Incorporated Local Fund, during the period for which the amount of pension claimed in this bill is due.*"

(*b*) In the case of a pensioner permitted under Chapter XXI to draw pension after re-employment, this certificate should be modified according to the facts.

Renewal of Permanent Pay-order.

1036. When the reverse of a Permanent Pay-order is filled up, or when the pensioner's half is found to be worn or torn, both halves should be returned to the *Accountant General* for renewal.

1037. If a pensioner loses his half of the Permanent Pay-order, the Disbursing Officer's half should be returned to the *Accountant General*, in order that he may issue a new order. The observance of Rule 2 under Article 1025 will prevent any payment being made on the half alleged to be lost.

Lapses and forfeitures.

1038. If a pension payable in India remains undrawn for more than six months, the Permanent Pay-order must be returned to the *Accountant General*, and the pension ceases to be payable.

1039. If the pensioner afterwards appears, the Disbursing Officer may reclaim the Permanent Pay-order and renew his payments; but the arrears cannot be paid without the order of the *Accountant General*, and if the pension in arrears is to be paid for the first time, or if the amount of arrears exceeds R1,000, without the previous sanction of the Local Government obtained through the *Accountant General*.

NOTE.—[The Local Government may delegate its powers under this Article to Commissioners of Divisions, or to such other Officers as it may desire.]

1040. If the suspension of payment is attributable to error or neglect by any Public Officer, the *Accountant General* may direct payment of the arrears without taking the orders of the Government.

Deceased Pensioners.

1041. (*a*) On the death of a pensioner, payment of any arrear actually due may be made to his heirs, provided that they apply within six months from his death: it cannot be paid thereafter without the sanction of the Local Government.

NOTE.—[The Local Government may delegate its power under this Article to Commissioners of Divisions, or to such other Officers as it may desire.]

(*b*) But if the arrears do not exceed R100, and the case presents no peculiar features, the *Accountant General* is empowered to pass the arrears on his own authority.

(*c*) After payment of the arrears of pension, the Permanent Pay-order should be returned to the *Accountant General* with a report of the date of the death of the pensioner.

1042. Subject to the provisions of the preceding Article, the arrears of pension of a deceased pensioner may, if the amount does not exceed R500, be paid to the heirs of the deceased after such enquiry into the rights and title of the claimants as the Collector or other officer responsible for the payment may deem sufficient. If, however, there is any reasonable doubt in regard to the claim or title of the heirs, or if the amount due exceeds R500, the payment should be made only to the person duly authorised to receive assets belonging to the estate of the deceased.

1043. Even if the pension has not been sanctioned before the death of the officer, the payment may be made under the orders of the authority who would have been competent to sanction the pension if the officer had not died.

1044. If an officer dies before actually retiring or being discharged, his heirs have no claim to anything in respect to the officer's pension.

1045-1046. Cancelled.

Section III.—Payment in England.

	Article.		Article.
Procedure	1047	Intimation of Revision	1050

Procedure.

1047. When a pension is granted to an officer who desires that payment thereof from the date of its commencement should be made at the Home Treasury of the Government of India, the *Audit Officer*, who audits the pay of the officer or the pay of the establishment in which the officer has been employed, should, on receipt of sanction to the grant of pension, issue a last-pay certificate, and forward a duplicate thereof, together with copy of the first page of application for pension and the order of the *Local Government* granting the pension —

(i) In the case of a pension granted to an officer serving elsewhere than under the Government of Madras or Bombay, to the Government of India in the Finance Department;

(ii) In the case of a pension granted to an officer serving under the Government of Madras or Bombay, to the Government of Madras or Bombay, as the case may be:

in view to the necessary instructions being sent to the Secretary of State. These instructions should always request that payment be made from some specific date, the date being ascertained from the last-pay certificate.

1048. If the pension is not wholly chargeable against the *General Revenues*, care must be taken to state in the certificate how it is to be charged.

1049. At the Home Treasury pensions are payable monthly in arrear.

The quarterly dates to which Military (including those of Military Officers in Civil employ), Medical (including annuities), Ecclesiastical, and Marine annuities and pensions are made up, are 15th February, 15th May, 15th August, and 15th November; whilst the quarterly dates to which other annuities and pensions are made up are 15th January, 15th April, 15th July, and 15th October, respectively. Payment in each case is made on or after the day following.

Advances (omitting shillings and pence) of one-third, approximately, of the net quarterly amount are payable on the 16th of the first and second month of each quarter, and the balance of the three months, less Income Tax, and other deductions (if any) on the quarterly dates on which the annuity or pension is payable as specified above.

Intimation of Revision.

1050. Intimation of any revision of a pension paid at the Home treasury should be made to the Secretary of State, so as to reach him before the pensioner is informed.

Section IV.—Payment in a Colony.

	Article.		Article.
General Rule	1051	Rate of Exchange	1057
Issue of Warrant	1053	Transfer of Payment	1058

General Rule.

1051. The rules in this Section apply to pensions granted under the rules in any Chapter of these Regulations.

1052. The pension of a pensioner residing in any Colony named in Appendix No. 17 may be paid there.

Issue of Warrant.

1053. The authority for payment of a pension in a Colony shall be a Warrant in Form No. 17 to be issued—

(i) in the case of a pension granted to an officer serving elsewhere than under the Government of Madras or Bombay, or paid from an Indian treasury not in account with the Accountant General, Madras or Bombay ;—by the Comptroller, India Treasuries.

(ii) in the case of a pension granted to an officer serving under the Government of Madras or Bombay, or paid at any treasury in account with the Accountant General, Madras or Bombay ;—by the Accountant General, Madras or Bombay, as the case may be.

1054. When a pension is first granted to an officer serving otherwise than under the Government of Madras or Bombay, and the pensioner desires that his pension shall be paid in a Colony, or when transfer of payment of a pension heretofore paid at some Indian treasury not in account with the Accountant General, Madras or Bombay, from India to a Colony is desired, the *Accountant General* shall furnish all particulars to the Comptroller, India Treasuries, who will issue the necessary Warrant.

1055. When a pension is first granted to an officer serving under the Government of Madras or Bombay, and the officer desires that his pension shall be paid in a Colony, or, if transfer of payment of a pension hitherto paid at some treasury in account with the Accountant General, Madras or Bombay, from India to a Colony is desired, the Accountant General, Madras or Bombay, as the case may be, will issue the necessary Warrant.

1056. Every Warrant shall be issued in triplicate. The original, bearing the payee's signature, should be forwarded to the Colonial Authority concerned, the duplicate to the Secretary of State, and the triplicate should be made over to the payee. Each payment should be endorsed on the back of both the original and the duplicate Warrant, an acknowledgment of receipt of money being rendered by the payee. When no space for such entries remains, or when a Warrant is lost or destroyed, a fresh Warrant shall be issued by the Officer who issued the original Warrant on application being made through the Colonial Disbursing Officer.

Rate of Exchange.

1057. Pensions stated in Indian money shall, where the standard of currency of the Colony is gold, except when it is otherwise arranged, be paid in sterling money at the rate of exchange annually fixed for the adjustment of transactions between the British and Indian Governments, subject to the condition that the rate of 1*s.* 9*d.* the rupee is fixed, with effect from the 1st of April 1890, as the minimum rate at which the conversion into sterling shall be effected. If any payments are made at a different rate or otherwise erroneously, they should be adjusted in subsequent payments.

NOTE 1.—[The same rate of exchange is adopted in issuing gratuities to persons residing in any country other than India in which gold is the standard of currency. But when the service of an officer to whom a gratuity is granted terminates in India, the gratuity should be paid in India.]

NOTE 2.—[Notes 2—5 under Article 1015A apply, *mutatis mutandis*, to this Article.]

Transfer of Payment.

1058. In case a pensioner desires transfer of payment of his pension from one Colony to another, the Government of India will recognise the proceedings of the Colonial Authorities sanctioning such transfer, which should, however, be reported separately by the pensioner to the Government of India and to the Under-Secretary of State for India.

1059. Upon his return to India an officer should deliver up his duplicate Warrant, which will serve the purpose of a last-pay certificate.

1060 and **1061.** Cancelled.

Chapter XLV.—Members of the Indian Civil Service.

Section I.—Applications.

	ARTICLE.
EXTENT OF APPLICATION . . .	1062
MEMBERS OF THE INDIAN CIVIL SERVICE ON THE BENGAL ESTABLISHMENT SERVING UNDER THE GOVERNMENT OF INDIA	1063
MEMBERS OF THE INDIAN CIVIL SERVICE ON THE BENGAL ESTABLISHMENT SERVING UNDER LOCAL GOVERNMENTS.	1064
MEMBERS OF THE INDIAN CIVIL SERVICE ON THE MADRAS OR BOMBAY ESTABLISHMENT . .	1065
DURING LEAVE TO EUROPE . .	1066
GRANT OF PENSION . . .	1067

Extent of Application.

1062. The rules in this Section apply to all members of the *Indian Civil Service*.

Members of the Indian Civil Service on the Bengal Establishment serving under the Government of India.

1063. A Member of the Indian Civil Service on the Bengal Establishment serving immediately under the Government of India, if he be in India,

shall submit his application for permission to resign the service, and for an annuity, to the Government of India, in the Department under which he is serving; and the Department receiving the application will forward it, with any remarks that may be necessary, to the Home Department, which should obtain the report of the Comptroller, India Treasuries, upon the officer's claim in respect of service and active service, and also as to whether there are any demands against him on account of the deduction prescribed in Article 615, or on any other account.

Members of the Indian Civil Service on the Bengal Establishment serving under Local Governments.

1064. Any other Member of the Indian Civil Service on the Bengal Establishment, if he be in India, shall submit his application to the Local Government under which he may be serving; and the Local Government will forward the application, with any observations which may be necessary, to the Government of India in the Home Department, together with a No-demand Certificate from the *Accountant General*.

1. When preparing the No-demand Certificate, the *Accountant General* should send the officer a copy of Article 1070.

Members of the Indian Civil Service on the Madras or Bombay Establishment.

1065. A Member of the Indian Civil Service on the Madras or Bombay Establishment, if he be in India, shall submit his application to the Government of Madras or Bombay, as the case may be, who will obtain the report of the Accountant General and the No-demand Certificate as provided in the two preceding Articles.

During leave to Europe.

1066. (*a*) A Member of the Indian Civil Service, who wishes to retire from the service while on leave in Europe, must submit his application to the Secretary of State.

(*b*) When an officer makes his application under this Article, whether after completing his full period of service, or after having been declared by the Medical Board to be unfit for further service in India, his resignation is accepted, subject to the adjustment of any demands that may be standing against him in India; and he is directed to apply to the Government of India, the Government of Madras, or the Government of Bombay, as the case may be, for the annuity or gratuity to which his length of service may entitle him.

Grant of Pension.

1067. (*a*) In the case of a Member of the Indian Civil Service on the Bengal Establishment, if his resignation be accepted, the case should be forwarded to the Finance Department of the Government of India, in which Department a Resolution will be recorded, granting the annuity or gratuity to which the officer may be entitled.

(*b*) The copy of this Resolution forwarded to the officer will be his authority for drawing his annuity or gratuity.

(*c*) In the case of a Member of the Indian Civil Service on the Madras or Bombay Establishment, the Resolution will be issued by the Government of Madras or Bombay, as the case may be.

Section II.—Payment.

	ARTICLE.		ARTICLE.
COMMENCEMENT OF ANNUITIES	1068	TRANSFER OF PAYMENT	1073
MANNER OF PAYMENT	1071	ACCOUNT RULES	1074
PAYMENT IN A COLONY	1076		

Commencement of Annuities.

1068. The annuity of an officer who leaves India by sea, when retiring from the service at the end of subsidiary leave, begins, and his subsidiary leave ends, on the day of the departure of the vessel in which he sails.

NOTE.—[As soon as an officer gives over charge of his office, the *Accountant General* should furnish the following information to the Government of India in the Finance Department, if the officer is a Member of the Indian Civil Service on the Bengal Establishment, and to the Government of Madras or Bombay, if the officer is a Member of the Indian Civil Service on the Madras or Bombay Establishment :—

(1) Name of officer.
(2) Date on which he made over charge of his office.
(3) The amount of subsidiary leave granted, if any.
(4) Date up to (and including) which subsidiary leave allowances have been drawn.
(5) What demands, if any, are outstanding against the officer.]

1069. The annuity of a Member of Council who has not previously resigned his seat in Council, or whose successor has not entered upon his office, commences from the day following that on which the vessel in which he leaves India sails, or from the expiry of his five years' tenure of office, whichever date is earlier.

1070. An officer on resigning the service must report the place at which the payment of his annuity is desired, and if he is leaving India, the date of the departure of the vessel in which he sails. If he is a Member of the Indian Civil Service on the Bengal Establishment, the report must be made to the Government of India in the Finance Department; and if he is a Member of the Indian Civil Service on the Madras or Bombay Establishment, to the Government of Madras or Bombay, as the case may be.

NOTE.—[A copy of this Rule should be furnished by the *Accountant General* to every officer (if he be in India) who applies to resign, with an intimation that there will be delay in the commencement of his annuity if he does not report the place at which payment is desired and, if he is leaving India, the date of his departure. (*See also Rule 1 under Article 1064.*)]

Manner of Payment.

1071. Annuities are payable in arrear, monthly, and to date of decease.

1072. (*a*) Payment of annuities and gratuities may be taken at the Home treasury in sterling money, or in India in Government rupees, at the following rate :—

(i) If the annuitant was a member of the Indian Civil Service on the Bengal Establishment,—10⅜ Government rupees for each pound sterling.

(ii) If the annuitant was a Member of the Indian Civil Service on the Madras or Bombay Establishment—10·65 Government rupees for each pound sterling.

NOTE.—[The reasons for the difference in the rates of exchange are to be found in the history of the Annuity Funds. The rates of exchange differ considerably in the various Service Funds.]

(*b*) Provided that any annuitant, who is a permanent resident in India, may, if he wishes to draw his annuity in that country, exercise the option of receiving it at the rate of exchange annually fixed for the adjustment of transactions between the British and Indian Exchequers.

NOTE.—[This rule applies to all officers whose pensions are stated in sterling, and who, being resident in Asia, take payment in India.]

Transfer of Payment.

1073. Transfer from the Home treasury to an Indian treasury, and *vice versâ*, is permitted twice only.

Account Rules.

1074. Whenever a certificate is issued for the payment of an annuity from the Home treasury, the amount of the annuity must be stated in pounds sterling and not in rupees, and, in the case of transfer of payment from India to the Home treasury, it must be distinctly recorded that no further payment on account thereof will be made in India.

1075. A member of the Indian Civil Service who resigns the Service while he is in Europe, and who has completed the requisite period of service and residence, and elected to draw his annuity from the Home treasury, can obtain advances from the Secretary of State for India, pending receipt of the authorities referred to in Article 1067.

Payment in a Colony.

1076. Payment of annuities may be made in any of the Colonies named in Appendix No. 17 in accordance with the procedure laid down in Chapter XLIV, Articles 1051 to 1059.

Chapter XLVI.—Chaplains.

	ARTICLE.		ARTICLE.
APPLICATIONS TO WHOM MADE	1077	APPLICATIONS IN INDIA	1079
APPLICATIONS IN ENGLAND	1078	GRANT OF PENSION IN INDIA	1084
LAST-PAY CERTIFICATE	1085		

Applications to whom made.

1077. Applications may be made to, and pensions are granted either by the Government of India, the Government of Bombay, or the Government of Madras (as the case may be), or by the Secretary of State.

Chaplains.

1. At least six months before a Chaplain, whether of the Church of England or the Church of Scotland, completes his full period of service, a statement should be furnished by the Local Government concerned to the Government of India in the Home Department, for transmission to the Secretary of State, showing the date on which the Chaplain completes such service, whether he is in England or in India. It should also be stated whether he is on duty or on leave, and if the latter, for what period.

Applications in England.

1078. (*a*) A Chaplain proceeding to England on retirement without applying for pension to the Government of India, the Government of Bombay, or the Government of Madras (as the case may be), should procure a certificate—

(i) if he is a Chaplain on the Bengal Establishment, or a Chaplain of the Church of Scotland serving in the Bengal Presidency;—from the Comptroller, India Treasuries;

(ii) if he is a Chaplain on the Bombay or the Madras Establishment or a Chaplain of the Church of Scotland serving in Madras or Bombay;—from the Accountant General at Bombay or Madras (as the case may be);

showing his service, residence, the amount of pension to which he is entitled, and the date from which his pension may be paid.

(*b*) The following is the form of the certificate referred to in clause (*a*):—

CERTIFICATE of service and residence of *A. B.*, a Chaplain of the ——— Establishment and of the amount of annuity for which he is eligible:—

Total period of service	years	months	days.
Total period of residence	years	months	days.

Computed up to

(Here enter the date of embarkation if that date falls within the period of subsidiary leave; otherwise the date of resignation.)

Amount of annuity for which eligible £ *s.* *d.*

NOTE.—[If the periods of residence and service are less than seventeen and twenty years respectively, a medical certificate is required.]

There are no demands on the books of the Government of India against *A. B.*

Accountant General.

Forwarded to the Secretary to the Government of.....

N.B.—The above CERTIFICATE having been given on an examination of the Public Accounts up to the latest period found to be practicable on this date, is not to preclude the Government of India from claiming any amount for which the above-named officer may hereafter be found to be justly liable.

Applications in India.

1079. A Chaplain belonging to the Bengal Ecclesiastical Establishment, who wishes to obtain pension from the Authorities in India, must submit his application to the Government of India in the Home Department, through the Archdeacon or Bishop of his Diocese.

1080. A Chaplain belonging to the Madras or Bombay Ecclesiastical Establishment must submit his application to the Government of Madras or the Government of Bombay, as the case may be, through the Archdeacon or the Bishop of his Diocese.

1081. A Chaplain of the Church of Scotland serving in the Bengal Presidency, who wishes to obtain pension from the Authorities in India, must submit his application to the Government of India in the Home Department, if he is not Senior Chaplain, through the Senior Chaplain of the Church of Scotland.

Articles 1078–1081.

1082. A Chaplain of the Church of Scotland serving in Madras or Bombay must submit his application to the Government of Madras or Bombay, as the case may be, if he is not Senior Chaplain, through the Senior Chaplain of his Presidency.

1083. The Home Department, before accepting the resignation of a Chaplain on the Bengal Establishment, or a Chaplain of the Church of Scotland serving in the Bengal Presidency, should obtain a certificate from the Comptroller, India Treasuries, showing the Chaplain's service, residence, and the amount of pension to which he is entitled. The Government of Madras or Bombay, as the case may be, should obtain a like certificate from the Accountant General of the Presidency concerned.

Grant of Pension in India.

1084. (*a*) In the case of the Bengal Presidency if the Chaplain's resignation is accepted, the case should be forwarded to the Finance Department of the Government of India, in which Department a Resolution will be recorded granting the pension to which the Chaplain may be entitled.

(*b*) In the case of the Madras or Bombay Presidency the procedure is the same, but the Resolution is issued by the Government of Madras or Bombay, as the case may be.

Last-pay Certificate.

1085. A Chaplain to whom pension has been granted in India should be careful before proceeding to England to obtain the usual certificate of the last issue of pay or pension to him in India.

PART XI.—REGULATIONS RELATING TO TRAVELLING ALLOWANCES.

GENERAL ARRANGEMENT.

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Part XI.—REGULATIONS RELATING TO TRAVELLING ALLOWANCES.

Chapter XLVII.—Definitions and General Rules.

Section I.—Principles of Calculation.

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Definitions.

1086. Travelling allowance is given to an Officer to cover the actual travelling expenses incurred by him in travelling in the interests of the public service.

1087. It is a fundamental principle that the allowance is not to be a source of profit, and, save as specially provided in these Regulations, no allowances are granted to meet the expenses of the families of officers accompanying them when travelling on duty.

Route for calculation of Travelling Allowance.

1088. (*a*) For the purpose of calculating Travelling Allowance, a journey between two stations shall be held to be performed by the shortest of two or more practicable routes, or by the cheapest of such routes as may be equally short.

(*b*) The shortest route is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling.

(*c*) If an Officer travels by a route which is not the shortest, but which is cheaper than the shortest, his Travelling Allowance is calculated by the route by which he makes the journey.

1089. In case of doubt the Local Government may declare which shall be regarded as the shortest of two or more routes between any two stations.

1090. The Local Government, for special recorded reasons, may permit Travelling Allowance to be calculated by a route other than the shortest or cheapest, provided that the journey is actually performed by such route.

1091. The point in any station from which a journey is to be held to commence, or at which it is to be held to end, shall be the chief public office or any other point which may be fixed for the purpose by the Local Government.

Note.—[In this and the two preceding Articles, the term "Local Government" does not include the Head of a Department. Except that in the case of journeys between stations which are in the jurisdiction of different Local Governments, Heads of Departments under

whose orders transfers may be made from one Province to another may exercise the powers of a Local Government under Articles 1089 and 1090.]

When means of locomotion are supplied.

1092. An officer who is provided with the means of locomotion at the expense of the State or of *Local Funds*, either—

(i) may draw, in lieu of all other travelling allowance, any *actual travelling expenses* not exceeding half the allowance ordinarily admissible, or

(ii) is subject to the deduction from his travelling allowance of such fixed hire or charge as the *Local Government* may by any general rules determine.

NOTE.—[Elephants required for the conduct of professional operations, which cannot be conveniently or safely performed without such aid, and not for personal use, may be supplied at the charge of Government.]

1. The case of an Officer who is supplied with a boat or carriage, but who pays all expenses of its use or propulsion, does not fall within clause (i) of this Article: in such cases a fixed hire under clause (ii) may be charged.

2. The rules contained in this Article do not apply to the claim to travelling allowance of an officer who is entitled to or is allowed free transit by railway, whether under a free pass or otherwise. They apply to officers who are allowed a reserved railway carriage at Government expense. (See Appendix 18.)

3. The rules contained in this Article do not apply to the following officers:—

(*a*) Officers of the fourth class;

(*b*) Officers and establishments referred to in Articles 1264, 1268 and 1268A, who are in all cases entitled to half the daily allowance ordinarily admissible;

(*c*) the establishments accompanying the following officers:—

(*a*) Commissioner, Sind
(*b*) Deputy Commissioner, Upper Sind Frontier
(*c*) Superintending Engineer, Sind
} when travelling on board the steamer placed at their disposal.

(*d*) Executive Engineer, Eastern Nara . . when travelling on board the steamer placed at his disposal.

on a certificate from the officer concerned that complete camp equipage was maintained throughout the period occupied by the journey.

(*d*) The Commissioner of Customs, Salt, Opium and Abkari, and the Collector, Deputy Collector, and Assistant Collectors of Salt Revenue in Bombay, when travelling by boat supplied at the expense of the State.

(*e*) Gazetted officers of the Forest Department serving in the Sunderbans Division, when provided with the means of locomotion at the expense of the State, are entitled to half the daily allowance ordinarily admissible.

Camp Equipment and Horses.

1093. When the Local Government is satisfied that it is in the interests of the public service that an officer required to travel on public duty should send his horses, camels, or camp equipment by steamer or railway, it may, by special order in each case, permit him to recover, in addition to his authorised travelling allowance, the actual cost of their carriage, including, whether separately charged for or not, the cost of conveyance of one syce and one grasscutter for each horse.

NOTE.—[An officer in receipt of a permanent monthly travelling allowance is not entitled to the privilege of this Article.]

1094. The *Local Government* may prescribe such limitation as it thinks fit regarding the maximum weight of *camp equipment* and number of horses to be carried by an Officer of any class or Department, and may, subject to such limitations, delegate its power of special sanction under Article 1093 to any Head of a Department or Controlling or Inspecting Officer.

Articles 1092—1094.

1095. In Burma, Article 1093 may, at the discretion of the Local Government, be applied to the carriage of horses by vessels other than steamers.

Section II.—Classification of Officers.

ARTICLE.

General Classification . . . 1096 | Temporary employés . . . 1101
Combination of Appointments . 1102

General Classification.

1096. For the purposes of this Part of the Regulations "Officers" are divided into four classes:—

First.—The first class includes Members of the *Indian Civil Service*, *Statutory Civil Servants*, Ex-Statutory Members of the Provincial Civil Service, Military Commissioned Officers (including Officers holding honorary commissions), *Warrant Officers of the first class*, *Chaplains*, the Officers mentioned in Appendix No. 19 (whatever be their pay), and any other Officer who holds an appointment the pay or maximum pay of which exceeds R500.

Second.—The second class includes *Warrant Officers of the second class*, Non-Commissioned Military Officers, Assistant Surgeons, Civil Apothecaries in Madras, Probationary and Assistant Superintendents of the Post Office, Sub-Deputy Collectors in Bengal and Assam, Assistant Deputy Educational Inspectors in Bombay, the Deputy Superintendent of the Toshakhana Establishment attached to the Foreign Department, Probationary Deputy Collectors in Lower Bengal, when employed on famine relief duty, qualified students of the Thomason Engineering College at Rurki under practical training, and any other Officer, not included in the first class, who holds an appointment the pay or the maximum pay of which exceeds R100.

Third.—The third class includes all Officers in superior service not included in the first or second classes and jail warders in the Bombay Presidency drawing more than R10 a month.

Fourth.—The Fourth class includes all officers in inferior service.

NOTE—[Fitters and other mechanics employed on State Railways, and drawing a higher rate of pay than R12 a month, are held to be Officers of the second or third class, according as their pay does or does not exceed R100 a month.]

1097. Honorary Magistrates, who are not officials of Government, may, when employed on local investigations at a distance of more than five miles from their residence, or the Court in which they sit, draw for journeys by rail double second class fare, and for journeys by road four annas a mile.

1097A. The Local Government may pass the travelling, hotel, and carriage expenses incurred by gentlemen, who are not officials of Government, attending an educational conference convened under its orders.

1098. The *Local Government* may declare to what class an Officer, whose whole time is not retained for the Public Service, or who is paid partly or

wholly by fees, belongs, and to what daily allowance such an Officer is entitled; provided that no Officer of the second class may receive a higher daily allowance than R3, and no Officer of the first class may, without the sanction of the Government of India, receive a higher daily allowance than R5.

NOTE.—[In Bombay the Travelling Allowance of Government Pleaders is regulated by special local rules.]

1099. An Officer on Special Duty belongs, in the absence of a special order of the *Local Government* to the contrary, to the class to which he belonged immediately before he was placed on such duty.

1100. An Officer during transfer from an appointment in one class to an appointment in another class belongs to the class to which he would belong if holding the lower of the two appointments.

Temporary Employés.

1101. Whenever any person is employed temporarily, by competent authority, as an extra servant on any establishment, he is entitled to Travelling Allowances under the Rules applicable to public servants of corresponding rank permanently employed on that establishment.

Combination of Appointments.

1102. An Officer holding either temporarily or permanently, two separate appointments is entitled only to the Travelling Allowance attached to one of the appointments; but in the case of permanent allowances, the Local Government may grant such allowance as may be necessary, not exceeding the aggregate of the allowances attached to both appointments, if it considers that the Officer is, by reason of holding both appointments, obliged to incur additional travelling expenses beyond what he would have incurred if holding only one of them.

1103. An Officer placed in charge of the current duties of an office is not entitled to the Travelling Allowance attached to the office, except under the special order of the *Local Government* and in the following cases:—

(*a*) An officer placed in charge of the office of a District Superintendent or Assistant District Superintendent of Police may draw Travelling Allowance as if he were a District Superintendent or Assistant District Superintendent of Police, if he actually travels on public duty during the period of the charge. But Inspectors placed in charge of districts in Assam are allowed a special rate of daily allowance (*see Part II of Appendix 25*).

(*b*) A Survey Officer in the Survey of India, whatever his substantive rank may be, draws, when in charge of a Survey Party, the Travelling Allowance of a Deputy Superintendent.

(*c*) A certain number of Upper or Lower Subordinates, according to a scale to be sanctioned from time to time by the Government of India, Public Works Department, placed in charge of Districts of the Buildings and Roads Branch, North-Western Provinces and Oudh; and Upper Subordinates, according to a scale similarly sanctioned, placed in charge of Sub-Divisions of the Irrigation Branch, Bengal, North-Western Provinces and Oudh, and the

Punjab, are allowed travelling allowance at the rates admissible to Assistant Engineers, or Sub-Engineers, as may be ordered by the *Local Government*.

(*d*) A lower subordinate placed in charge of a properly constituted subdivision in Bengal may be granted the same travelling allowances as an Upper Subordinate when the necessity for such an arrangement arises in consequence of the paucity or absence of Upper Subordinates.

Chapter XLVIII.—Mileage Allowances.

Explanation.

1104. The rules in this Chapter are rules of calculation only; that is, they prescribe the method of calculating travelling allowances in those cases in which they are regulated by the distance travelled. The succeeding Chapters must be referred to for a definition of the circumstances under which the title to the allowances accrues.

Section I.—Travelling by Railway.

	ARTICLE.		ARTICLE.
CLASS ACCOMMODATION . . .	1105	HIGHER CLASS FOR LOWER FARE .	1108
ORDINARY ALLOWANCE . . .	1107	UNOPENED LINE . . .	1109

Class Accommodation.

1105. Officers travelling by railway on the Public Service are entitled to class accommodation according to the following scale :—

(*a*) *Officers of the First Class.*—First, or, where there are only two classes, upper class.

(*b*) *Officers of the Second Class.*—Second, or, where there are only two classes, apart from the intermediate, upper class.

(*c*) *Officers of the Third Class.*—Intermediate class, or if there be in the train by which he is required to travel no accommodation intermediate between the second and the lowest class, then—

(i) where there are only two classes,—lower class;
(ii) where there are three classes—
(1) if the officer's pay is not less than R50, second class;
(2) otherwise, third class.

(*d*) *Officers of the Fourth Class.*—Lowest class, whether called lower, third or fourth.

NOTE.—[On the Darjeeling-Himalayan Railway all officers of the third class are entitled only to third class accommodation.]

1106. The following are exceptions to the preceding article :—

(*a*) Junior Port Officers in the Madras Presidency, the Native Assistant to the Agent to the Governor General at Baroda, and the

Lady Superintendents in the Female Training Colleges at Ahmedabad and Poona are entitled to first class accommodation when travelling by railway.

(*b*) The Chief Observers at Lahore and Allahabad and clerks in the Calcutta, Madras and Bombay Meteorological Observatories when deputed to inspect Observatories are entitled to second class accommodation when travelling by railway, if they actually travel by that class.

Ordinary Allowance.

1107. (*a*) The allowance admissible to an Officer of the first, second, or third class for journeys by railway is double the fare of the class in which he is entitled to accommodation.

(*b*) An Officer of the fourth class draws as Travelling Allowance the fare of the class in which he is entitled to accommodation.

Exception.—The undermentioned Revenue and Forest Officers in Madras receive mileage at the following rates when "travelling by railway" with *camp equipment* within their jurisdiction :—

	Annas.
Collectors and Conservators	6
Sub-Collectors, Head, Senior and Special Assistant Collectors, Deputy Conservators and Forest Settlement Deputy Collectors . . .	4
Assistant and Deputy Collectors and Assistant Conservators . . .	3

1107A. When an Officer is entitled to or is allowed free transit by rail his travelling allowance must, save as otherwise provided in Articles 1171, 1172 and 1173, be reduced by the amount of the fare which but for such free transit he would have paid.

NOTE.—The deduction made from travelling allowance under this Article shall ordinarily be for the full number of fares covered by the pass ; that is, as the rules in Appendix 18 now stand, in the case of a 1st class pass, one first and two third class fares, and in the case of a 2nd class pass, one second and one third class fare. If the deduction made on any bill is less, the officer drawing the bill must attach a certificate that he did not use the pass in respect to the fare or fares for which the deduction is not made.

1. Police Inspectors and Chief Constables in Bombay employed exclusively on railways are not liable to have their allowances reduced when they use a free pass.

Higher Class for Lower Fare.

1108. When an Officer is entitled to travel in a higher class at a lower fare, his Travelling Allowance must be reduced by the amount by which the fare of the class in which he travels exceeds the fare actually paid.

Unopened Line.

1109. (*a*) An Officer of the Public Works and Telegraph Departments travelling on an unopened line of railway by trolly, material train, or engine, draws in addition to the actual cost of haulage (if any) the following mileage allowances, *i.e.*—

If an Officer of the first class		1½ annas.
Ditto	second class	9 pies.
Ditto	third or fourth class	3 ,,

(*b*) This Article is not applicable to Officers of the Consulting Engineer's Department, or to Officers attached to open lines of railway.

(*c*) An Officer cannot draw any other allowance in lieu of, or in addition to, this special allowance, except—

(i) when he makes a journey of less than twenty miles partly by trolly and partly by road, in which case he can only draw daily allowance, for the whole journey ;* and

(ii) when he remains absent from head-quarters for a night, in which case he can draw, at his option, either daily allowance, or the allowance admissible under this Article ;

(iii) when the conditions of Article 1166(*a*) are satisfied, in which case he may draw also the allowances admissible under that Article.

NOTE.—[The special allowance declared admissible by this Article is not affected by Article 1092.]

Section II.— Travelling by Sea or River.

	ARTICLE.		ARTICLE.
SCALE OF ACCOMMODATION . .	1110	GOVERNMENT VESSELS. . .	1120
TABLE-MONEY	1115	CROSSING RIVER BY STEAMER .	1124
EMBARKING AND DISEMBARKING .	1125		

Scale of Accommodation.

1110. The allowance admissible to an officer when travelling by sea or in a river steamer, is either free accommodation on the undermentiond scale, or the amount of passage-money actually paid for accommodation on that scale :—

(*a*) *Officer of the First Class.*—First class accommodation for himself, and lowest class accommodation for two or (if the Officer's salary is not less than R1,000) three servants.

(*b*) *Officer of the Second or Third Class.*—Middle or second class accommodation for himself and lowest class accommodation for one servant.

1. If there are only two classes of accommodation in a steamer, an Officer of the second class is entitled to accommodation by the higher of the two classes, and an Officer of the third class to accommodation by the lower of the two. If there are four classes of accommodation, an Officer of the second class is entitled to second class accommodation and an Officer of the third class to third class accommodation.

(*c*) *Officer of the Fourth Class.*—Lowest class accommodation.

1111. The preceding Article is subject to the following provisos :—

(*a*) An Officer of the second class whose pay is not less than R200 may elect for any journey to claim accommodation under clause (*a*), in which case he will also come under the other rules in this Section applicable to first class Officers.

(*b*) The Head of the Office may direct that any non-gazetted Officer whose pay does not exceed R30 shall be allowed accommodation under clause (*c*) only.

* When the journey is more than twenty miles, and is made partly by road and partly by trolly, the allowances are regulated by Article 1170 (iii).

1112. The Director of the Royal Indian Marine when travelling on duty by sea or in a river steamer, and the Political Resident at Aden when travelling on duty by sea in that capacity, may recover the actual cost incurred by them in securing reserved accommodation up to an amount not exceeding double that admissible as passage-money for themselves under Article 1110 (*a*).

1113. Local Governments shall have power to decide to what class of accommodation any particular Officer is entitled, in cases of doubt or in cases in which, owing to the arrangement of the classes on the steamer, the rules, if construed strictly, involve hardship.

1114. Except as provided in Articles 1093, 1205, and 1208, no more personal luggage can be carried at the expense of the State than the quantity the freight on which by custom is included in the charge for passage.

Table-money.

1115. If board is provided on the vessel either by its owners or its Commander or otherwise, the charge for such board, whether actually included in the passage-money or not, is reckoned as passage-money for the purpose of Articles 1110 to 1114, but in that case table-money is recovered from an Officer of the first class (other than a *Native of India*, hindered by caste or other scruples from availing himself of the board so provided) at the following rates for every day on which dinner is provided for him on board:—

(i) If the board includes wines and liquors, three-twentieths of salary up to a maximum of R8.

(ii) If the board does not include wines and liquors, three-fortieths of salary up to a maximum of R4.

1116. If board is not provided on the vessel, or, though provided, cannot, owing to caste or other religious scruples, be availed of, an Officer of the second, third, or fourth class is entitled to table-money for every day on which he dines on board—

(i) At the rate of daily allowance prescribed in Article 1167, subject to a minimum of four annas for himself and for each member of his family for whom passage-money is admissible and who is not less than six years of age; and

(ii) At half such rate for each such member of his family who is less than six years of age.

Explanation.—Table-money is not recovered from an Officer of the second, third, or fourth class in the case mentioned in Article 1115, nor paid to an Officer of the first class in the case mentioned in Article 1116.

1117. Port Officers when travelling on detached duty are not subject to any deduction on account of table-money if board is provided on the vessel; and, if board is not provided, they are entitled to table-money at the rates of daily allowances prescribed in Appendix 25.

1118. A second class passenger is not entitled to be supplied with mess at the Commander's table, unless no other mess is provided on the steamer.

1119. When the route by which an Officer is entitled to draw Travelling Allowance embraces a journey by sea which is not actually undertaken (whether

owing to the Officer's not travelling by the direct route or otherwise), table-money should be recovered from or paid to such Officer for the average number of days which the passage occupies; such average, in case of doubt, being determined by the Local Government.

Government vessels.

1120. An Officer is bound to travel in an Indian Government vessel, if suitable accommodation be offered to him.

1121. (*a*) Articles 1110 and 1111 apply, so far as regards the nature and amount of accommodation to be furnished, to an Officer travelling otherwise than on payment of passage-money in a vessel the cost of which is paid by the State or from *Local Funds*. Article 1204 applies to such an Officer.

(*b*) This Article does not apply to an Officer travelling by a vessel the crew of which is not paid for by the State or *Local Funds*, but by the Officer using it. Article 1092 applies to such a case.

1122. The rates payable to Commanders of Government vessels for the entertainment on board of such vessels of Officers of the first and second classes together with their families and servants, and all Officers in inferior service, when such Officers travel as ordinary passengers, are given in Appendix 21.

1123. The rates payable for the entertainment on board a vessel of the Royal Indian Marine of officers travelling on special occasions are contained in Appendix 21.

NOTE.—[The Superintendent of Port Blair when crossing on board the station steamer travels in his capacity of Superintendent, and not of Chief Commissioner. The rates payable for his entertainment are therefore those provided in Article 1122.]

Crossing River by Steamer.

1124. The Rules in this Chapter apply to an Officer crossing a river by steamer in the course of a journey; but when such river-crossing occurs in the course of a railway journey, and the charge therefor is included in the railway fare, the rules in Section I of this Chapter regarding travelling by railway are applied.

Embarking and Disembarking.

1125. In addition to passage-money an Officer travelling by steamer shall be reimbursed the actual expenses incurred by him in embarking and disembarking, *i.e.*, the charges from the quay to the vessel, such as wharfage fees, boat-hire, and the like. Charges incurred on shore may not be reimbursed under this Article.

Section III.—Travelling by Road.

	ARTICLE.		ARTICLE.
DEFINITION	1126	SPECIAL MILEAGE RATES . .	1129
ORDINARY MILEAGE RATES . .	1127	SPECIAL CONVEYANCE . .	1131

Definition.

1126. Travelling by road includes travelling by sea or river otherwise than in a steamer (*e.g.*, by steam launch or by boat), and travelling by canals.

Ordinary Mileage Rates.

1127. For journeys by road, mileage allowance is calculated at the following rates:—

Officers of the 1st class	. . . . .	8 annas.
„ „ 2nd „	. . . . .	4 „
„ „ 3rd „	. . . . .	2 „
„ „ 4th „	. . . . .	1 „

provided that (except in cases of transfer) a Non-gazetted Ministerial or a Menial Officer is only entitled to *actual travelling expenses* not exceeding the rate for his class. [*See Rule 1 under Article 1170* (ii).]

1128. In calculating Travelling Allowance at mileage rates, fractions of a mile should be omitted, but only in the total of a bill for any one journey, and not in the various items which make up the bill.

Special Mileage Rates.

1129. (*a*) The undermentioned Revenue and Forest Officers in Madras receive mileage at the following rates when travelling on tour within their respective districts or charges:—

	Without Camp.	With Camp.
	Annas.	Annas.
Collectors and Conservators	8	12
Sub-Collectors, Head, Senior, and Special Assistant Collectors, Deputy Conservators and Forest Settlement Deputy Collectors . . .	6	8
Assistant and Deputy Collectors and Assistant Conservators	4	6

(*b*) A *Junior Port Officer* in Madras, although of the second class, draws a mileage of eight annas for a journey on tour.

(*c*) An Overseer in the Public Works Department draws a mileage of only two annas, even though he belongs to the second class.

(*d*) Joint and Assistant Inspectors of Schools in Bengal draw a mileage of six annas for a journey on tour.

(*e*) An Extra Assistant Conservator of Forests, although an officer of the second class, is entitled to a mileage of six annas when placed in charge of a forest division.

1130. Settlement and Assistant Settlement Officers in Bengal whose pay is less than R700 a month, are entitled to mileage at a rate 50 per cent. in excess of the rate otherwise admissible to them according to the class to which they belong, subject to a maximum of 8 annas a mile.

1130A. The Chief Observers at Lahore and Allahabad and clerks in the Calcutta, Madras and Bombay Meteorological Observatories when travelling to inspect observatories are entitled to second class mileage rates.

Special Conveyance.

1131. (*a*) When an Officer of a class lower than the first is required by a superior authority to travel by any special means of conveyance, the cost of

which exceeds the daily allowance under Article 1167 when daily allowance only is admissible, or the mileage allowance admissible under Article 1127, the actual cost of transit by such means may be drawn in lieu of such daily allowance or mileage.

(*b*) When the actual cost of transit is drawn under this Article, the bill must be supported by a certificate signed by the superior authority and countersigned by the controlling authority, certifying that the use of the special means of conveyance was absolutely necessary, and specifying the circumstances which rendered it necessary.

(*c*) The *Audit Officer* will report, for the orders of the *Local Government*, any case in which the concession appears to have been improperly granted.

Chapter XLIX.—Travelling Allowances for Journeys on Tour.

Section I.—General Rules.

	ARTICLE.		ARTICLE.
TITLE TO ALLOWANCE . . .	1132	JOURNEYS BEYOND JURISDICTION .	1136
LIMITS OF ORDINARY JURISDICTION .	1135	TENTS	1141
TENTAGE ALLOWANCES . .	1142		

Title to Allowance.

1132. An Officer other than one of those referred to in Article 1133, whose duties, whether ordinary or special, necessitate his travelling within or (under proper authority) beyond the circle of his ordinary jurisdiction is entitled to Travelling Allowance which may be either—

(*a*) a permanent monthly allowance;

(*b*) a daily allowance.

These may, under certain conditions, be exchanged for mileage under Chapter XLVIII.

(*c*) A conveyance allowance or actual conveyance hire.

Journeys to hill stations do not come within this rule.

1. An Officer undertaking a journey to attend a Chapter of the Star of India to which he has been summoned, travels on duty within the meaning of this Article.

2. A Chaplain proceeding to a distance from head-quarters to solemnise a marriage, or a Medical Officer leaving his station to attend upon the family of a Public Officer, which he is not bound to attend free of charge as a part of his regular duties, is not travelling on duty within the meaning of this Article.

1133. (*a*) The pay of the Officers named in Appendix 22 has been fixed so as to compensate them for the cost of ordinary journeys (other than journeys performed by rail or steamer) within their respective jurisdictions. These officers are not entitled to Travelling Allowance for such journeys. When travelling by rail or steamer within jurisdiction, these officers are entitled to the Travelling Allowance admissible under Chapter XLVIII, Articles 1105 to 1125.

(*b*) Such an Officer, when proceeding under proper authority beyond the circle of his ordinary jurisdiction, is entitled to Travelling Allowance for the entire journey, including such part of it as is within his circle.

(*c*) The Judicial Commissioner, Central Provinces, is also under this rule, and is not entitled to any Travelling Allowance for journeys on duty within his jurisdiction.

1134. The *Local Government* is empowered to add to Appendix 22 subject to confirmation, on report of its proceedings to the Government of India.

Limits of Ordinary Jurisdiction.

1135. A Local Government may fix the limits of ordinary jurisdiction for any Officer or class of Officers, and may impose restrictions upon the duration and frequency of the journeys of any Officer or class of Officers on any specified duty.

Journeys beyond Jurisdiction.

1136. The sanction of his immediate superior is sufficient authority for any Officer or subordinate proceeding on duty beyond the limits of his charge, but within those of the jurisdiction of such superior.

1137. A Local Government may authorise any of its Officers to proceed on duty to any part of the territories within its own jurisdiction; and also to any part of British India beyond the limits of its own jurisdiction when their pay and allowances are chargeable, wholly or partially, to Provincial revenues; but if their pay and allowances are wholly chargeable to Imperial revenues, the sanction of the Government of India is required when the Officer is deputed beyond the limits of the Province.

1138. Cancelled.

1139. The orders contained in Articles 1136 and 1137 do not apply to Police officers acting within their legal powers.

1140. An *Accountant General* may, under the orders of the Local Government, pass travelling allowance, or travelling expenses (according to these Regulations) to the Head of an Administration, when he travels on the public service in India outside his jurisdiction, and to any member of his Personal or Secretariat Staff in attendance on him. Such an order is, with reference to the Statute 3 and 4 Will. IV., Cap. 85, s. 79, sufficient authority to the *Accountant General* for assuming that the absence is on the known actual service of the Government.

Tents.

1141. (*a*) The Local Government is empowered to lay down the scale of Government tents to be supplied for the use on tour of any particular Officer or class of Officers for office and, if it think fit, private purposes.

(*b*) When Government tents are used only for office purposes by an Officer on tour, they are carried at Government expense.

(*c*) When Government tents are used partly for office and partly for private purposes, the Officer so using them must, save as provided in Article 1093, pay half the cost of carriage.

Articles 1134—1141.

(*d*) When Government tents are used wholly for private purposes, the Officer so using them must, unless the case is met by Article 1093, pay the whole cost of their carriage.

Tentage Allowances.

1142. An allowance called tentage is made to the Officers mentioned in Appendix No. 23, to enable them to provide themselves with tents required for their use on tour. Tents so provided are not Government tents within the meaning of the preceding Article.

1143. When an Officer proceeds from one appointment, which carries tentage, to another, which also carries tentage, he may draw tentage at the lower of the two rates during joining time between the two appointments.

NOTE.—[See Rule 1 to Article 1149.]

1144. An Assistant Superintendent of the Bombay Revenue Survey Department, who is temporarily in charge of a second party, during the absence of another officer, may draw an additional tentage allowance equal to half the full allowance. In cases, however, in which this rule would cause hardship, the full allowance may be given under the authority of the Government of Bombay.

Section II.—Permanent Allowances.

	ARTICLE.		ARTICLE.
CONDITIONS OF GRANT . . .	1145	NOT DRAWN DURING LEAVE, ETC..	1149
UNDER WHAT CONDITIONS EXCHANGEABLE	1147	RATE OF ALLOWANCES . . .	1150

Conditions of Grant.

1145. A permanent monthly Travelling Allowance is granted in lieu of all other travelling allowances (except Tentage under Article 1142) for journeys within an Officer's circle of duty, and is drawn all the year round, whether the officer entitled to it is at the time absent from his head-quarters or not. Officers in receipt of permanent monthly travelling allowance should deduct from the amount drawn each month, the value of the fares for any railway journeys for which they have used a free pass during the month.

1146. There are the following exceptions to the preceding Article :—

(*a*) A District Inspector of Excise in the Central Provinces is entitled, for a journey by rail, to single fare of his class, without deduction of Permanent allowance, on a certificate from the Deputy Commissioner of the District that the journey by rail was necessary, and that the Inspector has duly earned the monthly allowance.

(*b*) Police Inspectors in Bombay, who draw permanent monthly Travelling Allowance, may draw single railway fare for a journey by rail, in addition to permanent allowance.

(*c*) District Inspectors of Schools in the Punjab may, with the special sanction of the Postmaster General, draw the fares paid on special journeys by rail made by them in connection with their duties as Inspectors of School Post Offices without deduction of permanent allowance.

Under what Conditions exchangeable.

1147. The Local Government may, either by a general order applying to a class of officers or by a special order, permit an officer, whose circle of duty extends beyond the limits of a single district, to draw, whenever his *actual travelling expenses* for a duly authorised journey on public duty by *public conveyance* exceed double the amount of his permanent allowance for the period occupied in such journey, the difference between such double permanent allowance and the allowances admissible under Chapter XLVIII, in addition to his ordinary permanent allowance for such period.

1148. An Officer in receipt of a permanent monthly allowance may, when proceeding, under proper authority, beyond his jurisdiction, exchange his permanent allowance for the entire journey, including such part of it as is within his jurisdiction for the allowances admissible under Article 1170, the daily allowance being taken to be one-thirtieth of the permanent monthly allowance.

Not drawn during Leave, etc.

1149. A permanent monthly allowance cannot be drawn during absence on leave of any description, or joining time between appointments, or for any period for which Travelling Allowance of any other kind is drawn. But save as provided in this Article, a permanent allowance may, at the option of the Officer receiving it, be drawn in lieu of any other Travelling Allowances admissible under these Regulations.

1. The Officer deputed to compile the Administration Report of the Bombay Presidency is entitled to draw any permanent Travelling Allowance and Tentage to which he would be otherwise entitled during such deputation.

Rate of Allowances.

1150. (*a*) Permanent monthly allowances are granted to the Officers named in Appendix 24 at the rates shown therein.

(*b*) Additions to this Appendix can be made only with the sanction of the Government of India.

1151. (*a*) The Local Government may grant to a Forest Officer in charge of a circle, division, or range a permanent monthly Travelling Allowance in lieu of all other such allowances, according to the following scale:—

	R
To an Officer in charge of a circle	150
To an Officer in charge of a division—	
(i) if a member of the Imperial Forest Service or an Extra Deputy Conservator	100
(ii) if an Extra Assistant Conservator	75
(iii) if below the rank of Extra Assistant Conservator . . .	50
To an Officer in charge of a sub-division or range—	
(i) if not below the rank of Extra Assistant Conservator . .	60
(ii) if below the rank of Extra Assistant Conservator . . .	20

(*b*) Where a charge is specially extensive, or travelling is unusually costly, the above scale may be increased, with the previous sanction of the Government of India, by twenty-five or fifty per cent.

1152. Conservators of Forests in Madras may grant a Forester not in charge of a Range a permanent monthly Travelling Allowance not exceeding ₹8.

1153. Munshis and Clerks attached to Canal Divisions of the Public Works Department, who are liable to be at any time required to go on tour, may, at the option of the Local Government, be granted a permanent monthly allowance of ₹7½ to cover all travelling expenses, in lieu of all other allowances admissible under these Regulations.

Section III.—Daily Allowances—Conditions.

	Article.		Article.
Conditions of Grant . .	1154	Halts during Tour . .	1159
Beginning and End of Tour.	1155	Halts at Head-quarters .	1164
Minimum Limit of Distance.	1157	Head-quarters Defined .	1165
Cumulative Allowances .	1166		

Conditions of Grant.

1154. (*a*) A daily allowance is intended to cover the ordinary daily charges of an Officer on tour; it is drawn only during absence from head-quarters on duty, including the period of halts on duty, or on an authorised holiday, during such absence.

(*b*) Save where otherwise expressly provided, daily allowance is inadmissible for journeys, or halts in the course of journeys, under any other chapter of these Regulations.

Beginning and End of Tour.

1155. The period of absence from head-quarters begins on the *day* on which the Officer actually leaves head-quarters, and ends on the *day* on which he returns to them. It is not reckoned by the departure or return of his *Camp equipage*.

1156. (*a*) The *Local Government* may apply the provisions regarding a halt at head-quarters, contained in Article 1164, subject to the conditions and certificates therein specified (as far as applicable), and subject to such other restrictions as may seem requisite, to the period, if any, intervening between the departure from, or arrival at, head-quarters of an Officer and of his *camp equipage*.

(*b*) In the case of Officers in Sind, the Local Government may similarly apply the provisions of Article 1164 to the period, if any, intervening between the engagement of *camp equipage*, and the departure from head-quarters on tour.

Note.—[See note under Article 1164.]

Minimum Limit of Distance.

1157. No Travelling Allowance, other than a permanent monthly allowance, is admissible for any *day* on which an Officer does not reach a distance

exceeding five miles from head-quarters, or return thereto from a distance exceeding five miles. But an Officer travelling on duty within five miles of head-quarters is entitled to draw the actual amount spent by him in payment of ferry and other tolls or railway fare.

1158. There are the following exceptions to the preceding Article :—

(*a*) No Travelling Allowance, other than a permanent monthly allowance is admissible to a District Superintendent or Assistant District Superintendent of Police for visiting a Police Station, otherwise than in the course of a tour unless he travels at least twenty miles in one day.

1. In this clause "Tour" means a journey which involves the absence of the Officer from his head-quarters for two or more consecutive nights, and the visitation of two or more police stations or posts.

(*b*) In the Bombay Presidency, general-duty Karkuns, Talatis deputed on duty outside their jurisdictions, and such Excise (Abkari) Inspectors and Sub-Inspectors as do not receive a horse allowance, and in Calcutta, Income Tax Assessors, are exempted from the operation of Article 1157.

Halts during Tour.

1159. A daily allowance may not be drawn for more than ten days of a halt at one place. But the *Local Government* may exempt any officer from the operation of this rule in special cases in which it is satisfied that the prolonged halt was necessary in the interests of the public service, and

(*a*) that it was necessary to maintain *camp equipage* during it ; or

(*b*) that the officer was put to extra expense by his halt after the expiration of the first ten days although no camp equipage may have been maintained.

This exemption may also be made by a general rule in the case of officers whose duty is such as to bring them frequently under clause (*a*), and may in either case be made subject to any limits or conditions the Local Government thinks fit to impose. For instance, when an exemption is made under this Article, the full daily allowance admissible under rule may be reduced by such an amount, and may be granted for such number of days, as the Local Government may deem proper in each case.

Explanation.—An officer who remains more than ten days halted at a place may, after he ceases to draw the daily allowance, draw travelling allowance under the ordinary rules applicable to him for any journey made on one day from and to the halting place, if he reaches a point more than five miles distant from it. A halt is not interrupted for the purpose of this rule by an absence on duty from the place of halting for less than three nights.

1160. The Officers and establishments enumerated in Appendix 26A. have been exempted from the rule in Article 1159, on the understanding that they maintain *camp equipage*.

1161. The following special rules have been prescribed under the general rule in Article 1159 :—

(*a*) As regards officers of the undermentioned Departments, the Head of the Department has the power of a Local Government—

(1) Survey Department.

(2) Geological Survey Department, including the Inspector of Mines and his establishment.

(*b*) As regards Officers of the Settlement Department and their establishments, the Local Government may delegate its powers to any officer of not lower rank than Settlement Commissioner.

1162. The Officers and establishments enumerated in Appendix 26B. have been for special reasons exempted absolutely from the operation of Article 1159.

1163. A general-duty Karkun in Bombay draws daily allowance for the first 120 days of absence from head-quarters in each financial year irrespective of the limit of the duration of halts imposed by Article 1159. For periods of absence after the first 120 days, the limit imposed by Article 1159 is applied.

Halts at Head-quarters.

1164. (*a*) *A Local Government* may, by general or special order, permit any officer or class of officers to draw, during a halt at head-quarters, the actual expense (not exceeding the daily allowance) of keeping up *camp equipage* (when it is necessary to do so) during a halt: provided such actual expense may not be drawn for a longer period than twenty-one days in Sind or Rajputana, and ten days in other places.

Explanation.—A halt is not interrupted for the purpose of this rule by an absence on duty from the place of halting for less than three nights.

(*b*) An officer drawing an allowance under this Article, for a halt at head-quarters, must certify that he has during such period kept up the whole or part of his *camp equipage*, as the case may be, and that the expense so incurred is not less than the halting allowance drawn. In the case of a non-gazetted or Menial Officer, the head of the office must also certify that it was necessary for such Officer to keep up the whole or a part of his *camp equipage*, as the case may be.

(*c*) Except in the case of Officers to whom Article 1158 (*b*) applies, a halt within five miles of head-quarters in the course of a tour is, for the purpose of this Article, treated as a halt at head-quarters.

NOTE.—[In the case of all munshis and clerks in Sind, riding camels and riding horses may, under the orders of the Local Government, be treated as camp equipage for the purposes of Articles 1156 (*b*) and 1164.]

Head-quarters defined.

1165. The Local Government may determine, in case of doubt, what are the head-quarters of any Officer serving under it.

Cumulative Allowances.

1166. (*a*) An officer compelled, on a sudden emergency, to leave his camp and proceed rapidly on duty to a place more than twenty miles distant, may, under the special order of the *Local Government*, draw the actual expense of maintaining such camp, not exceeding the daily allowance, in addition to the allowances admissible under Chapter XLVIII, whether the camp be moved or not.

(*b*) The *Local Government* may delegate its power under this Article to the head of a department.

Articles 1162—1166.

1166A. An officer entitled to daily allowance, whose jurisdiction extends over a whole Province, may, when making a journey of over a hundred miles to the first and from the last camp of a tour, in lieu of the daily allowance admissible for the days occupied by such journey, recover the whole necessary expenditure incurred thereupon, including the conveyance of camp equipment, servants, and private baggage. The number of servants and the quantity of private baggage to be thus charged for should be fixed by the Local Government to which he is subordinate.

Section IV.—Daily Allowances—Rates.

ARTICLE.

ORDINARY RATES . . 1167 | EXCEPTIONS . . . . . ARTICLE. 1168

PUBLIC WORKS SECRETARIAT 1169

Ordinary Rates.

1167. Officers are entitled to daily allowances as follows:—

(i) An officer of the first class, ₹5.

(ii) An officer of the second class, four annas for every ₹25 or fraction of ₹25 of the *pay* or maximum *pay* of the appointment which he holds, subject to a maximum of ₹3.

(iii) An officer of the third class, 2 annas for every ₹12½, or fraction of ₹12½ of the *pay* or maximum *pay* of the appointment which he holds, subject to a minimum of six annas in the Bombay Presidency, or four annas elsewhere.

(iv) An officer of the fourth class, two annas if his *pay* exceed ₹8, and one anna if his *pay* is ₹8 or less.

NOTE.—[When used in Appendix 25 the term "Local Government" includes only the Governments of Madras, Bombay, Bengal, North-Western Provinces and the Punjab.]

Exceptions.

1168. There are the following exceptions to the preceding Article:—

(*a*) An officer of the first, second, or third class mentioned in Appendix 25, is entitled to a daily allowance as shown therein.

(*b*) An officer of the second, third, or fourth class in the Forest Department is entitled to a daily allowance one-third greater than that admissible under the preceding Article.

(*c*) The Local Government may grant to any inferior servant accompanying an Inspecting or Controlling Officer, whose circuit of inspection or control extends beyond the limits of a single district, a daily allowance of two annas.

(*d*) The Vice-Consul at Jeddah and the Vice-Consul for Hodeida and Kamaran, when travelling in their Vice-Consular capacity on the public service in the Hedjaz, Red Sea, etc., will be reimbursed their *actual travelling expenses* and receive in addition £1 per diem for subsistence.

(*e*) Peons employed under His Excellency the Commander-in-Chief (in his capacity of Member of the Executive Council of the Viceroy) are entitled

to an allowance of one-third of their salary for the whole period of their absence from Simla on tour.

(*f*) The duffadar and two peons attached to His Excellency the Commander-in-Chief of Madras as Member of Council are entitled to similar allowances during their absence from Ootacamund on tour.

(*g*) Clerks and inferior servants accompanying His Excellency the Viceroy or a Member of the Council of the Governor General on tour draw extra allowances at rates varying with their *salaries*, according to the following scale. These allowances are admissible for the whole period of the tour. Travelling allowance admissible under Chapter XLVIII may be drawn in addition to these allowances :—

(i) Clerks on salaries of less than R100—Full salary, provided the sum of salary and allowance does not exceed R150 a month.

(ii) Clerks on salaries of not less than R100, but less than R200—Half salary, provided the sum of salary and allowance does not exceed R266⅔ a month.

(iii) Clerks on salaries of R200 and above—One-third salary to a maximum of R200 a month.

(iv) Inferior servants—One-third salary.

NOTE.—[The Hospital Assistant attached to His Excellency the Viceroy's Dispensary, when accompanying His Excellency on tour, is entitled to an extra allowance at the rate prescribed by this clause for clerks.]

(*h*) Village Accountants (Talatis) in Bombay, when deputed on duty outside their jurisdiction, draw daily allowance at five annas.

(*i*) The Head Commissioner of the Department of Issue of Paper Currency may grant to clerks and peons deputed to accompany a remittance of twenty lakhs or more, daily allowance at the rates shown below for the necessary period of their absence :—

Clerks	R2½
Peons	annas 4

and in special cases where the remittance is below twenty lakhs, an allowance not exceeding 4 annas a day or 50 per cent. of their salaries to any officers of the 4th class.

(*j*) Clerks and the Hospital Assistant accompanying His Honour the Lieutenant-Governor of the Punjab on tour are granted a special allowance of one-third salary, subject to a maximum of R50 and a minimum of R20 a month, from the date on which the Lieutenant-Governor's camp leaves headquarters to the date of its return. Inferior servants are entitled to the free carriage of their baggage.

(*k*) Book-binders in superior service in the Bombay Presidency, including Sind, draw a daily allowance of 2 annas.

(*l*) Settlement and Assistant Settlement Officers in Bengal are entitled to daily allowance at the following rates :—

(*a*) Officers on pay of R700 or upwards, at the rate of R7-8-0 allowed to Collectors or Deputy Commissioners, under entry No. 8 in Appendix 25.

(*b*) Officers on pay of less than R700 a month, at a rate 50 per cent. in excess of the rate otherwise admissible to them, according to the class to which they belong, subject to a

maximum of R5 a day. For journeys by boat in the Chittagong and Dacca Divisions, and the districts of Khulna, Jessore and the 24-Pergunnahs, the Officers may draw only such daily allowance as is admissible under Article 1252.

(*m*) The Chief Observers at Lahore and Allahabad and Clerks in the Calcutta, Madras, and Bombay Meteorological Observatories, when travelling on tour to inspect Observatories, are granted a daily allowance of R1.

(*n*) Cash sircars and Potdars on the Eastern Bengal State Railway, when temporarily employed in the capacity of Assistant Pay Clerks, and travelling with cash on the line, draw travelling allowance at the same rate as Assistant Pay Clerks.

Public Works Secretariat.

1169. (*a*) An officer of the Public Works Department holding an appointment in a Secretariat, or any other special appointment, draws the daily allowance of his class in the Department, in the absence of a special order of the Government of India.

(*b*) Clause (*a*) does not apply to Secretaries or Joint Secretaries to the Government in the Public Works Department of Madras, Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab, when travelling with the Governor or Lieutenant-Governor, who are then entitled to the daily rate shown in entry No. 52 of Part I, Appendix 25.

Section V.—Mileage in lieu of Daily Allowances.

	ARTICLE.		ARTICLE.
WHEN DAILY ALLOWANCES ARE EXCHANGEABLE . . .	1170	POSTAL (MAIL) OFFICERS . .	1172
OFFICERS ATTACHED TO RAILWAYS .	1171	SURVEY OFFICERS . . .	1174
INFERIOR SERVANTS . . .	1177	OTHER SPECIAL CASES . . .	1176

When Daily Allowances are exchangeable.

1170. An officer may for any day draw in lieu of his daily allowance—

(i) if he travels by railway or steamer or both, the allowances admissible under Chapter XLVIII, Articles 1105 to 1109 or Articles 1110 to 1125, or both, as the case may be;

(ii) if he travels more than twenty miles by road, or if, being a Non-Gazetted Ministerial or a Menial Officer, he travels by boat or *public conveyance* under a certificate from the head of the office that he was required so to do, the allowances admissible under Chapter XLVIII;

1. Under this clause a Non-Gazetted Ministerial or a Menial officer is only entitled to actual expenses within the limit of the mileage rate admissible for his class. Such actual expenses are also subject to any further restriction which the *Local Government* may prescribe, *e.g.*, a *Local Government* may absolutely prohibit the exchange of daily allowance for mileage either for any class of officers or in any specified tract.

2. The Local Government may impose restrictions on the application of this Article to any officer or class of officers, either in respect of the distance to be travelled in any one day in order to entitle an officer to exchange his daily allowance, or otherwise, as it thinks fit.

[NOTE.—On the question of the advisability of laying down a scale or limit of actual expenses within the general limits of the rates for each class, the Government of India passed the following orders —

"After a full consideration of all the reports received, the Governor General in Council has arrived at the conclusion that it is impossible to lay down any general subsidiary scale which

should have force throughout India. It must be left to each Local Government or Administration to determine whether owing to local peculiarities or special causes any such scale is practicable, either for their jurisdictions generally or for any portions of them. And the Governor General in Council will merely rule generally that the actual expenses for which ministerial officers or menial servants may on certain occasions exchange daily allowance, besides being subject to the general mileage limits prescribed *in these Regulations*, shall also be subject to any further restrictions or limits which the Local Government may from time to time think fit to prescribe. Such restrictions or limits may, if considered advisable, amount to an absolute prohibition of the exchange of daily allowance for mileage in certain cases,..... or they may consist only in the prescribing of a subsidiary scale." (*Finance Department No. 6355, dated 1st December 1887.*)]

(iii) if he travels partly by road and partly by rail or steamer, or both—

(1) in respect of the road journey, the allowances admissible under Chapter XLVIII, Articles 1126 to 1131, limited unless the conditions of clause (ii) of this Article are fulfilled, to the amount of the daily allowance;

(2) in respect of the journey by railway or steamer, the allowances admissible under Chapter XLVII, Article 1092, or Chapter XLVIII, Articles 1105 to 1109, or Articles 1110 to 1125, or both, as the case may be.

1170A. In the case of officers whose salary does not exceed R200 a month the Local Government may, by general or special order, and subject to such conditions as it thinks fit to impose, permit any officer or class of officers to draw allowances admissible under Chapter XLVIII for the whole period of any absence from head-quarters, on condition that no daily allowance is drawn for such period if it considers that their duty is such that the daily allowance is not sufficient to cover travelling expenses.

Officers attached to Railways.

1171. The following officers, whose duties require them to travel constantly by railway, are not entitled to allowances under Chapter XLVIII, Articles 1105 to 1109, for journeys within the limits of the railway to which they are attached, but are granted their daily allowances for any *day* on which they are absent from their station for more than eight hours, in addition to a free pass, or if they are not allowed a free pass, the fares for themselves and for the servants and baggage accompanying them which a free pass would cover:—

Deputy or Assistant Inspector General, Railway Police.

All officers and men of Railway Police.

All officers of the Public Works and Telegraph Departments, and Medical Subordinates attached to open lines of Guaranteed or State Railways, except the Train Staff or Running Establishment.

The Additional Clergy Society's Chaplain at Indore and that Society's Railway Chaplain at Insein.

1. This Article does not apply to cases of transfer from one line to another, but it applies, except in cases of transfer, to officers travelling on duty over railways other than those to which they may be attached.

2. Inspectors of maintenance on State Railways are not entitled to draw the allowances described in this Article, except when they are, under special circumstances, absent from head-quarters for more than four hours between 9 P.M. and 5 A.M., such absence being certified by the head of their department.

3. The proviso of Article 29 applies to allowances drawn under this Article.

4. In cases in which any of the above-mentioned officers makes a road or steamer journey in combination with a railway journey, he may, if he travels to a place distant five miles or more from the point where he leaves the railway, draw in addition allowances under Articles 1126 to 1128, or Articles 1110 to 1114.

NOTE.—[The time thus spent on the road or steamer journey must be neglected by the officer in calculating the duration of absence from his station for the purpose of claiming daily allowance under this Article.]

Postal (Mail) Officers.

1172. Superintendents and Assistant Superintendents, Railway Mail Service, for journeys by railway, and Superintendents of Mail Carts for journeys by postal conveyance within the limits of the railways and lines to which they are attached, are entitled only to free conveyance, and to their daily allowance for any *day* on which they are absent from their head-quarters for not less than six consecutive hours.

NOTE 1.—[Superintendents and Assistant Superintendents, Railway Mail Service, when on deputation beyond the limits of the railways and lines to which they are attached and those not attached to any railways or lines, are entitled to special daily allowances at the following rates:—

Superintendents	Rs 6	a day of	not less than	six consecutive hours.
Assistant Superintendents . .	Rs 4	,,	,,	,, ,,

2.—[In case of transfer, the officers mentioned in this Article are entitled to travelling allowance under Article 1107A.]

1173. Superintendents and Assistant Superintendents, Railway Mail Service, may also draw daily allowance, if they are absent from head-quarters for a continuous period of six hours, forming part of one *day* and part of the next; Provided that if further daily allowance on account of any other journeys is earned under the preceding Article on both the *days*, it shall be drawn for only one of the two *days*.

Survey Officers in the Survey of India Department.

1174. (*a*) The following special rules apply to officers in the Survey of India:—

(i) A Survey offieer may, for a journey in the field, exchange his daily allowance for the allowance admissible under Chapter XLVIII only when he is specially authorized by the Surveyor-General or Deputy Surveyor-General, and when he has to travel by *public conveyance* or is employed on special duty.

(ii) Whenever for a journey to or from the field or any other journey in which an officer has to travel with *camp equipment*, the actual expenses by *public conveyance* of a Survey officer, including charges for servants and baggage, not exceeding the limit named in the table below, exceed the amount admissible under Chapter XLVIII, he may for such journey, in lieu of the amount so admissible, draw such actual expenses on a bill prepared in suffi-

cient detail and countersigned by the Surveyor-General or Deputy Surveyor-General :—

	When obliged to travel with camp *equipment*.	Otherwise.
Servants.	No.	No.
For an officer of not lower rank than an officer in charge of a party	6	3
For an Assistant Superintendent or for an Extra Assistant Superintendent, 1st or 2nd grade	4	2
For an Extra Assistant Superintendent of any other grade, or a Sub-Assistant Superintendent	3	1
Camp Equipment and Baggage.	Mds.	Mds.
For an officer of not lower rank than an officer in charge of a party	25	12
For an Assistant Superintendent or Extra Assistant Superintendent	25	8
For a Sub-Assistant Superintendent or an Apothecary	15	5
For Surveyors, Sub-Surveyors, Writers, Hospital Assistants—		
(*a*) whose salaries are not less than R50	8	2
(*b*) whose salaries are less than R50	5	

(iii) When the actual expenses for a whole month for carriage in the field of *camp equipment* and baggage, limited as in the preceding clause, exceed half the daily allowance admissible for that month, a Survey officer may appropriate half his daily allowance to pay for *camp equipment* and extra servants, and in lieu of the other half of the daily allowance may recover such actual expenses by bills prepared and countersigned as in the preceding clause. When coolies are employed, *camp equipment* and baggage must be limited to half these weights.

Survey Officers in the Madras Survey.

(*b*) The above rules apply also to Survey Officers in the Madras Survey, with the two following modifications, namely, the Superintendent of the Survey exercises the functions of the Surveyor-General or Deputy Surveyor-General, and the following table is substituted for the table in the body of the Article :—

	When obliged to travel with camp *equipment*.	Otherwise.
Servants.	No.	No.
For an officer of not lower rank than an officer in charge of a party	6	3
For an Assistant Superintendent	4	2
For a Sub-Assistant	3	1
Camp Equipment and Baggage.	Mds.	Mds.
For an officer of not lower rank than an officer in charge of a party	35	12
For an Assistant Superintendent	25	8
For a Sub-Assistant	15	5
For Head Surveyors, Deputy Surveyors, Writers—		
(*a*) whose salaries are not less than R50	8	2
(*b*) whose salaries are less than R50	5	

1175. Clause (ii) of the preceding Article applies to officers of the Geological Survey, the bill in their case being countersigned by the Director.

Other Special Cases.

1176. (*a*) An Inspector, Postal Department, may not exchange his daily allowance for mileage, but when travelling by rail he draws single fare of his class and single lowest class fare for one servant (if actually paid) in addition to his daily allowance.

(*b*) An Income Tax Assessor in the interior of Bengal is not entitled to exchange his daily allowance for mileage.

Inferior Servants.

1177. An officer in inferior service, if entitled to daily allowance under Article 1132, may, for a journey by railway, draw his daily allowance in addition to railway fare. An officer in inferior service named in Appendix 22 may draw daily allowance in addition to the fare admissible under Article 1133 (*b*), but not in addition to the fare admissible under Article 1133 (*a*).

Section VI.—Conveyance Allowances.

	Article.		Article.
Conditions of Grant	1178	To whom granted	1181
How affected when on Tour or on Leave	1179	Public Works, Telegraph, Forest and other Departments	1183

Conditions of Grant.

1178. When an officer has a large amount of travelling at or within a short distance from head-quarters, for which travelling allowance is inadmissible under the Regulations for "Journeys on Tour," a permanent conveyance or horse allowance is granted to him, which is drawn like salary all the year round.

How affected when on Tour or on Leave.

1179. (*a*) Save as provided in Article 1183 (*b*), a permanent conveyance allowance is not forfeited during absence from head-quarters, and may be drawn in addition to any other travelling allowance admissible under these Regulations.

(*b*) It is, however, inadmissible during joining time or save as provided in the note to Article 300, and in Articles 302, 303 and 1180, during leave of any description.

1180. A conveyance allowance may be drawn by an Archdeacon, a Senior Chaplain of the Church of Scotland, or a Chaplain on privilege leave, provided it is not drawn by his *locum tenens*.

To whom granted.

1181. The rates of conveyance allowance and the officers to whom it is granted are shown in Appendix 26.

Additions to this Appendix can be made only with the sanction of the Government of India.

Travelling Allowances for Journeys on Tour.

1182. A monthly allowance of R2 is granted to a schoolmaster in Sind who has to inspect a branch school, on condition that he visits the branch school once a week if within three miles, and once a fortnight if at a greater distance.

Public Works, Telegraph, Forest and other Departments.

1183. (*a*) A conveyance or horse allowance not exceeding the amount shown in each case in the following table may be granted to a subordinate named in the first column of the table by the authority specified in the third column if such subordinate has a large amount of travelling at or near head-quarters.

(*b*) This allowance is forfeited whenever daily allowance or road mileage is drawn.

(*c*) The provisions of clause (1) of Article 1170 (iii) may be applied to such of these officers as draw no daily allowance, the limit of road mileage in these cases being the amount of horse allowance for the day.

1	2	3
Subordinate to whom conveyance allowance may be granted.	Amount of allowance.	Authority empowered to grant allowance.
Public Works Department.	R	
Upper subordinate . . .	30	
Canal Zilladars . . .	15	
Segyis of the Irrigation Circle, Burma.	15†	Manager and Engineer-in-Chief of State Railways.
* Lower Subordinate . . .	15	Superintending Engineer of Irrigation, Buildings and Roads or Military Works Branch.
Assistant Surgeon or Civil Apothecary.	15	
Hospital Assistant . . .	7½	
Ditto . . .	15	Local Government (in special and exceptional cases).
Apprentice Overseer . . .	15	Principal, Thomason Civil Engineering College, Rurki.
Cashier	15	Local Government.
Telegraph Department.		
Upper Subordinate and Inspecting Telegraph Masters and Signallers other than those sent out on casual inspection duty.	30	Director-General of Telegraphs.
Forest Department.		
Hospital Assistant . . .	7½	Government of Bengal.

1184. (*a*) The Director-General of Railways may grant a conveyance or horse allowance to subordinate employés on open lines of railway, in cases where the use of a trolly is, in his opinion, a source of danger or of

* A lower subordinate placed in charge of a regularly constituted sub-division in Rajputana and Central India may, under the special orders of the Local Government, be allowed to draw horse allowance not exceeding the rate admissible to an upper subordinate.

Permanent and Temporary Lower Subordinates of the Public Works Department in the Punjab stationed beyond the North-Western Frontier of the Peshawar and Derajat Divisions receive a horse allowance of R22-8 a month with the sanction of the Local Government in each case.

Lower subordinates in the Chin Hills receive a horse allowance of R30 a month.

† The allowance is admissible so long as the Segyi maintains a horse.

inconvenience, whether with reference to the physical features of the line, or to the passage of public trains.

(*b*) The allowance, which is not to exceed R30 a month for an officer who ranks with an upper subordinate, and R15 a month for an officer who ranks with a lower subordinate, should be given on the understanding that an employé who draws it is on no account to be allowed the use of a trolly on the length in question, and cannot draw ordinary travelling allowance while in receipt of this allowance.

1. Sub-Inspectors of Maintenance on the Bolan Railway, who are prohibited from using trollies may be given allowances not exceeding R30 a month under this Article.

1184A. Subject to the restriction contained in the note under entry No. 11 in Part II of Appendix 25, a horse allowance of Rs. 20 a month may be granted by the Local Government to any Income-Tax Assessor in Bengal employed in the Mufassal.

Section VII.—Conveyance Hire.

	ARTICLE.		ARTICLE.
DESPATCH OF MESSENGER . .	1185	SPECIAL RULES, BENGAL PRESIDENCY	1187
TEMPORARY DUTY AT PRESIDENCY .	1186	SPECIAL RULES, BOMBAY PRESIDENCY	1188
BOMBAY CITY AND CALCUTTA TOWN AND SUBURBAN POLICE . . .	1189		

Despatch of Messenger.

1185. When a Non-Gazetted or a Menial Officer of any rank, a Police Officer not higher in rank than a Sub-Inspector, an European Police Sergeant, a member of the Signalling Establishment, Sub-Inspector or Lineman of the Telegraph Department, or the Head Preventive Officer at Karachi, is despatched as a messenger, on business to a place in the neighbourhood of the office to which the business appertains, or is, outside the ordinary course of duty suddenly summoned to, or despatched from office or some place in the neighbourhood on urgent business, the actual expenses incurred may be charged to Government, provided the head of the office certifies that the charge was unavoidable.

Temporary Duty at Presidency.

1186. The *Local Government* may grant to any officer summoned temporarily on duty to a Presidency town or to Rangoon such conveyance allowance not exceeding R3 a day as it thinks fit, provided that an officer may not draw conveyance allowance under this rule if or while he is entitled to a daily travelling allowance under these Regulations.

Special Rules, Bengal Presidency.

1187. (*a*) An Opium Factory Assistant while employed in superintending the unloading, etc., of opium chests is entitled, in addition to any other travelling allowance which may be admissible, to a daily conveyance allowance of R2 if at Calcutta and R1 if at Howrah.

(*b*) The Clerk of the Additional Judge of the 24-Pergunnahs is allowed actual conveyance hire between Alipur and Howrah while the sessions are held at the latter place.

(*c*) The Jailor of the Presidency Jail, Calcutta, may draw carriage hire at the rate of R1½ a day for journeys to and from the High Court on duty.

(*d*) The Deputy Shipping Master, Calcutta, is entitled to actual travelling expenses for boarding vessels for the purposes of shipping and discharging crews and inspecting provisions, etc.

Special Rules, Bombay Presidency.

1188. (*a*) The Karkuns of the Uran Taluka and the Talati of Shve Saza in the Uran Mahal of the Panvel Taluka are entitled to *actual travelling expenses* by boat, within a maximum of one rupee, for journeys to and from the Island of Elephanta.

(*b*) Head constables and constables of Police, travelling on duty between Uran and Elephanta and between Uran and Hog Island, are also entitled to *actual travelling expenses* by boat, subject to a maximum of one rupee for head constables and of eight annas for constables.

(*c*) The two forest guards in charge of the Uran sub-range of the Panvel Taluka are entitled to a special allowance of one rupee a month each for journeys by boat to and from the Island of Elephanta on duty.

(*d*) The Native Assistant and Interpreter to the Political Agent at Aden is entitled to *actual travelling expenses* for journeys to Shaikh Othman.

Bombay City and Calcutta Town and Suburban Police.

1189. A subordinate officer of the Bombay City, and of the Calcutta Town and Suburban Police, draws actual conveyance hire when travelling on duty within a short distance of head-quarters in the following cases: Provided always that, whenever practicable, the tramway cars shall be used, and not hack carriages:—

(*a*) To any Court and back to quarters, when attending Court on duty, or to give evidence, provided the quarters are not near to the Court.

(*b*) When directed by the Court to serve any immediate process.

(*c*) When directed to bring a witness who is immediately required in Court.

(*d*) When taking to and from Court a prosecutor, prisoner, or witness, who is unable, from illness, injuries, or any other good cause, to walk to and from the Court, and who has no money.

(*e*) When proceeding to ships in harbour by the direction of a Magistrate, and for serving processes of the Court in marine cases, whenever such expenses are not recoverable from the parties concerned. In this case boat hire may also be sanctioned when necessary.

(*f*) When bringing European or any other prisoners, whom it may not be safe to lead along the public streets, from jail, etc., and taking them back.

(*g*) When required to go on duties which the Commissioner of Police may certify to be emergent.

(*h*) In the case of heinous offences or other crimes which, in accordance with standing Police rules, have to be investigated on the spot by European officers or detectives.

(*i*) When searching for, or pursuing, escaped criminals.

(*j*) When employed upon special duty, in connection with the Mohurrum, or to preserve order at any place of public resort, worship, entertainment or public gathering, provided that the distance exceeds one mile and the Commissioner certifies that the charge is necessary.

(*k*) In the case of European members of the Police Force not drawing permanent horse or conveyance allowance to and from their head-quarters

when employed on any of the duties mentioned in the preceding rules, or when required to attend the Commissioner's Office, provided the Commissioner certifies that the charge is necessary.

(*l*) European Inspectors and Constables of the Bombay City Police and of the Calcutta Town and Suburban Police may charge the actual cost of moving their luggage on transfer from one station to another in the City, provided that the charge shall not exceed ₹8 in the case of an Inspector and ₹5 in the case of a Constable.

Special Rules, Madras Presidency.

1189A. The Jailor of Her Majesty's Penitentiary, Madras, may draw carriage hire at the rate of ₹1-8 a day for journeys to and from the High Court on duty.

Chapter L.—Other Journeys.

Section I.—Joining first Appointment.

	ARTICLE.		ARTICLE.
ALLOWANCES WHEN ADMISSIBLE	1190	JOURNEYS BY SEA	1193
PENSIONER RE-EMPLOYED	1192	OFFICERS APPOINTED IN EUROPE	1195
JOURNEYS FROM PORT	1200		

Allowances when admissible.

1190. Travelling allowance is not ordinarily granted to any person for the journey to join a *first appointment* in the Public Service, but when a person is entitled to travelling allowance for joining a *first appointment*, he is classed under Article 1096 as he would be if he had already joined such appointment.

1191. In the following cases travelling allowances are admissible:—

(*a*) Any person appointed to the Public Works Department, the Telegraph Department, the Survey of India, the Medical or any other Department, in any capacity requiring technical skill or knowledge for which he has been specially trained, is entitled to travelling allowance for joining his *first appointment* in such department.

1. Under this clause a *Local Government* may grant travelling allowance to a student selected for education at a Normal School, for the journey to the school, at the rates allowed to officers of the third class.

(*b*) A person selected in Calcutta to be European Warder or Assistant Warder on pay not exceeding ₹100 in a jail in the interior of Bengal is entitled to travelling allowance for the journey from Calcutta to such jail.

(*c*) Travelling allowance for joining an appointment in the Postal Department may be granted under the special orders of the Director-General to a person newly appointed to that department to fill a temporary vacancy or a vacancy in another Province in which no suitable person is procurable locally.

(*d*) Foreign recruits for the armed portion of the Police in the North-Western Provinces and Oudh, and Assam, for Reserve Jail Warder guards in the Central Provinces, and recruits enlisted in India for the Port Blair Police, may be allowed *actual travelling expenses* for the journey to join their *first appointment*.

Other Journeys.

(*e*) A passed candidate for the Government of India Secretariat clerical service, appointed either permanently or temporarily as clerk in any of the offices specified in paragraph 18 of the rules published with Home Department Notification No. 1817, dated 3rd July 1888, is entitled to travelling allowance for the journey from the railway station nearest to his home to join his appointment, if he is required to travel beyond the limits of the Province in which he appeared for his examination.

(*f*) A Chaplain appointed to the service of Government while resident in India is entitled to travelling allowance from the place where he receives the order of appointment to the station to which he is first posted.

(*g*) The Local Government, or, under its general sanction, the Inspector-General of Jails, may authorize the payment of the actual expenses of jail officials on a pay of less than ₹10 a month for joining their first appointments, when such appointments are, under an authorized system (*vide* paragraph 17 (2) of Home Department Resolution No. $\frac{10 \text{ Jails}}{610-23}$, dated the 9th November 1892), recruited for from a district or province other than that in which the officials appointed reside.

(*h*) Pupils of the Civil Hospital Assistant class in Medical Colleges and non-Burman holders of Burma Civil Hospital Assistant Scholarships, appointed to be Hospital Assistants, are allowed travelling allowances for joining their first appointments for themselves and their families (as defined in Article 31) from the place at which the final examination is passed to the place to which they are appointed; such travelling allowances being regulated by and subject to the conditions of Article 1205.

Pensioner re-employed.

1192. The *Local Government* may grant travelling allowance to a pensioner, or an officer thrown out of employment by reduction of establishment or abolition of appointment, for such part of the journey to take up a new office on re-appointment to the Public Service, as falls within India.

Journeys by Sea.

1193. The *Local Government* may grant a free passage for so much of the journey to join an appointment as is performed by sea to any person appointed to an office which he cannot join except by sea.

1194. The Government of Bombay, the Director-General of Military Works, and the Superintendent of Port Blair, may grant a free passage for the family of any person engaged in India, for service as a subordinate at Aden and Port Blair, respectively.

Officers appointed in Europe.

1195. The rules regarding—

(*a*) passage to India and outfit allowances (in case of appointment in Europe),

(*b*) return to Europe (on termination of appointment),

of certain high officers, which have been framed by Her Majesty's Secretary of State for India, are given in Appendix 29.

NOTE.—[The rule regarding a Chief Justice or Judge of any of the High Courts is included in Statutory Rule No. 41 in Article 600.]

Articles 1192—1195.

1196. Officers appointed in Europe to the Telegraph, Public Works, Forest, and Educational Departments, to the Geological Survey of India, and to the Bengal Pilot Service, are ordinarily allowed by the Secretary of State a free passage to India.

1197. Chaplains also are ordinarily allowed a free passage to India and in the contracts now entered into by them they engage to refund the cost of their passage to India, in the event of their resigning their appointments within three years after the date of their arrival in India on grounds other than ill-health under a medical certificate.

1197A. If the health of a Chaplain appointed on probation compels him to leave India during the probationary period, he must resign the service entirely, in which case he will not be entitled to anything beyond a free return passage to his country.

A probationer removed from the service for misconduct of any kind, or who resigns his position for any cause other than certified ill-health, will not be entitled to a return passage to his country, and will be bound to refund the cost of his passage to India.

1198. An Officer appointed to the Bengal Pilot Service is granted an Outfit Allowance of £20.

1199. Cancelled.

Journeys from Port.

1200. An Officer, who is appointed by the Secretary of State, while resident in Europe, and who is not one of the high officers mentioned in Article 1195, is entitled to Travelling Allowance at the rates laid down in Chapter XLVIII from the capital town of the Presidency to which he is attached, to the first station to which he is posted.

1201. (*a*) If such an officer disembarks in India at any port other than the capital town of the Presidency to which he is attached, he is entitled to Travelling Allowance from such port to the first station to which he is posted, limited to the amount to which he would have been entitled under the preceding Article if he had disembarked at such capital town.

(*b*) But if an Officer is directed by the Secretary of State to proceed to a particular port, he is entitled to Travelling Allowance from that port.

1202. For the purposes of the preceding Articles, an Officer attached to any Province or Presidency, other than Bombay or Madras, is held to be attached to the Bengal Presidency.

Section II.—Journeys on Transfer.

	Article.		Article.
General Rules	1203	Transfers not on public grounds	1206
Families of Subordinates for journeys by Sea or River Steamer	1204	Transfers for Misconduct	1207
Transfers in the Survey Department	1204A	Exceptions	1208
Transfers of Subordinates	1205	Transfers from the Army	1210
		When Appointment is changed	1212
		When Leave intervenes	1213
		Officers in Inferior Service	1216

General Rules.

1203. An Officer in superior service is entitled to Travelling Allowance at

the rates prescribed in Chapter XLVIII for a journey on transfer from one station to another, if he is transferred for the public convenience, and not at his own request, or in consequence of misconduct, and if he is entitled to *pay* or *salary* during the time occupied in such journey.

Explanation.—Officers of the Forest Department, whether belonging to the superior or to the subordinate staff, deputed to attend the annual course of instruction at the Forest School at Debra Dun, and Hospital Apprentices and Medical Pupils, attending under orders a Medical School or College, are considered to be transferred for the public convenience from one station to another.

NOTE.—Sub-Registrars in Sind, who are remunerated entirely by fees, are entitled to travelling allowance when, on public grounds, they are transferred from one station to another.

1203A. The officers mentioned in Article 1171 draw allowances under that section for journeys on transfer between stations within the limits of the line to which they are attached. They are not, however, entitled to daily allowance for halts made in the course of the journey, unless such halts are made in connexion with their duty.

Families of Subordinates for Journeys by Sea or River Steamer.

1204. (*a*) An Officer of the classes specified below is, in case of transfer, entitled to free passage or refund of passage-money for each member of his *family* actually travelling with him, at the rates admissible for himself or at half those rates, according as, by the rules of the vessel, full or half passage-money is payable for such member :—

(i) *Warrant Officers* ;
(ii) Non-Commissioned Military Officers ;
(iii) European Soldiers ; and
(iv) Officers of the second or third class whose pay is less than R200.

(*b*) If, however, any member of the family of such an Officer is prevented by good and sufficient cause from actually travelling with him, the *Local Government* may sanction the grant of passage-money for such member : Provided such member follows the officer within a period not exceeding six months from the date of his transfer or precedes him by a period not exceeding one month.

Transfers in the Survey Department.

1204A. The rules in Articles 1174 (*a*) (ii) and 1174 (*b*) for Survey Officers apply also to journeys on transfer.

Transfers of Subordinates.

1205. A non-gazetted Officer, whose salary after transfer does not exceed R400 a month is, however, entitled to travelling allowance as follows—

Provided that the transfer is to a station more than 200 miles distant by the ordinary route, and is made for a period exceeding three months.

(*a*) For a journey by steamer or railway, to the fares actually paid for the Officer himself, his *family*, and servants, subject to the following limits :—

(i) For himself and *family*—four full fares of the class of accommodation to which he is ordinarily entitled.
(ii) For servants—three full fares of the lowest class.

Also to the actual cost of carriage by cargo steamer or goods train of personal effects within the limits of the following scale :—

Salary of officer.	Weight of luggage. Maunds.
Rupees 100 or less	5
More than R100, but not more than R200	8
More than R200	12

(*b*) For a journey by road, to the actual charges of locomotion for himself, his *family*, and three servants, up to a maximum of three times the rate of mileage to which he is ordinarily entitled; and the actual cost of carriage of personal effects within the scale given in the preceding clause.

(*c*) If any member of the Officer's *family* is prevented by good and sufficient cause from actually travelling with him, his or her journey may be charged for within these limits: Provided he or she follows the officer within a period of two months after the date of his transfer or precedes him by a period not exceeding one month. (*Public Works Department No. 3169 O., dated 10th December 1888.*)

NOTE.—Every Officer proposing to draw travelling allowance under this Article shall, before presenting his claim, submit a detailed statement explanatory of the charges incurred upon the journey to the Officer to whose office he is transferred, who shall, after satisfying himself of their reasonableness and necessity, sign a written order (which should be attached to the bill) passing them to that extent.

No charges incurred in excess of the amount thus passed should be admitted by the audit officer who should require vouchers for actual expenses except in respect of steamer and railway journeys for which the officer's certificate will suffice. Heads of offices are held responsible that no unnecessary or excessive charges are allowed under this Article.

Transfers not on Public Grounds.

1206. (*a*) When an officer is transferred otherwise than for the public convenience, a copy of the order of transfer shall be sent to the *Audit Officer* of the circle of audit in which he is serving, with an endorsement stating the reason of the transfer. In the absence of such an endorsement the *Audit Officer* shall assume that the officer has been transferred for the public convenience.

(*b*) In the case of non-gazetted Officers a certificate from the head of the office may be accepted in lieu of the copy of the order prescribed by clause (*a*).

Transfers for Misconduct.

1207. The *Local Government* may, if it thinks fit, by special order, permit an Officer transferred for misconduct to draw travelling allowance.

Exceptions.

1208. A Police Officer, below the rank of Assistant Superintendent, transferred from one station to another in the same district, is not entitled to travelling allowance except for journeys by rail or steamer, but may be allowed the actual cost of conveyance of his necessary baggage.

1209. In the North-Western Provinces and Oudh, Tahsildars and Revenue and Judicial Ministerial Officers in superior service transferred from one tahsil to another (or to or from the District head-quarters (Sadar) station from or to a tahsil) in the same District are allowed actual expenses not exceeding the allowances admissible under Chapter XLVIII.

Transfers from the Army.

1210. A Military Officer joining an appointment in the Civil Department may draw travelling allowance subject to the conditions laid down in this Section.

1211. A Non-Commissioned Officer of the Native Army, who elects at his own request for service in the Forest Department, under the rules in force in that Department, is entitled to travelling allowance to join his *first appointment* for the journey from his station to the head-quarters of the Forest Division to which he is posted, even though the conditions laid down in this Section are not fulfilled.

When Appointment is changed.

1212. An Officer whose appointment is changed while he is in transit from one appointment to another, is entitled to travelling allowance from his old station to the place (on the route to the first station to which he was proceeding) at which he receives his further orders, and thence to his new station.

When Leave intervenes.

1213. An Officer is entitled to travelling allowance under this Section if, after giving over charge of his office, he takes privilege or examination leave before joining his new office.

1214. The Travelling Allowance of an Officer transferred during Privilege or Examination Leave will be calculated from his old station, or from the place where he receives the order of transfer, whichever calculation would entitle him to the less Travelling Allowance.

1215. An Officer who, while in transit, obtains furlough on medical certificate, is entitled to Travelling Allowance calculated for the journey from the old station to the furthest place to which he has proceeded on the route to his new station.

Officers in Inferior Service.

1216. (*a*) Save as provided in the two succeeding Articles, an officer in inferior service may not draw travelling allowance for a journey on transfer, except under the special orders of the Local Government.

(*b*) The Local Government may delegate its powers under this Article to the Board of Revenue, or an Inspector General of Jails, or Conservator of Forests, in regard to servants in their respective departments. The Government of Madras may in the same way delegate its powers to the Presidency Port Officer, Madras.

1217. A Police Officer in inferior service is entitled to travelling allowance on transfer on the same conditions as apply to a Police Officer in superior service below the rank of Assistant Superintendent—(*see also Article 1208*).

NOTE.—[For the purposes of the Travelling Allowance regulations, the following Police subordinates are held to be in superior service if their pay exceeds R10 a month :—

(*a*) Of rank higher than constable, everywhere :

(*b*) Of the rank of constable, in the Aden and Makhi Dhand Police.

(*c*) Mounted Constables in Sind.]

1218. Inferior servants in the following departments may be granted travelling allowance under the circumstances stated against each :—

(*a*) Northern India Salt Revenue Department, when transferred from one division to another.

(*b*) Madras Salt Department, when transferred from one circle to another.

(*c*) Bombay (including the Salt and Customs Departments in Sind) Salt Department, when transferred from one salt taluka to another.

Inferior servants in the Bombay (including the Salt and Customs Departments in Sind) Salt Department may also be granted, when transferred from one station to another in the same taluka, the actual cost of conveyance of their necessary baggage, or, if the journey is made by rail, travelling allowance.

(*d*) Postal Department, when transferred from one station to another.

(*e*) In the Bombay Presidency, Karkuns of the Registration Department, transferred to act as, or to be, Village Registrars, may, under the orders of the Inspector General of Registration, draw travelling allowance for the journey on transfer.

(*f*) Teachers in Government salary-results schools in the Madras Presidency, drawing pay of R10 a month or less, are granted travelling allowance when transferred from one station to another.

(*g*) Bengal Survey Department, when transferred from one station to another.

(*h*) Head warders and warders of jails, when transferred from one jail or subsidiary jail to another.

Section III.—Journeys to Hill Stations.

	ARTICLE.		ARTICLE.
ACCOMPANYING THE GOVERNMENT .	1219	ACCOUNTANT GENERAL . .	1222
OTHER OFFICERS . . .	1224		

Accompanying the Government.

1219. For Officers and establishments moving with the head-quarters of a Government to and from a hill sanitarium, including Poona, special rules and special rates are laid down.

1220. Clerks formerly attached to the office of the Director General of Railways but now employed in the Railway and other branches of the Public Works Secretariat, who in 1890 elected to retain the personal allowances granted in 1879, while annually moving with the Director General as Deputy Secretary to Government in the Public Works Department, from Simla to Calcutta and back, are entitled to draw personal Travelling Allowance under the rules referred to in the preceding Article.

1221. When an Officer is permitted for his own convenience to conduct his duties at a hill station, neither he, nor any of the establishment which accompanies him, is entitled to Travelling Allowance for the journey to or from such station.

Other Journeys.

Accountant General.

1222. When an Accountant General is permitted by the Government of India to proceed to a hill station, he will draw Travelling Allowance at the ordinary rates for his journey to and from the hill station, and will charge to Government the cost of the carriage of his records.

1223. An Accountant General should not take with him to a hill station more clerks or records than are absolutely essential to the efficient discharge of his duties. Any small establishment which an Accountant General may require to take with him will be entitled to the following allowances, if admissible under, and subject to the conditions of, the rules which apply to members of the office establishment of the Secretariat of the Local Government of the Province in which the Accountant General is serving :—

(i) Personal Travelling Allowance.
(ii) Special Maintenance Allowance, or Deputation Allowance.
(iii) Family Maintenance Allowance.
(iv) House-rent—the amount of house-rent admissible being calculated according to the proportion which the period of residence of the Accountant General's Office establishment at the hill station bears to the whole period of the residence of the Secretariat establishment of the Local Government at the hill station.

Other Officers.

1224. Officers other than those mentioned in the Hill Allowance Regulations (*see Article 1219*), who require to go to a hill station on duty, are, under the ordinary rules, entitled to Travelling Allowance for the journey there and back and to daily allowances for the period of halt on duty at the hill station. But *Local Governments* and Heads of Departments have power to refuse, and should refuse, Travelling Allowance to an Officer who visits a hill station on duty, the performance of which would require his presence at the hill station for a short time only, if he prolongs his visit beyond the period required for the performance of the duty.

NOTE.—[In applying the ordinary rules to halts at hill stations under this Article, the general exemptions from the rule laid down in Article 1159 made by Local Governments under that Article and those enumerated in Article 1160 shall be held to be inapplicable.]

1225. An *Audit Officer* should retrench the Travelling Allowance, for a journey to and from a hill station, of an Officer who remains at the hill station for more than ten days, unless the Head of the Department or, where the Officer is himself the Head of a Department, the *Local Government* officially intimates that the presence of the Officer was required on duty throughout the period.

Section IV.—Journeys to attend Examinations.

	ARTICLE.		ARTICLE.
Departmental and Hill or Frontier Languages	1226	High Proficiency and Degree of Honour	1230
Medical Subordinates for Promotion	1231		

Departmental and Hill or Frontier Languages.

1226. An Officer is entitled to Travelling Allowance twice, but not more than twice, for each standard, for journeys to and fro, consequent on attendance at an obligatory Departmental examination, or at an examination held under any rules in force for a reward for passing in the vernacular language of any Frontier or Hill Tribe, or, in the case of Military Officers in Civil employ, at an examination for promotion in Military rank.

1227. The Local Government may extend the provisions of the preceding Article to any departmental examination, even though it be not obligatory.

1228. If a candidate appears to have culpably neglected the duty of preparing himself for an obligatory departmental examination during the period available for the purpose, the Local Government may disallow the Travelling Allowance to which he would otherwise have been entitled under Article 1226.

1229. The Local Government may disallow Travelling Allowance to a candidate who fails to obtain a reward for passing in the language of a Frontier or Hill Tribe, if such candidate does not attain to such reasonable standard as the Local Government prescribes.

High Proficiency and Degree of Honour.

1230. A Member of the *Indian Civil Service* or a Military Officer in Civil employ who obtains a reward for proficiency in an Oriental language, or who for the first time obtains a Degree of Honour in any language in the Second Division, is entitled to Travelling Allowance to and from the place of examination.

Medical Subordinates for Promotion.

1231. A Civil Assistant Surgeon or a Medical Subordinate is entitled to Travelling Allowance for a journey to attend an examination for promotion to a higher grade in his own service, and, if he passes the examination, for the return journey to his own station.

Section V.—Journeys occasioned by Leave or Retirement.

	ARTICLE.		ARTICLE.
GENERALLY INADMISSIBLE . .	1232	LEAVE OF SUBORDINATE POLICE OFFICERS, PORT BLAIR . .	1237
LEAVE ON MEDICAL CERTIFICATE—		RECALL FROM LEAVE . . .	1238
MILITARY OFFICER . . .	1233	RECESS OF SURVEY SUBORDINATES	1239
MILITARY HOSPITAL ASSISTANT .	1234	RETIREMENT OF SUBORDINATES IN CERTAIN CASES	1240
WARRANT OFFICER . . .	1235		
CIVIL HOSPITAL ASSISTANT IN BURMA	1236		
TERMINATION OF TEMPORARY EMPLOYMENT .	1243		

Generally inadmissible.

1232. Save as provided in this Section, an officer is not entitled to travelling allowance for a journey—

(i) on proceeding on leave;
(ii) on rejoining from leave;
(iii) during leave of any kind; or
(iv) on retirement or dismissal from the Public Service.

Leave on Medical Certificate.

Military Officer.

1233. (*a*) A Military Officer in Civil employ is entitled to the same privileges when proceeding to England on furlough on medical certificate or returning therefrom, as if he were in Military employ, but this Article does not entitle a Military Officer in Civil employ, when proceeding on or returning from leave, to use the certificate in (Military) Form E, giving the right to travel in the next higher class of carriage to that for which he purchases a ticket. This can only be used by Officers in Military employ.

(*b*) The extracts from the Army Regulations, India, Vol. X, Part II, reprinted as Appendix 27, Extract (1), indicate the privileges referred to in clause (*a*).

Military Hospital Assistant.

1234. (*a*) A Military Hospital Assistant employed in the Civil Department is entitled, when proceeding on sick leave, to the same advantages in respect of Travelling Allowance as if he were serving with a regiment, but this Article does not entitle a Military Officer in Civil employ, when proceeding on or returning from leave, to use the certificate in (Military) Form E., giving the right to travel in the next higher class of carriage to that for which he purchases a ticket. This can only be used by Officers in Military employ.

(*b*) The concessions referred to in clause (*a*) are contained in the extracts from the Army Regulations, India, Vol. X, Part II, reprinted as Appendix 27, Extract (2).

Warrant Officer.

1235. (*a*) The provisions of the Military Transport Regulations applicable to *Warrant Officers* proceeding on or returning from leave on medical certificate apply also to *Warrant Officers* in Civil employ.

(*b*) The extracts from the Army Regulations, India, Vol. X, Part II, reprinted as Appendix 27, Extract (3), contain the rules referred to in clause (*a*).

Civil Hospital Assistant in Burma.

1236. A Civil Hospital Assistant from another province serving in Burma is entitled to a free passage for himself and his *family* to his home, when proceeding on leave on medical certificate.

Leave of Subordinate Police Officers, Port Blair.

1237. Sergeants and Constables of Police employed in Port Blair and the Nicobars may be granted a deck passage to or from Calcutta or Madras, when proceeding on, or returning from, leave, if they cannot be employed as convict guards.

Recall from Leave.

1238. (*a*) An officer recalled to duty on public grounds before the expiration of leave, other than privilege leave, is entitled to Travelling Allowance for the journey from the place at which the order of recall reaches him, or if such place be out of India, from the port of debarkation in India to the station to which he is recalled.

(*b*) An Officer recalled from a place out of India is also entitled to a free passage to India.

Recess of Survey Subordinates.

1239. Native surveyors and menial servants, attached to Survey Parties of the Survey of India, employed in Assam and Burma, may be granted by the Surveyor General, and members of the lower subordinate establishment of the Forest Survey Branch, employed in those Provinces, may be granted by the Superintendent of Forest Surveys such portion of their travelling expenses as may be thought fit, for the journey from the place of employment to Calcutta and back, or to Madras and back in the case of those men who are recruited in and are residents of the Madras Presidency, when proceeding to their homes on leave at the end of a field season, and when rejoining at the commencement of the next field season.

Retirement of Subordinates in certain cases.

Port Blair and Nicobars.

1240. The Superintendent of Port Blair and the Nicobars may grant to any subordinate employed there a free passage to India for himself and his family, on dismissal or retirement. He may also grant a free passage to India to the family of any subordinate who may die while employed there.

Aden.

1241. The Government of Bombay may grant to any subordinate employed at Aden a free passage to India for himself and his family, on dismissal or retirement.

North-Western Provinces and Oudh Police.

1242. (*a*) Members of the Police Force in the territories subject to the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh, whose homes lie west of the Sutlej, may, on discharge or retirement

from the service, be provided with a railway ticket to enable them to reach their homes if their pay was less than ₹20 a month.

(*b*) They may also be allowed subsistence allowance at the rate of two annas a day for a period not exceeding ten days.

(*c*) Provided that no policemen shall be entitled to these allowances if they have been discharged for disgraceful conduct or by sentence of a Criminal Court for an offence other than a breach of discipline.

Termination of Temporary Employment.

1243. A person employed by a competent authority for a temporary purpose, who has received Travelling Allowance for joining his appointment, is also entitled, on the termination of his temporary employment, to Travelling Allowance for the return journey not exceeding the amount of Travelling Allowance drawn by him for joining his appointment.

NOTE.—[Travelling Allowance for a return journey should be admitted to a temporary employé under this Article only if his claim is preferred within three months of the termination of his temporary service, and the officer under whom he was employed is satisfied that he intends to make the journey.]

Section VI.—Other Occasions.

	ARTICLE.		ARTICLE.
TO GIVE EVIDENCE . . .	. 1244	TO OBTAIN MEDICAL ADVICE .	. 1247

To give Evidence.

1244. An Officer summoned to give evidence of facts which have come to his knowledge, or of matters with which he has had to deal, in his public capacity, either—

(*i*) in a criminal case (including a case before a Court Martial), or

(*ii*) in a civil case to which Government is a party,

may draw Travelling Allowance under the rules for journeys on tour.

Provided that he must obtain from the Court any Travelling or Subsistence Allowance to which he is entitled by the rules of the Court and must deduct the amount from the Travelling Allowance claimed under this Section.

NOTE.—[An officer on leave summoned to give evidence of the kind contemplated in this Article is entitled to travelling allowance under this Article from and to the place from which he is summoned as if he were on duty.]

1245. (*a*) An Officer summoned to give evidence under other circumstances is not entitled, by reason of his being an Officer of Government, to any allowances other than those admissible by the rules of the Court.

(*b*) But if the Court pays him any sum by way of subsistence allowance or compensation, apart from any allowance for travelling expenses, he must repay that amount to Government before drawing full pay for the day or days of absence.

1246. As an exception to Articles 1244 and 1245, Patwaris and Chaukidars, in the North-Western Provinces and Oudh summoned as witnesses in Criminal Courts, receive their expenses at the same rates as persons of their rank in life who are not Government servants.

To obtain Medical Advice.

1247. An Officer compelled to leave his station, whether permanent or temporary, where there is no Medical Officer, to procure medical advice, is entitled to Travelling Allowance for the journey to and from the nearest station where a Medical Officer is located.

1248. The permission of superior authority should be obtained beforehand where it is possible to obtain such permission without risk to the Officer requiring advice.

1249. Bills for travelling allowance under Article 1247 must be countersigned by the Medical Officer consulted, who must certify that the journey was, in his opinion, absolutely necessary.

1250. Controlling Officers must take care that undue advantage is not taken of this privilege. If the absence of the invalid Officer from his station be prolonged, he should be required to take leave on medical certificate.

1250A. An Officer applying for an invalid pension, who is required to leave his station to appear before a medical board at another station for the purpose of obtaining the requisite certificate, may, in all cases in which the pension is applied for under the direction of the applicant's official superior on the ground of his incapacity for work and in the interest of the public service, be granted an allowance for the journey not exceeding his actual expenses, and also not exceeding the amount he would be entitled to receive if travelling allowance were admissible. If it is necessary for the officer to return to his station after appearing before the medical board, he may be granted travelling expenses subject to the same limit. The bill should be supported by a certificate that the applicant was directed in the interest of the public service to apply for an invalid pension, and that he did not voluntarily ask to retire.

The same concession may be granted when the application is made voluntarily, if the circumstances of the applicant are, in the opinion of the Local Government, such as to justify the grant of travelling allowance.

Chapter LI.—Special Rates for Special Localities.

ARTICLE.

DAILY ALLOWANCE AND MILEAGE MAY BE SPECIALLY INCREASED . 1251 | INCREASE IN CERTAIN SPECIFIED TRACTS 1252

Daily Allowance and Mileage may be specially increased.

1251. A Local Government may, with the previous sanction of the Government of India, prescribe that the ordinary rates of daily allowance, or mileage, or both, shall be increased either in a definite ratio or in any other suitable manner for all persons travelling in any specified district or locality in which travelling is specially expensive, provided that—

(i) No daily allowance shall be increased so as to exceed ₹10.

(ii) No mileage shall be increased so as to exceed one rupee.

(iii) The allowances admissible under Articles 1105 to 1109 and under Articles 1171, 1172, 1173 and 1176(*a*) for journeys by railway shall not be increased.

(iv) The *Local Government* may, if it thinks fit, except any Officer or class of Officers from the general rate of increase, and direct that either the ordinary rates, or a lower rate of increase, be granted to such Officer or class of Officers.

Increase in certain specified Tracts.

1252. In certain localities special rates of daily or mileage allowances, or both, have been prescribed either generally or for particular classes of officers. A list of these special rates is given in Appendix 26C.

1253 to 1273. Transferred to Appendix 26C.

Chapter LII.—Special Rules for High Officers.

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Viceroy.

1274. The Viceroy and Governor General controls his own travelling expenses and those of his household, including the members of his personal Staff, with the exception of his Private and Military Secretaries.

Governor or Lieutenant-Governor.

1275. A Governor or Lieutenant-Governor controls his own travelling expenses and those of his household, with the exception of the Officers of his personal Staff. The Military Secretary and Aides-de-Camp to the Governor of Bombay receive their ***actual travelling expenses*** while on tour with His Excellency the Governor.

1276. The travelling expenses of the Governors of Madras and Bombay, and of their households, are paid out of the contract allowance for household charges.

1277. A Local Government (other than the Governments of Madras and Bombay) should report to the Government of India, in the Finance Department, any representations made with regard to its travelling expenses by the

Accountant General and any measures taken in consequence of such representations.

1278. Rules on the subject of railway journeys of Governors and Lieutenant Governors, when travelling otherwise than on duty, are contained in Appendix 28A.

1279. Cancelled.

Ordinary Members of Viceroy's Council.

1280. An Ordinary Member of the Governor General's Council travelling on duty by road or steamer is entitled to charge to Government his personal *bonâ fide* travelling expenses, appending to his bill a certificate as follows :—

"I certify that I have actually paid the amount of this bill, and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or staging bungalows."

1281. An Ordinary Member of the Governor General's Council, when travelling on duty by railway, is entitled to a reserved first class carriage for himself, together with such accommodation, not exceeding one compartment of a third class carriage, as he considers needful for his personal servants. Further rules on this subject are contained in Appendix 28.

NOTE.—Rules on the subject of railway journeys of Ordinary Members of the Governor General's Council, when travelling otherwise than on duty, are contained in Appendix 28A.

Non-Official Members of Viceroy's Council.

1282. A Non-official Additional Member of the Council of the Governor General for making Laws and Regulations, who has to leave his ordinary residence and reside at Calcutta for the purpose of attending meetings of the Council, shall receive an allowance of ₹1,000 for each month or part of a month during which he may attend the session, *plus* a sum of ₹1,000 for travelling and other expenses incidental to a change of residence, provided that the total amount paid to a Member for any one session shall not exceed ₹5,000.

These rates will also apply to Non-official Additional Members who may be specially required to attend meetings of the Council at Simla.

Non-Official Members of the Legislative Councils of Local Governments.

1283. Non-official Members of the Legislative Councils of Local Governments, when summoned to attend a Council from a place other than the headquarters of the Government, shall receive first class travelling allowances at the ordinary rates for the journeys to and from the place of meeting.

Provided that, at the discretion of the Local Government, they may be allowed their actual travelling and other necessary expenses, within a limit of ₹1,000 for each session, in lieu of travelling allowances at the ordinary rates.

Bishops of Calcutta, Madras, and Bombay.

1284. The Bishops of Calcutta, Madras, and Bombay, when on tours of visitation, draw a monthly allowance of ₹1,000 (which is intended to cover all

their expenses and those of their clerks and messengers for journeys by land) for the whole period of visitation, in addition to the actual expenses of journeys by sea : Provided that the monthly allowance may not be drawn by any individual Bishop for more than eighteen months in every three years of his tour of office.

Chief Commissioner, a Member of a Governor's Executive Council, etc.

1285. A Chief Commissioner, a Member of the Executive Council in Madras or Bombay, and a Resident of the first class, when travelling by railway, are entitled to a reserved first class carriage at the expense of Government.

They are also entitled to railway fares actually paid for the carriage of four servants at lowest class rates, and to the freight of luggage not exceeding ten maunds.

Judge of a High Court.

1286. A Judge of a High Court is entitled to a reserved first class compartment when travelling on duty by railway, and also to four fares (if actually paid) for the carriage of four servants at lowest class rates. When travelling by road on a tour of inspection he draws a mileage of one rupee.

Director-General of Railways and Consulting Engineer to Government.

1286A. The Director General of Railways and the Consulting Engineer to the Government of India for State Railways, when travelling on duty over any of the Railways in India, are entitled to a reserved carriage each, with accommodation for servants and cooking, and to conveyance at the public expense of all their personal luggage which may be vouched for as such by them.

Director-General of Telegraphs.

1286B. The Director General of Telegraphs is entitled to a reserved carriage, when travelling by railway on a tour of inspection.

Commissioner in Sind.

1286C. For journeys within his jurisdiction, the Commissioner in Sind is entitled to a reserved first class carriage subject to the payment of first class fares for himself and for each person using the carriage.

Agent to the Governor General at Baroda.

1286D. The Agent to the Governor General at Baroda, when travelling on duty by railway, is entitled to a reserved first class compartment.

Inspector-General, Railway Mail Service.

1286E. The Inspector-General, Railway Mail Service, when travelling on duty by railway, is entitled to a special reserved carriage with accommodation

for cooking and servants. While travelling in the carriage he will be entitled to actual expenses limited as by Article 1092 ; and for any day on which he does not travel by railway but occupies the carriage at a place other than his head-quarters, he will be allowed his usual daily allowance.

Surgeon-General with the Government of India.

1286F. The Surgeon-General with the Government of India, when travelling by railway on inspection duty, is entitled, in lieu of travelling allowance, to a reserved first class compartment for himself, together with accommodation of the lowest class for three servants.

Fares payable by Officers travelling in a reserved carriage.

1286G. The officers mentioned in Articles 1281, 1285, 1286, 1286A, 1286B, 1286D, 1286E, and 1286F, should pay the usual fares for any person besides themselves travelling in the reserved carriages provided for them.

Chapter LIII.—Rules of Procedure.

	ARTICLE.		ARTICLE.
COUNTERSIGNATURE . . .	1287	CARRIAGE OF CONSTABULARY .	1293
CONTROLLING AND AUDIT OFFICER'S DUTIES	1290		

Countersignature.

1287. A bill for Travelling Allowance (other than a permanent allowance) of an Officer, other than the Head of a Department, on tour should not be paid unless countersigned by the Controlling Officer.

1288. The *Local Government* may declare who shall be the Controlling Officer for all or any of the Officers of any particular Department.

1289. In the following cases bills may be paid without countersignature :—

(*a*) A *Chaplain's* bills, but they must be accompanied by the order of the Bishop or Commissary of the Diocese authorising him to make the journey.

(*b*) Bills for Travelling Allowance of non-gazetted Officers, provided that detailed countersigned bills are subsequently submitted to the *Audit Officer* for adjustment.

Controlling and Audit Officer's Duties.

1290. (*a*) It is the duty of the Controlling Officer to scrutinise the necessity, frequency, and duration of journeys or halts for which Travelling Allowance (whether permanent or other) is claimed. The Controlling Officer may disallow the whole or a portion of the Travelling Allowance claimable for any journey or halt, if he considers that the journey was unnecessary, or that it

was not completed with due expedition, or that the halt was of excessive duration. He should also carefully scrutinise the distances entered in Travelling Allowance bills (especially in the case of journeys on tour), though they are also liable to examination by the *Audit Officer*, and should check any tendency to abuse the option of exchanging a daily rate for mileage under Article 1170.

(*b*) The *Local Government* may lay down any subsidiary regulations that it thinks fit, for the guidance of a Controlling Officer of any Department under this Article.

1291. A Controlling Officer (other than the Head of a Local Government or Administration, including the Commissioner in Sind) may not delegate the duty of countersignature to a subordinate.

1292. Countersignature does not dispense with the necessity for formal audit with reference to rates, distances, and general conditions. An *Audit Officer* will accept countersignature by the proper authority as final evidence that the facts of the journey on which the claim is founded are correct, and that the claim is admissible with reference to Article 1290 (*a*) and to any departmental rules. It is the duty of the Controlling and not of the *Audit Officer* to enforce departmental rules.

1. The Audit Officer is expected to check the distances entered in Travelling Allowance bills by any means that may be available, such as polymetrical tables, route books, etc., but where it is not possible so to check them, the distances passed by the Controlling Officer may be taken as correct, and his check may be considered sufficient.

Carriage of Constabulary.

1293. A Local Government may deal with the "carriage of constabulary" as contingent expenditure under the rules sanctioned in the letter of the Government of India in the Finance Department, No. 6095, dated 9th November 1888.

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This Index has been compiled solely for the purpose of assisting references. No expression used in it should be considered in any way as interpreting the rules.

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