

BOOK NO.
345

THE

CIVIL SERVICE REGULATIONS

RELATING TO

SALARY, LEAVE, PENSION, AND TRAVELLING ALLOWANCE.

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FINANCE AND COMMERCE DEPARTMENT.

THE

CIVIL SERVICE REGULATIONS

RELATING TO

SALARY, LEAVE, PENSION, AND TRAVELLING ALLOWANCE.

Fourth Edition, corrected up to 30th November 1902.

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CALCUTTA.

FINANCE AND COMMERCE DEPARTMENT.

The 30th November 1902.

THE Fourth Edition of the Civil Service Regulations is now published. From this date the Third Edition will be superseded, and should no longer be quoted. The Articles have been renumbered as the numbering of the First Edition cannot now conveniently be retained. For facility of reference two Tables have been introduced showing where the Rules of the Fourth Edition are to be found in the Third Edition and *vice versâ*.

In the Fourth Edition certain Articles and Rules which are included in the Third Edition have, for the reasons stated below, been omitted. The omission of these Articles and Rules from the new edition 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 :—

11 (i) and (ii).—The portions of the Rules which include in Active Service certain leave granted under the Covenanted Service Leave Rules in force before July 1868 and under the previous Indian Service Leave Rules.

42 (a) and (c).—The allusion to the Military Furlough Rules of 1854 in these clauses.

135.—The proviso relating to officers appointed before November 1864.

219, Rule 1, second sentence.—Grant of leave under the European Service Leave Rules to officers who under the terms of

their contract are entitled to leave under the Uncovenanted Service Leave Rules.

230 (*a*).—Service towards leave of an Apothecary appointed to be a Civil Assistant Surgeon under Military Department order No. 550, dated 5th June 1868.

233.—Service towards leave of an officer discharged from the Indian Navy on its abolition.

237.—Leave rules applicable to a Police Officer who has elected scale A in Article 552 for pension.

302.—House-rent and horse allowance to an Assistant in the Geological Survey of India on privilege leave.

318.—Master of a Government School in Bengal studying to qualify himself as a Teacher in Surveying treated as on deputation.

325.—Proviso regarding grant of leave to an Artificer in the Bombay Dockyard who was in permanent employ on 1st August 1879.

The allusion to "former rules" in *clauses* (*a*) *and* (*c*) *of Articles 335 and 339*.

Rule 1 under Articles 350 (*b*) *and 362* (*a*).—Allusion to the Covenanted Civil Service Rules in force before July 1868.

371, Rule 2.—Allusion to leave on private affairs granted under the Rules in force before June 1863.

388, Exception 3.—Service for pension of a Non-Commissioned officer or soldier in Civil employ who took his discharge from the Army before 1st November 1873 or 1st November 1874.

402 (*c*) *and* (*d*).—Rules regarding service in Talukdari Schools before they were converted into Government Schools, and on the establishments of the Military and Medical Funds before the Funds were taken over by Government.

423.—Rule regarding the service of Process servers before the Court Fees Act of 1870 was passed.

425.—Rule regarding the service of certain officers of the Bengal Secretariat Press.

430, Rule 2.—Service of Sheriffs on the Establishments of Civil or Revenue Courts.

434.—The entry regarding service as a "Daftari" in the Baroda Residency between 1855 and 1873, and the entry regarding cultivators in the Stud Department.

435.—The Note under the entry "Bazar; kotwals of" and the entries "Gunpowder Manufactory of Madras," "Maistris in the Marramat Department, etc." and "Stud-breeding Establishment; Zilladars in the North-West—".

462.—Service of superior and inferior servants who resigned the public service before June 1863 and September 1871 respectively.

547.—Service of members of office establishments who were permitted to subscribe to the Police Superannuation Funds.

549.—*Rules* (*2*) *and* (*3*) *and clauses* (*b*), (*c*) *and* (*d*).—Service rendered before enlistment in the present Police Constabulary.

554.—The proviso regarding counting as service the leave taken by a policeman before his election of Scale B, for pension.

559.—Reckoning of good service pay in calculating pension.

585 and 586.—Rules regarding re-employment of Indian Navy Pensioners.

644 and 646 (*i*) *and* (*ii*).—The allusions to the "former rules" in these Articles.

713.—Alternative scale of pension to certain officers of the Public Works and Telegraph Departments.

738 and 739.—Service for pension of members of State Railways employed on lines under construction before and after the 20th July 1880.

780.—Mutiny pension of the widow of a deceased Civil officer.

811.—Portion of the rule referring to officers transferred to service in Egypt before 1st April 1890.

817, clauses (*a*) *to* (*d*).—Exemption of certain officers from payment of pension and leave contributions.

824 and Note.—Rate of contribution for pension and service for pension of officers transferred between certain dates to service under the Court of Wards.

947.—Rate of exchange for absentee allowances of Military officers who elected the Military Furlough Rules of 1868 before July 1871.

3. The following Articles have been omitted because they do not fall within the scope of the Civil Service Regulations.

87.—The portion of the Article regarding the exclusion from Budget estimates of increases of salary not sanctioned by the Secretary of State.

795.—Payment of gratuities to Railway servants, and incidence of the charge on account of such gratuities.

698-702.—Provident Fund Rules for officers of the Public Works and Telegraph Departments.

796.—Gratuities to injured persons not in Government employ.

1293.—Treatment of expenditure on account of carriage of Constabulary.

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

7 (b) and (c).—Right of changing and interpreting the Pension Rules.

11 (iv). Note.—Recall to duty of an officer on leave in India.

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E. N. BAKER,

Offg. Secretary to the Government of India.

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PART I.—PRELIMINARY.

GENERAL ARRANGEMENT.

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CIVIL SERVICE REGULATIONS

RELATING TO

SALARY, LEAVE, PENSION AND TRAVELLING ALLOWANCE.

PART I.—PRELIMINARY.

Chapter I.—General Scope.

Extent of Application.

1. (*a*) These Regulations 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 Military officers in the Military Secretariat of the Government of India; Chaplains of the Church of Scotland, except when on service with a regiment in the field; and all officers in Civil employ, except those officers of the Royal Indian Marine to whom the Travelling Allowance rules in the Marine Regulations (see Section III, Volume I, Part II) apply.

Except in cases in which it is otherwise provided in the Military Regulations, or in which it may be otherwise specially sanctioned by the Government of India, the travelling allowance of clerks in all Military offices is governed by the Regulations in Part XI.

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Right of Changing or Interpreting Rules.

4. The Government of India reserve to themselves the right of changing the rules in these Regulations regarding pay and acting allowance and leave and pension, from time to time at their discretion, and of interpreting their meaning in case of dispute.

An officer's claim to pay and allowances is regulated by the rules in force at the time in respect of which the pay and allowances are earned; to leave by the rules in force at the time the leave is applied for and granted; and to pension by the rules in force at the time when the officer resigns or is discharged from the service of Government.

NOTE 1.—[In all contracts for service in India to which the Secretary of State is a party provision is made for the exercise of these rights by the Government of India.]

NOTE 2.—[Extracts from a despatch from the Secretary of State and a Resolution by the Government of India relating to the rights reserved by Government in this Article:—

Despatch from Secretary of State, No. 10, dated 7th October 1880.

"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."

Resolution No. 4863, dated 4th December 1891.

"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."]

Chapter II.—Definitions.

5. 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.

6. **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.

7. **Accountant-General** includes "Comptroller-General" and "Comptroller."

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

(i) Privilege leave and Subsidiary leave.

(ii) Examination leave under Articles 279 and 280, provided that not more than twelve months of such leave can be so reckoned; and that leave under clauses (*a*) (ii) and (*b*) of Article 280 is not reckoned as Active Service, unless the officer passes the examination for which the leave is granted. Leave under Article 281 also counts as Active Service, provided that the officer successfully passes the examination for which the leave is granted.

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

9. 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. [But see Exception in Article 187.]

(iii) For purposes of pension, the period not exceeding eight months spent in Russia in studying the Russian language.

10. 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 Article 302, commences from the date of becoming subject to these rules; and additional leave in respect of previous service is credited under Article 303. An officer of the Staff Corps, or of the Indian Medical Service, becomes subject to the Civil Leave Rules 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; an officer of Royal Engineers becomes subject to the Civil Leave Rules from the date of entry into permanent civil employ if he has already elected for continuous Indian service, or from the date of such election if it is subsequent to the entry into permanent civil employ.

NOTE.—[Article 9, Clause (*ii*), applies to Military Officers subject to the Civil Leave Rules.]

11. 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 reached India on or before the 1st of December of the year in which they passed out of College.

12. 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 reached India within the period named in their letter of appointment; otherwise from date of arrival in India.

13. Actual Travelling Expenses when used in Part XI, 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.

14. Age.—When an officer is required to retire, revert, or cease to be on leave, on attaining a specified age, the day on which he attains that age is reckoned as a non-working day, and the officer must retire, revert, or cease to be on leave (as the case may be) with effect from and including that day. This rule applies to all officers, Civil, Military or Naval.

15. 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, or Deputy 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.

16. Average Salary means the average of the salary which an officer has earned during so much of the three years preceding the day on which he gives up office as he has passed on duty or on privilege leave.

NOTE 1.—[In the calculation of "Average Salary," "Privilege leave in case of regular vacations" on half pay granted under Articles 271 to 276 is 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.]
NOTE 3.—[When Privilege leave is combined with other leave under Article 233, the calculation is made up to the day preceding the commencement of the Privilege leave.]

17. 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.

18. Calendar Month.—The following examples show how a period stated in calendar months should be calculated:

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 or 1st September	last day of February.

A period of three calendar months beginning on the—	ends on the—
29th November	28th February.
30th November or 1st December	last day of February.

19. 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.

20. Chaplain when used in Part XI, includes any Minister of religion, whether in Government service or not, performing under proper authority the duties of a Chaplain.

21. Consolidated pay includes Military pay and allowances or Staff Corps pay which cannot be separately drawn.

22. 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. [See Article 231.]

1. Examination leave under Articles 279 and 280 may also be included, unless the officer have already had twelve months' such leave, or, in the case of leave granted under clauses (*a*) (ii) and (*b*) of Article 280, unless the officer have failed to pass the examination for which the leave was granted. Leave admissible under Article 281 may also be included, unless the officer fails to pass the examination for which the leave is granted.

23. Day.—When used in Part XI, the term "Day" means a calendar day beginning and ending at midnight. But an absence from headquarters which does not exceed 24 hours is reckoned as one day, at whatever hours the period begins and ends.

24. Extraordinary leave means Special Furlough granted under Rule 8 of the Military Furlough Rules of 1875, leave without allowances granted under Article 339 of these Regulations, and leave of absence from duty granted (see Article 332) otherwise than under the Leave Rules.

Example.—Leave in extension of the three years admissible under Article 312.

25. Family.—When used in Part XI, "Family" includes the officer's wife, his legitimate children residing with and wholly dependent on him; and also his parents, sisters, and minor brothers if wholly dependent on, and residing with, him.

26. 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.

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

28. 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, who had not retired before the 1st April 1893.

29. Grade and Class.—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.]

30. Indian Civil Service means the service formerly known as the Covenanted Civil Service.

31. 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.

32. (*a*) **Local Allowance** is an allowance not specially declared to be "Pay" or "Salary" given in addition to pay or salary either for duties which do not properly belong to an officer's 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 62 and 267 to 270, 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.

33. (*a*) **Local Fund.**—Revenue derived from special sources and devoted to special objects, and not to the general purposes of the Administration, whether Imperial or Provincial, 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 Excluded Local Funds:—

Municipal, Cantonment, Port, Town, and Station Funds; Educational, Dispensary, Hospital, and all other Trust or Endowment Funds; Police Remount Funds; the Pooree Pilgrims' Funds; 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."

34. Local Government.—The term includes the Chief Commissioners of Assam and the Central Provinces, the Residents at Hyderabad and Mysore, and the Agents, Governor-General, Baluchistan, Rajputana and Central India.

The Officers and Departments specified in Appendix I also exercise powers under these Regulations to the extent shown in that Appendix.

35. (*a*) **Military Officers.**—"A Military Officer subject to the Civil Leave Rules" means a Military Commissioned Officer in permanent Civil employ who is not subject to the Military Furlough Rules of 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 permanent Civil employ, 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 who is subject to the Military Furlough Rules of 1868, a Departmental Commissioned Officer, a Commissioned Officer of the Indian Subordinate Medical Department, or a Warrant Officer. Such an officer is not included in the term "an officer" used in the Leave Rules.

NOTE.—[The term "Military Commissioned Officer," when used in these Regulations, does not include a Departmental Commissioned Officer, or a Commissioned Officer of the Indian Subordinate Medical Department, or a Warrant Officer.]

(*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.

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 241).

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.

36. Ministerial Officer means an officer, whether 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.

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

38. Pay and Salary.—

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

(*b*) For the purposes of the Leave Rules in Chapter XIII, "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 35* (*e*).]

(*c*) "Salary" means the sum of pay and acting allowance, or charge allowance under Article 94 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. The allowances of an officer holding conjointly with another office a Minor Professorship under the Medical Warrant of April 1867, or a Professorship or Lecturership in any Government institution, are part of his salary.

3. "Salary" does not include a local allowance, house-rent, tentage, or travelling allowance, whether daily, monthly or yearly.

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 pay for the purpose of calculating the leave allowances of such officers.

5. The good-conduct allowance of policemen is treated as salary for the purpose of calculating leave allowances, but not pension.

NOTE.—[These definitions do not necessarily apply to the Statutory Rules under Articles 543, 567, etc.]

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

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.

3. In the case of an appointment reserved for officers of a Graded service, the pay of which varies according to the grade of the incumbent for the time being, the pay of an office of the current duties of which an officer is appointed to be in charge under the provisions of Articles 161 and 162, and the pay of any additional appointments which an officer is appointed temporarily to hold or officiate in under the provisions of Article 168, is, for the purpose of calculating the incumbent's salary, the pay of the appointment left vacant in the lowest grade or class from which the office or additional appointment is usually filled.

40. (*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:—

Military pay and allowances and Staff Salary.
Staff Corps pay and Staff Salary.
Substantive pay.
Consolidated pay.

(*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).

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

42. Port Officers.—The Port Officers of Calcutta, Madras, Bombay, Rangoon, Karachi, Aden, Akyab, Moulmein and Chittagong, and the Assistant Port Officers at Madras and Bombay, are "Senior Port Officers."

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

43. Progressive Appointment, means an appointment the pay of which is progressive, that 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, thus Rs. 100—20—200 means a pay rising from Rs. 100 by a yearly increment of Rs. 20 to Rs. 200.]

44. 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.

45. Rule of Proportions.—Pension or leave allowances are said to be chargeable according to the "Rule of Proportions," when the charge is debitable to 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.

46. 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.]

47. 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.

48. Warrant Officer.—A Departmental Officer with honorary rank or Warrant Officer includes all Departmental Officers with honorary rank and Warrant Officers of all Indian Army Departments to whichever military furlough rules they may be subject. These officers are:—

(*a*) Departmental Officer with honorary rank—

(i) Deputy Commissary.
(ii) Assistant Commissary.
(iii) Deputy Assistant Commissary.
(iv) Senior Assistant Surgeon.

(*b*) Warrant Officer—

(i) Conductor.
(ii) Sub-Conductor.
(iii) Assistant Surgeon of the 1st, 2nd, 3rd or 4th class.

PART II.—RULES REGARDING PAY AND ALLOWANCES.

GENERAL ARRANGEMENT.

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PART II.—RULES REGARDING PAY AND ALLOWANCES.

Chapter III.—General Rules for regulating Allowances.

Conditions of Age and Health.

49. No person may be appointed to a Superior grade in the public service in India without a certificate in the following form (with suitable modifications when necessary) 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.

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.]

50. The Local Government may, in any individual case, on public grounds, dispense with the production of the certificate required by Article 49 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. In the case of an officer who is appointed on pay not exceeding fifty rupees, 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.

51. A person whose age exceeds twenty-five years may not ordinarily be admitted into the service of the State (see orders printed as Appendix 2). The ordinary limit is extended to—

(*a*) thirty years in the case of—

(i) a person appointed to a Judicial Office;
(ii) Civil Assistant Surgeons in Burma, who held Burma medical scholarships at the Calcutta Medical College;
(iii) Candidates for admission to the Subordinate Civil Service in Burma by competitive examination.

(*b*) twenty-eight years in the case of—

(i) Civil Assistant Surgeons in the Bengal Presidency and in Burma, 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;

(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.

52. (*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 appointed to be Hospital Assistants are (subject the proviso below) allowed to draw pay as lowest grade Hospital Assistants from the date they pass their final qualifying examination.

They may, however, be granted leave for a period not exceeding 30 days after they pass their final examination; and subject to the following conditions the leave may count from a date later than that on which the final examination is passed:—

(*a*) That the leave shall in no case extend beyond five weeks from the date of passing the final examination.

(*b*) That the newly-appointed Hospital Assistant will begin to draw pay and to count service with effect from the date on which the leave begins.

In the case of pupils who are non-Burman holders of Burma Civil Hospital Assistant Scholarships, leave may be granted for a period not exceeding a month and a half from the date of passing their final examination, and, if counted from a later date as above, not extending beyond seven weeks from the date on which the final examination is passed.

2. Stipendiary students of the Imperial Forest School, Dehra Dun, are allowed to draw, from the date they pass their final qualifying examination at that institution, the pay of the grade to which, on so passing, they are appointed in the Forest Department.

Charge of Office.

53. Unless for special recorded reasons (which must be of a public nature) 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 Subdivisional 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.

54. 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.

55. 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.

Leaving Jurisdiction.

56. 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.

57. A Local Government may authorise any of its officers to proceed on duty to any part of British India, whether within or beyond its own jurisdiction, or to any Foreign State or Settlement adjoining its jurisdiction, provided either that the pay and allowances of the officer deputed are chargeable wholly or partially to Provincial Revenues or that the officer belongs to a department or establishment which, though paid from Imperial Revenues, is under the administrative control of the Local Government.

1. An officer permitted under this Article to proceed to any place on duty may take with him such establishment and records as are absolutely necessary for the efficient discharge of his duties.

58. Heads of departments and other officers may authorise any officer or subordinate under their control to proceed on duty beyond the limits of his charge but within their jurisdiction or to a district or Foreign State or Settlement adjoining such jurisdiction.

59. 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.

60. An officer on Long Leave has no claim to substantive promotion. Such promotion may, however, be given, but, except in the case provided for in the Note under Article 585 (*a*), the promotion has effect only from the date on which the officer returns to duty.

If an officer, while absent on Short Leave during which the amount of his leave allowances depends upon the substantive or officiating 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.

Personal and Local Allowances.

61. 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.

62. 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.

Salaries of Natives of India.

63. The salary of a Native of India 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, is, in the absence of special orders to the contrary, 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—

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

NOTE 2.—[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.

64. (*a*) An advance of an amount not exceeding two months' pay, and also not exceeding Rs. 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 667.]

65. 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.

66. An advance of pay made in England to enable an officer to return to duty in India, or to one appointed in England proceeding to India to join his appointment, is recovered at the rate of exchange fixed for the adjustment of financial transactions between the Imperial and Indian Governments for the year in which the advance was made.

Transfer on Duty.

67. (*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 3.

68. 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.

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69. The maximum civil salary, except of appointments of which the salary is fixed by Statute, is Rs. 50,000 a year. But sumptuary allowances, travelling allowances and the like may be granted in addition to this maximum.

70. Any increase which would have the effect of raising a salary above Rs. 5,000 a year and any increase to a salary already in excess of Rs. 5,000 a year requires the sanction of His Majesty's Secretary of State for India.

NOTE.—[The term "salary" used in this Article includes not only "salary" as defined in Article 38 (*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.

71. (*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 General 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.

72. (*a*) A honorarium may be granted to an officer from General Revenues, 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 auhorities in such cases are as follow :—

Up to Rs. 100, by the head of the department.
,, ,, 500, by the Local Government.
,, ,, 1,000, by the Government of India.
Above ,, 1,000 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, shall be Rs. 200 in each case.

NOTE.—[This rule applies to single payments only; a recurring honorarium or reward or fee requires the same sanction as an increase of salary.]

(*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 remunera-

tion 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 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.

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

74. (*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 Rs. 100, the head of the department.
,, Rs. 500, the Local Government.
Above Rs. 500, 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 Rs. 500, where special and exceptional services are rendered, whether to the ship of which he is in charge, or to another vessel. But this rule does not 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.

75. No new appointment with salary (as defined in Article 70) exceeding Rs. 3,000 a year may be created without the previous sanction of the Secretary of State. If an emergency should arise demanding the imme-

diate 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.

76. As regards Provincial charges, the limits of authority of Local Governments 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 Rs. 250 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, Rs. 250 a month;

(ii) no appointment, of which the pay and allowances are more than Rs. 250 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.

(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 rate of pay and allowances which, in its opinion, would produce inconvenience in other provinces.

Temporary Appointments and Deputations.

77. 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.

78. 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 salary or salary and deputation allowance do not exceed Rs. 250 a month.

(*b*) for not more than six months, if the salary or salary and deputation allowance exceed Rs. 250 a month.

In the Public Works Department, temporary appointments on pay not exceeding Rs. 250 a month, the cost of which is Imperial, may be sanctioned by a Local Government.

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

(*a*) for any specified period, if the salary or salary and deputation allowance do not exceed Rs. 250 a month.

(*b*) for not more than twelve months, if the salary or salary and deputation allowance exceed Rs. 250 a month.

80. The sanction of the Secretary of State, though not necessarily the previous sanction, is required to any temporary appointment or deputation in which the salary or salary and deputation allowance exceed Rs. 250 a month, and which is expected to last or does last for more than twelve months.

81. 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 Rs. 10 a day, whichever is less.

82. 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.

Private Secretary to a Lieutenant-Governor.

83. 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 Rs. 350 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 Rs. 350) shall not exceed Rs. 1,250 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.

84. 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 usual travelling allowances both to and from the scene of his labours and while there:—

	Rs. per month.	
(i) To a Sub-Engineer in the P. W. Dept.	75	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 „ „	60	
To a Sub-Overseer „ „	25	
(ii) To a Military officer transferred from Regimental or purely Military duty to Famine work whether in or out of 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	300	
2. If the officer's service is not more than five years	200	
(iii) To every other officer	Rs. 5 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.

85. An officer, whether paid from General Revenues, a Local Fund, or in Foreign service who, with the sanction, or under the orders, of the Secretary of State, is deputed to, or detained in, Europe on special duty is entitled to allowances as follows:—

(*a*) if deputed to Europe or if detained in Europe while on leave other than Privilege leave, to not more than two-thirds of the salary which he would draw were he on duty in India;

(*b*) if detained in Europe while on Privilege leave, to not more than half of the said salary.

NOTE 1.—[The period of the special duty runs from the date on which he makes over charge of his office in India to the date on which he resumes it, when the officer is deputed to Europe, and for the time occupied by the duty when the officer is detained in Europe.]

NOTE 2.—[Time spent on duty out of India is not an interruption of service for leave, but it does not without the special sanction of the Secretary of State count as service for leave.]

Chapter V.—Acting Allowances—General Rules.

Section I.—Definitions and Limitations.

86. "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.

87. In certain cases, as defined in Articles 89 to 93, it is permissible to appoint an officer "provisionally" or "substantively *pro tempore*" instead of appointing him to officiate.

88. 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 94, 95, and 161 to 166.

Provisional Appointments.

89. If an officer is transferred to duty which is such that he retains no connection with his own appointment and which there is reason to believe will not terminate within three years, 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.

Substantive *pro tempore* Appointments.

90. An officer may be appointed substantively *pro tempore* on full pay without prejudice to the lien of the absentee in place of—

(1) an absentee who draws no part of the pay of his appointment;

(2) an officer holding a temporary appointment or on deputation within the meaning of Article 77 if the temporary appointment or deputation is for six months or more.

The full pay of an officer thus appointed substantively for a time may, in like manner and upon the same condition, be given to a substitute similarly appointed. The status of an officer appointed substantively *pro tempore* 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.—[Full pay is not to be drawn under Articles 89 and 90 as a matter of course, or unless the officer claiming it has been formally appointed "provisionally" or "substantively *pro tempore*" by competent authority.]

91. An officer appointed to act in another office is not an absentee within the meaning of Article 90 unless the full pay of that office is available and he is appointed to it substantively *pro tempore*.

NOTE.—[Substantive *pro tempore* promotions may, at the discretion of the Local Government, be made in the following special cases:—

In the United Provinces in place of a Tahsildar deputed on Settlement duty or to officiate as a Deputy Collector for a period likely to be not less than one year; in Bengal in vacancies caused by the appointment of Sub-Deputy Collectors or other officers to act as Deputy Magistrates and Deputy Collectors; and in the Punjab in vacancies caused by the appointment of Tahsildars or other officers to act as Extra Assistant Commissioners.]

92. An absentee who receives absentee allowances draws, within the meaning of Article 90, "part of the pay of his appointment;" and that Article is not to be construed as conflicting with Article 214.

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.]

93. A substantive *pro tempore* appointment may be made under Article 90 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 Military Furlough Regulations of 1868.

Charge Allowances.

94. 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 rules laid down in Articles 164 and 166 apply here also.]

95. 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 105 shall not apply to such an officer. Charge allowance under this Article must never exceed what an officer would draw as acting allowance if appointed to officiate in the appointment.

NOTE.—[The rules laid down in Articles 164 and 166 apply here also.]

Section II.—Maximum and Minimum Salaries.

96. The maximum salary of an officiating officer is the pay of the appointment, and the minimum salary half the pay of the appointment.

97. Except in the case of the first 30 days of Privilege leave vacancies, officers appointed, officiating or substantively, to the appointments specified in Appendix 4 are entitled to special minimum salaries as shown therein.

Section III.—Privilege Leave Vacancies.

98. As a general rule, the duties of an officer absent on Privilege leave taken separately and not combined with other leave under Article 233 shall be discharged by another officer in the same station or district. Only in exceptional cases where there is absolutely no officer available on the spot, can the transfer of an officer from another station or district to act in consequence of the absence of an officer on Privilege leave be allowed. In the case of appointments held by members of the Indian Civil Service or a Commission, if a member of that Service or Commission is not available on the spot, a Provincial Service officer should be placed in charge of the vacant appointment.

NOTE.—[Quarterly lists showing all cases, in which the principle of the foregoing rule has not been followed in practice in respect of absences of gazetted officers on Privilege leave of six weeks or less, should be submitted by the Local Government to the Government of India in the Administrative Department concerned.]

99. 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 (Article 96). But in no case shall they be more than those 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.

100. The reckoning of the first thirty days mentioned in Article 99 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 161 in a Privilege leave vacancy, and is debarred from drawing any charge allowance by Article 103, holds an "acting appointment" for the purposes of this rule.]

101. Article 99 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.

102. Article 99 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 Courts of the Punjab and Lower Burma.

(ii) To an officer appointed under Article 168 or Article 170 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 173.

But it does apply in cases falling under Article 169.

103. An officer appointed under Article 161 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.

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104. 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 that Service. Also officers of the Education Department who, when the Department was reorganized in 1896, elected to continue on the graded list.

(3) Police officers 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.

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 Enrolled List of the Financial Department.

Officer with a Substantive Appointment.

105. 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 maximum salary (Article 96), Rs. 200.

1. An 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 105 (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 (Appendix 5), or of an officer holding such an appointment substantively who officiates in a higher grade, are regulated by this Article.

Grades of a Class.

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

Example.—*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 officiate in the first grade without leaving Midnapore, and *C*, acting as Magistrate of Nuddea, would officiate in the second grade.

Officer without a Substantive Appointment.

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

Subsistence Allowance.

108. (*a*) The subsistence allowance of a member of the Indian Civil Service and of a Military officer subject to the Civil Leave Rules, is as follows:—

		Rs.
For an officer of not more than eight years'	actual residence in India	250 a month.
For an officer of more than eight, but less than twelve years'		320 „
For an officer of twelve or more years'		400 „

(*b*) And of a Military officer subject to the Military Leave Rules, as follows:—

For an officer of the rank of Captain or Subaltern	Rs.	250 a month.
„ „ „ Major	„	320 „
„ „ higher rank than Major	„	400 „

Section II.—Military Officers.

109. 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.]

110. 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.

111. 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 includes 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.

112. In *Case 1* the officer is entitled to his pay. If his pay is less than his subsistence allowance [see Article 108 (*b*)] 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 subsistence allowance added to half the pay of the appointment.

113. In *Cases 2 and 3* the acting allowance is regulated by Articles 105 and 106. 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.

114. An officer officiating in an appointment of which the pay includes 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 includes a Staff Salary.

115. In all cases the salaries are calculated as follows, any excess of the consolidated pay of the substantive appointment in *Case 2*, in Article 114, over the Military pay and allowances or the Staff Corps pay of the officer being treated as a Staff Salary:—

(*a*) For an officer officiating for an absentee who is subject to the Rules of 1868, the Staff Corps Leave Rules, or the Civil Leave Rules—

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 in addition to the Staff Corps pay or Military pay of rank: Provided that the whole Staff Salary thus drawn shall not be less than Rs. 100 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.—[The proviso that the whole Staff Salary shall not be less than Rs. 100 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.]

(*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 other Leave Rules, 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, the salary of the acting officer would likewise vary, while the Furlough allowance of an officer subject to other Leave Rules is unaffected by such transfer.

Medical Appointments.

116. As an exception to Articles 112 and 113, 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 114 and 115, on the assumption that the pay of the appointment includes 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.

Section III.—Public Works Department.

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117. 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 Rules 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."]

118. The acting allowances of all other officers of the Public Works Department are regulated by the rules in Section VII.

General Rules.

119. (*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.

120. 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.

121. A Civil officer or a Military officer subject to the Civil Leave Rules without a substantive appointment is entitled to an acting allow-

ance 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 subsistence allowance [see Article 108 (*b*)], added to half the Civil pay of the class or appointment in which he officiates.

122. 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.]

123. 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.

124. 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 as used here includes only the Governments of Madras, Bombay, Bengal, the United Provinces, the Punjab and Burma.]

(*a*) To a Subordinate officiating as an Executive Engineer—Rs. 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—Rs. 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 Subordinates in the Buildings and Roads and Irrigation Branches, respectively, of the Punjab and the United Provinces, according to a scale sanctioned from time to time by the Government of India in the Public Works Department, when placed in charge of districts or sub-divisions, draw a local allowance of Rs. 50. Lower Subordinates of the United Provinces, Buildings and Roads Branch, when similarly placed in charge of districts or sub-divisions, within the scale referred to above, also draw the same allowance.

2. A similar local allowance of Rs. 50 may be drawn by certain Upper Subordinates placed habitually in charge of sub-divisions on the North Western Railway, according to a scale sanctioned from time to time by the Government of India in the Public Works Department.]

(*c*) To an Accountant officiating, with the sanction of the Government of India, for an Examiner or Deputy Examiner—Rs. 100, 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 Rs. 50.

(*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—Rs. 75, 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.

125. 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 receives any acting allowance (it is not considered a change of duties), and the extra duties consequent on a permanent Telegraph Master being absent only entail the appointment of a temporary 4th grade Telegraph Master on an allowance of Rs. 20.

II.—For absences on Furlough or Sick leave of beyond one calendar month, acting allowance is 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 draws the full allowance of the appointment.

III.—When such absences on Furlough or Sick leave are for less than one calendar month, acting appointments are not made; but a 4th grade temporary Telegraph Master is 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, receives temporarily the pay of the appointment; and the cost of this is defrayed from the grant for temporary appointments.

126. 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 Rs. 60 a month admissible to the permanent incumbents, 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.

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

128. 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.

129. 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 130 if he officiated in the next higher grade.

130. 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.

131. 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.

132. 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.

133. (*a*) A graded officer of the Geological Survey Department who joined the Department on or before the 31st December 1893, counts all service on the maximum pay of a grade towards increments in the pay or salary of the next higher grade. When promoted substantively, he may draw the pay of the higher grade with increments earned by service on the maximum pay of the lower grade; and when promoted temporarily, he may similarly draw a salary equal to the pay he would have received if his promotion were substantive.

(*b*) The pay on permanent promotion and the salary on temporary promotion from grade to grade of a graded officer of the Geological Survey Department who joined the Department after the 31st December 1893, are regulated by the ordinary rules in these Regulations.

Section VI.—The Forest Department.

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

135. 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.

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

137. An officiating officer in any case not provided for by the preceding Articles is entitled to an acting allowance of one-fifth of the pay of the grade in which he officiates.

Section VII.—Other Officers.

138. 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 XXXI).

139. An officer of the Provincial or Subordinate Educational Service appointed by the Local Government to officiate in a temporary vacancy, in a post specifically reserved for, or usually filled by, officers of the Indian or Provincial Educational Service, receives an allowance as follows:—

An officer of the Provincial Service acting in an appointment in the Indian Service, Rs. 100 a month.
An officer of the Subordinate Service acting in an appointment in the Indian Service, Rs. 75 a month.
An officer of the Subordinate Service acting in an appointment in the Provincial Service, Rs. 50 a month.

Provided that the salary of the officiating officer shall not exceed the pay of the officer for whom he acts, and shall not be less than his own pay. When the office is substantively vacant, the officiating officer may be granted the allowance in full.

Officers having a Substantive Appointment.

140. An officer with a substantive appointment on a permanent establishment, officiating in an appointment to which this Section applies, and of which the pay is not less than Rs. 100, is entitled to an acting allowance of one-fifth of the pay of the appointment: Provided that, except in the Postal 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 104, and the Subordinate Judgeships with which they are classed.

1. In the Public Works Department no increased allowances can be claimed by a Lower Subordinate solely on the ground that he is performing duties previously entrusted to an Upper Subordinate.

2. In Madras the different grades of Munsiffs and Tahsildars 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.

141. 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 104, 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.

The provisions of this Article are not to be applied in the case of temporary acting appointments not lasting longer than three months so as to give the officiating officer a lower salary than his salary in the appointment he would have continued to hold but for the acting appointment.

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 Rs. 200.

NOTE.—[This Article does not apply to appointments in the Post Office Department; or, in the Bombay Presidency to jailors, to clerks in the office of 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; or to an officer of the Provincial or Subordinate Educational Service appointed to officiate in a temporary vacancy in a post specifically reserved for, or which is usually filled by, officers of the Indian or Provincial Educational Service.]

Medical Appointments.

142. A Civil Assistant Surgeon while officiating in charge of a Civil station is entitled:

(*a*) In Bombay, save and except those Assistant Surgeons to whom clause (*b*) of this Article applies, Bengal, the United Provinces, the Punjab and Burma, to draw acting allowance on the minimum pay (Rs. 350) fixed for an officer of his class holding permanent charge. The period of such temporary service does not, however, count for increment and initial pay under Articles 155 and 156 respectively.

(*b*) In Madras, the Central Provinces, Assam and in the case of Civil Assistant Surgeons in the Bombay Presidency who were in the service in 1876, or who were then studying for diplomas, to a local allowance in addition to 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—Rs. 150.

(ii) If he be in the third grade—Rs. 100.

NOTE.—[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 Officer of the Indian Subordinate Medical Department 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*) To a Civil Assistant Surgeon in Bengal and the Punjab, a local allowance not exceeding the acting allowance which would be admissible to him under clause (*a*) of this Article if he were appointed to officiate.

(*b*) To an Officer of the Indian Subordinate Medical Department in Bengal and the Punjab, and a Civil Assistant Surgeon or Officer of the Indian Subordinate Medical Department in the Central Provinces and Assam—

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

	Rs.
To a Civil Assistant Surgeon, first or second grade, a Senior Military Assistant Surgeon, or Military Assistant Surgeon, first class, a local allowance of	75
To a Civil Assistant Surgeon, third grade, or a Military Assistant Surgeon, second class, a local allowance of	50

(ii) If the substantive holder of the charge is a Civil Assistant Surgeon or Officer of the Indian Subordinate Medical Department—

	Rs.
In all cases, a local allowance of	50.]

143. Officers of the Indian Subordinate Medical Department above the grade of Military Assistant Surgeon, third class, when in independent medical charge of Civil stations, receive pay at the following monthly rates:—

	Rs.
Under five years in charge	350 a month.
From five and under ten years	450 ,,
From ten and under fifteen years . . .	550 ,,
Over fifteen years	700 ,,

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

Military Assistant Surgeons, third or fourth class, in independent medical charge of Civil stations, receive pay at the rate of Rs. 250 a month. When holding such charges in Burma, they receive in addition a special local allowance of Rs. 50 a month.

The service of a Military Assistant Surgeon, third or fourth class, in permanent independent Civil medical charge, does not count towards the quinquennial increments until the date on which he is promoted to be a Military Assistant Surgeon, second class.

NOTE.—[For the rule regarding an Officer of the Indian Subordinate Medical Department acting as "Civil Surgeon," etc., see Rule 1 under Article 105.]

1. A Military Assistant Surgeon in medical charge of a Civil station, who is required, in consequence of field operations, to revert temporarily to Military duty, counts the period of such duty as service towards the increments admissible under this Article.

Officers without a Substantive Appointment.

144. An officer without a substantive appointment on a permanent establishment, officiating in an appointment the pay of which is not less than Rs. 100, is entitled to an acting allowance of half the pay of the appointment. (*See Article 141 and Exception under it.*)

145. If the pay of the appointment is less than Rs. 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 91.*]

146. As an exception to Article 144, 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 Appendix 4), 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.

147. The salary of an officer officiating in an appointment of which the pay is less than Rs. 100 should, as far as practicable, be regulated by Articles 140 and 144. The following conditions must be observed:—

(i) If the officiating officer has a substantive appointment, his salary must not exceed what it would be if Article 140 were 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 Rs. 100, 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 335.*)

148. 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 Rs. 100 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 287 to 294.

(iii) Superintendents of the Light-houses in the Madras Presidency referred to in Article 262, Rule 2.

Chapter VII.—Regulation of Progressive Salaries.

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149. 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.

150. 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.

151. 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.

152. 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. When an increment is withheld, the period for which it is withheld is at the discretion of the authority having power to withhold, who will also decide whether the postponement is or is not to have the effect of similarly postponing future increments. The authority having power to withhold is, in the case of ministerial and menial officers, the head of the office, and in the case of other officers, the Local Government, which may delegate the power to heads of departments or other supervising officers.

153. (*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 150 is such that the addition of a premature increment would raise it above Rs. 5,000 a year, such premature increment cannot be granted without the sanction of the Secretary of State.

154. An officer reduced to a lower grade or appointment on account of misconduct or inefficiency cannot without the sanction of the Local Government count for increments previous service in the grade or appointment from which he was reduced.

Acting Allowances.

155. 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 allowance is 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 is 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 draws—

(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 is 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 99 gave no claim to acting allowance.]

Example (*a*).—An officer who is substantively in the Rs. 170 stage of an appointment of Rs. 150—10—200 is appointed to act in an office of which the pay is Rs. 200—8—240. His salary is thus fixed—

	Rs.	
Pay	170	
Acting allowance (one-fifth of Rs. 200)	40	But this is limited for the first year to Rs. 200.
Total	210	

Next year he gets pay Rs. 180+acting allowance Rs. 40=total Rs. 220. But this is limited for a year to Rs. 208.

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

	Rs.	
Pay	1,200	
Acting allowance (⅓ Rs. 1,500—1,000)	333⅓	Limited for the first year to Rs. 1,500.
Total	1,533⅓	

In future years he receives—

Second year—	Rs.	
Pay	1,250	
Acting allowance	333⅓	
Total	1,583⅓	Limited to Rs. 1,550.

Hereafter he gets Rs. 1,583⅓, which is the limit of salary in this case.

Initial Pay.

156. Ordinarily, an officer appointed substantively to a progressive appointment begins with the minimum pay. But if the appointment is one 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 Rs. 200—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 Rs. 220, he continues to draw Rs. 220, and on 1st March next rises to Rs. 230.

(*b*) If his salary at time of appointment is Rs. 225, he will draw Rs. 225 till 1st January, and then will get Rs. 230.

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.]

157. (*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.

158. 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 and under Suspension.

159. 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 31 must not be held to conflict with this Article. Subject always to the provisions of Article 60, 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.]

160. 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.

Chapter VIII.—Combination of Appointments and Salaries.

Charge of Current Duties.

161. An officer appointed to be in charge of the current duties of an office in addition to his own duties, may, if the charge, in the opinion of the Local Government, entails a substantial increase of responsibility and some additional work, be granted 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 Rs. 100.

162. 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 makes the declaration indicated in Rule 1 under Article 168, 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.

163. The amount of "charge allowance" has been fixed in the cases shown in Appendix 6.

164. (*a*) No allowance is admissible under Article 161 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.

165. 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 that 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:—

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

166. 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 1010.*)

Permanent Arrangements.

167. A Local Government may appoint an officer to hold permanently two or more appointments at the same time if their aggregate pay does not exceed Rs. 250 a month. The salary of an officer appointed to officiate in two or more appointments, which under due sanction have been combined as a single charge, is calculated upon the pay fixed for the combined appointment, Article 168 being inoperative in such a case.

NOTE.—[Managers of State Railways are authorized to exercise the powers of a Local Government for the purposes of this article in sanctioning the grant of special allowances to Station Masters on the lines under their control for doing postal work.]

Temporary Arrangements.

168. 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 Rs. 1,000, is appointed, without being relieved of his own duties, to officiate in two appointments, *B*, of which the pay is Rs. 1,600, and *C*, of which the pay is Rs. 2,200—

	Rs.
If he held *A* only, he would draw	1,000
If he officiated in *B* only, he would draw pay Rs. 1,000 and acting allowance Rs. 400	1,400
If he officiated in *C* only, he would draw pay Rs. 1,000 and acting allowance Rs. 800	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 Rs. $\frac{1,400}{2}$=700 for *B*, and $\frac{1,000}{2}$=500 for *A*.

But, in consequence of this proviso, his aggregate salary must be limited to Rs. 2,200 (the pay of appointment *C*,) unless the declaration prescribed in Rule 1 be made.

NOTE.—[This Article does not affect Local Allowances given for the performance of separate duties. Nor does it 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.]

Appointments on the same Establishment.

169. Article 168 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.

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.

Civil Surgeoncy.

170. A Regimental Medical Officer appointed to act as a Civil Surgeon without relinquishing his Regimental duties is entitled to an allowance of Rs. 100 a month. With this exception, the allowances for the additional charge of an appointment of the kind described in Article 116, 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 Article 168 and the second sentence of the Note under it.

171. An officer in medical charge of a Civil station is entitled to an allowance of Rs. 100 a month for holding visiting charge of a second station.

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

Medical charge of Jails.

172. An officer appointed to the medical charge of a Central Jail when the administrative and medical charges are not united, is entitled to a local allowance of Rs. 100, or, in special cases at the discretion of the Local Government, Rs. 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.

173. A Military officer in Military employ, or any other officer placed in charge of a full-time Cantonment Magistracy in addition to his own duties, is entitled to an acting allowance of Rs. 100 a month, as a charge against the Civil Department. As a rule, only Military officers should hold Cantonment Magistracies.

Military Officer.

174. The allowances for his Civil duties of a Military officer appointed to officiate in a Civil office other than a Cantonment Magistracy without being relieved of his Military duty, are regulated in accordance with Article 168 and Rule 1 under it, and are drawn in the Civil Department. 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 168.

Chapter IX.—Joining time.

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175. 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.

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

NOTE.—[Sundays are included in the calculation of the joining time of one day admissible under this Article. An officer who gives over charge on Saturday forenoon must, therefore, take charge on Saturday afternoon, and an officer who gives over charge on Saturday afternoon must take charge on Monday forenoon.]

177. 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—	a day for each	
By railway	200 miles.	
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 Rs. 100 a month, should not ordinarily be required to travel by mail cart or other public stage conveyance drawn by horses.]

178. 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.

179. If an officer is authorized under Article 53 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.

Extensions.

180. (*a*) Within the maximum of thirty days, the Local Government may extend the Joining Time admissible by rule without reference to the Government of India—

(i) if the officer has been unable to avail himself of the usual mode of travelling, or if, notwithstanding due diligence on his part, the journey has occupied more time than is allowed by the rules—to the extent of the time actually taken:

(ii) if such extension is considered necessary for the public convenience or for the saving of public expense, as, for example, to prevent unnecessary and merely formal transfers—to the extent necessary:

(iii) if the rules have in any particular case operated hardly, as, for example, if an officer has through no fault on his part missed a steamer or fallen sick on the journey—to the extent necessary, on such conditions as to allowances or otherwise as the Local Government may think fit.

(*b*) A Local Government may in special cases allow Joining Time in excess of the limit of thirty days, reporting its proceedings to the Government of India in the Finance Department with a full statement of the circumstances of the case.

(*c*) The Joining Time of officiating Munsiffs in Bengal who are transferred from one station to another during a vacation, may be extended up to the end of the vacation under orders of the Local Government, even though such extension causes the limit of thirty days to be exceeded.

181. The Audit Officer shall move the Local Government to report to the Government of India any concession made under the preceding Article, which appears to him contrary to the spirit of the rules. The Local Government may not, 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.

182. 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.

183. If an officer, during transit from one appointment to another, obtains Furlough on medical certificate (with or without Privilege leave or 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.

184. 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.

185. Except in the case mentioned in Article 188, an officer draws, 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 is 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.

186. When, under Article 182, 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.

187. If a member of the Indian Civil Service, on 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 him a subsistence allowance of Rs. 250 a month for not more than two months. Time thus spent is not Active Service.

188. 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 185.

1. Sub. *pro tem.* and officiating Assistant Opium Agents, Bengal Opium Department, are entitled, when transferred in the interest of the public service, to draw allowances under Article 185 during Joining Time, and the special orders of the Local Government are not required in their case.

Exceeding Joining Time.

189. 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 allowance.]

Ministerial Officers.

190. 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.

Members of the Indian Civil Service and Military Officers.

191. A member of the Indian Civil Service is entitled when under suspension to the subsistence allowance of his rank, and a Military officer in Civil employ to the pay and allowances of his rank.

Other Officers.

192. Saving as provided in Article 193 (*b*), an officer under suspension is entitled to no salary while he is absent from duty, and the salary of an officer who is dismissed ceases absolutely from the date of his dismissal; no allowances may be granted for any period occupied in the prosecution of appeals against the order of dismissal.

193. Subject to the proviso that, without the permission of the Local Government, no extra expense may be imposed on the State—

(*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 the subsistence allowance of a European should not commonly be less than Rs. 25 a month: if his salary be less than Rs. 100 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, 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.

NOTE.—[In cases where the extra cost involved does not exceed Rs. 100 and the period during which an officer has remained unemployed through suspension or dismissal does not exceed four months, the power of sanctioning excess expenditure under this Article may be delegated by a Local Government to heads of departments or officers above the rank of Collectors or District Judges, and may be exercised by heads of departments under the Government of India.]

Committals to Prison.

194. A servant of Government committed to prison either for debt or on a criminal charge, 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 should 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.

Leave while under Suspension.

195. 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.

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PART III.—LEAVE RULES.

Chapter XI.—General Conditions of Leave.

Section I.—General Rules.

196. The rules in this Chapter apply to all officers in Civil employ, except in as far as they are inconsistent with, or overridden 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 specified in Article 547 (see Chapter XXIV).
(*d*) Statutory Civil Servants (see Chapter XXVI).
(*e*) Ecclesiastical Officers (see Chapter XXVII).
(*f*) Officers subject to the Military Leave Rules (see Chapter XXVIII).
(*g*) Civil Veterinary Department (see Chapter XXIX).
(*h*) Law Officers (see Chapter XXXI).
(*i*) State Railway Establishments (see Chapter XXXII).
(*j*) Bengal Covenanted Pilot Service (see Chapter XXXIII).
(*k*) Port Blair Police (see Chapter XXXIV).
(*l*) Assam Military Police (see Chapter XXXV).
(*m*) Calcutta and Suburban Police Forces (see Chapter XXXVI).
(*n*) Burma Military Police (see Chapter XXXVII).
(*o*) Officers serving under Special Contracts (their contract).

1. An officer under contract is not entitled to leave except in accordance with the terms of his contract.—[*See* Note under Article 352.]

NOTE.—[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.

197. (*a*) Leave of absence cannot be claimed 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.—Extract from Circular in the Home Department, No. 22 (Public), dated 16th May 1884.—"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 those 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."

Maximum Leave Admissible.

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

1.—Extract from Despatch from the Secretary of State, No. 87, dated 15th March 1883.—"It appears to me that considerable misapprehension exists in India in regard to the meaning of the rule contained in *Article 198 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 five 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."

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

Recall from Leave.

199. (*a*) 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 subsequently earned, as soon as he can be spared from duty.

(*b*) He is entitled, during the voyage to India, to leave allowances only, and for the period from the date of landing in India to the date of joining his appointment, to the Subsidiary leave allowance which he would have drawn had he not been recalled, but simply returned on the termination of his leave. But those periods count as Active Service, see Article 8 (i) and (iii).

NOTE.—[Orders recalling an officer to India before the expiry of his leave should be communicated to him officially through the Secretary of State.]

200. 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, but he is entitled until he rejoins his appointment to draw leave allowances only.

Section II.—Service qualifying for Leave.

Temporary Service.

201. Temporary and officiating service, if it counts for pension, counts also for leave.

NOTE.—[The rules providing for the grant of leave to an officer who has a temporary or officiating appointment only are contained in Articles 242, 336, Rule 1, and 339, Rule 2.]

Probationers and Apprentices.

202. (*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 374.

(*c*) Officiating Deputy Magistrate-Collectors in Bengal count their service for leave from the date on which all the three following conditions are fulfilled, namely,

(1) two years' continuous officiating service as such have been rendered,
(2) departmental examinations have been fully passed, and
(3) the age of twenty years has been attained.

203. (*a*) Service as an Apprentice does not qualify except in the following cases:—

Engineer or Examiner Apprentices
Qualified students of the Thomason College under practical training } in the Public Works Department.

Assistant Superintendent Apprentices in the Indian Telegraph Department.

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. On leave on medical certificate, 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. Apprentice Overseers count the period of their apprenticeship as service towards leave when they are appointed to the department.

Service under other Rules.

204. An officer transferred to an office to which these rules apply is not entitled to Long Leave under them in respect of service rendered in an office to which they do not apply. But service in the Army which under

Article 356 counts towards civil pension qualifies also for leave under civil rules. 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.

Service before Discharge, Resignation, or Dismissal.

205. (*a*) An officer who is discharged on reduction of establishment from, or resigns the public service, and is re-employed after an interval, cannot, without the sanction of the Government of India, count his former service towards leave.

(*b*) An officer who is dismissed or removed from the public service and who is reinstated on appeal cannot count his former service towards leave unless the authority who, on revision or appeal, reverses the order of dismissal or removal, declares that his former qualifying service shall count.

Private Secretary.

206. 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.

207. 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.

Press Servants.

208. A Section-writer, or a Press servant, paid under the piece-work system, if granted leave, is not entitled to any allowance whatever during his absence.

Rule of Proportions.

209. 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, is charged according to the Rule of Proportions.

Section III.—Retention of Appointment.

Lien on Appointment.

210. 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.

211. (*a*) 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 Leave Rules has a lien. (*See also Article 313.*)

212. An officer on Long Leave under the Indian Service Leave Rules retains a lien on his substantive appointment, but has no lien on an acting appointment.

213. An officer on Subsidiary leave has or has not a lien on an appointment according as he has or has not such lien on the first or last day, as the case may be, 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.]

214. An officer on leave may not surrender his lien on his substantive appointment, and, except as provided in Articles 90 and 786, a Local Government may not fill up substantively, even for a time, an appointment on which an officer has a lien, without transferring him to another substantive appointment which, save in cases of misbehaviour or inefficiency, must be one of not less pay.

215. An officer cannot obtain ordinary Furlough or Special leave unless he has a substantive appointment.

NOTE 1.—[A Military officer who has officiated continuously in the Civil Department for at least 3 years is an officer with a substantive appointment for the purposes of this rule.]

NOTE 2.—[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.

216. 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 cognizant 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.

217. If when an officer is going on leave out of India it is necessary to consider the propriety of removing him for incapacity, whether mental or physical, which is of such a nature that it is not possible to say, before his departure from India, whether it will be permanent or temporary, or if for any reason it is considered inexpedient that an officer who is on leave should return to India, 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. A communication of this nature should not be made direct to the officer concerned. The report should be made in time to enable the Secretary of State to take any necessary measures before the officer would in ordinary course be permitted to return to duty, and in any case should reach the India Office at latest three months before the end of the officer's leave.

218. Articles 216 and 217 must not be understood to authorize 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.

219. The abolition of the appointment of an officer absent on leave out of India should be immediately communicated to the Secretary of State.

Section IV.—Commencement and End of Leave.

220. Ordinarily leave in India including Subsidiary leave, and leave out of India when Subsidiary leave is not taken, begins on the day on which transfer of charge is effected, or, if charge is transferred after noon, on the following day. Similarly such leave ordinarily ends on the day preceding that on which charge is resumed, or, if charge is resumed after noon, on that day. But if a Sunday or one or more gazetted holidays fall on the day immediately preceding that on which the leave begins, or on the day on which the leave or the joining time between two appointments ends, an officer may leave his station at the close of the day before, or return to it at the end of, such holidays, provided his departure or return does not involve—

(i) the immediate transfer of an officer from or to another station or the loss of his appointment by an officer appointed temporarily to the service.

(ii) the taking over of money, unless, subject to the condition that the departing officer remains responsible for the money in his charge, the Local Government specially allows transfer of charge to take place before or after the holidays.

If holidays are as above prefixed to leave, the leave and the consequent rearrangement of allowances, if any, take effect from the first day after the holidays on which the office is open for business, and if holidays are affixed to leave, the leave is treated as having terminated on, and the rearrangement of allowances, if any, takes effect from the day on which the officer would have resumed charge had holidays not followed the leave.

In cases in which the application of the above rules as to prefixing and affixing holidays to leave is doubtful or inequitable, 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.

221. When Subsidiary leave is taken, Furlough and Special leave out of India begin on, and include, the day of the departure from the port where the officer first meets it of the vessel in which he sails. 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, unless he is specially exempted from forfeiture of his Subsidiary leave by his Local Government under the provision of Article 323 (*b*). Furlough and Special leave out of India end on, and include, the day before the arrival at the port where the officer last quits it of the vessel in which he returns, and Subsidiary leave begins the day after.

NOTE 1.—[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.]

NOTE 2.—[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.]

222. An officer taking Furlough or Special leave out of India, whether by itself or in combination with Privilege leave, must report his embarka-

tion, 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.

Section V.—Return to Duty.

NOTE.—[With the exception of Article 231, this Section applies to Military officers in Civil employ subject to the Military Leave Rules.]

Permission to Return.

223. 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.

224. An officer on Long Leave in Europe (1) may not return to India without the permission of the Secretary of State, which he must apply for at least three months before the end of his leave, (2) must, if the leave was granted or has been extended on account of ill-health, whether the leave be technically Leave on Medical Certificate or not, produce a certificate of fitness. Ordinarily, he must obtain this certificate from the Medical Board at 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.

225. An officer on leave in India or in any place out of Europe taken on account of ill-health, whether the leave be technically Leave on Medical Certificate or not, 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.

226. 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 leave. He should report his return to duty as prescribed in Article 228 and await orders.

Change of Appointment.

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

Report of Return.

228. 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.

229. 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 Leave Rules, or Privilege leave,—after a week. In the case of officers to whom exception (ii) under Article 251 applies, the week commences from the end of the fifteen days mentioned therein.

NOTE.—[This Article does not affect the liability of an officer overstaying leave to forfeit past service under the rule in Article 420 (*b*).]

230. 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 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 321 (*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.

231. 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.—Combination, Extension and Commutation of Leave.

232. No kind of leave, except Extraordinary leave under Articles 332 and 339, leave under Articles 199 (*a*), 233 and 288, 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 421*). Subsidiary leave is not, for the purposes of this rule, regarded as a continuation of leave.

233. Privilege leave to the amount due may be prefixed as such to Furlough, Leave on Medical Certificate, Special leave on urgent private affairs, Leave on Private Affairs, and Extraordinary leave without allowances, subject to the following conditions:—

(i) when Privilege leave is combined with Furlough, the amount of the combined leave shall not exceed two years;

(ii) when Privilege leave is combined with Special leave under the European Service Leave Rules or Leave on Private Affairs under the Indian Service Leave Rules, the combined leave shall not exceed six months;

(iii) when, however, Furlough, Special leave, or Leave on Private Affairs, granted in combination with Privilege leave, is ex-

tended on medical certificate, the full period of Furlough, Special leave, or Leave on Private Affairs ordinarily admissible under rule may be allowed irrespective of the limits prescribed in clauses (i) and (ii);

(iv) when Privilege leave is combined with leave of any kind, the combined leave must, except in cases falling under Article 199 (*a*), be for not less than six months.

(v) the periods mentioned in (i), (ii) and (iv) count from the beginning of the Privilege leave to the end (under the ordinary rules) of the leave with which it is combined.

NOTE.—[If the maximum limit prescribed in clause (i) or clause (ii) of this Article is exceeded, the excess (if not due to an extension of leave on medical certificate) shall be dealt with under Article 229. If on the other hand an officer returns from leave before the end of the minimum period of six months fixed by clause (iv) of the Article, the requirements of the rule shall be held to have been practically met if the date of return is not more than 14 days before the end of the six months.]

234. The grant of extension of Furlough, under Article 232 (otherwise than on medical certificate), is subject to proviso (v) under Article 308 (*b*).

NOTE.—[In the case of an officer who is entitled to Furlough without medical certificate, but who, by reason of Proviso (v) under Article 308 (*b*), can get it only on medical certificate, it should be stated in column 13 of the last-pay certificate in Form No. 16 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 309 would be exceeded.]

235. If an officer subject to the Indian Service Leave Rules who is absent 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.

236. 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.

237. (*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 has been referred to by him, and has 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*) Officers returning to India, at times other than those fixed for them by their own Government, are liable to be kept on subsistence allowance until a suitable vacancy occurs to which to post them.

(*c*) The Secretary of State 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 telegraph to India in regard to any such application, the cost of the telegrams to and from India will be charged to the applicant.

NOTE.—[The Secretary of State in granting extension of leave sometimes declines to guarantee retention of appointment, if there is no time to communicate with the Local Government in India.]

(*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, as prescribed in Article 224, to have recovered his health. When extension of the commuted Furlough is applied for, the application must be supported by evidence that the officer's Local Government 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 310 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.]

238. An officer on Long Leave in any of the colonies or dependencies named in Appendix 15, except the colonies in America or the West Indies, who wishes to have his leave extended or commuted, must apply three months before the expiry of the leave to the authority in India which granted it. 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.

239. 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 321 (*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.

NOTE.—[This Article will not apply when the subsequent order grants leave in continuation of the Privilege leave under Article 233.]

Military Officers.

240. 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 237 to 239 apply to Military Officers subject to the Military Leave Rules.]

Chapter XII.—Short Leave.

Section I.—Extent of Application.

241. 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 High Courts (see Chapter XXIII).

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

(*d*) Ecclesiastical officers, except Articles 279 and 280 (see Chapter XXVII).

(*e*) Law officers, except as stated in Chapter XXXI.

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

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

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

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

1. Medical Storekeepers to Government and Subordinates of the Army employed in the Military Works Department are subject to these Regulations as regards Privilege leave, but as regards other leave the former remain subject to the Leave Rules, Military or Civil, under which they were serving at the time of their transfer to the Medical Store Department and the latter are treated as in Military employ.

Temporary and Non-continuous Service.

242. (*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.

NOTE.—[This rule does not apply to the State Railway officers whose service is classed under clauses (*c*) and (*d*) of Article 659.]

243. 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 369.*)

Petty Military Officers.

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

Seamen.

245. An officer or seaman attached to a Pilot vessel at the Sandheads may, in addition to the Privilege leave admissible under 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.

Amount earned.

246. 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.

247. 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.

248. When an officer is first appointed to the public service, duty qualifying for Privilege leave does not begin until he takes charge of his office.

249. 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.

250. (*a*) In calculating the Privilege leave of a Military officer no distinction should be made between an officer who has a substantive Civil appointment and one 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 a Military officer who has taken in any calendar year the whole or a portion of the Privilege leave admissible to him for that year, under Military Rules, does not begin to count service for Privilege leave in the Civil Department until the first day of the following year.

Limit.

251. The amount of Privilege leave admissible at one time is limited to three calendar months.

Exception.—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 up to the 30th of June 1906 to all European officers serving in the Civil Department in Burma.]

Amount due.

252. 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.

253. If an officer remains absent after the end of Privilege leave, his duty is interrupted within the meaning of Articles 246 and 260. But if the Local Government considers that his default was due to circumstances beyond his control, it may remit the penalty.

254. 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.

255. (*a*) Leave under Articles 279 and 280 may, if the examination for which it is granted be successfully passed, and if the officer has not already had twelve months' leave under that Article, count as duty qualifying for Privilege leave.

(*b*) Leave under Article 281 may also count as duty qualifying for Privilege leave if the examination for which it is granted is successfully passed.

(*c*) Examination leave does not interrupt duty unless, in the case of leave granted under clauses (*a*) (ii) and (*b*) of Article 280 and under Article 281, the officer fails to pass the examination for which the leave is granted.

256. Leave on medical certificate to a member of a State Railway Revenue Establishment under Article 661 is not an interruption of duty.

257. Suspension from office as a penalty for misconduct is an interruption of duty.

258. Suspension from office pending enquiry into an officer's conduct interrupts 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.

259. "Leave in India" under Rule 1 of the Leave Rules for the Staff Corps is an interruption of duty.

Condition of Grant.

260. 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. But when Privilege leave is combined with other leave under Article 233, the amount due may be granted irrespective of these conditions.

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 661 and 663.

Leave Allowances.

261. Except as provided in Articles 262, 271, and 275 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.

262. No extra expense may be imposed on the State in respect to the Privilege leave of an officer whose pay is less than Rs. 100 and who is allowed Privilege leave for more than one month at a time.

NOTE.—[This Article does not apply to officers serving in Baluchistan.]

1. Privilege leave for one month at a time may be granted to an officer in Superior service whose pay is less than Rs. 100 a month without regard to the fact that extra expense is thereby imposed on the State [see Note to Article 148 (i)]. This rule does not authorise any departure from the rules laid down in Chapter V, Articles 98 to 103.

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

263. 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.

264. Save when Privilege leave or vacation is combined with other leave under the rules, the right to receive Privilege leave or vacation allowances is contingent (except in the case of death) upon the return of an officer to duty on the expiry of such leave or vacation.

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, or who exceeds Privilege leave up to a week under Article 229 (*ii*).]

265. 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.

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

Local Allowances how affected.

267. 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, the Punjab, and the North-West Frontier Province 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.

House-rent, Horse Allowances, Tentage, etc.

268. 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.

269. 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.

270. 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.

Section III.—Privilege leave in cases of regular vacations.

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271. Privilege leave is not admissible 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 (other than District and Sessions Judges), Educational Officers, Officers in a High Court. 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.

272. 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.

NOTE.—[In the case of every officer to whom Articles 271 and 272 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 271, 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 273 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 271, 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 271.]

273. An 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 271 and 274. 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.]

274. 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.

275. An officer transferred from a department to which the ordinary Privilege leave rules apply to one in which Articles 271 to 274 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 271 to 274 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).

276. The reckoning under the preceding Article shall not, in any case, extend backwards over an interruption of duty.

277. Officers to whom Privilege leave under the ordinary rules and conditions is not admissible (Article 271), may combine vacation with Long Leave (either at the beginning or end thereof) on the same conditions as those on which other officers are allowed to combine Privilege leave under Article 233.

278. The foregoing rules do not apply to District and Sessions Judges: to them Privilege leave is granted under the ordinary rules.

District and Sessions Judges may combine leave with vacation when such combination can be arranged without additional expenditure, and is admissible under the terms of Article 220, the days occupied by the vacation being treated for this purpose as gazetted holidays.

Section IV.—Examination Leave.

279. In cases not specially provided for in this section, permission to appear at an optional examination prescribed by Government in any of the Oriental languages 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.

280. (*a*) A candidate for a reward by the Higher Standard in Arabic, or High Proficiency in Arabic, or Persian, may be allowed either (i) leave for one month before the examination and, if he passes, for another month after it, or, (ii) if he undertakes to spend it in study under professional tuition at a Presidency town, the whole period of two months before the examination.

(*b*) 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 (*a*), leave for four months to Persia for Persian, and for six months to Arabia, Mesopotamia, Egypt, or Syria for Arabic. In the case of officers of the Political Department of the Government of India, this leave may be granted even when they are candidates only for the Higher Standard or High Proficiency test in either of the two languages.

(*c*) Privilege leave may not be granted in continuation of the month's leave after examination admissible under clause (*a*), but otherwise leave under this Article may be combined with Privilege leave, provided that Privilege leave prefixed to leave under clause (*b*) must be spent in, or in travelling to, one of the countries mentioned in the clause.

(*d*) An officer on leave under this 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.

281. An officer of the Burma Commission, who has passed an elementary examination in Chinese, and is a candidate for the reward of Rs. 2,000, may, on condition that the leave must be spent in China, be granted leave, on Privilege leave allowances, to China for fifteen months, for the purpose of studying the Chinese language. This leave may be affixed or prefixed to Privilege leave or to Furlough, provided that, in the case of Privilege leave, it is spent in China, or in the journey thereto or therefrom, and that, in the case of Furlough, the whole period of absence shall not exceed two years, exclusive of Subsidiary leave. But Privilege leave cannot be allowed in continuation if the officer fails to pass the examination.

Such leave can be granted only once to any officer.

NOTE.—[Leave granted under Articles 280 and 281 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.]

282. Except as provided in Articles 280 and 281, no kind of leave, except Furlough on medical certificate, may be granted in continuation of Examination leave.

283. The rules in this section apply to Military officers subject to the Military Leave Rules serving in any Civil Department other than the Public Works, the Survey of India and Forest Departments, to which Departments they are not applicable.

Departmental Examinations.

284. (*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.

285. 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 actually necessary to enable him to attend at the examination. During this short absence, 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.

286. 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 Article 684, Army Regulations, India, Vol. I, Part I.

Section V.—Hospital Leave.

Jail Warders; Postal Officers; Peons and Guards.

287. 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 288, 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, and may also, at his discretion, dispense with the condition requiring attendance at a hospital or dispensary.

NOTE.—[The term "Peon" in this Article includes a Process-server of that class.]

Police and Salt Department Officers.

288. 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 Rs. 20, or an officer of the Northern India Salt Revenue Department, or of the Madras Salt and Abkari Department, or of the Bengal and the Bombay Salt Departments, whose pay does not exceed Rs. 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.—[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.

289. 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, 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 246 and 260. 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.]

290. 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.

291. An Engineer of the Marine Department, an employé in a Government Press, a subordinate employé (including a temporary or extra 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.

292. 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.

Hospital Servants, Madras.

293. 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; Toties; Bearers.
Cooks; Cook's mate; Cook's assistant mate.

Presidency Public Works Workshops, Madras.

294. 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 666 for Labourers in State Railway Workshops.

Section VI.—Leave during Recess.

295. Leave during the Recess may be granted by the Head of the Party to which he belongs to—

(i) a Native Surveyor or other subordinate in the Survey of India whose service is Superior,—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, Jamadars, 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.

296. 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.

297. 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 the Secretary of State or with his particular sanction.

(*d*) Members of the Imperial Branch of the General (Executive and Judicial) Administration; the Education Department; the Forest Department; and 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; Deputy Registrar, Original side, Madras 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 the Secretary of State, or with his particular sanction.

PORT BLAIR COMMISSION.—Assistant Superintendents and officers of higher rank.

ACCOUNT DEPARTMENT (CIVIL)—ENROLLED LIST—

(1) Officers appointed in England by the Secretary of State.

(2) Other officers if of Class IV or of higher rank.

ACCOUNT DEPARTMENT (POSTAL).—Comptroller and Senior Deputy Comptroller, Post Office.

MILITARY ACCOUNTS DEPARTMENT.—Civilian members in the grade of Military Accountant, 4th class, on Rs. 1,000 a month, or in any higher grade.

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 the Secretary of State or with his special sanction.

CUSTOMS DEPARTMENT.—Chief Collector of Customs, Rangoon; Collector of Customs, Karachi.

PUBLIC WORKS DEPARTMENT.—Officers belonging to one of the establishments or branches named below, and appointed thereto by the 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.

Executive Engineers of grade II and officers of higher rank, except those who were appointed as Natives of India 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, 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.

MARINE DEPARTMENT.—Constructors, Bombay and Kidderpore Dockyards.

OTHER OFFICERS.—The First Engineer and Shipwright Surveyor to the Government of Bengal.

298. An officer to whom the rules in this Chapter are applicable does not forfeit his privileges upon transfer to some office not included in Article 297, unless such transfer is ordered as a penalty, or because of the officer's inefficiency.

Section II.—Furlough.

General Limitation.

299. 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 297*), is six years. All the rules in this part of the Regulations are subject to this limitation.

300. The following leave under other rules is counted as Furlough under the preceding Article :—

(*a*) 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.]

(*b*) 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 the Indian Service Leave Rules.

Leave after completion of term of Service.

301. (*a*) The limitations affecting members of the Indian Civil Service whose term of service is complete, are prescribed in Article 555, and those affecting Military Officers, in Article 620.

(*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 to which he may be otherwise entitled, or Extraordinary leave without allowances under Article 332. The total leave granted, under the heads of Special or Extraordinary, must not exceed six months in all. 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.

NOTE.—[The grant of leave under clause (*b*) of this Article is subject to the condition that the officer returns to duty at the end of the leave. In applying for leave the officer must record a declaration that he has no intention of retiring for three months after his return to duty.]

Furlough earned.

302. The amount of Furlough "earned" by an officer is one-fourth of his Active Service. (*See also Article 305.*)

303. A Military officer subject to Civil rules may, if he desire it, add to Furlough earned by service under Civil rules an amount of Furlough in respect of his previous 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 302 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 as defined in Article 8, less any leave with pay out of India actually taken. The provisions of this clause apply to officers of the Royal Engineers in Civil employ who, while serving under British Army Leave Rules, have elected for continuous service in India, whether the election was made before or after their entry into Civil employment.

NOTE.—[An officer of the Royal Engineers who has not elected for continuous service in India remains under British Army Leave Rules till he makes such election. If at the time of electing he is in permanent Civil employ, he comes at once under Civil Leave Rules; otherwise he comes from the date of such election under Staff Corps Leave Rules.]

(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 added 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), 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 his 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 he 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 under Military Rules.]

Furlough Due.

304. 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 or a Military officer subject to the Civil Leave Rules, by the Furlough which he has enjoyed under these rules;

(*b*) in the case of an officer other than an officer of the Indian Civil Service or the Army, by the Furlough or Special leave with allowances which he has enjoyed under these rules. (*See also Article 305.*)

305. 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, the date of receipt of the Secretary

of State's Despatch No. 188 of September 21, 1893, by reason of his acquiring on or after that date the qualification specified in Article 297 (*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 337 and 338.

(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 in the despatch 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 297 (*c*) who came under the rules in this Chapter before the 11th October 1893, the calculation shall continue to be made under the following rules:—

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.

306. The rules in Articles 304 and 305 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.

307. 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.

308. 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 828 to 832;*

(*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) that a period of not less than eighteen months has elapsed since his last return from Privilege leave of over six weeks' duration. In the case of Privilege leave combined with other leave which does not interrupt Continuous Service (Article 22), the period of 18 months begins to run from the date subsequent to that of the end of the combined leave.

(iv) 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 303; 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;

(v) that the whole number of officers absent on Furlough and Special leave does not exceed the limit (if any) appointed by the Government of India (*see Articles 309 and 310*).

309. 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.

310. (*a*) If, under the operation of proviso (v), Article 308, the applications for Furlough (including those under Article 232) cannot all be complied with, Furlough will be granted in the following order:—

First—To the applicant to whom the 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.

311. 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.

312. (*a*) Furlough granted under Article 308 may, on medical certificate, be extended to not more than three years.

(*b*) Furlough granted under Article 311 for less than one year may, on medical certificate, be extended to not more than one year.

Ordinary Furlough.

313. 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 308, including any extension under Article 312 (*a*);

(ii) so much of Furlough under Article 311, including any extension under Article 312 (*b*), as may be due.

Leave Allowances.

314. 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 Rs. 833⅓ a month, and minimum Rs. 416⅔ 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 303 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 an officer was previously subject, and that in the case of an officer of the Royal Engineers, whose case is governed by clause (ii) under Article 303, the minimum shall be the rate prescribed by the Leave Rules for the Staff Corps, according to the length of his service for Indian pension. In the case, however, of an officer of the Royal Engineers serving under British Army Leave Rules, who elected for continuous service in India before the 1st February 1898, the minimum for so much of the Furlough credited under Article 303 (*ii*) as has been earned by service in Civil employment shall be at the rate of £500 a year;

(*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 320;

(ii) if paid in India, maximum Rs. 666⅔ a month; no minimum, except as provided in Article 320:

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 1863, 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.

315. 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 [see Article 108 (*a*)].

(ii) if an officer not in the Indian Civil Service or the Army, to £120 a quarter paid at the Home Treasury, or Rs. 400 a month paid in India, or to one-quarter of his average salary, whichever

is less. In the case provided for in Article 320, 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 Articles 314 and 315.]

Section III.—Special Leave.

316. 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. Furlough under Rule XI of the Military Furlough Rules of 1868 is "Special leave" within the meaning of this proviso.

317. An officer promoted from an office, subject to the Indian Service Leave 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.

318. (*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 314. Thereafter, he is entitled to no leave allowance.

(*b*) An officer on Special leave does not forfeit his past leave allowances by resigning the Service without returning to India.

319. A Military officer in Civil employ, subject to the Furlough Rules of 1868, is entitled, during the first six months of Special leave under Article 316, to an allowance of half average salary, subject to a maximum of £1,000 and a minimum of £250 a year. The title to this allowance is not affected by any leave previously taken under Rule XI of the Rules of 1868.

Section IV.—Minimum Leave Allowance.

320. The leave allowances of an officer of the classes referred to in Article 314 (*c*) on leave out of India are subject to the following minima:—

(*a*) if the leave is Furlough on Medical Certificate under Article 308 (*a*) or Article 311, or

(*b*) if the leave, although not Furlough on Medical Certificate under Article 308 (*a*) or Article 311, has been granted on account of ill-health.

N.B.—[In order to claim the benefit of this Article, the leave application must be supported by a medical certificate in the form prescribed in Chapter XLIV, recommending leave out of India.]

On ordinary Furlough or Special leave—

When paid in England	£200 a year, or ⅔ths of last salary, whichever is less.
When paid in India	Rs. 166⅔ a month, or ⅔ths of last salary, whichever is less.

On Furlough other than ordinary—

When paid in England	£100 a year, or 37½ per cent of last salary, whichever is less.
When paid in India	Rs. 83⅓ a month or 37½ 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 (other than Extraordinary leave without pay) which has been extended on medical certificate, or which has been commuted into Leave on Medical Certificate. 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 V.—Subsidiary Leave.

321. (*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.

No Subsidiary leave is admissible to an officer who does not leave India by sea.

(*b*) Subsidiary leave granted to an officer preparatory to retirement ceases when he actually resigns the service.

1. An officer serving in Persia or Turkish Arabia reckons Subsidiary leave to or from the port or frontier town by which he leaves or returns to the country. The date of departure or return must be certified by the British Consul or, if there be no British Consul, by the officer himself.

2. An officer either of the Persian or the Persian Gulf Section of the Indo-European Telegraph Department, who practically has to go on or return from leave by an Indian port, whether it be Karachi or Bombay, may reckon Subsidiary leave to or from such port.

322. (*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. But Subsidiary leave is admissible only at the end and not at the beginning of leave out of India when such leave is combined with Privilege leave under Article 233.

(*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.

323. (*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 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.

324. 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.

325. If a Medical Board or Officer detains an applicant under observation, under Article 830, 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 829 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 days.

326. The time spent by an officer in obtaining the medical certificate under Article 829, including the time, if any, for which the officer is detained under medical observation, is treated as Subsidiary leave, the amount of Subsidiary leave admissible under rule being prolonged if necessary in case of detention by a period not exceeding that for which the officer was detained.

327. In the case of an officer who fails to obtain the certificate, the time from the date on which he leaves his station to that on which the certificate is refused is treated as Subsidiary leave. From the date following that on which the certificate is refused the officer is treated as on Joining Time, carrying Subsidiary leave allowances.

328. If an officer (including a Military officer subject to the Military Leave Rules) 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.

329. Subsidiary leave is ordinarily reckoned from the date of debarkation, but if there is any special delay in the issue of orders appointing an officer to a particular post, the Subsidiary leave may be extended by the Local Government, provided that the whole period so allowed does not exceed 30 days.

Leave Allowances.

330. 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.

(*b*) If the leave be subsidiary to ordinary Furlough or Special leave [otherwise than as provided in clause (*a*)]:—the allowance admissible under Article 314, but calculated, in the case of a member of the Indian

Civil Service 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 314. The limitations prescribed by clause (*c*) of Article 314 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 315.

(*d*) If the officer, under Article 229, 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.

331. An officer may draw allowances as if he were on Privilege leave, for any part of his Subsidiary leave under clause (i) of Article 321(*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 263.*)

NOTE.—[This Article will have no application in cases in which Privilege leave is combined with other leave under Article 233, as Subsidiary leave is not then admissible. [*See Article 322* (*a*).]

Section VI.—Extraordinary Leave.

332. 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 except as provided in Article 233. 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.

1. In cases in which the duration of the Extraordinary leave to be granted does not exceed two months, the Local Government may dispense with the condition in this Article that the leave can be granted only when no other kind of leave is by rule admissible.

NOTE.—[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
(ii) Charge of office } (see Articles 52 to 55),
(iii) Commencement and end of leave
(iv) Return to duty } (see Articles 220 to 231),

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

Explanation.—This note is not to be read as precluding the treatment as casual leave, of absence from duty following on leave granted under the rules, so long as such absence is due to reasons involving no evasion of the rules in regard to the matters above specified, as for instance when it is necessitated by detention in plague camps on the way to rejoin, or by orders not to attend office in consequence of the presence of infectious disease in the family or household of the person concerned.

When, however, absence from duty, for reasons of the nature above indicated, exceeds the period which may reasonably be treated as casual leave under the discretion vested in the head of the office, the case should be dealt with as follows:—

(1) If the person concerned has further leave due to him carrying the same allowances as the leave already granted, he will be required to take an extension of leave to cover his further absence from duty.

(2) If the further absence from duty cannot be covered in this way, the period, or such part of it as remains uncovered, will be treated as leave without allowances, unless the person concerned prefers to substitute leave of another description for that which he has previously taken.

Example.—A, who has had two months' Privilege leave, is detained for a further period of one month in a plague camp. If he has a month or less Privilege leave still due, this must be reckoned against the further period of detention. If he has no Privilege leave due, but has Furlough to his credit, he has the option of converting the entire period of his absence from duty into Furlough, or of taking leave without allowances for the extra month.

333. 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.

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334. 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 Rs. 100 a month, and who have substantive appointments on permanent establishments under the Government.

335. Leave may, however, be granted under this Chapter to an officer (whether he be a Superior or an Inferior servant) whose pay is less than Rs. 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.

1. An officer holding an appointment on a Progressive pay, rising to a maximum of Rs. 100, who is in the receipt of the maximum pay, is not to be treated as an officer whose pay is less than Rs. 100.

2. If it becomes necessary to bring an officer from a distance to act for an officer on leave whose pay is less than Rs. 100, 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.

3. The minimum allowance during Long Leave of a Naib-Tahsildar in the United Provinces is Rs. 25 a month.

Section II.—Long Leave.

Leave on Medical Certificate.

336. 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.

337. 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.

338. 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 on 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 on Furlough may not exceed two years:

Provided—

(i) 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.

(ii) that the aggregate amount of Furlough, or of Furlough and Leave on Private Affairs taken together, shall not exceed two years.

(iii) that an interval of not less than eighteen months has elapsed since last return from Privilege leave in excess of six weeks in duration, whether taken by itself or in combination with Leave on Medical Certificate.

1. Leave on Medical Certificate counts as service for Furlough.

Leave without Allowances.

339. 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 198, 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 except as provided in Article 233. 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. In cases in which the duration of the Extraordinary leave to be granted does not exceed two months, the Local Government may dispense with the condition in this Article that the leave can be granted only when no other kind of leave is by rule admissible.

2. An officer who has a temporary or officiating appointment only may, at the discretion of the Local Government or the head of the officer's office, be allowed leave under this Article for not more than three months.

NOTE.—[See the note to Article 332, which applies to this Article also.]

Leave Allowances.

340. (*a*) An officer on Leave on Medical Certificate under Article 336 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 336 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 Rs. 300, his pay (not salary) when he gives up office is to be taken in lieu of average salary.

341. (*a*) Half average salary is subject to a maximum of Rs. 500 a month if paid in India, and £150 a quarter if paid at the Home Treasury.

(*b*) Quarter average salary is subject to a maximum of Rs. 400 a month if paid in India, and £120 a quarter if paid at the Home Treasury.

(*c*) For non-gazetted officers whose salary is not less than Rs. 300, the minimum of half average salary is Rs. 150, and of quarter average salary Rs. 75 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."

342. The half average salary and quarter average salary of an officer subject to the rules in this Chapter on leave out of India are subject to the following minima:—

(*a*) if the leave is Leave on Medical Certificate under Article 336, or

(*b*) if the leave, although not Leave on Medical Certificate under Article 336, has been granted on account of ill-health.

N.B.—[In order to claim the benefit of this Article, the leave application must be supported by a medical certificate in the form prescribed in Chapter XLIV recommending leave out of India.]

Half average salary—

	Minima.
If paid in England	£200 a year, or ⅔ths of last salary, whichever is less.
If paid in India	Rs. 166⅔ a month, or ⅔ths of last salary, whichever is less.

Quarter average salary—	
If paid in England	£100 a year, or 37½ per cent of last salary, whichever is less.
If paid in India	Rs. 83⅓ a month, or 37½ 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 (other than Extraordinary leave without pay) which has been extended on medical certificate, or which has been commuted into Leave on Medical Certificate. 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."]

343. All the rules in Article 340 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.

344. An officer does not forfeit the allowances to which he is entitled under Articles 340 to 343 by resigning the Service at the end of the leave.

Leave after Fifty-five years of age.

345. 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 337) to which he may be otherwise entitled, and also for leave without allowances under Article 339, 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.

NOTE.—[The grant of leave under this Article is subject to the condition that the officer returns to duty at the end of the leave. In applying for leave the officer must record a declaration that he has no intention of retiring for three months after his return to duty.]

Section III.—Subsidiary Leave.

346. An officer going on, or returning from, Leave out of India on Medical Certificate, Leave on Private Affairs, or Furlough, is entitled to Subsidiary leave, under the rules in Articles 321 and 323 to 331, and the grant of such leave carries with it the grant of Subsidiary leave, including, as in the cases referred to in Article 321 (*a*), clause (ii), Subsidiary leave on return to duty.

NOTE.—[When Privilege leave is combined with other leave under Article 233, Subsidiary leave is not admissible to an officer going on leave.]

347. Subsidiary leave on half pay for not more than fourteen days may be granted to an officer leaving India by sea on retirement, provided that the grant causes no additional expense to the State.

348. (*a*) An officer on Subsidiary leave prefixed to other leave is entitled to half 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.

NOTE.—[See Note under Article 331.]

(*b*) An officer on Subsidiary leave following other leave is entitled to half or quarter average salary, according to the rate of allowance to which he is entitled at the end of the leave to which it is subsidiary.

PART IV.—ORDINARY PENSIONS.

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PART IV.—ORDINARY PENSIONS.

Chapter XV.—General Rules.

Section I.—Extent of Application.

349. 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 specified in Article 547 (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 XXX).
(*g*) State Railway Establishments (see Chapter XXXII).
(*h*) Bengal Covenanted Pilots (see Chapter XXXIII).
(*i*) Police Officers drawing less than Rs. 20 a month (see Chapter XX).
(*j*) Port Blair Police (see Chapter XXXIV).
(*k*) Civil Veterinary Department (see Chapter XXIX).
(*l*) Burma Military Police (see Chapter XXXVII).

350. 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 United Provinces, and in the Central Provinces, and of a Thugyi in Upper Burma, does not qualify.

351. 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.

352. 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.—[*Secretary of State's Despatch No. 255, dated 26th July 1877.*—"I have considered in Council your Financial letter, dated the 4th June last, 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."]

Misconduct or Inefficiency.

353. Pension may not be granted to an officer whom it is desired to remove for misconduct, insolvency, or inefficiency. (*See also Appendix 7.*)

Claims of Widow.

354. (*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 interest 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.

355. (*a*) An officer cannot earn two pensions in the same office at the same time, or by the same continuous service.

(*b*) Two officers may not simultaneously count service in respect of the same office.

Military Service.

356. 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. 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 358(a) and 359*(3).]

(2) In the Public Works Department, Departmental 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 commissions and are promoted to be Assistant Engineers, under Public Works Code, Vol. I, Chapter II, paragraph 224.

(3) 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. 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 will, if at the time on the Unattached List, be required to take his discharge from the Army. He will then count for Civil pension his whole departmental service with the addition of twelve months of the period of instruction at the Forest School.]

(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. 260 of 1865, G. O. C. C. No. 289 of 1867, India Army Circular, clause 125 of 1881, and India Army Circular, clause 100, 1885, and of an Officer of the Indian Subordinate Medical Department 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 Officer's or soldier's service is in the Civil or the Military Department.

357. The Government of India may, in special cases, allow service which is pensionable under Military rules to count for pension on the Inferior scale.

Chapter XVI.—Conditions of Qualifying Service.

Section I.—Definition of Qualifying Service.

Beginning of Service.

358. (*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.]

359. The following exceptions are admitted to the twenty years' rule:—

(1) All officers appointed in England by the Secretary of State; "Indian College Engineers" [see Article 627 (*e*)]; 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.

(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 356.

NOTE.—[Pupils of the Civil Hospital Assistant class in Medical Colleges who are granted leave under Rule 1, Article 52(*b*), count service from the date on which the leave begins.]

360. In the case of Inferior service, service counts after the age of sixteen years.

Conditions of Qualification.

361. 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.

Service under Government.

362. 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 Province of Agra and in the Central Provinces; and Potadars (money-testers) in Bengal.

363. 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.

364. The service of a Native Accountant appointed to a Silladar Regiment in the Bombay Presidency on or after the 6th February 1875 does not qualify.

Service paid from Contract Allowances.

365. 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.

NOTE.—[The maximum Establishment allowance for Registration offices in Bengal is not a Contract allowance within the meaning of this Article.]

366. 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 Rs. 8 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 Rs. 4 a month. *A B* will receive from the General Revenues a maximum pension of Rs. 2 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 Rs. 1,320.

Service under an Employer other than Government.

367. 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 that Province..

(*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*) 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.

General Principles.

368. 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.

369. 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.

370. 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.

371. 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 and Probationers.

372. Service as an Apprentice does not qualify, except in the following cases:—

Engineer or Examiner Apprentices
Qualified students of the Thomason College under practical training } in the Public Works Department.
Assistant Superintendent Apprentices in the Indian Telegraph Department.

373. 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.

374. 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.

These restrictions do not apply to Police Probationers recruited in England after competitive examination, in whose case service counts from the date on which they report their arrival in India, or to Probationers recruited in India under the orders in the Despatch of the Secretary of State, No. 14, dated the 15th March 1894, whose service counts from the date they take charge of the office to which they are appointed.

375. Officiating Deputy Magistrate-Collectors in Bengal count their service for pension from the date on which all the three following conditions are fulfilled, namely,

(1) two years' continuous officiating service as such have been rendered,
(2) departmental examinations have been fully passed, and,
(3) the age of twenty years has been attained.

Permanent Officer deputed.

376. An officer on a permanent establishment detached on temporary duty, on the understanding that, when the temporary duty ceases, he will return to the permanent establishment, counts his detached service.

377. 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 (Section II), or the third condition (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.

378. 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.

379. If the substantive office of an officer is abolished within the meaning of Article 426, 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.

380. 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.

381. (*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, 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 service in the Settlement Department in any Province and the Survey of India followed, without interruption, by qualifying service, qualifies.

NOTE.—[The posts of Head and Second Clerk, Sadr Munsarim, Settlement Officer's Reader, Nazir and Record-keeper in a Settlement Office in the United Provinces, have been declared, with effect from 1st October 1899, to be on a quasi-permanent footing; and service in those posts qualifies from that date, or from any previous date from which the incumbents of those posts on 1st October 1899 may have been serving substantively and without interruption in one or other of the posts in question.]

382. 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.

383. 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.

384. Officers transferred from the Extra or Contingent List of the Calcutta Customs Preventive Service count their service on that list, provided the Collector declares that the transfer is made on the ground of good service rendered.

Section IV.—Third Condition.

Sources of Remuneration.

385. 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 the 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.

386. 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 795.)]

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 Rs. 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 495 (*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.

387. The service of members of office establishments in the Railway Police in Bombay, who are wholly paid by the Railway Companies, qualifies.

388. 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 28, service in Berar is treated as Foreign Service.]

389. (*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 and Trust Funds.

390. Service paid from a Local Fund qualifies, or does not qualify, according to the rules laid down in Chapter XLII.

391. 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.

392. (*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 at Madras and Bombay, or as Official Assignee, does not qualify, even though (as in the case of the former officers) the income from fees or commission is supplemented by pay from the General Revenues.

2. 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 350.

Tenures in Land, etc.

393. 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.

394. 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.

395. Qualifying service is divided into SUPERIOR and INFERIOR.

Inferior Service.

396. Service on pay not exceeding Rs. 10, 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 397, Handicraftsmen, and Labourers.
Bázárs: Cháudharies of —.
Daftaries and Muchies.
Distributors in Printing and Lithographic establishments.
Dockyard and Military Artificers not specially provided for in Article 484.
Forest Guards.
Maistries in the Public Works Department on pay less than Rs. 25.
Menial and Inferior servants of all sorts.
Messengers, Orderlies, and Peons, and their petty officers.
Money-testers (Potdars).
Priests and other officers employed to administer oaths.
Rollermen or Inkmen, Flyboys or Takers-off, in Printing establishments.
Royal Indian Marine: Bhundaries, Cooks' Mates, Lascars, Stokers and Topasses in Sub-marine Mining Vessels of the—.
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 Rs. 15, except in Madras.
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 Rs. 15 and Weighmen attached to the Opium Agencies in Malwa drawing less than Rs. 10 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.

397. All other service is Superior service. The service of the following officers is Superior if their pay exceeds Rs. 10:—

Army Remount Department: Darogahs and native stable overseers in the—.
Bailiffs; Bázárs: Kotwáls of —
Book-binders whose professional occupation is book-binding and who are not mere Daftaries.
Catamaran Maistries at Madras; Commissariat Inspectors.
Compounders; Drivers.
Duffadars in the Thagi and Dakaiti Department drawing Rs. 15 and Rs. 20 a month from the date of the new organisation, *viz.*, the 5th September 1887.
Goungs: Bázár and Cattle-Market Goungs in Burma.
Gunpowder Manufactory, Poona: Fitters and Engine-drivers of the —.
Hospital Purveyors.

Indo-European Telegraph Department; the Serang of lascars and two tindals drawing Rs. 35, Rs. 30, and Rs. 25 a month, respectively, in the Cable Branch of the Subordinate Establishment of the—.

Jail Department: Head Warders whose pay exceeds Rs. 10.

Light-houses; Signalmen in —. Light-keepers (native) in Burma.

Maistries and artificers in the permanent pensionable establishment of the Public Works Department whose pay is not less than Rs. 25.

Medical Department: Cutlers in the —.

Meteorological Department: Whole-time Meteorological Observers in the — drawing Rs. 10 a month.

Mint Artificers, if their occupation is injurious to health.

Potdars, Assistant Potdars and Shroffs in the Post Office whose designation was in December 1899 changed to "treasurer's assistant."

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 380 count service as Superior for those months only in which their earnings exceed Rs. 10.

NOTE 1.—[Under-warehousemen in the Government Press, Madras, and Impositors are Superior servants.]

NOTE 2.—[Pressmen, whose pay, if in receipt of fixed pay, or whose emoluments, if paid for piece-work, are not less than Rs. 15 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 Rs. 15 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.]

Royal Indian Marine: Engine-drivers, Serangs of Lascars, Serangs of Stokers, Tindals of Lascars, and Tindals of Stokers in Sub-marine Mining Vessels of the—.

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 Rs. 30 a month.

Sarkar, Counting and Godown, in the Stamp and Stationery Offices, Calcutta.

Section-Writers admitted under Article 380 in those months only in which their earnings exceed Rs. 10.

Shroffs whose pay exceeds Rs. 15; also all Shroffs of the Revenue Department in Madras, and those in Bombay who were really clerks, and those whose designation was, in October 1858, changed into Karkuns.

Survey of India Department: Artificers in the Mathematical Instrument Office, Head Native Carpenter in the Photographic and Lithographic Office. Head Artificers in the Trigonometrical Branch Office, and two Artificers in the Tidal and Levelling Party.

Taxidermist in the Indian Museum.

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 Rs. 10.

Tide-waiter or Kanikapillai in the Customs Department, Madras.

Tomandárs and Náib Tomandárs of the Thagi and Dakaiti Department.

Treasury Karkuns, formerly called Potdars, in Berar.

Vaccinators, including, in the Central Provinces, the Madras Presidency and the United Provinces, those whose pay is Rs. 10 a month.

Victualling Gomastahs.

Weighmen in the Mints whose pay exceeds Rs. 15 and Weighmen attached to the Opium Agencies in Malwa drawing Rs. 10 and upwards a month.

Service partly Inferior and partly Superior.

398. 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.

399. 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.

400. If an officer holds two or more offices, each of which is Inferior by reason of its pay not exceeding Rs. 10, he cannot count service as Superior, on the ground that his aggregate pay exceeds Rs. 10, unless the offices were arranged and their pay determined with the intention that they should be held by one individual.

401. 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.

402. (*a*) When the regular duties of an officer whose pay exceeds Rs. 10, 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 Rs. 10, is not entitled to pension on the Superior scale merely because he draws pay under a Superior designation.

Examples.—Accountants in the Province of Agra who served under the designation of "Potdárs." A Lithographic Pressman designated as a Copying Clerk.

Chapter XVII.—Rules for Reckoning Service.

Section I.—Special Additions.

Special Appointments.

403. 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.

404. 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.

Madras Famine Duty.

405. A period not exceeding one year 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 Rs. 600 a month.

Military Duty.

406. 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 con-

tracted 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.

Superior Service.

407. Except as provided in Article 408 time passed on leave other than Privilege leave 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.

408. Time passed on leave with allowances counts as service as follows:—

If the total service of the Officer is not less than—	He counts as service a period of leave out of India not exceeding—	He counts as service a period of leave in India not exceeding—
15 years	1 year	1 year.
20 „	2 years	„
25 „	3 „	„
30 „	4 „	2 years.
35 „	5 „	„

NOTE 1.—[The periods in columns 2 and 3 are not cumulative, that is, an officer may not count two years' leave in 15 years' service or more than four years' leave in 30 years' service. The maximum amount of leave both in and out of India which may be counted is that shown in column 2.]

NOTE 2.—[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 3.—[For the purposes of this Article, Ceylon is not held to be "out of India."]

409. Time passed on leave by the following officers during Recess on half pay, or in the case of the Survey of India, on less than half pay or without pay, provided the officers return to duty when required by their superior officers, counts:—

Subordinates of the Survey of India whose service is Superior, Lower Subordinates of the Forest Survey, and Forest Subordinates employed in Kumaon and Garhwal.

NOTE.—[The leave granted during Recess to Tindals and others under clause (iii) of Article 295, is treated as service qualifying for pension, though it exceeds the amount admissible under Chapter XIV.]

410. 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 285.*)

411. (*a*) Subordinates in pensionable Government service passing through a course of instruction in any of the Normal and Agricultural Schools in the Madras and Bombay Presidencies 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 United Provinces in pensionable service who are selected to undergo a course of training at the Training School at Moradabad, 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.

(*d*) Untrained teachers in Berar in pensionable service, who undergo a course of instruction in the Akola Training College, count the time so spent up to a maximum of one year as service towards pension, although they are considered as absent on leave without pay for the whole period of training.

(*e*) Compounders in the Punjab in pensionable service, who undergo a course of training at the Medical College at Lahore, in order to qualify as Hospital Assistants, count the time so spent up to a maximum of one year as service towards pension.

Deputation out of India.

412. 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 employed, or is detained after the termination of his leave, on duty, the period of such employment or detention counts.

Recall to Duty.

413. 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.

414. An Inferior servant counts periods of authorised leave, that is, leave granted by competent authority and not exceeding in amount that admissible under the Leave Rules in Chapter XIV.

415. 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 in Chapter XIV.

Section III.—Suspensions, Resignations, Breaks, and Deficiencies in Service.

Periods of Suspension.

416. Time passed under suspension pending enquiry into conduct counts, if the suspension is immediately followed by reinstatement, but time passed under suspension adjudged as a specific penalty does not count.

417. 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.

418. (*a*) Resignation of the public service, or removal from it for misconduct, insolvency, inefficiency not due to age, or failure to pass a prescribed examination, entails forfeiture of past service (see also Appendix 7).

(*b*) Resignation of an appointment to take up another appointment, service in which counts, is not a resignation of the public service.

419. Any authority who, on revision or appeal, reverses an order dismissing an officer, may declare that the officer's past service counts.

Interruptions.

420. 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 386.*)

(*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.

421. 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.

422. 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.

423. (*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.

424. 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).

425. Pensions for "Inferior service" are regulated by Articles 481 to 485.

Section II.—Compensation Pension.

426. 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 Rs. 20 a month and who, upon the abolition of his appointment, was offered an acting Overseership on Rs. 15 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. 268½, dated 10th September 1879.*)]

427. 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.

Selection for Discharge.

428. The selection of the officers to be discharged upon the reduction of an establishment should *primâ facie* be so made that the least charge for Compensation pension will be incurred.

429. The discharge of one officer to make room for another better qualified is not the abolition of an appointment within the meaning of Article 426; 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 8.*)

NOTE.—The relaxation of the condition laid down in this Article requires the sanction of the Government of India.]

Restrictions.

430. A Deputy Collector, Munsiff, 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.

431. No pension is admissible to an officer for the loss of an appointment on discharge after the completion of a specified term of service.

432. No pension may be awarded for the loss of a Local Allowance.

433. Schoolmasters or other officers who, in addition to their other duties, are employed in any capacity in the Postal Department, are not entitled to Compensation pension on being relieved of such duties.

Special Cases.

434. 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.

435. 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.

436. 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, notice of at least three months is not given, and the officer has not been provided with 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 474 to 481; 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 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.—["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.]

Offer of Re-employment.

437. 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 514, 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.

438. The rule in Articles 511 to 513, requiring the refund of a Compensation gratuity on re-employment, applies to a gratuity awarded under Article 436, 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.

439. Article 437 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 514.

Acceptance of new Appointment.

440. 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.

Section III.—Invalid Pension.

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441. An Invalid pension is awarded, on his retirement from the public service, to an officer who by bodily or mental infirmity is permanently incapacitated for the public service, or for the particular branch of it to which he belongs.

Rules regarding Medical Certificates.

442. 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 at the India Office.

(*b*) If he is serving at or near the capital town of a Province—by the Administrative Medical Officer of the Province, or by a Medical Committee over which the Administrative Medical Officer 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 Rs. 100 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 to show that the head of his office or department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the head of the office or 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.

443. (*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.

444. A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of an officer whose recorded age is less than fifty-five years, but a Medical Officer is at liberty, when certifying that the officer is incapacitated for further service by general debility, to state his reasons for believing the age to be understated. An officer's pension should not be reduced under Article 478 (*a*) on the ground of such a belief having been expressed unless it is clearly shown by the medical and other evidence that the age has been intentionally understated. (*See clauses (b) and (c) of the preceding Article.*)

Form of Medical Certificate in England.

445. 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 the pension or gratuity for which he may be eligible. 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."]

446. 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 must submit the matter for the decision of the Local Government.

Form of Medical Certificate in India.

447. (*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 445, which applies here also.]

(*b*) The object of the 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 427 must always be carefully borne in mind.

Signallers in the Telegraph Department.

448. (*a*) In the case of Signallers in the Indian and Indo-European Telegraph Departments, the medical certificate prescribed by Article 447 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 447 (*b*) and 453 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.]

Special Precautions in the Police.

449. District Superintendents of Police should be on their guard against endeavours to retire on Invalid pension by officers who are capable of serving longer.

450. 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.

451. 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.

452. An officer discharged on other grounds has no claim under Article 441, even although he can produce medical evidence of incapacity for service.

453. Article 427 applies, *mutatis mutandis*, in the case of an officer invalided under Article 441 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.

454. 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.

455. An officer who has submitted under Article 442 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.

456. The object of Article 455 is to discourage tentative applications; but an inferior servant (including in that term a Police officer whose pay does not exceed Rs. 20) 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.

457. Article 455 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.

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458. A Superannuation pension is granted to an officer entitled or compelled, by rule, to retire at a particular age.

459. (*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, the reasons for enforcing it shall be placed on record by the Local Government or other competent authority.

NOTE 1.—[Local Governments should always extend to this rule a very liberal interpretation, so that the State may not, in any case, be deprived of the valuable experience of really efficient officers by the untimely exercise of the powers of compulsory retirement on pension.]

NOTE 2.—[A Native Judge of the Chief Court of the Punjab who is not a Barrister is required to retire on attaining the age of 60 years.]

(*b*) 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."

(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 do *Articles 459 and 912 of these Regulations read together*, not require the compulsory retirement of any efficient officer of whatever age, but that, though the *Articles* authorise 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."

460. An officer, who is compelled to retire under the preceding Article or who retires voluntarily under Article 464, and part of whose service has been Inferior, is entitled to pension on the same conditions as if he had been invalided under Article 481 and to the option allowed by Article 398.

Survey of India.

461. Officers in the Survey of India, of not lower rank than Sub-Assistant Superintendent, cease to be in employ on attaining the age of 55 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.

1. The Government of India may, however, grant an extension of service without previous reference to the Secretary of State, to an officer in charge of a survey party who attains the age of 55 years in the middle of the survey year, provided the extension in no case exceeds six months and is granted solely in the interests of the public service. Cases in which such extensions of service are sanctioned by the Government of India should be reported to the Secretary of State for information.

Delegation of Powers.

462. (*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 permitting any non-gazetted subordinate to remain in the service, provided he continues to be efficient, for a definite period up to, but not beyond, the age of 60 years;

(2) Subject to such conditions as the Local Government may think fit, the power of compelling any non-gazetted subordinate to retire either at the age of 55 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 55 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 Directors of Railway Construction and Railway Traffic, 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 Resident 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.

463. 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 55 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.

464. An officer in Superior service who has attained the age of 55 years may, at his option, retire on a Superannuation pension.

Section V.—Retiring Pension.

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465. 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.

466. No officer, Civil or Military, 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.

Combined Appointments.

467. 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.

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468. The amount of pension that may be granted is determined by length of service as set forth in Articles 474 to 485. 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.

469. A pension is fixed in rupees, and not in sterling money, even though it is to be paid in England.

Award of Full Pension.

470. (*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 Appendix 9.*)

(*b*) If the service has not been thoroughly satisfactory, the authority sanctioning the pension should make such reduction in the amount as it thinks proper.

Limitations.

471. An officer entitled to pension may not take a gratuity instead of pension.

NOTE.—[See the note under Article 807.]

472. 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.

473. 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, from 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 emolu-

ments to be calculated for the last three years, or, if the whole service in India is less than three years, for the whole period of service. The pension is subject to a maximum limit of Rs. 2,000 a year for an Indian service not exceeding ten years and Rs. 4,000 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.

474. The amount of a pension is regulated 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 three 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.	
		Rs.	Rs.
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 ,,	283⅓ ,,
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 486 and 487.]

475. Officers holding any of the appointments enumerated below and belonging to what was formerly termed the Uncovenanted Service, may be allowed by the Government of India an additional pension of Rs. 1,000 a year, provided they have rendered not less than three years of effective service (that is, service of the same nature as that which, under the provisions of Article 644, counts for the special pensions admissible under Article 642) 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, Director-General of Statistics, 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, Deputy Surveyor-General, and Superintendents, 1st Grade.

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.

GENERAL ADMINISTRATION.—Commissioners of Divisions.

JUDICIAL DEPARTMENT.—Judicial Commissioner in the Hyderabad Assigned Districts.

NOTE.—[See special addition to the form of certificate in Form No. 26 (Pension).]

476. 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 474 (*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.
		Rs. Rs.
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.]

477. A Native Judge of the Chief Court, Punjab, who is not a Barrister, is eligible for pension according to the scale in Article 549 (*a*).

PART IV.

Reduction in certain cases.

478. (*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 30 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 30 years.

NOTE 1.—[Article 478 (*a*) is not applied in the case of an officer re-employed after discharge owing to abolition of appointment or ill-health.

In the case of an officer re-employed after resignation, or discharge for misconduct or inefficiency, the words "exceeded 30 years" at the end of Article 478 (*a*) should read "exceeded the sum of 30 years and the term of the previous qualifying service."]

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 who, previous to joining the Jail Department, had served in the Army, the limit of age for the purpose of this Article is 38 years.]

NOTE 4.—[This article does not apply to Port Officers in Madras or to the officers subject to Articles 403 and 404.]

(*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.

479. Clause (*a*) of the preceding Article applies also to the Superior pension of an officer promoted from Inferior to Superior service, if he entered the service of Government after he attained the age of 25 years.

NOTE.—[For the purpose of applying Article 478 (*a*), the date of commencement of qualifying service of a postman or village postman, promoted to Superior service under Article 401, is the date of actual commencement of Inferior service.]

480. In the case of an officer whose qualifying service began after he attained the age of 30 years, the attention of the Examining Medical Officer should always be called to Article 478 (*a*) in order that he may adapt his certificate accordingly.

Section III.—Amount of Inferior Pension.

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481. For Inferior qualifying service, pension may, subject to the conditions laid down in Articles 426 to 457, be granted as follows:—

(*a*) Compensation and Invalid gratuity:

(i) after a service of less than five years—*Nil*;										
"	"	not less than	5	years, but less than	10	years,	3	months'	pay.	
"	"	"	"	10	"	"	15	"	4	"
"	"	"	"	15	"	"	20	"	5	"
"	"	"	"	20	"	"	30	"	6	"

(*b*) Compensation and Invalid pension: After a service of not less than 30 years—half-pay not exceeding four rupees a month.

There is no Superannuation or Retiring pension for Inferior service.

482. If the pay of an officer has been reduced during the last three 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 three years of his service.

Premature Invaliding.

483. 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.

Dockyard and Military Artificers.

484. 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.

Exception.—The following six appointments on the permanent establishment of Artificers of the Bombay Dockyard are classed as "Superior" for the purpose of calculating pensions:—
Head Foreman on Rs. 180, Foremen on Rs. 135, 100, 80 and 70, and Engine-driver, pumping engine, on Rs. 100.

Telegraph Messengers.

485. 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.

Emoluments and Average Emoluments.

486. The term "Emoluments," when used in this Part of the Regulations, means the emoluments which the officer was receiving immediately before his retirement, and includes—

(*a*) Pay;

(*b*) Personal allowance; continues to reckon as part of "Emoluments" even when it is wholly or partly absorbed in acting allowance not so reckoning.

(*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 three years' actual service previous to retirement—but see example (3) under Article 489;

(*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 371, 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 380, "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.

487. The term "Average Emoluments" means the average calculated upon the last three years of service.

1. If, during the last three 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 403, only the allowances, if any, actually received during the Recess should be taken into account.

2. If, during the last three 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 three 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 380, "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.

488. 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.

489. 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 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 three years of his service exceeds Rs. 600 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 three years of service does not exceed Rs. 600 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.

490. When service on temporary duty counts for pension under Article 376, 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.

491. 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 379*), 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.

492. 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 474 to 480.

493. 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 I.—Extent of Application.

Government Police.

494. The rules in this Chapter apply to:—

(*1*) 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.

(*2*) The Trans-Indus Police Force, which was not organised under Act V of 1861 until the 4th August 1873, and never possessed a Superannuation Fund.

(*3*) 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.

(*d*) 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 the Legislature.

Municipal Police.

495. (*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.

496. 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.

497. 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 pension.

Railway Police.

498. 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.

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499. Service in any of the Police Forces mentioned in Article 494, 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 and members of the Oudh Military Police, Police officers whose pay did not exceed Rs. 20 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 Rs. 20 did not contribute, as they came under the operation of the ordinary pension rules.

By Act X of 1869 the Superannuation Funds established under Acts 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 1857 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 Superannuaton 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 for the Police, or according to the scale prescribed in *Article 481 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.*)]

500. 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.

501. 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.

(*b*) Service in Superior grades in any other department qualifies.

(*c*) Service in the Bombay Excise (Abkari) Police, before that Force was amalgamated with the Bombay District Police, qualifies.

(*d*) Native Commissioned officers and men of the Army who volunteer for transfer to the levies and Military Police raised in Burma, in consequence of the annexation of Upper Burma, are allowed to count their Army service for pension under the rules applicable to the Police in that Province.

(*e*) A subadar or jemadar of the Bengal or Assam Military Police, recruited from the Army or from a local corps, and Native Officers and men of the Dera Ghazi Khan Border Military Police recruited from the Army count service as follows:—

(i) a man recruited from the Army will be eligible for pension under the civil rules (counting both his part Military and Police service) on completion of ten years' service in the Military Police. If he retires with less than ten years' service in the Police, he will be granted pension on the Military scale according to his rank for the whole period of his service including service in the Police.

(ii) a man recruited from a local corps, may count half his service in such corps towards Civil pension.

NOTE.—[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.

502. 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.

NOTE.—[The power conferred by this Article on the Inspector-General may be exercised in Bombay by Commissioners of Divisions, the Commissioner of Police, Bombay, the Commissioner in Sind and the Political Agent, Kathiawar.]

Section III.—Amount of Pension.

Officers on pay not exceeding Rs. 20.

503. 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 505, 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 407, 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 Rs. 20 a month, who enlisted after the 19th July 1871, may retire on pension without medical certificate after twenty-five years' service.]

504. (*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.

505. 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.

(*b*) If he was enlisted or re-enlisted on or after the 19th July 1871, by Scale B.

Officers on pay exceeding Rs. 20.

506. 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 502 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.

507. 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 398 and 481 to 483 for the whole of his service, both Inferior and Superior (see Article 460).

508. An officer who, under Article 505, 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 481, one month's pay for every complete two years of service, but not more than twelve months' pay in all.

Calculation of Pension.

509. 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 504), 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* 499]. 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.

Chapter XXI.—Re-employment of Pensioners.

Section I.—Civil Pensioners.

Notice of Re-employment.

510. 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 from pension or salary as required by the rules in this Chapter.

After Compensation Gratuity.

511. 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.

512. 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 w s given. The right to count previous service does not revive till the whole amount is refunded.

NOTE.—[The equity of this rule 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.]

513. The attention of every officer who is re-employed should be specially called to Article 512 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.

514. (*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 518.]

515. In the case of a Section-writer or Press servant (*see Article 380*) re-employed, the pay of the appointment abolished is taken at the average earnings of the last six months of employment.

516. If an officer does not, within three months from the date of his re-employment, exercise the option conceded by Article 514, of ceasing to draw pension and counting his former service, he may not thereafter do so without the permission of the Local Government.

517. An officer who, under Article 514, 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.

518. (*a*) Article 514 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 514 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.

519. 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.

520. 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.

After Retiring Pension.

521. 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.

522. 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 514.

523. 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.

524. A pensioner of any class may, with the sanction of the Local Government, be employed without loss of pension, provided that the employment is *bonâ fide* temporary, lasting for not more than a year. This rule applies to all Pensioners, Civil, Military and Naval.

Section II.—Military Pensioners.

525. Except where it is otherwise expressly stated, the foregoing rules do not apply to a Military pensioner in Civil employ. The claims of such an officer to salary and pension in the Civil Department are not affected by his Military pension. But if the Army pension of a soldier in Civil employ who continues to serve in his Civil appointment after he has earned a Military pension, is payable, wholly or in part, from Indian Revenues, his salary in the Civil Department will be reduced by an amount equal to so much of his pension as is payable from Indian Revenues.

526. 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, other than a good service pension or a pension obtained after a prescribed period of service otherwise than on medical certificate, 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 had he not done so.

527. The pension of the heir of a Native Commissioned or Non-Commissioned officer or soldier, or of the heir of a Medical subordinate, will, during employment in any Civil department, merge in his salary.

528. 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 they continue to serve in that Force. But the gratuities granted to discharged soldiers enlisting into the Burma Military Police need not be refunded.

Section III.—Pension for New Service.

529. Except as provided in Articles 525 to 528, 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.

530. If an officer who has obtained a Compensation or Invalid pension is re-employed in pensionable service and retains the pension (see Article 514), 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 Rs. 90 (his salary having been Rs. 300), was re-employed after six years in an appointment on Rs. 200 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 Rs. 1,800. But if the two periods were combined, the pension admissible would be Rs. 100. 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 10, Rs. 1,386. The gratuity must therefore be reduced to Rs. 1,386.

531. (*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 10, *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.

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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.

532. 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. IV, 85, s. 77.).

[1] (*Sic* in original—Query "under.")

533. 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. IV., 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.

534. (*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.

535. 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 539).

Section III.—Members of Council.

Tenure of Office.

536. The tenure by a Member of Council of his office begins from the date on which he first takes upon himself the execution of his office, whether as a temporary Member appointed in India, or after the issue of His Majesty's warrant of appointment; 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. Any time during which a Member of Council (not being himself granted leave) draws less than full pay shall not be computed as part of his five years' tenure of office.

Leave Rules.

537. 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.]

538. 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.

539. 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.

540. 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.

541. The salary of the substantive office of a temporary Member of Council appointed in the place of an Ordinary Member of Council who, by reasons 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.

542. 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 Rs. 616⅔ 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 Rs. 4,166⅔ 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 purpose 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 1146 in Part XI.—see also Article 1148 regarding Meetings of the Legislative Councils of Madras and Bombay away from head-quarters.]

Chapter XXIII.—Judges of the High Courts.

Statutory Rules.

543. The following rules made, under Statute 24 and 25 Vict., c. 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 25th day of April 1899.

N.B.—[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,—

"Acting Chief Justice" means a Judge appointed under Section 7 of Statute 24 and 25 Vict., c. 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 and Acting Chief Justice, and an Acting Judge, except where the contrary is expressed.

"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 authorized 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 Rs. 72,000 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 Rs. 60,000 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 Rs. 48,000 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 Rs. 50,000 per annum.

5. Every Chief Justice, or Acting Chief Justice, and every Judge, or Acting Judge, shall be allowed to draw, in addition to his salary, any exchange compensation allowance which may be sanctioned for public servants generally, subject always to the conditions and limitations prescribed in the rules relating to such allowance.

5-A. If a Judge of a High Court shall be nominated, under Section 10 of the Indian Councils Act, 1861, to be an Additional Member of the Council of the Governor-General, for the purpose of making laws and regulations, he shall be entitled to receive, so long as he shall be engaged as a Member of the Council on any special legislative measure on behalf of the Government, a deputation allowance at the rate of Rs. 166⅔ a month, in addition to the salary of his appointment as Judge.

Section II.—Leave.

Furlough earned.

6. 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.

7. Except under Rules 9 and 10, no furlough shall be granted until at credit under Rule 6. But any Judge already in the service of the Government at the time of being appointed to the High Court, who, when so appointed, had at his credit, under the rules applicable to the branch of the service to which he belonged, furlough without medical certificate, may be granted furlough for a term not exceeding the amount so at his credit: 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.

8. Except under Rules 9 and 10, 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.

9. Under medical certificate, furlough may be granted before it is at credit under Rule 6, and although three years' actual service may not have been completed since the last return from furlough or from extraordinary leave.

10. On urgent private affairs, furlough may be granted to a Judge before it is at credit under Rule 6, 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.

11. 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.

12. 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 11, according as the furlough begins or ends in or out of India.

Subsidiary Leave.

13. 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 a subsidiary leave not ordinarily exceeding thirty days, which in special cases may be extended.

Leave Allowances.

14. A Judge, when on furlough, shall receive allowances at the rate of Rs. 833-5-4 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 Rs. 833-5-4 a month.

Number of Furloughs admissible.

15. 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.

16. 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 6 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 the commencement of his service 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 abovementioned respects, the preference shall be given to the senior in the Court.

Privilege Leave—Present rules.

17. Subject to the exigencies of the public service, a Judge who has com-

pleted 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.

18. Rule 17 does not apply to the following Judge :—

Prinsep, Sir H. T., Kt., ... Calcutta,

to whom privilege leave may be granted 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.

Combination of Leave.

20. Privilege leave may be prefixed but not affixed to furlough. This rule is to have effect as from the 25th of January 1901.

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.*

Effect of Leave on substantive appointment, etc.

23. No substantive appointment shall be vacated merely by reason of leave being granted under the 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 17 or 18) is not obliged to return to duty on an authorized holiday, unless another officer is officiating as Judge in consequence of his absence.

* Leave allowance is now paid monthly in arrear if payment is made in England.

Vacation is not an authorised 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 14, 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.

Section III.—Pensions.

Chief Justice.

27. A Chief Justice of the High Court at Calcutta after an actual service of eleven and a half years as Judge of a High Court, of which period at least five years and nine months shall have been as Chief Justice of the High Court at Calcutta, shall receive a pension not exceeding £1,800 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 eleven and a half years as Judge of a High Court, of which period at least five years and nine months shall have been as Chief Justice, shall receive a pension not exceeding £1,500 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 eleven and a half years as Judge, receive a pension not exceeding £1,200 per annum.

Invalid Pension.

30. A Chief Justice or Judge, who retires on medical certificate after six years and nine months' actual service, shall receive a pension not exceeding one-half the amount of pension allowed for the full period of service.

Previous Service.

31. 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.

32. 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.

33. 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 his 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.

Member of the Indian Civil Service.

34. No Judge, selected from the Covenanted Civil Service, shall receive any pension under those 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 Covenanted 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.

35. 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.

36. If a Judge be appointed to be a Chief Justice in the Court in which he has heretofore 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.

37. 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.

38. A Judge appointed under Statute 24 & 25 Vict., Chapter 204, 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 or of £1,800 per annum as the case may be: provided also that the period during which a Judge performs (under section 7 of the Statute 24 & 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 a year, unless such Judge is subsequently appointed to the office of Chief Justice of the said High Court at Calcutta.

Extent of application.

39. These rules, numbered respectively 1 to 26 inclusive and 33 to 38 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 32 inclusive shall not apply to any Chief Justice or Judge now holding office who shall before the 1st day of July 1899 give notice to the Government of India that he elects to remain under the operation of the rules under which he now may be serving.

Section IV.—Expenses for Equipment and Voyage.

40. 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.

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.

544. (*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.

545. 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.

Barristers' Privileges.

546. 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.

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.

547. 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 Courts of the Punjab and Lower Burma.
First Judges of Small Cause Courts of Presidency towns.
Secretary to the Government of India in the Legislative Department.
Judicial Commissioner or Additional Judicial Commissioner of Oudh.
Administrator-General of Bengal.

Leave Rules.

548. (*a*) The Statutory Rules which regulate the Furlough and leave of absence of High Court Judges (Article 543, 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. 14, Article 543.

(*c*) The Privilege leave of the Secretary to the Government of India in the Legislative Department, of the Judicial Commissioner or Additional Judicial Commissioner of Oudh and of the Administrator General of Bengal is regulated by the rules in Part III.

Special Pensions.

549. (*a*) Special pensions are admissible as follows, but the officers named in Article 547 are otherwise subject to the "Ordinary Pension" Regulations in Part IV:—

(1) After an active service of not less than 11½ years, a Retiring pension of £1,000 a year in the case of Judges of the Chief Courts of the Punjab and of Lower Burma; and £750 a year in the case of persons holding any of the other Barrister appointments specified in Article 547.

(2) After an active service of not less than 6¾ years, an Invalid pension not exceeding one-half the amount of pension allowed for the full period of service.

NOTE.—[The above scale of pensions does not apply to the following officers, who have elected to remain under the rules previously existing:—

Mr. J. M. Macpherson, C.S.I.	Mr. A. P. Handley.
Mr. C. W. Chitty.	Mr. G. T. Spankie.

(*b*) The Active Service of the officers referred to in Article 547 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.

550. Barristers to whom the rules of this Chapter applied on the 25th June 1901 are exempt from the rule in Article 459 regarding retirement at 55 years of age. Barristers who after that date become subject to the rules in this Chapter are required to retire on attaining the age of 60 years.

Chapter XXV.—Members of the Indian Civil Service.

Date of Arrival in India.

551. 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 United 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.]

NOTE 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 United Provinces or the Punjab, and had permission to enter India *viâ* Bombay, the date on which he reported his arrival at Bombay.]

552. Article 187 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.

553. Unless there be something repugnant in the subject or context, pay and allowances are governed by the rules in Part II. Acting allowances are calculated in accordance with the rules in Articles 104 to 108.

Leave Rules.

554. The leave rules applicable are the European Service Leave Rules in Part III.

1. 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.
2. 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 or of Lower Burma is regulated by Rules 17 and 20, Article 543.

555. No leave but Privilege leave may be granted to an officer who has completed 35 years' service. Any leave other than Privilege leave granted to an officer before such date ceases to have effect on the date he completes 35 years' service.

Annuity Deductions.

556. (*a*) Four per cent. shall be deducted at the time of payment from every officer's pay, and from such of his other public emoluments as are mentioned below:—

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 required by this Article is included in the contribution levied from an officer on Foreign Service of the first and second kinds under the rules in Part VII; when, however, an officer 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 761 to 765.

Civil Fund Deductions.

557. 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.

NOTE.—[The rates of subscriptions to the several Funds are given in Appendix 11.]

558. 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 officers are allowed, on payment of equal subscriptions, to secure like benefits to those which the Civil Funds secure to Europeans:—

Bengal Establishment.		*Bombay Establishment.*
(2) Mr. B. L. Gupta.	(2) Mr. C. Rustamji.	(1) Mr. S. N. Tagore.
(2) ,, B. De.	(2) ,, K. J. Badshah.	

(1) Specially admitted to the Civil Funds.
(2) Allowed to subscribe to the "General Revenues" at Civil Fund rates.

559. The following officers who arrived in 1881-82, and all European officers junior to them, are required to subscribe under the "Indian Civil Service Family Pension Regulations":—

Mr. E. T. Lloyd, Bengal; Mr. F. E. Robinson, Madras; Mr. A. C. Logan, Bombay.

560. (*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 Funds 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 His 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.

561. 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.

562. 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.

563. 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.

564. 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 561, 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 561 and 564 are based on Act 37 Vict., cap. 12.]

Compulsory Retirement.

565. (*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.

NOTE.—[This rule does not apply to an officer holding the appointment of a Judge of a Chief Court. Such an officer is required to vacate his appointment on attaining the age of 60 years.]

(*b*) The period of five years 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 His Majesty the King-Emperor of India, but the retention of such an office should be subject to the condition prescribed in Article 563.]

Chapter XXVI.—Statutory Civil Servants.

566. The following rules regulate the pay and allowances, pension and leave of Statutory Civil Servants:—

Pay and Allowances.

1. The pay or salary of an officer 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 an officer when out of employ is as follows:—

	Rs.
To an officer who has rendered not more than eight years' Active Service [as defined in *Section 1* (Pension Regulations)] . .	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.

Section 1.—In these Regulations—

"Active Service" means active service in an office ordinarily held by a member of the Indian Civil Service, and includes besides time spent on duty—

(1) Any period not exceeding two years spent on probation in India:
(2) Privilege and Subsidiary leave of absence:
(3) Time passed in India out of employ on Subsistence allowance:
(4) Time passed on leave with allowances out of India to the extent of one year in a total service of not less than 15 years, and two years in a total service of not less than 25 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, an officer, who has reached the age of 55 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.—[The period of five years 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.—Pension shall in no case exceed Rs. 5,000 a year after an active service of not less than 25 years, and Rs. 6,000 a year after an active service of not less than 30 years. 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 25 years' active service, an officer is entitled to a Retiring pension of half his average salary during the three last years of his active service.

(*b*) An officer who, upon a medical certificate in the form prescribed in Article 447, is permitted to resign the service before he has completed 25 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 Rs. 1,500 a year, *plus* Rs. 150 for each complete year of active service in excess of ten.

PART V.

Section 5.—(*a*) An officer removed from the service, under Section 2, after an active service of less than 25 years, is entitled to a Superannuation pension.

(*b*) On reaching the age of 55 years, an officer may retire upon a Superannuation pension, the amount of which is the same as that of an Invalid pension.

Section 6.—(*a*) An officer 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 an officer 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* XLIX.

Leave Regulations.

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 an officer gives up office as he has passed on duty, or on Privilege or Examination leave. Average salary in excess of Rs. 1,400 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, an officer is entitled to a quarter of his average salary. During any other leave excepting Privilege leave, Examination leave or Extraordinary leave, he is entitled to half his average salary : Provided that the leave allowances of an officer shall in no case exceed his actual salary when he was last before on duty.

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 342.]

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, provided that a period of not less than eighteen months has elapsed since last return from Privilege leave in excess of six weeks' duration. 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 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.

Section 7.—Leave taken by an officer 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, and Privilege leave under Article 233, 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 an officer absent on Leave on Private Affairs, or Furlough, takes an extension on medical certificate, the whole of his absence is 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.—An officer who has reached the age of 55 years is not eligible for any leave, except Privilege leave. Leave, other than Privilege leave, granted to an officer before his fifty-fifth birthday cannot extend beyond that date.

Section 10.—If an officer is absent without leave, or remains absent after the end of leave (excepting Privilege leave, in which case a week's grace is allowed), he vacates his appointment; after five years' continuous absence from duty, whether with or without leave, an officer 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.

Chapter XXVII.—Ecclesiastical Officers.

Section I.—Bishops.

567. 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 Warrants, dated 28th July 1888 and 11th February 1901.

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.]

Extraordinary Furlough.

6-A. The Governor-General in Council may grant furlough when not otherwise admissible under the rules for a period limited to three months, to the Metropolitan, or, on the recommendation of the Metropolitan and with the concurrence of the Government of Madras or Bombay, as the case may be, to the Bishop of Madras or Bombay.

The grant of such extraordinary furlough will be subject to the limitation that no further expenditure of the revenues of India be thereby entailed, and to the following conditions :—

(*a*) That the purpose for which the leave is granted shall be specified in the Gazette Notification granting it;

(*b*) That it shall not be granted more than twice during a Bishop's tenure of his office;

(*c*) That a second period shall in no case be granted unless six years' active service has been rendered after the first period.

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 Rs. 500 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 Rs. 500 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.

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 Rs. 833-5-4 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 Rs. 833-5-4 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.

568. A Bishop of Madras or Bombay exercising the Episcopal Jurisdiction and Functions appertaining to the See of Calcutta during the 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.*, Rs. 3,831-6-8.

569. An Archdeacon or a Chaplain appointed to hold charge of the Diocese of Calcutta, Madras, or Bombay during a vacancy in the See is entitled to an allowance of Rs. 500 a month in addition to the pay of his substantive office, provided that the arrangement does not involve any

extra expense to the State beyond what would be incurred if the Bishop were present on duty. He is also entitled to the travelling and other similar allowances admissible to the Bishop; but the grant of visitation allowance is subject to the restriction laid down in Articles 1112 and 1149.

570. The official status of the Bishops of Rangoon, Lucknow and Lahore is that of a Senior Chaplain, and, as such, they are subject to the rules in Articles 573 to 599. Article 567 does not apply to them.

Section II.—Archdeacons, and Presidency Senior Chaplains of the Church of Scotland.

571. The following special allowances are granted to Archdeacons, and Presidency Senior Chaplains of the Church of Scotland:—

	Substantive Officers. Rs.	Officiating Officers. Rs.
Archdeacon of Calcutta, Madras, or Bombay	266⅔	166⅔
,, of Lahore or Presidency Senior Chaplain of the Church of Scotland in Calcutta	200	100
Presidency Senior Chaplain of the Church of Scotland in Madras or Bombay	150	75

572. (*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 Rs. 500 (Rule 8 in Article 567) and the travelling and other allowances admissible to the Bishop. Notice officially received that the Government has directed the Archdeacon to undertake the Bishop's jurisdiction or to take charge of the Diocese is sufficient.

(*b*) The allowance of Rs. 500 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.

Residence and Service.

573. (*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 appointed while resident in India, from the date on which he takes charge of his office, but he must not assume charge before the despatch from the Secretary of State appointing him is received in India. Residence includes besides time spent on duty—

(*i*) Privilege and Subsidiary leave,

(*ii*) Time passed out of employ in India otherwise than on leave.

(*b*) "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.

574. 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 or directed to proceed.

575. (*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.

576. Chaplains are divided into two grades, senior on Rs. 800 a month, and Junior on Rs. 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 Rs. 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. Probationary service, which is passed under the Government, counts in all cases towards leave and gratuity, and if the Chaplain was appointed after the 17th March 1892, it also counts towards pension. Probationary service, which is not passed under the Government, does not count towards leave or gratuity, but if the Chaplain was appointed after the 17th March 1892, it counts towards pension.

NOTE.—[A Clergyman must have been three years in priest's orders before his nomination as a probationer.]

577. Junior Chaplains are entitled to be appointed "Senior Chaplains" after ten years' service, as defined in Article 573 (*b*), in the grade of Junior Chaplain.

578. The pay and allowances of a Chaplain of the Church of England are paid in the Civil Department.

579. A Chaplain of the Church of Scotland, when ministering to a Scotch Regiment, is ordinarily attached to the regiment and not appointed to the station where the regiment is quartered. When so attached, he draws his pay from the Military Department, but when appointed to a station, he draws his pay from the Civil Department.

Rules regarding Leave.

NOTE.—[A Chaplain on probation is not entitled to any leave during his probation, except Privilege leave under Article 592.]

580. The amount of Furlough "admissible" to a Chaplain is limited to six years. All the rules in this Section are subject to this limitation.

581. The amount of Furlough "earned" by a Chaplain is one-fourth of his Active Service, and three months in addition thereto.

582. The amount of Furlough "due" to a Chaplain is the amount which he has earned, diminished by the amount of Furlough which he has enjoyed.

583. (*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 Articles 828 to 832 and 836 to 838, 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 a period of not less than eighteen months has elapsed since his last return from Privilege leave of over six weeks' duration;
(iv) 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 reserves to himself the power of allowing a Chaplain to remain in Europe beyond three years, should special and exceptional circumstances require it.

584. (*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.

585. (*a*) A Chaplain on Furlough is entitled to allowances as follows:—

	Ordinary Furlough. £	Other Furlough. £
Archdeacon of Calcutta, Madras, or Bombay, and the Presidency 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 ,,

An Archdeacon of Rangoon or Lahore draws no extra furlough allowance by reason of his office as Archdeacon.

NOTE.—[A Junior Chaplain appointed a Senior Chaplain while on furlough is entitled to the higher furlough allowance specified in this Article from the date of such appointment.]

(*b*) To a Chaplain proceeding on Furlough to England (not combined with privilege leave), 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 583;

(ii) so much of Furlough under Article 584 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.

586. 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.

Special Leave.

587. 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.

588. 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.

589. 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.

590. A Chaplain on subsidiary leave is entitled to the same allowances as during the leave to which it is subsidiary.

591. A Chaplain may draw allowances as if he were on Privilege leave, for any part of his Subsidiary 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 and Extraordinary Leave.

592. 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.]

593. Privilege leave to the amount due may be prefixed as such to Furlough, Special leave on urgent Private Affairs, and Extraordinary leave without allowances, under the conditions prescribed in Article 233: Provided that when Privilege leave is so combined, the amount of the Privilege leave due shall be calculated under the rules in Chapter XII.

594. In applying for Privilege leave, a Chaplain must, except when the leave is combined with other leave under Article 593, record the declaration prescribed in Article 826.

595. A Chaplain may not take Privilege leave in instalments.

596. A Chaplain on Privilege leave is entitled to the same pay and house-rent as if he were on duty.

1. An Archdeacon, Presidency 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 Presidency Senior Chaplain of the Church of Scotland, on Privilege leave, may draw his Special allowance (*see Article 571*), but an officer acting as Archdeacon or Presidency 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 Presidency 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.

597. Extraordinary leave under Article 332 may be granted to the officers in this Section.

Benefices in the United Kingdom.

598. The orders in the following despatch from the Secretary of State No. 132 Public, dated 27th 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."

Right and Title to Pension.

599. Chaplains are entitled to pension according to the following scale:—

Gratuity and Pension on Medical Certificate.

Chaplains appointed before 17th March 1892.

	Per annum. £ s. d.
Seven years' residence and over	127 15 0
Ten years' residence and over	173 7 6
Fifteen years' residence and over	292 0 0

Chaplains appointed after 17th March 1892.

	£ s. d.
Under ten years' residence, for each completed year, a gratuity of	80 0 0
	Per annum. £ s. d.
Ten years' and over a pension of	127 15 0
Thirteen years' and over a pension of	173 7 6
Eighteen years' and over a pension of	292 0 0

Retiring Pension.

Chaplains appointed before 17th March 1892.

	Per annum. £ s. d.
After 17 years' residence and 20 years' service	365 0 0

Chaplains appointed after 17th March 1892.

	Per annum. £ s. d.
After 20 years' residence and 23 years' service	365 0 0

NOTE.—[(*a*) Gratuities are subject to a maximum of £800 and a minimum of £200.
(*b*) The invalid pensions of £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 India Office that the officer is permanently unfit to serve in India.]

Compulsory Retirement.

600. A Chaplain must retire after twenty-five years' service, unless specially exempted by the Secretary of State, on the recommendation of the Governor-General in Council, or if he belongs to the Madras or Bombay Establishment, of the Governor in Council of his Presidency.

Leave after completion of period of Service.

601. No leave, other than Privilege leave under Article 592, may be granted to a Chaplain who has completed twenty-five years' service. Leave other than Privilege leave granted to a Chaplain before completion of twenty-five years' service ceases to have effect on such completion.

NOTE.—[Articles 600 and 601 do not apply to the Bishops of Rangoon, Lucknow and Lahore (see Article 570.)]

Section IV.—Ministers other than Chaplains.

602. 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 Rs. 100 a month.

603. 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.

Chapter XXVIII.—Military Officers.(1)

Section I.—Pay, Allowance, and Leave Rules.

604. The acting allowances of Military* Officers in Civil employ are governed by the rules in Articles 104 to 116, and the leave of Military officers subject to the Civil Leave Rules is granted under the European Service Leave Rules in Chapter XIII.

605. The Local Government may grant Furlough or leave under Military Rules or Special leave under Article 316 to a Military Officer subject to the Military Leave Rules.

NOTE 1.—[The grant of Furlough other than on medical certificate to a Military Officer in Civil employ is subject to the condition that a period of not less than eighteen months has elapsed since his last return from Privilege leave of over six weeks' duration.]

NOTE 2.—[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 322.]

606. A Local Government may also grant Short Leave (under Civil or Military rules, as the case may be) to a Military Officer subject to the Military Leave Rules.

NOTE 1.—[This Article also applies to officers of the British Service employed in a Civil Department in India.]

NOTE 2.—[Privilege leave in combination with other leave is admissible to a Military Officer in Civil employ under the conditions and limitations in Article 233.]

NOTE 3.—[A Military Officer 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, or as an A.-D.-C., appointed from Military employment, is not entitled to Privilege leave under Chapter XII of these Regulations.]

607. 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. 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.

608. No leave can be granted, under the rules in Part III, to a Departmental Officer or Warrant Officer, except under Article 606.

609. The allowances of a Military Officer subject to the Military Leave

(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 * 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.

* 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.)*

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 108 (*b*).]

610. 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.

611. 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.

Section II.—Compulsory Retirement from Civil Employ.

Ordinary Rules.

612. (*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 subsequent temporary promotion to a higher appointment.

NOTE.—[When the sanction of the Secretary of State is required to the extension of the term of service of a Military Officer in Civil employ after attaining the age of 55 years, it should be obtained previous to the event. Sufficient notice must therefore always be given to the Government of India in such cases to admit of a timely reference being made to the Secretary of State.]

(*b*) The period of five years begins 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.

Exception.—Medical Officers of the Administrative grades—namely, Surgeon-Generals and Colonels—are not compelled to retire from the service, until they attain the age of 60 years.

613. The undermentioned officers cease to be in Civil employ on attaining the age of 55 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*) Officers of the Indian Medical Service below the rank of Colonel;

(*c*) Departmental Officers and Warrant Officers.

614. 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 re-appointment or for employment in the same or any other appointment, at the discretion of the Government of India in the Military Department. In such a case, his Civil pay will be reduced by the amount of his Colonel's allowance, which will be included in, and not given in addition to, his consolidated salary.

Public Works Department.

615. A Military Officer in the Public Works Department, who on reaching the age of 50 years has not attained the rank of Superintending Engineer, will be liable to be called upon to vacate his appointment.

616. Military Officers in the Public Works and Telegraph Departments cease to be in Civil employ on attaining the age of 55 years.

617. 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.

618. 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.

619. (*a*) Article 616 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 re-appointment 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 re-appointment, 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.

NOTE.—[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.]

Leave after Completion of Period of Civil Employ.

620. (*a*) No leave but privilege leave may be granted to a Military Officer in Civil employ, whether subject to the Civil or Military Leave Rules, or to any Naval Officer who is more than 55 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 55 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, namely, Surgeon-Generals and Colonels, "sixty" or "sixtieth," as the case may be, should be substituted for "fifty-five" or "fifty-fifth."

Chapter XXIX.—Civil Veterinary Department.

Acting Allowance and Leave Rules.

621. Officers officiating in the Department draw the pay of their Military rank *plus* half the Civil allowance attached to that rank.

622. 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 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 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 Department counts all service rendered under those rules as service for Civil furlough.]

NOTE 3.—[Previous service in an appointment which has been absorbed into the Civil Veterinary Department counts, for the purposes of this rule, as service (substantive or officiating, as the case may be) in that Department.]

Pension Rules.

623. The pension rules of the Civil Veterinary Department are as follow:—

(*a*) No officer becomes qualified for pension under the scale fixed for the Department until he has rendered ten years' service in it.

(*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 a year.

Officers retiring before having completed ten years' service in Civil employ 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.]

624. The rules in Chapter XXVIII relating to the retirement of Military Officers in Civil employ upon attaining the age of 55 years apply to Army Veterinary Officers in the Civil Veterinary Department.

Service in the Field.

625. Civil Veterinary Officers called upon to serve with an army in the field are entitled to the privileges of their army rank and retain their Civil pay and allowances. Such service counts for leave and pension in the same way as service rendered in the Civil Department.

Family Pensions.

626. 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 XXX.—Civil Engineers and Telegraph Officers.

Section I.—Pay and Leave Allowances.

627. The rules in this Chapter apply, to the extent stated in the several Articles, to the following officers:—

(*a*) Officers of the Public Works and Telegraph Departments appointed from the Royal Indian Engineering College at Coopers Hill.

(*b*) Stanley Engineers.

(*c*) Other Civil Engineers appointed by the Secretary of State before the 1st November 1873.

(*d*) Officers who entered the Telegraph Department under covenant with the Secretary of State.

(*e*) Indian College Engineers appointed in India.

(*f*) Other Civil Engineers not of purely Asiatic descent appointed in India.

NOTE.—[Section III of this Chapter applies 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 (*a*) and (*d*);

(*b*) Civil Engineers of the class described in clause (*f*) who are of pure Asiatic descent.]

Commencement of Service.

628. If a Coopers 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.

629. If a Coopers 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.

630. The service of a Cooper's Hill Engineer, whose case is not provided for in Article 628 or 629, 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 lands in India.

631. 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 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.

632. 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.

Rules regarding Pay and Allowances and Leave.

633. 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, the acting allowance rules applicable to them being those in Chapter VI.

634. The Civil Engineers and Telegraph Officers whose leave is regulated by the European Service Leave Rules (Chapter XIII) are enumerated in Article 297, clauses (*c*) and (*e*). The leave of all other officers is regulated by the Indian Service Leave Rules (Chapter XIV).

Section II.—Pension Rules.

635. The rules in this Section apply to all officers of the classes described in clauses (*a*) to (*d*) of Article 627 and also to those Engineers whose names are given in Appendix 12.

NOTE.—[The rules in Article 643 apply to all classes of officers of the Public Works and Telegraph Departments.]

636. The pensionary claims of Indian College Engineers and of other Civil Engineers (whether of purely Asiatic descent or not) appointed in India, and of Telegraph Officers not included under clauses (*a*) and (*d*) of Article 627, are governed by the ordinary rules 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 642, applicable to the officers specified in Article 635:

Provided that Civil Engineers and Telegraph Officers who are members of the Provincial Services of the Public Works and Telegraph Departments 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.

637. 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 below to an officer belonging to the classes referred to as appointed in India in Article 627, provided that he be not of purely Asiatic descent. This Article does not apply to officers of the Provincial Service.

Not less than Rs. 1,000 or more than Rs. 2,000 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

638. Unless there is something repugnant in the subject or context, the rules of Part IV apply to officers defined in Article 635, but they are modified in the points noted in the following Articles.

639. The rule which excludes service under the age of twenty years does not apply to the officers defined in Article 635 or to Indian College Engineers.

640. Privilege leave and Subsidiary leave count as service. Other leave counts to the extent stated in Article 408.

641. The following special scale of pensions is admissible to the officers defined in Article 635:—

(*a*) After a service of less than ten years, an invalid gratuity on the scale laid down in Article 474 (*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.	
		Rs.	Rs.
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 25 and above	30 sixtieths of Average Emoluments	4,000 a year or 333⅓ a month. 5,000 ,, 416⅔ ,,

Special Additional Pensions.

642. One or other but not both of the following special additional pensions over and above those allowed in Article 641 may be granted by the Government of India to officers of the classes specified in Article 635, limited in the case of the Engineer Establishment to those appointed not later than 1898 and of the Telegraph Department to those appointed not later than 1897, as rewards of approved service in the responsible positions mentioned below :—

(*a*) *Additional pensions of Rs. 2,000 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 Rs. 2,000, as the number of complete months' service in the grades referred to in this clause bears to the full period of three years.]

(*b*) *Additional pensions of Rs. 1,000 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.

NOTE 1.—[For the purpose of awarding these special additional pensions, Civil Engineers, of the classes enumerated in Article 635, in Class I of the State Railway Revenue Establishments or in Classes I, II, and III of Examiners, Public Works Accounts, are treated as of equivalent rank to a Superintending Engineer.]

NOTE 2.—[The provisions of this Article apply to officers of the Indo-European Telegraph Department appointed up to the 28th July 1896. Those appointed thereafter come wholly under Article 643.]

NOTE 3.—[It is important to bear in mind that these additional pensions cannot be claimed as a matter of right, but will be granted at the discretion of the Government of India as rewards of "approved service." See special addition to certificate in Form No. 25 (Pension).]

643. For officers to whom special additional pensions under Article 642 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, Railways.
Secretary to the Government of India, Public Works Department, Irrigation, Roads and Buildings.
Director of Railway Construction and Deputy Secretary, Public Works Department, Railways.
Director of Railway Traffic and Deputy Secretary, Public Works Department, Railways.
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.
Managers, Traffic Superintendents, and Locomotive Superintendents, in the 1st Grade, Class I, of the State Railway Revenue Establishment.
Examiners, Class I, Superior Accounts Branch, Public Works Department.
Directors, Indian Telegraph Department.
Superintending Engineers, Class I, Public Works Department.

644. (*a*) All service, whether temporary or substantive, counts as service towards these special additional pensions, but periods passed on leave, other than Privilege leave, are 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.

645. The following officers of the Indo-European Telegraph Department are subject to the pension rules in this Section for officers of the Public Works Department:—

Leach, E. A. Kelly, J. H. C.

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 III.—Compulsory Retirement.

646. 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.

647. No Chief Engineer of the Engineer Branch of the Public Works Department, nor any officer of corresponding rank in the Superior Reve-

* *Detailed list of appointments referred to in this head under Public Works Department as at present held.*

Madras (2)	. Chief Engineer	and Secretary, and Chief Engineer and Joint Secretary, Public Works Department.
Bombay (2)	. Ditto	and Secretary, Public Works Department, and Chief Engineer Central Division.
Bengal (2)	. Ditto	and Secretary, Buildings and Roads Branch and Irrigation Branch.
United Provinces (2)	Ditto	and Secretary, Buildings and Roads Branch, and Irrigation Branch.
Punjab (2)	. Ditto	and Secretary, Buildings and Roads Branch, and Irrigation Branch.
Burma (1)	. Ditto	and Secretary, Public Works Department.
Central Provinces or Assam	Ditto	ditto ditto ditto. (either of these but not both at one time might be held by a Chief Engineer).

Railway Branch—(6).†
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.]

nue 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 re-appointment, hold the same post for more than five years.

NOTE.—[The period of five years referred to in Articles 646 and 647 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.]

648. The following rules apply to officers, whether Civil or Military, holding the appointments enumerated below:—

Secretary to the Government of India, Public Works Department, Railways.
Ditto ditto Irrigation, Roads and Buildings.
Director of Railway Construction.
Director of Railway Traffic.
Accountant-General, Public Works Department.
Chief Engineers, Class I, who have held one appointment with that rank for five years continuously.
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.

649. Any Civil Engineer of the Public Works Department, who, on reaching the age of 50 years, has not attained the rank of Superintending Engineer, will be liable to be called upon to retire.

650. 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 55 years.

NOTE.—[The above rule is applicable to all Civilians of the several establishments named, whatever the source of their appointment may be.]

Chapter XXXI.—Law Officers.

651. In this Chapter, unless there is something repugnant in the subject or context, the term "Law Officer" includes—

An Advocate-General; a Standing Counsel; the Administrator-General at Madras and Bombay; 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.

A Government Prosecutor; the Assistant Secretary to the Government of Bengal in the Legislative Department.

652. 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 service to which the officer belongs.

653. 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-time Salaries.

654. 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 546.]

Officers retained on fixed allowances.

655. 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.

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.

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, Rs. 833⅓ a month, and if paid at the Home Treasury £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 342. 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, is held to be equal to Rs. 2,500.

Illustrations.—*A*, the Remembrancer of Legal Affairs in Bombay (pay Rs. 1,000 a month), officiates for *B*, the Advocate-General (pay Rs. 2,000 a month), who is on leave with an absentee allowance of £1,000 a year=Rs. 833⅓ 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=Rs. 1,166⅔, and $\frac{5}{12}$ths of that of Legal Remembrancer=Rs. 416⅔, *i.e.*, to a total of Rs. 1,583⅓ a month.

(*b*) Provided that—

(i) The minimum salary of a Standing Counsel at Calcutta is Rs. 1,000 a month:

(ii) The minimum salary of a Government Advocate at Lahore, Allahabad, 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.—[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 656 down to the word "appointed."]

Officers paid by Fees.

656. Leave 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 makes 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 on private affairs under rule 6, the officiating officer shall receive the whole of the Fees attached to the office.

Other Officers.

657. 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 96) is not exceeded.

Extraordinary Leave.

658. Extraordinary leave under Article 332 may be granted to the officers in this Chapter.

Chapter XXXII.—State Railway Establishments.

Section I.—Revenue Establishments.

Classification of Service.

659. In the State Railway Revenue Establishment the different classes of service are as follow:—

(*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.]

(*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, on

the expiry of the term of their covenant, have renewed their engagement under a covenant with the Government of India.

660. 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.

661. (*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 659, 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 260.*)

(*c*) The leave thus granted is included in the leave to which the limit of three years prescribed in Article 336 applies.

662. Leave to members of superior and subordinate State Railway Revenue Establishments classed as "pensionable" or "non-pensionable" under Article 659, 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.

663. Members of subordinate State Railway Revenue Establishments whose service is classed as "special" under clause (*d*) in Article 659, 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 260. 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.

(*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 260.*)

(*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.

664. 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 on furlough is entitled to 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 342. 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.

665. To subordinates on salaries not exceeding Rs. 250 a month, 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.

666. 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.

667. (*a*) Advances whether made in India (*see Articles 64 to 66*) or by the Home Government should be recovered by monthly instalments

of one-third salary except in the case of Covenanted Engine-Drivers, and Covenanted Mechanics, Boiler-Makers, etc.

(*b*) In such cases the recovery should be made 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.—Lower Subordinates and Office and Petty Establishments on lines under construction or Survey.

668. Subject to the exception noted below, the service of all Lower Subordinates, Sub-Storekeepers, and members of the Office and petty Establishment, appointed to or engaged for lines under construction or survey, on or after the 21st July 1880, is non-pensionable.

Exception.—The pensionable service of officers who, before the 21st July 1880, were transferred from permanently sanctioned posts, not attached to railways under construction, 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 under construction.

Section III.—Other Offices.

669. The services of all clerks appointed after the 31st January 1889 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 XXXIII.—The Bengal Covenanted Pilot Service.

Section I.—Pay and Leave Rules.

670. (*a*) For the purposes of the Leave Rules, the pay of the several grades of the Service shall be taken to be as follows:—

	Rs.		Rs.
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 13.

Furlough.

671. 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 or to an officer who has taken privilege leave of more than six weeks' duration until 18 months after return from such leave.

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.

NOTE.—[An officer compelled, owing to ill-health, to take leave out of India under Article 671, 672, or 673 is entitled to the benefits of Article 342. In applying that Article the word "pay" should be substituted for the word "salary."]

Leave on Medical Certificate.

672. 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—

	Rs.
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 and Extraordinary Leave.

673. (*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.

674. Extraordinary leave may be granted under Article 332.

Subsidiary Leave.

675. Subsidiary leave on the terms and conditions prescribed in Articles 321 to 331 may be prefixed and affixed to Furlough, Leave on Medical Certificate, and Special leave on urgent private affairs, taken out of India.

Privilege Leave.

676. (*a*) Privilege leave may be taken either under the ordinary rules, 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 is reckoned as Active Service, but it cannot be combined with other leave under Article 233, and if it is extended under medical certificate, the whole of the leave is treated as leave on medical certificate under Article 672.

(*c*) The leave authorised in clause (*b*) may be taken in instalments; but a Pilot may not take leave under clause (*a*) either by itself or combined with other leave under Article 233 for eleven months after his return to duty from his last leave taken under clause (*b*).

Leave after Superannuation Age.

677. A Pilot is eligible after he attains the age of 55 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, granted to a Pilot before his fifty-fifth birthday, has effect after that date.

NOTE.—[The grant of leave under this Article is subject to the condition that the officer returns to duty at the end of the leave. In applying for leave the officer must record a declaration that he has no intention of retiring for three months after his return to duty.]

Section II.—Pension Rules.

Retiring Pension.

678. After an actual service of thirty years in India, a Pilot is entitled to a Retiring pension according to his rank, as follows:—

	Rs.	
Branch Pilot	200	a month.
Any lower rank	100	,,

Invalid Pension.

679. Upon a certificate (in the form prescribed in Article 445 or 447, as the case may require) of incapacity for further service, from the Medical Board at the India Office, or from the Administrative Medical Officer in Calcutta, or from a Medical Committee over which the Administrative Medical Officer should, when practicable, preside, a Pilot is entitled to an Invalid pension, according to his rank, as follows:—

	Rs.	
Branch Pilot	200	a month.
Master ,, ...	100	,,
Mate ,, ...	60	,,
Leadsman Apprentice	30	,,

680. 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.

681. 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.

682. The scale for Superannuation pensions is the same as that laid down in Article 679 for Invalid pensions.

Section III.—Family Pension Rules.

Contributions.

683. (*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:—

Branch Pilot . .	Rs. 40	Mate Pilot . . .	Rs. 10
Master ,, . .	,, 20	Leadsman Apprentice .	,, 4

(*b*) The Pilots whose names are entered below, by monthly contribution of Rs. 16 each, secure for their widows pensions of Rs. 100 a month, and full pensions for their children:—

Anderson, G. M.	Hudson, E. F.	Williams, W. R.
Christie, J.	Raynor, E. T.	

Amount of Pension.

684. Pensions are granted to the widows of pilots married before their husbands retired on pension from the Service at the following monthly rates:—

	Rs.		Rs.
(i) The widow of a Branch Pilot	100	The widow of a Leadsman Apprentice	15
(ii) ,, ,, Master ,,	50		
(iii) ,, ,, Mate ,,	30		

685. 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	Rs. 12
(*b*)	,, daughter until the age of ten years . . .	,, 14
(*c*)	,, ,, over the age of ten years until marriage .	,, 20

686. A wife married to a Pilot after his retirement on pension from active service and her children are entitled to no pension.

Miscellaneous Rules.

687. To entitle widows and orphans to pensions, Pilots must forward to the Port Officer certificates of their marriage, and of the births and

baptisms of their children, within a month of the occurrence thereof. Notices of death are in like manner to be forwarded to the Port Officer.

688. 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.

689. Widows and female orphans above the age of 15 years must forward to 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.

690. If a widow pensioner marries, her pension ceases during her coverture; but in the event of her again becoming a widow, she is readmitted 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.

691. 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 a state shall be entitled to receive, or continue to receive, any pension under these rules.

Section IV.—Rate of Exchange for Pensions.

692. (*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.* 11*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 payable at the rate of 1*s.* 11*d.* per rupee.

(*c*) The pension of a Pilot or of the family of a Pilot, who was appointed to the service after the dates named in clauses (*a*) and (*b*), is payable at the rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and Indian Governments.

Chapter XXXIV.—Port Blair Police.

Leave Rules.

693. (*a*) Privilege leave on full pay may be granted to subordinate Police officers and men as under—

(i) Two months after thirty months' consecutive service.

(ii) Three months after thirty-six months' consecutive service.

(*b*) Such leave, if taken to India, may be overstayed without forfeiture of pay by such period not exceeding eight days as may intervene between the end of the leave and the date preceding that on which the next mail steamer leaves Calcutta for Port Blair.

694. (*a*) Inspectors may be granted furlough and leave on medical certificate under the Indian Service Leave Rules.

(*b*) Officers of lower rank may after five years' continuous service in the Settlement be granted furlough on half pay for from four to six months according to the distance of the applicant's home from Calcutta. In the case of married men who have their families at the Settlement, furlough is given only in special cases at the discretion of the Superintendent.

695. Extraordinary leave under Article 339 may be granted to all ranks.

696. 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.

697. (*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.

698. 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.

699. 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*) Subadars and Jamadars and Inspectors,—In accordance with the Indian Service Leave Rules.

700. During leave on medical certificate spent in India an absentee allowance is granted at the following rates:—

(*a*) *Constables.*—Subsistence allowance of Rs. 6 a month.
(*b*) *Naiks.*—Subsistence allowance of Rs. 8 a month.
(*c*) *Sergeants.*—Subsistence allowance of Rs. 10 a month.
(*d*) *Subadars and Jamadars.*—Half pay for fifteen months and subsistence allowance of Rs. 15 a month after that term.

Pension Rules.

701. Members of the Force are entitled to pensions under the Regulations 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 Jamadar, exceed three-fourths of what is admissible under Chapter XIX.

702. Time spent in hospital at Port Blair or Nancowri by Constables and Sergeants of the Force, during which they receive full pay under Article 699, does not qualify for pension.

Chapter XXXV.—Assam Military Police.

703. Pensions are granted to policemen and, in the exceptional cases specified in the rules, to their heirs in accordance with Parts IV and VI.

704. Furlough on private affairs on half Assam pay for not more than six months, from date of departure from head-quarters to date of return thereto, may be granted by Battalion Commandants on condition that the number absent on furlough and sick leave at any one time does 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.

705. Leave on medical certificate for not more than six months, from date of departure from head-quarters to date of return thereto, may be granted by Battalion Commandants to all ranks. A man taking such leave forfeits his turn for furlough, and his name is placed at the bottom of the furlough roster. Leave on medical certificate for a longer period than six months requires the sanction of the Chief Commissioner.

706. Allowances on leave on medical certificate are 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 leave allowance of a man on leave on medical certificate taken in extension of furlough is half Assam pay.

707. Sick leave on full pay for a period not exceeding one month may be granted by Battalion Commandants 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 leave on medical certificate.

708. The Battalion Commandant may grant privilege leave on urgent private affairs under the rules in Chapter XII to men whose conduct has been good.

709. The Inspector General of Police may frame subsidiary rules not inconsistent with these rules for the guidance of Battalion Commandants in granting furlough and leave.

710. Native Commissioned officers are entitled to travelling allowance as second class officers for journeys by rail and by river steamer.

711. Free passages by steamer and rail are allowed—

(*a*) to and from their homes, to men proceeding on or returning from furlough on private affairs or leave on medical certificate, but not to men proceeding on or returning from privilege leave.

(*b*) to their homes, to men who are not natives of the Province when retiring on Invalid pensions, but not to men granted Retiring or Superannuation pensions.

712. Any member of the Force belonging to races foreign to Assam who may be recruited outside the Province, may, with the written permission of the Battalion Commandant, and if quarters are available in the Police lines, bring his children, one wife and one relative to Assam.

For the conveyance of 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 XXXVI.—Calcutta and Suburban Police Forces.

713. 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 Rule (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 Rule (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.

Chapter XXXVII.—Burma Military Police.

714. The rules in this Chapter apply to—

(*a*) All members of the Burma Military Police who originally enlisted on an engagement under the direct orders of the Government of India, and on a renewal of their engagement, to all members who joined the Force from the Army prior to 1st January 1889.

(*b*) All members of the Burma Military Police enlisted by the Government of Burma.

(*c*) Soldiers who join the Force from the Native Army after the 31st December 1888, or who, having joined before that date, are now serving in Lower Burma, not having been transferred from Upper Burma in the interests of the public service.

(*d*) Karen recruits.

(*e*) All members not being soldiers of the Native Army on renewal of their engagements who were enlisted under the direct orders of the Government of India.

(*f*) Kachins enlisted in the Military Police.

(*g*) Salutries and Armourers.

Leave and Leave Allowances.

715. Furlough on private affairs on half Burma pay (except for members mentioned in Article 714 (*a*) who will draw full Burma pay) for not more than six months may be granted by Battalion Commandants on condition that the number absent on furlough and sick leave at any one time does not, except under the special orders of the Government of India, exceed 7½ per cent. of the strength of the Battalion.

716. Leave on medical certificate for not more than six months may be granted by Battalion Commandants to all ranks. A man taking such leave forfeits his turn for furlough and his name is placed at the bottom of the furlough roster. Extensions of leave on medical certificate beyond a period of six months in the aggregate may be sanctioned by the Inspector General of Police, Burma, such extensions being reported to the Local Government in a half-yearly list, but the amount of leave which may be granted with pay at one time is limited to two years.

717. (*a*) Allowances on leave on medical certificate are:—

(i) In the case of the members mentioned in clause (*a*) of Article 714, full Burma pay for the first six months and afterwards at the rate of one quarter the Burma pay: provided that the

Local Government may in any case by special order direct that a man on leave on medical certificate after the first six months shall draw any allowance not exceeding one-half the Burma pay.

(ii) In the case of the members mentioned in clauses (*b*) to (*g*) of Article 714, half full Burma pay for the first six months and, in case of extension being granted, not more than one-fourth full Burma pay without the sanction of the Local Government.

(*b*) The leave allowance of a man on leave on medical certificate taken in extension of furlough is one-fourth full Burma pay.

NOTE 1.—[An advance of three months' pay may be made to the men mentioned in Article 714 (*a*), going on sick leave. A man who obtains an advance of three months' pay is not eligible for another remittance for four months.]

NOTE 2.—[The language allowances, or extra pay, of Military Policemen for passing examinations in Yunnanese, Burmese, Shan, Chin and Kachin are treated as salary for the purpose of calculating leave allowances, but are not taken into account in calculating pension.]

718. Sick leave on full pay for a period not exceeding two months may be granted by Battalion Commandants to all ranks while in hospital in Burma and on half pay for any period in excess of two months. Sick leave on full pay may, however, be granted to all ranks while in hospital in Burma on account of wounds received in action until they are discharged from hospital. Leave granted under this rule does not interfere with the grant of leave to India on medical certificate.

719. Battalion Commandants may grant privilege leave on urgent private affairs under the rules in Chapter XII to men whose conduct has been good.

720. The Inspector-General of Police may frame subsidiary rules not inconsistent with these rules for the guidance of Commandants in granting furlough and leave.

Travelling Allowance.

721. Subadars and Jemadars of the Military Police both in Upper and Lower Burma are entitled to second class accommodation on all journeys by rail for which they are entitled to travelling allowance.

722. Free passages by sea, river and rail are allowed to and from their homes to men [except those mentioned in Article 714 (*f*)] proceeding on or returning from furlough on private affairs or leave on medical certificate, but not to men proceeding on or returning from privilege leave unless the privilege leave is commuted into furlough or leave on medical certificate, when the grant of free passages or the cost thereof will be admissible.

NOTE 1.—[Charges for conveyance by road of Military Policemen proceeding on sick leave may be paid in cases where the Civil Surgeon certifies that they are unable to proceed on foot.]

NOTE 2.—[Free passages are allowed to members of the Military Police, both of Upper and Lower Burma, detailed as attendants on sick Native and Non-Commissioned officers and sepoys proceeding to India on furlough and sick leave in cases in which the Civil Surgeon certifies that the sick officer or sepoy is too ill to travel alone. It should, however, be understood that a special attendant should only be sent when it is thought absolutely necessary to do so, and that ordinarily the invalid should be put in charge of a comrade proceeding on leave at the same time.]

723. Free passages from the place of enlistment may be granted to Karen recruits who have to travel by rail or steamer to the head-quarters of their Battalion. The passage of recruits for the Upper Burma Military

Police enlisted in India as well as of followers and transport drivers is paid by Government from the place of enrolment to the head-quarters of the Battalion.

Each recruit for the Arakan Hill Tracts, Lower Burma Military Police, is entitled to the actual cost of the journey from his home to Calcutta; and also a free passage to Akyab.

The passage by rail and steamer of recruits enlisted in India for the Lower Burma Military Police is also paid by Government from the place of enrolment to the head-quarters of the Battalion.

NOTE.—[Free passages to their homes to members of the Burma Military Police recruited in India and discharged on the termination of their first engagement are admissible under Article 1132; also to those who re-enlist without a break in their service for a further term of service on the expiration of the period of their first engagement and who are discharged on the termination of their further engagement; also to those who re-enlist for no special term and are subject only to the usual two months' notice.]

724. Any member of the Force [except those mentioned in clauses (*d*), (*f*) and (*g*) of Article 714] may, with the written permission of the Commandant and if quarters are available in the Police lines, bring his children, one wife, and one relative to Burma.

For the conveyance of families, third-class passages will be given 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. Return passages to their homes will be granted to the families of officers and men dying in Burma.

725. No travelling allowance may be given to families of men of the Karen (now Lower Chindwin) Battalion who have been ordered on service. Indigenous Battalions are raised to avoid such expenses.

Pensions.

726. The following rules regulate the pensions of members of the Burma Military Police mentioned in Article 714 (*a*):—

(*a*) Soldiers joining the Police may elect to remain under military rules for pension. In that case no deductions from pay will be made on account of pension, and the pensions admissible are on the following scale:—

	Ordinary Pension.	Superior Pension.
	Rs.	Rs.
1. Native Officers in receipt of Rs. 100 to Rs. 150 as Subadars.	30	50
2. Native Officers in receipt of Rs. 50 to Rs 65 as Jemadars.	15	25
3. Native Non-Commissioned Officers as Havildars.	7	12
4. Privates	4	7

NOTE.—[Subadar-Majors of the Upper Burma Military Police, who are under Military Pension Rules, are allowed to continue to draw the staff allowance of Rs. 50 when they retire on pension.]

(*b*) If on joining the Police they do not elect to remain under Military Pension Rules, a deduction from pay of one-half anna in the rupee shall be made: the previous service in the Army qualifies for pension under the Civil Service Regulations, and the pensions admissible are determined by rules of those Regulations applicable to policemen. If the

soldier returns to the Army from the Police, the amounts deducted are refunded and the Police service counts towards Army pension.

(*c*) In the case of policemen who elect for Military Rules, the claims of heirs to pension are regulated by Military Rules, and in the case of those who elect the rules of the Civil Service Regulations, heirs can claim pension only in the special cases provided for in Chapter XXXVIII.

(*d*) Men who joined the Force, otherwise than from the Army, are only entitled to such pensions and on such conditions as the Civil Service Rules for policemen permit.

(*e*) Service in Burma is held to be "Foreign Service" within the meaning of Article 573 of the Army Regulations, India, Volume I, Part II, in case of all men of the Native Army not being natives of Burma, and is, therefore, so considered in the case of all men of the Upper Burma Military Police subject to the Military Pension Rules of the Native Army.

727. (*a*) In the case of members of the Burma Military Police mentioned in clauses (*b*) to (*g*) of Article 714, the rules in the Civil Service Regulations apply as regards pensions, except Salutries and Armourers who joined the Upper Burma Military Police from the Army before the 1st January 1889 who are subject as regard pensions to Article 726, clauses (*a*) to (*c*).

(*b*) Pension under the Civil Rules for the period of their past Military as well as their Police service is granted to the Native Officers and Non-Commissioned Officers of the Burma Military Police referred to in clause (*a*) who have been or may be recruited direct from the Army after 1888, when volunteering was closed, on the condition that they complete 10 years' qualifying service in the Burma Military Police in addition to their service in the Army; but those who retire with less than 10 years' qualifying service in the Burma Military Police will be granted pension on the Military scale according to their rank for the whole period of their service, that in the Police being included. This concession applies only to those men whose services were obtained from the Army on special application.

PART VI.—WOUND AND OTHER EXTRAORDINARY PENSIONS.

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PART VI.—WOUND AND OTHER EXTRAORDINARY PENSIONS.

Chapter XXXVIII.—Wound and other Extraordinary Pensions.

Section I.—Wounds on Military Service.

728. 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 rules, the grant being reported to the Secretary of State.

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.]

729. Officers 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, Volume IX, Section XIX: Provided that, if any such officer 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 Military rules above referred to, then he or his family shall receive such higher pension, allowance, or gratuity in lieu of that provided by those 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.

730. Gratuities and pensions are granted to 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 Army or their families, the rank of the officers being determined as follows:—

(i) Members of the Indian Civil Service:—

An officer of—	Ranks as a—
Less than 5 years' standing	Lieutenant.
More than 5 " "	Captain.
" 12 " "	Major.
" 18 " "	Lieut.-Col.
" 23 " "	Colonel
" 31 " "	Major.-Genl.
Lieutenant-Governor or Chief Commissioner	Lieut.-Genl.

(ii) Other Civil officers, not being native officers:—

An officer whose salary is— Rs.	Ranks as a—
16 a month or upwards	Sepoy.
50 ditto	Jemadar.
100 ditto	Subadar.
200 ditto	Lieutenant of less than 3 years' service.
300 ditto	Lieutenant of more than 3 years' service.
500 ditto	Captain.
1,000 ditto	Major.
1,500 ditto	Lieut.-Col.
2,000 ditto	Colonel.
2,500 ditto	Major-Genl.

(iii) The wound and family pensions of native civil officers are fixed in rupees as follows:—

An officer whose salary is	Wound pension.	FAMILY PENSION.				Maximum amount of pension admissible.
		INTERMEDIATE RATE.		HIGHEST RATE.		
		For widow.	For each child.	For widow.	For each child.	
	Rs.	Rs.	Rs.	Rs.	Rs.	
Rs. 16 a month or upwards	The rates are determined in accordance with Army Regulations, India, Volume I, Part II, an officer on Rs. 16 per mensem or upwards ranking as a Sepoy, an officer on Rs. 50 per mensem or upwards as a Jemadar, and an officer on Rs. 100 per mensem or upwards as a Subadar.					
„ 50 do. do.						
„ 100 do. do.						
„ 200 do. do.	80	60	12	80	16	Half the salary of the officer.
„ 500 do. do.	120	90	18	120	24	
„ 1,000 do. do.	240	120	24	180	36	
„ 1,500 do. do.	360	150	30	225	45	
„ 2,000 do. do.	360	180	36	270	54	
„ 2,500 do. do.	420	210	42	315	63	

(iv) A Viceroy of India or Governor of a Presidency ranks as a Field Marshal, General, or Lieutenant-General Commanding-in-Chief.

(v) 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.

731. A Civil officer in receipt of a wound pension cannot draw it from the Home Treasury while serving or residing in India, but must draw it at the place where his pay, absentee allowance, or pension is disbursed.

Section II.—Special Cases.

732. 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 730 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 730.

NOTE.—[Military officers in Civil employ, who receive wounds or injuries in the discharge of Civil duties, have no claim to injury gratuity or pension under Military rules, and will be dealt with under Article 732. At the same time, it is necessary to apply to such cases a similar restriction to that in Article 735, on the grant of compensation for injuries, so as to prevent claims being preferred for gratuities or pensions in consideration of ordinary accidents.]

Wound Leave.

733. 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 recognised 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.

NOTE.—[In the special cases referred to in Article 732, the Government of India may relax the condition of this Article as to service with a Military force. In such cases the certificate of the Medical Board referred to in clause (*b*) must state that the disability, owing to which the leave has become necessary originated on the *quasi*-military service referred to in Article 732, and was solely caused by hardship and exposure undergone, or by wounds received, during such service.]

Section III.—Injuries Received on Duty.

734. (*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 or gratuity 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 United Provinces) or his family, even though he receives no pay from the State.

735. A Wound or Extraordinary pension or gratuity is granted only when injury or death is met in the performance of a duty which is attended with extraordinary bodily risk. This condition governs the grant of pensions or gratuities under Articles 739 and 740. 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.—[As this rule is based upon the analogy of the regulations for the grant of pensions to soldiers wounded, and to the families of soldiers killed in action, its application is strictly limited to the cases for which it is intended to provide; 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.]

736. The Government does not bind itself to grant pension in every case, or, if it grants pension, to grant it for life.

737. 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.

738. 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.

739. Under ordinary circumstances, the Local Government may grant a gratuity not exceeding six months' pay and also not exceeding Rs. 600. The Government of India may likewise grant a gratuity not exceeding six months' pay or Rs. 1,000, whichever is greater.

740. Under special circumstances the Local Government may grant a pension not exceeding Rs. 10 a month, and the Government of India one not exceeding Rs. 25 a month, to an officer injured, or to the family of an 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 Rs. 2¼ a month.

NOTE.—[The term "family" includes only wife, legitimate child, father or mother, dependent upon the deceased for support. The words "for the support of the family" should be inserted in every order sanctioning a pension under this rule.]

741. (*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.

742. (*a*) If a pension is granted to a family under Article 740 (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.]

(*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.

743. The Government of India have also the power to grant gratuities, not exceeding in any case Rs. 1,000, 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 735, and in cases in which the injury does not amount to incapacity for earning a livelihood.

744. A Local Government may, as a special case, grant a gratuity not exceeding Rs. 20, 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.

Section IV.—State Railway Rules.

745. A Local Government having State Railways under its control and Managers of State Railways not under Local Governments 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 Rs. 200. If Rs. 200 is considered insufficient, a reference must be made to the Government of India.

Section V.—Procedure.

746. When 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 as to—

(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.

747. The head of the office will then submit the case, with a statement of the circumstances, through his official superiors, to the Government. The application, which should be in Form No. 25 in the case of a man injured and Form No. 22 in the case of a man killed, should be accompanied by the report of the Audit Officer upon the claim.

Section VI.—Re-employment of Wound Pensioners.

748. 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.

NOTE.—["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. 600S., dated 13th September 1878.*)]

749. 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.

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PART VII.—FOREIGN SERVICE AND SERVICE UNDER LOCAL FUNDS.

Chapter XXXIX.—General Definitions and Conditions.

750. 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.

751. (*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 XLI.

Berar Officers.

752. 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 28, 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 XL.—Foreign Service of the first and second kinds.

Section I.—Conditions of Foreign Service of the first kind.

Sanction to Transfer.

753. 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 such as should for public reasons (and not merely in the interest of the officer concerned) be provided for by a servant of the Government of India.

(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 transfer is 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 His 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.

NOTE.—[This condition does not apply to Assistant Surgeons and Hospital Assistants employed under Local Boards and Municipalities, or to Hospital Assistants employed under Railway Companies, or to Deputy Collectors and Tahsildars deputed as Managers of Court of Wards' Estates in the United Provinces.

(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:

(*a*) If an officer is transferred to a post the duties of which are similar to those of the appointment which he held at the time of his transfer, his pay,

(1) 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;

(2) if he does not belong to a graded service, shall not exceed by more than 25 per cent. his pay in British service.

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.]

(*b*) If an officer is 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, whether he belongs to a graded service or not, shall not exceed the pay ordinarily allowed for similar duties in British Service.

(*c*) Increases of pay are regulated as follows:—

(1) When an officer, whose pay was originally fixed under Clause (*a*) (1), would have been promoted in the British Service, to a higher grade, he may be permitted to draw the pay of the grade next above that to which he would have been so promoted with effect from the date of such promotion.

(2) In all other cases no increase of pay above the amount sanctioned at the time of transfer will be granted to any officer until he has served for three years in Foreign Service. After that period and subsequently at intervals of not less than three years increments not exceeding 20 per cent. of the original pay in Foreign Service may be allowed on *the intimation of the Foreign employer*, if, in the opinion of the Local Government or the Government of India, as the case may be, the increase is justified both with reference to the qualifications of the officer and the nature of his duties.

(*d*) The officiating allowance of an officer appointed to officiate during the absence of a permanent incumbent of a sanctioned appointment in Foreign Service, shall be regulated in accordance with the rules in Part II.

(*e*) 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 in an annual return 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.]

Contribution required.

754. 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 753 (iii)*—

	Members of the Indian Civil Service. Rs.	Other Special Services. Rs.
(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 (2).—[If the official rate of exchange for the year is 16 pence per rupee, the maximum on which a contribution is required would, in a case in which the maximum furlough allowance is £250 a quarter, be Rs. 2,500 a month, and in one in which it is £120 a quarter, Rs. 1,200 a month.

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.]

(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.

755. (*a*) From every officer transferred in the manner specified in Article 753, 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 Article 753 (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 Rs. 5,000 a year, the contribution shall not be calculated on a higher salary than Rs. 1,500 a month if he is subject to the European Service Leave Rules, and Rs. 1,250 a month if he is subject to the Indian Service Leave Rules.

NOTE 1.—[In the case of officers transferred to Foreign Service before 1st September 1896, the maximum salaries on which contribution is calculated are Rs. 1,250 and Rs. 1,000 respectively for officers subject to the European and 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 642, are not considered to be subject to the maximum of Rs. 5,000 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 Rs. 5,000 a year, the contribution shall not be calculated on a higher salary than Rs. 1,000 a month.

NOTE.—[In the case of an officer transferred to Foreign Service before 1st September 1895, the contribution is not calculated on a higher salary than Rs. 833⅓ 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 this clause, an officer paid from and rendering pensionable service under a Patwari Fund transferred to Foreign Service, may make contributions to General Revenues, and count his Foreign Service for pension as if paid from General Revenues.]

756. (*a*) The rates of contribution prescribed in Article 755 apply to all officers transferred to Foreign Service after the 7th of January 1889. The rates previously in force continue to operate, in the case of officers transferred before that date, subject to the following conditions:—

(1) That in the case 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 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 case 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 7th of January 1889, 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 14⅓ 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 Rs. 166⅔ a month, and from a Civil Engineer, Rs. 233⅓ a month.

Service in Egypt.

757. Officers transferred for service under the Egyptian Government contribute for pension only. Such contributions are regulated by the provisions of Articles 754 and 755. The rate leviable in the case of officers of the special services mentioned in Article 753 (iii) is one-sixth of their assumed pay, which represents the proportionate share on account of pension only of the one-fourth prescribed in Article 755 (*a*) (i) for both leave and pension. Service in Egypt does not count as service for Indian Furlough.

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 772 (*c*).]

Foreign Service during Leave.

758. (*a*) An officer lent for other than Imperial purposes either to His Majesty's Government in England, or to a British Colony or to a Foreign State or Municipality, makes 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 His Majesty's Government and paid from the Imperial, that is, the Home revenues, as distinguished from Local, Municipal, or Colonial funds, is considered as having been lent for Imperial purposes, and is therefore exempt from payment of contribution.

(*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 His 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.]

759. No officer employed as above on any duty unconnected with India shall, except as provided in Articles 758 and 760, receive any allowances from Indian revenues while so employed.

760. If an officer is, when transferred, 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 allowance from the Egyptian Government without being required during the period of leave to contribute 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, he continues in the service of the Egyptian Government after the end of seven days from the date of expiry of his 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.

761. (*a*) No contribution is levied from an officer 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 transfer is made.

NOTE.—[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.]

(*b*) In these cases the rule in Article 753 (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.]

762. 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.

763. 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*) Subordinates in the Revenue Survey, temporarily lent to Municipalities for duty, which, though paid for by them, also promotes Imperial interests.

(*b*) 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.

(*c*) 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.

(*d*) 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.

(*e*) Medical officers lent to charitable dispensaries or hospitals in British India.

NOTE.—[This exception does not apply in any Province in which the changes in the conditions of service of Assistant Surgeons authorised by the Resolution of the Home Department, No. 1141-1150, of August 22, 1898, have been brought into operation. In those Provinces the payments made by Local Bodies for the services of Assistant Surgeons lent to hospitals and dispensaries must include contributions under the ordinary rules.]

(*f*) Deputy Superintendent of Vaccination, Calcutta, who is paid from Municipal Funds.

(*g*) 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.

(*h*) Officers of the Royal Indian Marine lent to Port Trusts. The pensions and leave allowances of these officers are (except in the case of Privilege leave) borne wholly by Government.

(*i*) 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.

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764. Appointments to this class of Foreign Service require the sanction of the Local Government which controls the expenditure, and the transfer of officers from qualifying service is regulated by Article 753. 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 clause (iv) of

Article 753, 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.

765. 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. If it is necessary, after Government has relinquished control, to continue the services of the Government officer, he comes under the rules applicable 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.

766. The salary of an officer appointed to act for an officer on Foreign Service of the second kind is calculated according to the rules in Part II.

Example.—*A B*, an officer subject to the European Service Leave Rules, receiving a pay of Rs. 500 from the British Government, officiates in an appointment in Foreign Service, the pay of which is Rs. 1,000. *A B*'s salary is—

	Rs.
Pay	500
Acting allowance (⅔ 1,000—500)	333⅓
SALARY .	833⅓

The charge to the Foreign Service would be Rs. 833⅓+¼ of Rs. 833⅓, or Rs. 1,041⅔.

Contribution required.

767. 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 him the sanctioned salary of the office, but also to recover from the funds of the Foreign Service, or Trust, the prescribed contribution for his pension and leave allowances.

768. For every officer transferred in the manner specified in Article 764, 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 an 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, one-fifth of his actual sanctioned salary if he is a gazetted officer, and one-sixth of his actual sanctioned salary if he is not gazetted.

That is, if the officer's sanctioned salary is Rs. 1,000, the Foreign funds must pay him Rs. 1,250, or Rs. 1,200, or Rs. 1,166⅔, as the case may be; he will retain Rs. 1,000, and pay the rest to Government as contribution:

Provided that, in the case of an officer whose pension is subject to the maximum of Rs. 5,000 a year, the contribution shall not be calculated on a higher salary than Rs. 1,500 a month in the case of officers subject to the European Service, and Rs. 1,250 a month in the case of those subject to the Indian Service, Leave Rules.

This rule does not entitle an officer to include "acting allowances" in "emoluments" for the purpose of the calculation of pension.

NOTE 1.—[In the case of officers transferred to Foreign Service before the 1st September 1896 the maximum salaries on which contribution is calculated are Rs. 1,250 and Rs. 1,000 respectively for officers subject to the European and the Indian Service Leave Rules.]

NOTE 2.—[For a member of the Indian Civil Service a sanctioned salary of Rs. 1,000 in Foreign Service is the equivalent of a sanctioned salary of Rs. 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 Rs. 1,000.]

NOTE 3.—[The provisions of Article 756 (*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.

769. No contribution is required from Political Officers employed in offices held by British officers in the Kolhapur State on the 18th August 1875.

Section III.—Rules for payment of Contributions.

770. 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.]

Rules of Procedure.

771. An officer transferred to Foreign Service of the first or second kind and permitted by competent authority to retain claim to pension or absentee allowances 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.

772. (*a*) If the salary of the 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.

NOTE.—[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 these Regulations.

In addition to the report to be made by the officer himself direct to the Account Officer in accordance with Article 772, 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.)]

773. The officer transferred must, immediately he is relieved of his duty under the British Government, report to the Account Officer (Article 772), the time and date 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.

Date from and to which Contribution is payable.

774. (*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—

(i) In the case of an officer lent to a foreign employer in India, from the date on which he is relieved from his duty under the foreign body.

(ii) In the case of an officer lent to a foreign employer out of India, from the date on which he resumes charge of his appointment under the British Government.

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 779 (*a*)), the contribution payable to Government must continue to be paid.]

(*c*) The amount of joining time and of net salary to be paid during joining time are regulated by the rules in Chapter IX.

Remittance required.

775. The officer must, not later than fifteen days after the end of the quarter for which salary in Foreign Service is earned, remit direct to the Account Officer (Article 772) the amount payable by him on account of contribution in respect of his salary for the quarter: the remittance to be advised in such form as the Account Officer may require. When the contribution falls into arrears, the Account Officer should forward to the officer a copy of Article 776 with a request for payment.

776. 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 will be levied upon the amount due from the date of expiry of the 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 Govern-

ment for pension and leave allowances has lapsed, and should intimate to him 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 who will deal finally with it.

777. 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 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.

778. No officer has any right of property in contributions made by or for him, 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.

As to Leave and Pension.

779. (*a*) In return for the contributions prescribed in Article 755 (*a*) (i), the Government accepts the charge for the officer's pension, and also that for his absentee allowances [except on Privilege leave, when it pays only its share, according to the Rule of Proportions, calculated on the assumed pay referred to in Article 754 (*a*), and during which contribution calculated on the share of the leave allowances payable by the foreign body must be paid 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 Government, saving only that the calculation of pension or absentee allowance is based upon the pay upon which he contributes (see Article 754) and not upon the amount which he receives from his Foreign employer.

NOTE 1.—[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 Rs. 960 (net), the half average fixed for leave allowance will be Rs. 500, and not Rs. 480; because the leave allowance of Rs. 500 being subject to four per cent. deduction, the net amount payable will be only Rs. 480.]

NOTE 2.—[The allowance admissible under this Article during Subsidiary leave to an officer who has Privilege leave due to him, is the amount which would be admissible during Privilege leave if the salary of the officer were actually payable at the "assumed" rate. The whole of the Subsidiary leave allowance thus paid is chargeable to Government.]

(*b*) In return for the contribution prescribed in Article 755 (*a*) (ii), the Government accepts the charge for the officer's pension, but not for his absentee allowances, of which it pays only its share according to the Rule of Proportions, calculated on assumed pay [Article 754 (*b*)].

780. In return for the contribution prescribed in clauses (*a*) and (*b*) of Article 768, the Government accepts the charge for the officer's pension and absentee allowances (except during Privilege leave when it pays only its share according to the Rule of Proportions and during which the contribution is paid as if the officer were on duty) in the same way as if he were in its own service.

781. An officer who contributes for pension only must, during Privilege leave, pay his contribution 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 755 (*a*) (ii) for that portion of his Privilege leave which was earned by his Foreign Service.

782. 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 cannot recognise any leave granted, otherwise than in accordance with these Regulations, to an officer on Foreign Service who is permitted to contribute for leave and pension or for pension only. 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. 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 pension or leave allowances. (*See also Article 773.*)]

783. 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 755 [*see Article 763, Exception* (*b*)], when the saving should be paid to the British Government.

Pensions from Native States.

784. 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.

785. In addition to his contribution under Article 755 or 768, 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.

Exception.—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.]

NOTE 3.—[The 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.

In the case of the Bombay Fund, if the subscription is paid at a Government Treasury, the premium is collected at the same time without the intervention of the Directors; but in cases in which subscription is paid to the Directors, they collect the premium also and adjust it in communication with the Accountant-General, Bombay.]

PART VII.

Lien on Government Appointment.

786. Whenever an officer is 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 *locum tenens* may be appointed provisionally if the transfer is to duty of a permanent kind (Article 89) or substantively *pro tempore* if not.

787. An officer so transferred is, when he returns to British Service, entitled to resume the position in which he left it; 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. If he holds a progressive appointment, his Foreign Service does not count towards increment; but such service may, with the sanction of the Government of India, be allowed to count, if the officer is doing the same kind of work as that of his Government appointment and is acquiring experience likely to make his services more valuable when he returns to it.

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.]

788. No officer, while acting in any appointment under Government, or the pay of which is regulated by 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 *pro tempore*.

Applications for Leave.

789. Privilege leave may be granted by the Foreign employer if reported by the Account Officer concerned to be admissible under rule.

790. 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.

791. Article 790 does not apply and no report need be called for from the Account Officer under Article 789 in cases in which the applicant contributes for pension only [*see Article 755 (a) (ii)*], and no claim arises against the British Government for a share of the absentee allowance.

Section V.—Special Cases.

792. An officer of the Education Department, who is transferred by the Local Government in the public interest 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, and of which the scale of superior appointments is sanctioned, by Government, may contribute for leave allowances and pension under these Regulations.

793. Officers employed in the Rajkumar College, Kathiawar, are allowed to contribute under these Regulations, and those of them who avail themselves of this concession count service 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 XLI.—Foreign Service of the third kind.

794. 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.

795. The cost of the service should be recovered from the person or body on whose account the service is rendered, the officers themselves not being responsible for the payment of contributions. 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 768 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 768.

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 768.]

NOTE 2.—[The undermentioned officers are exempted from the payment of contribution under this Article:—

(*a*) The Superintendent of Vaccination, Karachi, and the clerk in his office, the Assistant Superintendent of Vaccination, Bombay, and the head and 2nd to 5th clerks in the Presidency Vaccination Office, Bombay, all of whom are paid from Municipal Funds.

(*b*) 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.]

Chapter XLII.—Service under Local Funds.

Section I.—Pensions.

796. Apart from any special provisions made under the following rules, service paid for from a Local Fund does not qualify for pension.

797. 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.

798. The same procedure should be observed in the calculation, grant, and payment of pensions for service treated as qualifying under Article 797, as is prescribed for pensions payable from General Revenues, but the pensions must be paid from and charged against the Local Fund.

NOTE.—[See the note under Article 807.]

799. When part of the pensionable service of an officer qualifies for pension from the General Revenues and part 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 Fund 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.

800. 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. But 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 them.

801. 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 Government.

NOTE.—[The rule regarding officers of the Royal Indian Marine lent to Port Trusts is given in Article 763 (*h*).]

(ii) Members of the establishment of the Fire Brigade, Calcutta, whose pay at date of discharge exceeds Rs. 20 a month.

NOTE.—[Members of the Force whose pay does not exceed Rs. 20 a month contribute to the Police Superannuation Fund, from which Fund their pensions are paid.]

1. The transfer of Government servants to service under Excluded Local Funds should ordinarily be dealt with under the rules regarding Foreign Service. 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.

802. 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 all or any of its permanent employés, by paying to Government a contribution of 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 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. Arrear contributions in respect either of individual officers or classes of officers proposed with a view to render past service qualifying cannot be accepted.

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. 4.

(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 orders 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 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 the health certificate prescribed in Article 49, 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 Rs. 100 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 withdrawn, but officers who have already been permitted to subscribe may continue to do so subject to the conditions prescribed in Article 756 (*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.]

803. 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.

804. Teachers and other members of the pensionable establishments of Government schools, who were in the service in 1882 and were trans-

ferred with the schools to which they belonged to service under Local Boards, continue to render service qualifying for pension from the General Revenues, and are entitled to this concession even though they have since been moved from the school with which they were transferred to another school which was formerly under Government management.

Teachers appointed after 1882 to schools transferred to the management of Local Boards are entitled to pension from the General Revenues if the Local Government makes a part of its contribution to the school in the form of free pensions.

805. If an officer, whose service is reckoned as pensionable under the provisions of Article 802, 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.

806. Article 786 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.

807. With the permission of the Government, the Trustees, Committee or Managers of any Local Fund may purchase from the Post Office 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.

NOTE.—[A District Board or a Municipality in the Punjab may, with the previous sanction of the Commissioner of the Division, grant a gratuity, as such, to any of their servants in lieu of the annuity purchaseable under this Article, if the gratuity proposed is not large enough to purchase an annuity of Rs. 2 a month or more.]

Local Fund Pension Funds.

808. The Government does not guarantee the solvency of Funds formed by the subscriptions of Local Fund officers, and established to provide pensions for the subscribers thereto. (*See Appendix 14.*)

Exceptional Cases.

809. In the following cases, service paid from Local Funds qualifies:—

(*a*) Service paid from the Cotton Frauds Improvement Fund which qualified for pension payable from that Fund prior to its exhaustion.

(*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 United Provinces transferred in connection with the introduction of the Local Self-Government scheme before the 1st April 1885 to service under Local Committees constituted under Acts III and IV of 1878.

(*e*) Officers in Assam transferred after the 10th May 1882, and before the 12th May 1884, to service under 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, Acting and Travelling Allowance Rules.

810. Service under an Incorporated Local Fund may qualify for leave under Part III; 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.

811. No leave or allowances during leave or acting allowance 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.

812. The salary of an officer whose substantive office is paid from an Incorporated Local Fund appointed to act in an office paid from the General Revenues is calculated as it would be if his substantive office also were paid from the General Revenues.

813. 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, Articles 789 to 791 should be complied with.

814. 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 Part XI.

PART VIII.—RECORD OF SERVICE.

GENERAL ARRANGEMENT.

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PART VIII.—RECORD OF SERVICE.

Chapter XLIII.—Record of Service.

Section I.—Gazetted Officers.

815. (*a*) 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 he is transferred.

(*b*) In the case of Chaplains the record is kept by the Comptroller, India Treasuries, for Chaplains of the Bengal establishment, and by the Accountants-General of Bombay and Madras for those of the Bombay and Madras establishments.

(*c*) When a Chaplain of the Church of Scotland is posted to or relieved from the charge of a regiment, the Military Department should inform the Accountant-General concerned.

1. When a gazetted officer is transferred to Foreign Service, 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.

Section II.—Non-Gazetted Officers.

816. 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 (Form No. 23) 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 Rs. 20. (3) Officers of the Northern India Salt Revenue Department and of the Salt and Customs Department in the Bombay Presidency whose pay does not exceed Rs. 10. (4) Postmen, village postmen, runners, boatmen, coolies in the Post Office Department, and inferior servants of the Aligarh and Bombay postal presses. (5) 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. (6) Mandals employed in the Assam Valley Districts. (7) Myooks in Burma. (8) Permanent subordinate non-pensionable employés on State Railways for whom a special form of record has been prescribed in the Public Works Department.

817. Except in the case of runners, boatmen, and coolies in the Post Office Department, and permanent subordinate non-pensionable employés on State Railways, in all cases where Service Books are not kept, Service Rolls, such as those prescribed for the Police in Article 823, should be maintained.

818. A Service Book is supplied at his own cost, to every officer on his first appointment. It is 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.

819. It is the duty of every officer to see that his 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.

820. Personal certificates of character should not, unless the Local Government so directs, be entered in column (12), but if 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.

821. Every period of suspension from employment, and every other nterruption 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.

822. (*a*) If the officer is transferred to Foreign Service, the head of the office or department should send his Service Book to the Accountant-General, who will return it after noting therein, under his signature, the orders of Government sanctioning the transfer, the effect of the transfer in regard to leave admissible during Foreign Service, and any other particulars which the Accountant-General may consider to be necessary in connection with the transfer. On the officer's re-transfer 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 815*).

(*b*) 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.

823. In the case of Police officers whose pay does not exceed Rs. 20, 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. 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.

824. From this Roll the necessary statement of service of every applicant for pension shall be prepared, additional proofs being collected, as prescribed in Article 908, 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.

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PART IX.—PROCEDURE RELATING TO LEAVE.

Chapter XLIV.—Applications for and Grant of Leave.

Section I.—Applications.

825. Except as provided in Articles 841 to 845 and 848, an 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 were 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.

826. An officer applying for Privilege leave must, except when the leave is combined with other leave under Article 233, record a declaration that he has no intention of retiring or of taking long leave of any kind, for three months after his return to duty. Though not absolutely debarred by this declaration from applying for permission to retire or to take long 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.

827. In applying the preceding Article to officers of the State Railway Revenue Establishments referred to in Article 661 (*a*), the words "otherwise than as provided by Article 661 (*a*)" should be added after "kind."

Medical Certificates—Gazetted Officers.

828. 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*].

829. 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 Article 831, 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.

830. Before deciding whether to grant or refuse the certificate the Committee may, in a doubtful case, detain the applicant under professional observation during a period not exceeding fourteen days. (*See Article 325.*)

831. 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.]

832. The certificate obtained should then be submitted to Government for orders. The grant in Article 829 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.

Medical Certificates—Non-gazetted Officers.

833. 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.

834. The countersigning officer may at his discretion require the applicant to appear before him, unless it appears from the certificate 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.

835. If the leave be for more than six months, the papers must, if the officer is in Superior service, be submitted for countersignature by the Administrative Medical Officer of the Province. It is not necessary that the applicant for leave should appear in person before the Administrative Medical Officer, unless that officer calls upon him to do so. The Administrative Medical Officer should not, except for very special reasons, require an applicant from a distant station to appear.

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.

Medical Certificates—Gazetted and Non-gazetted Officers.

836. If the officer is going on leave out of India, he should take with him one copy of the medical report upon his case.

837. A duplicate of the medical report upon the case of an officer going to Europe on leave on medical certificate should be forwarded without delay direct 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.

838. 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 828 must be produced from two medical practitioners; and he may be called upon to produce other evidence. In the case of an officer on leave in a colony or foreign country, the certificate must be signed by the Principal Medical Authority of the colony or country.

Section II.—Grant of Leave.

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839. Leave may be granted with retrospective effect from the date on which it is admissible.

840. Unless specially otherwise ordered, leave must begin within thirty-five days of the date on which it is granted.

841. (*a*) After obtaining a report from the Audit Officer upon the title of an applicant who is a gazetted officer 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 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 report of an Audit Officer is not required on the title to leave of an applicant who is not a gazetted officer.

(*c*) The Local Government may, with or without restrictions, delegate the power of granting leave 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.

(*d*) An officer acting under clause (*c*) must in the case of a gazetted officer, 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 (*c*), the Local Government will decide whether, in the case of gazetted officers, either the grant or the refusal of the leave should be reported to it.

842. 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.

843. 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.

844. 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.

845. 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.

Section III.—Rules regarding Chaplains.

Church of England.

846. Subject to the exigencies of the public service, Local Governments 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. Priority of claim is determined in accordance with Article 310.

847. If a Chaplain who belongs to the Madras or Bombay Ecclesiastical Establishment, but is serving in the Bengal Presidency, applies for Furlough or Special leave, the Local Government under which he is serving will, if it grants the leave, inform the Government of Madras or Bombay, as the case may be.

848. The Bishop of the Diocese is empowered to grant Privilege leave to Chaplains under Article 592, 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.

849. All applications for leave should be accompanied by a certificate from the Accountant-General, that the leave asked for is admissible, and should, as a general rule, be forwarded, through the proper channel, to the Bishop of the Diocese, who will transmit applications for Furlough

or Special leave, with his remarks, to the Local Government concerned, and will himself dispose of applications for Privilege leave. 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.

850. 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 was granted.

851. 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. These documents will be furnished by the Accountant-General (*see Chapter XLVI*), and no leave allowances will be payable without their production.

NOTE.—[If a Chaplain's term of twenty-five years' service expires (*see Article 601*) 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.]

852. A Chaplain shall report his return to duty to the Bishop, and to the Local Government by which his leave or furlough was granted.

853. If any Local Government shall see fit to refuse 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. This Article applies only to Chaplains on the Bengal establishment.

Church of Scotland.

854. (*a*) Leave of absence to a Chaplain of the Church of Scotland attached to a regiment, is granted in the same manner as to officers of the Corps with which he is serving, subject to the recommendation of the leave by the Presidency Senior Chaplain of the Church of Scotland.

(*b*) The leave of such a Chaplain appointed to a station, is granted by the Local Government and notified in the local Gazette.

(*c*) In the case of the Presidency 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*.

Section IV.—* Rules regarding Military Officers.

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855. (*a*) Local Governments should forward to the Account Officer in charge of the officer's record of pension service and to the Military Department a copy of every order issued by them granting furlough or leave or extension of furlough or leave to a Military officer in Civil employ whether subject to the Civil or the Military Leave Rules. The Civil Audit Officer should intimate to these authorities the date of the beginning and ending of all such furlough or leave.

(*b*) After the furlough or leave out of India (elsewhere than to the Colonies) has appeared in orders, the Account Officer in charge of the officer's record of pension service should forward to the Under-Secretary

* Officers in Civil employ who are subject to the Military Leave Rules are eligible for Privilege leave under the rules in Chapter XII of these Regulations.

of State for India a statement of the officer's service in the prescribed form (see Forms 7 and 8). The statement is not required in the case of officers of the British Army serving in India proceeding on furlough under British Leave Rules or Article 724, Army Regulations, India, Volume I, Part I.

856. (*a*) An application for furlough or leave in or out of India under Indian Military furlough or leave 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 leave in India—the particular rule of the Regulations under which the leave is admissible.

(*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, applications for leave should be submitted direct to the Local Government. The Controller of Military Accounts 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.

(*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 Form 1, 2, 3, 4, 5, or 6.

857. (*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*) 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.

(*c*) 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.

858. 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 communi-

* The Account Officer is defined in paragraphs 2, 3, 4 and 5 of the General Order in the Military Department, No. 134, dated 8th February 1895, as modified by the General Order in that Department, No. 1080 of 1895.

cate his intention to his immediate departmental superior when he sends in his application, or before he leaves his station, as the case may be.

859. An application from a Military officer subject to the Military Leave Rules for Special leave under Article 316 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.

860. 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 1, 2, 3, 4, 5, or 6 by the Account Officer in charge of his record of pension service.

Commissioned Medical Officers.

861. (*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.

The Director-General 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, he will abstain from countersigning the application. On the application so countersigned, or from which countersignature has been withheld, the Local Government will be in a position to pass orders. The same procedure will be followed in the case of medical officers applying for extension of furlough on private affairs.

(*b*) An application for any leave except Privilege leave and leave on medical certificate 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, His Majesty's Forces in India.]

Chapter XLV.—Payment of Leave Allowances.

862. Leave allowances are payable in India after the end of each calendar month; but an officer on leave out of India may, at his option, take payment at the Home treasury, and, if he proceeds to any Colony named in Appendix 15, in such Colony. Any balance of leave allowances undrawn at the time that an officer returns to duty in India, should be drawn there in rupees.

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.

863. Except in the Public Works and Telegraph Departments, a gazetted officer on leave in India may draw his allowance at any treasury in India. An officer on leave out of India may draw his allowance 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.]

864. 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 overpayments. A life certificate may be given periodically, a bond being given to cover intermediate payments not supported by the life certificate.

NOTE.—[The proper stamp duty upon bonds executed under this Article is that chargeable upon Indemnity Bonds according to the First Schedule of the Indian Stamp Act, II of 1899.]

865. 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.

866. The payment of the leave allowances of officers and subordinates of the Public Works Department and of officers of the Telegraph Department during leave in India is regulated by special departmental rules.

Payment out of India.

867. An officer proceeding on leave out of India cannot draw his leave allowance 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 XLVI.

868. When payment is made at the Home treasury 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 *1s. 6d.* to the rupee is fixed as the minimum rate at which the conversion into sterling shall be effected. Any payments made at a different rate or otherwise erroneously, should be adjusted in subsequent payments.

Exception.—The officers whose names are mentioned in Appendix 16, 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.

1. 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.

869. The leave 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, on the officer's written application.

Certificate of Leave.

870. (*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 in Form 9.

(*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 871, and submit it to the Audit Officer with a view to the preparation of his Privilege leave certificate, should he require one.

NOTE.—[Duplicate of a Privilege leave certificate is not forwarded to the India Office.]

871. (*a*) An officer proceeding on Long Leave to Europe who does not intend to draw allowances from the Home treasury should take with him a Certificate of Leave in Form 10 from the Audit Officer in whose circle of audit his appointment is held. If he visits England, this certificate is to be presented at the India Office.

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, or 6, as the case may be, by the Account Officer in charge of his record of pension service.

(*b*) If the officer afterwards desires to draw his leave allowances at the Home treasury 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.

872. An officer proceeding on Long leave to a Colony in America or the West Indies must take with him a certificate in the form prescribed in

the preceding Article. If he visits 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.

873. An officer proceeding on Extraordinary leave without allowances to Europe or to a Colony in America or the West Indies, must take with him a certificate of leave in Form 11 from the Audit Officer in whose circle of audit his appointment is held. If the officer visits 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. The Audit Officer should, when he issues this certificate, send a duplicate to the India Office.

Chapter XLVI.—Last-Pay Certificates and Warrants.

Section I.—Last-pay Certificates.

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874. Except as provided in Article 879, no officer can begin to draw his leave allowances at any treasury in India, or at the Home treasury 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.

875. Last-pay certificates (and warrants) cannot be issued to Military officers subject to the Military Leave Rules, until Article 860 has been complied with.

876. Except in respect to Colonial Warrants (Articles 888 to 891), this Section does not apply to Public Works officers whose last-pay certificates are issued under departmental rules.

Extensions and Commutations.

877. 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.

878. When an officer proceeds on leave from one place to another in India, he should obtain a certificate in Form 16 from the Accountant-General of his Presidency or Province. 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.

879. 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.

Leave out of India.

880. When an officer proceeds out of India on leave with allowances, other than Privilege leave, the Accountant-General who audits his pay will, as soon as the leave is gazetted or otherwise notified, send him a letter in Form 12 or 13 with enclosure in Form 14 or 15 as the case may be, requiring him to call at his office or give the necessary information.

881. If the officer calls at the Accountant-General's office, he will be paid up to the day before he leaves India, and will be given a last-pay certificate in Form 16 if he intends to draw his leave allowances at the Home treasury, and in Form 17 if he is proceeding to a Colony and intends to draw his leave allowances there.

882. If the officer is unable to call at the Accountant-General's office, the Accountant-General will prepare a bill for his 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 or in a Colony) forward it with the certificate in Form 16 or 17, as the case may be, to the Treasury Officer, for delivery to the officer according to the instructions in Form 18.

883. With every such last-pay certificate a blank Form 19 will be given, on which the officer will report to the Accountant-General, from the first port at which the vessel touches, the day of his departure from India.

884. When the Audit Officer delivers, or receives from the Treasury Officer, a report in Form 20 that he has delivered a last-pay certificate to the officer concerned, he will, if the certificate is in Form 16, forward a duplicate of the certificate to the India Office.

885. When the 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. If delayed beyond fifteen days, or the second mail after the officer's departure, a duplicate should also be forwarded through the Government of India, Madras or Bombay, as the case may be, accompanied by an explanation as to the cause of delay.

886. An officer proceeding to Europe should present his last-pay certificate at the India Office. When he returns to India, he should obtain a last-pay certificate from the India Office.

887. A last-pay certificate in Form 16—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.

888. (*a*) An officer, including an officer of the Public Works Department (*see Article 876*), proceeding to a Colony should submit his last-pay

certificate to the Comptroller, India Treasuries, at Calcutta, or if he embarks at any port in the Madras or Bombay Presidency, to the Accountant-General at Madras or Bombay, as the case may be.

(*b*) The Comptroller, or the Accountant-General, as the case may be, will retain the last-pay certificate, and, in lieu thereof, issue a Warrant in Form 21 upon the Colonial authority concerned.

889. 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 triplicate 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.

890. Upon his return to India, an officer should deliver up his copy of the Warrant which will serve the purpose of a last-pay certificate.

891. The Government of India recognise the proceedings of the Colonial authorities sanctioning the transfer of the payment of leave allowances from one Colony to another, but such transfer should be reported separately by the absentee to the Government of India and to the Under-Secretary of State for India.

NOTE.—[Articles 888 to 891 apply to Military officers subject to the Military Leave Rules.]

Copy of Rules to be furnished.

892. 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.

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893. In Forms 16 and 17 it should be stated to which Presidency an officer belongs, in which Presidency or Province he is employed, and whether the absentee allowance is chargeable to the Civil, the Military, or the Public Works Department.

894. To enable the Home authorities to ascertain at once the Department to which the absentee allowance is to be charged, 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.

895. 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.

896. In Form 16 it must be shown whether an officer is entitled to the full amount of Furlough permitted by the rules.

NOTE.—[See Note under Article 851.]

897. In column 11 in Forms 16 and 17, the Articles of these Regulations or of the Military Furlough Regulations under which the advance is made, should be mentioned.

Amended Certificates.

898. (*a*) Every corrected last-pay certificate whether original or duplicate should be marked "Amended Certificate." If it becomes necessary to amend a last-pay certificate in Form 16, the amended certificate should be forwarded at the earliest possible date, to the India Office, a duplicate with appropriate explanations being at the same time sent to the Government of India, Madras or Bombay, as the case may be.

(*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.

899. 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.

900. 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 Articles 246 to 278:*—
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 308 to 311); the whole continuous service.
Furlough without medical certificate, including extensions (Articles 308 and 309); 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:*—
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:*—
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:*—
All leave; the whole pensionable service; but, in this case, in calculating the charge to be borne by a Foreign 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 337 or 566 (Leave Regulations), Section 4(*b*)]; service for six years.
Furlough [Article 338 or 566 (Leave Regulations), 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.

901. 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.

Completion of Service.

902. 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.

903. (*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 Articles 557 to 560.

(*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 Article 556.*)

Chaplains.

904. A certificate in Form 30 should be attached to the last-pay certificate of a Chaplain proceeding on leave to Europe.

PART X.—PROCEDURE RELATING TO PENSIONS.

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PART X.—PROCEDURE RELATING TO PENSIONS.

Chapter XLVII.—Applications for and Grant of Pensions.

Section I.—Applications.

905. The rules in this Chapter apply to all officers applying for pension under these Regulations, except—

(*a*) Members of the Indian Civil Service—(*Chapter XLIX*);

(*b*) Chaplains,—(*Chapter L*);

(*c*) Judges of the High Courts, for whom no special procedure is laid down.

906. 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 930.*) An officer may be admitted to pension while absent on leave, whether in or out of India.

Non-Gazetted Officers—Preliminary Verification.

907. (*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, the authority receiving it certifies 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 does not justify the preparation of the formal application in Form 25 before the officer has actually retired.

908. The authority receiving the statement should then proceed to 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 comparison with his office records of 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, II of 1899, Schedule I, No. 4 (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.*)]

909. 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 907 (*a*) may, however, be sent to the Audit Officer direct or through the head of the department.

Formal Application.

910. After completing the verification in the manner prescribed in the preceding Article, the authority receiving the statement of services of a non-gazetted officer should draw up the application in Form 25, 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. 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.

911. (*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 908, 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.

NOTE.—[The Board of Revenue, Madras, exercises the power conferred by this clause in those cases in which it is empowered to grant pensions by Article 919 of these Regulations.]

912. If an officer in Superior service, whose age is less than sixty years, is required to retire under Article 459(*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 464, the fact should be stated.

913. (*a*) A gazetted officer should submit his application through his official superiors and the Audit Officer 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 297 (*c*), (*d*) and (*e*), 654 and 678, whether appointed by the Secretary of State or not, should be prepared in Form 26. In the case of other gazetted officers the application should be prepared in Form 25 either by the officer himself or by the head of his department; 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.

914. (*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 908 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*) The Audit Officer will also certify the correctness of the calculations of service and of pension, and retain the last-pay certificate (Article 910) unless the pension is to be paid in another circle of audit, in which case he will forward the certificate to the Audit Officer of that 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 25 reserved on the second page for the remarks of the Audit Officer, or in his Certificate and report on the third page of Form 26, 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 470 in his report of the amount of pension admissible.

NOTE.—[Each Audit Officer shall submit in Form 24 quarterly, to the Government of India, in the Finance Department, a return of applications received and disposed of under this Article.]

Premature Applications.

915. (*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. But this rule should not be read as prohibiting the consideration, until an officer retires or is about to retire, of a proposal to condone a break in his service.

916. 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 retires or is about to retire. Memorials which relate to such questions addressed prematurely to the Secretary of State are uniformly returned.

917. Articles 915 and 916 do not prohibit the submission of a preliminary application for pension [*see Article 907 (b)*] on behalf of an officer intending to retire immediately, while he is still in employ.

Section II.—Powers of Sanction.

918. In a case falling clearly and strictly within the letter of the Regulations, the Local Government may grant the pension admissible.

919. The Board of Revenue, Madras, Commissioners of Divisions in the United Provinces and 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 Audit Officer to be admissible under the strict letter of the Regulations. In the case of officers appointed under the Sind Village Officers' Act the Commissioner in Sind sanctions all pensions certified by the Audit Officer to be admissible under the Regulations.

920. Managers of State Railways have also been empowered to grant pensions to such of their 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, and where the claims are not due to reduction of establishment.

921. 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.

NOTE.—[The power conferred under this article on Inspectors-General of Police may be exercised by the following officers:—

(1) Commissioners of Divisions in Bombay, in the case of the District Police;
(2) The Inspector-General of Police, Bombay, in the case of the Railway Police;
(3) The Commissioner of Police, Bombay, in the case of the Bombay Town Police;
(4) The Commissioner of Police, Rangoon, in the case of Rangoon Town Police;
(5) The Political Agent in Kathiawar, in respect to the members of the Kathiawar Police; and
(6) The Commissioner, Northern Division, Bombay Presidency, in respect to the members of the Agency Police in the Mahi Kantha, Rewa Kantha and Palanpur Agencies.]

1. Claims to Wound and other Extraordinary pensions (*see Chapter XXXVIII*), even though they may be provided for by other rules of the superannuation Fund, are subject to the rules in Articles 739 and 740.

922. Should the amount granted to an officer be afterwards found to be in excess of that to which he is entitled under the Regulations, he will be called upon to refund such excess.

923. (*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, to the Government of India in the Administrative Department concerned.

NOTE.—[In respect to such recommendations, see orders printed as Appendix 9.]

(*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 Government of India.

(*d*) An application in Form 25 or 22, as the case may be, should accompany every special recommendation made under this Article.

924. (*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.

NOTE.—[See Note under clause (*a*) of the preceding Article.]

(*b*) The Government of India have, however, been authorised to grant pensions up to a limit of Rs. 10 a month or gratuities not exceeding the equivalent value of that amount, without reference to the Secretary of State, in any case, even where no pension or gratuity is admissible under rule, provided that the general spirit of the Regulations is observed.

(*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.

Section III.—Anticipatory Pensions.

925. (*a*) When an officer whose pension is payable in India retires before the necessary enquiries preliminary to the settlement of the amount of his pension 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.

DECLARATION.—Whereas the (here state the designation of the officer sanctioning the advance) has consented, provisionally, to advance to me the sum of Rs. 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.

(*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.

926. When an officer whose pension is payable in England retires before the necessary enquiries preliminary to the settlement of the amount of his pension 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 to which he believes the officer to be entitled. This report should be forwarded at once to the India Office by the Local Government by which the pension will in due course be sanctioned. The India Office will then, on receiving from the officer a declaration similar to that in Article 925, at discretion, sanction the immediate disbursement of the amount of pension reported to be the minimum likely to be admissible, 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.

927. (*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 925, 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.

928. (*a*) To enable the Audit Officer to exercise the jurisdiction thus entrusted to him, the head of the office or department from which the officer is removed should furnish to the Audit Officer, as soon as possible after 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 908 or 909, which also should on no account be delayed until the officer has actually retired.

929. 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 XLVIII.—Payment of Pensions.

Section I.—General Rules.

930. Apart from special orders, a pension, other than a Wound or Extraordinary 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 436, has received a gratuity in lieu of notice, is not payable for the period in respect of which the gratuity is paid.

931. 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 special orders, such a pension takes effect only from the date of sanction.

932. 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.

933. When a pension is stated in rupees, it is payable at any treasury in India; or, at the pensioner's option, at the Home treasury.

934. 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 that in the case of persons resident in any country in which gold is the standard of currency and the Indian Government rupee is not legal tender, 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 in which gold is the standard of currency and the Indian Government rupee is not legal tender. 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 gold is the standard of currency and the Indian Government rupee is not legal tender, 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 his proceeding to a country in which silver is the standard of currency or the Indian Government rupee is legal tender 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 silver is the standard of currency or the Indian Government rupee is legal tender, for more than six months, either from the date of his retirement or from the date of his subsequent arrival in any 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.]

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.]

935. The rule in Article 934 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.

936. Transfer of a pension from an Indian treasury to the Home treasury and *vice versâ* is permitted within reasonable limits whenever desired.

NOTE.—[Frequent transfers of a pension to and fro are not permissible, and the Accountant-General concerned should report to the Government of India, for special orders, any case in which it appears to him that undue advantage is being taken of the rule.]

937. 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, who 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 India Office.

Section II.—Payment in India.

938. (*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 25 or 26, or of the whole application if in Form 22, 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 Pension Payment Order should be communicated in a separate letter.

939. 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 Pension Payment Order in Form 27 or 28.

NOTE.—[Form 27 may not be used for pensions chargeable to Excluded Local Funds (*see Article 800*) or Native States. The following extract from a letter from the Government of India, indicates the form of Pension Payment 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 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 Rs. 100, 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.

"When such payments on account of pensions are arranged for, the form of payment 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 Pension Payment Order, but should be clearly distinguished in form."]

Procedure in paying.

940. A gratuity is paid in a single sum, and not by instalments, on receipt of the Accountant-General's authority.

941. 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. The amount of the life annuity or temporary life annuity will be determined by Table A printed in Appendix 10.

942. The Government of India will never insist on the conversion of a gratuity into an annuity, unless the expectation of life of the officer be reported by competent medical authority to be equal to the average.

943. 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 Pension Payment 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 Pension Payment Order, both entries being attested at the time of payment by the signature of the Disbursing Officer.

3. With reference to Articles 956 and 957, 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 of Pensioner.

944. As a rule, a pensioner must take payment in person after identification by comparison with the Pension Payment Order.

NOTE.—[Officers of the classes mentioned in Articles 297 (*c*), (*d*) and (*e*), 654 and 678, whether appointed by the Secretary of State or not, are, when pensioned, paid on payment orders in Form 28 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.]

945. 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.

946. A pensioner of any description who produces a life certificate signed by some person exercising the powers of a Magistrate 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.

947. (*a*) In all cases referred to in Articles 945 and 946, the Disbursing Officer must take precautions to prevent impositions, 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.

948. Payment of pensions to Police pensioners are made in accordance with the rules in this Section, but if the Disbursing Officer entertains any doubt as to the identity of such a pensioner, he may require the local Inspector of Police to identify him. The Inspector would then be responsible for the correct identification of the pensioner.

Payment to Agents.

949. (*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 Accountant-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.

950. 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.

951. (*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 Pension Payment Order.

(*b*) The Accountant-General will then either issue a new payment order, or enface the payment 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.

952. 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.

953. (*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 Pension Payment Order.

954. When the reverse of a Pension Payment 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.

955. If a pensioner loses his half of the Pension Payment 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 943 will prevent any payment being made on the half alleged to be lost.

Lapses and forfeitures.

956. If a pension payable in India remains undrawn for more than six months, the Pension Payment Order must be returned to the Accountant-General, and the pension ceases to be payable.

957. If the pensioner afterwards appears, the Disbursing Officer may reclaim the Pension Payment 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 Rs. 1,000, without the previous sanction of the Local Government obtained through the Accountant-General.

NOTE 1.—[The Local Government may delegate its powers under this Article to Commissioners of Divisions, or to such other officers as it may desire.]

NOTE 2.—[The term "Local Government" in this Article means the Local Government by which or by an authority subordinate to which the pension was sanctioned and not the Local Government in whose jurisdiction the paying treasury may happen to be situated.]

958. 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.

959. (*a*) On the death of a pensioner, payment of any arrears 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 powers under this Article to Commissioners of Divisions, or to such other officers as it may desire.]

(*b*) But if the arrears do not exceed Rs. 100, 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 Pension Payment Order should be returned to the Accountant-General with a report of the date of the death of the pensioner.

960. Subject to the provisions of the preceding Article, the arrears of pension of a deceased pensioner may, if the amount does not exceed Rs. 500, 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 Rs. 500, the payment should be made only to the person duly authorised to receive assets belonging to the estate of the deceased.

961. If an officer dies before actually retiring or being discharged, his heirs have no claim to anything in respect to his pension.

Section III.—Payment in England.

962. 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, the Audit Officer, who audits the pay of the officer, 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, to the India Office. The forwarding letter should always request that payment be made from some specific date, the date being ascertained from the last-pay certificate.

963. 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.

964. 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.

965. 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.

966. The rules in this Section apply to pensions granted under the rules in any Chapter of these Regulations. The pension of a pensioner residing in any Colony named in Appendix 15 may be paid there.

Issue of Warrant.

967. The authority for payment of a pension in a Colony shall be a Warrant in Form 29 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.

968. When a pension is first granted to an officer serving otherwise than under the Government of Madras or Bombay, and the pensioner desires that it 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.

969. When a pension is first granted to an officer serving under the Government of Madras or Bombay, and the officer desires that it 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.

970. 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 triplicate 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.

971. Pensions stated in Indian money shall, where the standard of currency of the Colony is gold and the Indian Government rupee is not legal tender, 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 1*s.* 9*d.* the rupee is fixed as the minimum rate at which the conversion into sterling shall be effected. Any payments made at a different rate or otherwise erroneously, should be adjusted in subsequent payments.

NOTE 1.—[The same rate of exchange is adopted in issuing gratuities to persons residing in any country in which gold is the standard of currency and the Indian Government rupee is not legal tender. 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 to 5 under Article 934, apply, *mutatis mutandis*, to this Article.]
NOTE 3.—[On Warrants issued to persons drawing pensions stated in rupees it should be noted whether payment is subject to the minimum rate of 1*s.* 9*d.* the rupee, and whether the minimum rate should be applied from the date of commencement of payment of the pension or after six months from the date on which the pensioner shall have quitted India or a country in which silver is the standard of currency or the Indian Government rupee is legal tender.]

Transfer of Payment.

972. (*a*) Transfer of a pension from an Indian treasury to a Colony the payments in which are adjusted in the accounts of the Home treasury is permitted only once; but a pensioner can at any time have payment transferred from a Colony to an Indian treasury, or from a Colony the payments in which are adjusted in the accounts of the Home treasury to England for direct payment from the Home treasury.

(*b*) 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.

973. Upon his return to India an officer should deliver up his copy of the Warrant, which will serve the purpose of a last-pay certificate.

Chapter XLIX.—Pensions to Members of the Indian Civil Service.

Section I.—Applications.

Retirement while on duty in India.

974. An officer 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 556, or on any other account.

975. Any other officer 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 981.

976. An officer on the Madras or Bombay Establishment, if he be in India, shall submit his application to the Government of Madras or Bom-

bay, 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.

Retirement during leave to Europe.

977. (*a*) An officer, 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.

978. (*a*) In the case of an officer 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 the annuity or gratuity to which the officer is entitled will be sanctioned.

(*b*) The copy of the sanctioning order forwarded to the officer will be his authority for drawing his annuity or gratuity.

(*c*) In the case of an officer on the Madras or Bombay Establishment, the annuity or gratuity will be sanctioned by the Government of Madras or Bombay, as the case may be.

Section II.—Payment.

979. 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 belongs to the Bengal Establishment, and to the Government of Madras or Bombay, if he belongs to 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.]

980. 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.

981. 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 belongs to the Bengal Establishment, the report must be made to the Government of India in the Finance Department; and if he belongs to 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 975.*)]

982. Annuities are payable in arrear, monthly, and to date of decease.

983. (*a*) Payment of annuities and gratuities may be taken at the Home treasury in sterling money, or in India in rupees, at the following rate:—

(i) If the annuitant was on the Bengal Establishment,—$10\frac{2}{3}$ rupees for each pound sterling.

(ii) If the annuitant was on the Madras or Bombay Establishment, —10·65 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.]

984. Transfer from the Home treasury to an Indian treasury, and *vice versâ*, is permitted twice only.

985. 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.

986. An officer 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 978.

987. Payment of annuities may be made in any Colony named in Appendix 15 in accordance with the procedure laid down in Articles 966 to 973.

Chapter L.—Pensions to Chaplains.

988. 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.

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.

989. A Chaplain proceeding to England on retirement, without applying for pension, should procure a certificate in Form 30—

(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).

990. A Chaplain of the Church of England, who wishes to obtain pension from the authorities in India, must submit his application, through the Archdeacon or Bishop of his Diocese, to the Government of India in the Home Department if he belongs to the Bengal Ecclesiastical Establishment, and to the Local Government if he belongs to the Madras or Bombay Ecclesiastical Establishment.

991. A Chaplain of the Church of Scotland, who wishes to obtain pension from the authorities in India, must submit his application, through the Presidency Senior Chaplain, if he is not himself the Presidency Senior Chaplain, to the Government of India in the Home Department if he is serving in the Bengal Presidency, and to the Local Government if he is serving in Madras or Bombay.

992. The Home Department, or the Government of Madras or Bombay, before accepting the resignation of a Chaplain, should obtain a certificate from the Comptroller, India Treasuries, or the Accountant-General, Madras or Bombay, as the case may be, showing the Chaplain's service, residence, and the amount of pension to which he is entitled.

993. (*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 the pension to which the Chaplain is entitled will be sanctioned.

(*b*) In the case of the Madras or Bombay Presidency, the procedure is the same, but the pension is sanctioned by the Government of Madras or Bombay, as the case may be.

994. 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 LI.—Definitions and General Rules.

Section I.—Principles of Calculation.

995. 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. 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.

996. (*a*) For the purpose of calculating travelling allowance, a journey between two stations is 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. In case of doubt the Local Government will declare which shall be regarded as the shortest of two or more routes between any two stations.

(*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.

997. 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.

998. The point in any station from which a journey is held to commence, or at which it is held to end, is the chief public office or any other point fixed for the purpose by the Local Government.

NOTE.—[The term "Local Government" in Articles 996 to 998 does not include the head of a department, but in the case of journeys between stations which are in the jurisdiction of different Local Governments, heads of departments under whose orders transfers are made from one Province to another may exercise the powers of a Local Government under Articles 996 and 997.]

When means of locomotion are supplied.

999. 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.—[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.]

1. This Article does not apply to—
   (*a*) Officers of the fourth class.
   (*b*) (i) Gazetted officers of the Forest Department serving in the Sunderbans Division.
   (ii) Officers and establishments referred to in the rule under "Aden" and in rules (iv) and (v) under "Persia and the Persian Gulf" in Appendix 29.

   } Are entitled to half the daily allowance ordinarily admissible.

   (*c*) When travelling by steamer supplied at the expense of the State—
   (i) The Executive Engineer, Eastern Nara, and his establishments.
   (ii) The establishment accompanying the Commissioner in Sind, the Deputy Commissioner, Upper Sind Frontier, and the Superintending Engineer, Sind.

   } Provided a certificate is furnished by the officer concerned that complete camp equipage was maintained throughout the period occupied by the journey.

   (iii) Officers and subordinates of the Irrigation Department in Sind. These officers draw ordinary travelling allowances subject to the following conditions, namely,
      1. that the officer concerned, or, if he be of lower rank than an Executive Engineer, the Executive Engineer certifies that complete camp equipage was maintained throughout the journey, and
      2. that mileage allowance cannot be drawn in lieu of daily allowance for journeys over twenty miles by steamer, or partly by steamer and partly by road, unless the portion of the journey performed by road exceeds twenty miles, when mileage should be calculated on the road journey only.
   (*d*) When travelling by boat supplied at the expense of the State—
   (i) The Commissioner of Customs, Salt, Opium and Abkari, Bombay.
   (ii) The Collector or Assistant Collectors of Salt Revenue in Bombay.
   (*e*) The Commissioner in the Sunderbans and his establishment when on tour in the Sunderbans.
   (*f*) Officers who are entitled to or are allowed free transit by railway whether under a free pass (see Appendix 17) or otherwise. Officers who are allowed a reserved railway carriage at Government expense are not included in this clause.
   (*g*) Officers who are provided with elephants required for the conduct of professional operations and not for their private use.

2. Table-money under Article 1023 is granted to officers of all but the first class in Burma travelling by Government steam launch on transfer, in addition to any allowance admissible under this Article.

Camp Equipment and Horses.

1000. 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, bicycles, or camp equipment by railway or steamer or, in Burma, send his horses, by a vessel other than a steamer, 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.]

1001. 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 sanction under Article 1000 to any head of a department or Controlling or Inspecting officer.

Section II.—Classification of Officers.

1002. 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 and Departmental officers, Chaplains, the officers mentioned in Appendix 18, and any other officer who holds an appointment the pay or maximum pay of which exceeds Rs. 500.

Second.—The second class includes Warrant officers, Non-Commissioned officers, Civil 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 (Foreign Department), Probationary Deputy Collectors in Bengal, when employed on famine relief duty, qualified students of the Thomason College under practical training, and any other officer, not included in the first class, who holds an appointment the pay or maximum pay of which exceeds Rs. 100.

Third.—The third class includes all officers in superior service not included in the first or second class and jail warders in the Bombay Presidency drawing more than Rs. 10 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 Rs. 12 a month, are held to be officers of the second or third class, according as their pay does or does not exceed Rs. 100 a month.]

1003. 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.

1004. 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.

1005. 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 the ordinary maximum daily allowances for officers of the first and second classes respectively are Rs. 5 and Rs. 3.

NOTE.—[In Bombay the travelling allowance of Government Pleaders is regulated by special local rules.]

1006. 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.

1007. 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.

1008. A person employed temporarily, by competent authority, is entitled to travelling allowances under the rules applicable to officers of corresponding rank with permanent appointments.

Combination of Appointments.

1009. An officer holding either temporarily or permanently, two separate appointments is entitled only to the travelling allowance attached to one of them; 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, obliged to incur additional travelling expenses beyond what he would have incurred if holding only one.

1010. 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 or Assistant District Superintendent of Police may draw travelling allowance as a District or Assistant District Superintendent, if he travels during the period of the charge. But Inspectors placed in charge of districts in Assam are allowed a special rate of daily allowance (*see Entry 84, Appendix 25*).

(*b*) An 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 subordinates in the Buildings and Roads and Irrigation Branches, respectively, of the Punjab and the United Provinces and in the Irrigation Branch in Bengal, according to a scale sanctioned from time to time by the Government of India in the Public Works Department, when placed in charge of districts or sub-divisions, are allowed travelling allowance at the rates admissible to Assistant Engineers, or Sub-Engineers, as may be ordered by the Local Government. Lower subordinates of the United Provinces, Buildings and Roads Branch, when similarly placed in charge of districts or sub-divisions, within the scale referred to above, draw travelling allowance at similar rates.

(*d*) A lower subordinate placed in charge of a properly constituted sub-division in Bengal or in Burma 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 LII.—Mileage Allowances.

NOTE.—[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.]

PART XI.

Section I.—Travelling by Railway.

1011. Officers travelling by railway on duty 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 an officer 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,—second class, if the officer's pay or maximum pay is not less than Rs. 50; 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.]

Exceptions—(*a*) Junior Port Officers in the Madras Presidency, the Assistant Port Officer, Rangoon, the Native Assistant to the Resident at Baroda, and the Lady Superintendents in the Female Training colleges at Ahmedabad and Poona are entitled to first class accommodation.

(*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, if they actually travel by that class.

(*c*) Deputy Inspectors of Schools in Bengal, substantive or temporary, are allowed 2nd class accommodation.

1012. The allowance admissible to an officer of the first, second, or third class is double the fare of the class in which he is entitled to accommodation, and to an officer of the fourth class the fare of the lowest class.

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

1013. When an officer is entitled to or is allowed free transit by rail his travelling allowance must, save as otherwise provided in Articles 1067 to 1069, 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 17 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.

1014. 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 Lines.

1015. (*a*) An officer of the Public Works or the Telegraph department 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 1061 (*a*) are satisfied, in which case he may draw also the allowances admissible under that Article.

NOTE.—[The special allowance admissible under this Article is not affected by Article 999.]

Section II.—Travelling by Sea or River.

1016. An officer when travelling by sea or in a river steamer, is allowed either free accommodation, or the amount of passage money actually paid for accommodation, on the undermentioned scale:—

(*a*) *Officer of the First Class.*—First class for himself, and lowest class for two or, if his salary is not less than Rs. 1,000, three servants.

(*b*) *Officer of the Second or Third Class.*—Middle or second class for himself and lowest class 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, and an officer of the third class by the lower of the two classes. If there are four classes of accommodation, an officer of the second class is entitled to second class, and an officer of the third class to third class accommodation.

(*c*) *Officer of the Fourth Class.*—Lowest class.

1017. The preceding Article is subject to the following provisos:—

(*a*) An officer of the second class whose pay is not less than Rs. 200 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 officer whose pay does not exceed Rs. 30 shall be allowed accommodation under clause (*c*) only.

1018. 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

* When the journey is more than twenty miles, and is made partly by road and partly by trolly, the allowances are regulated by Article 1065(iii).

amount not exceeding double that admissible as passage-money for themselves under Article 1016(*a*).

1019. The Travelling Inspector of Emigrants, Assam, while actually engaged on the duties of Travelling Inspector, may draw first class fares for journeys by steamer.

1020. 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, the Local Government has power to decide what class of accommodation any particular officer should be allowed.

1021. Except as provided in Articles 1000, 1094 (Exception 1), and 1098, no more personal luggage can be carried at the expense of the State than the quantity the freight on which is included in the charge for passage.

Table-money.

1022. If board is provided on the vessel either by its owners or 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 1016 to 1021, 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 Rs. 8.

(ii) Otherwise, three-fortieths of salary up to a maximum of Rs. 4.

NOTE.—[In the case of Political Officers in the Persian Gulf and at Muskat travelling on duty in H. M.'s ships or R. I. M. vessels, table-money is recovered at the rate of three-fortieths of salary up to a maximum of Rs. 4 a day whether board includes wines or not.]

1023. 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 1063, 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 1022, nor paid to an officer of the first class in the case mentioned in Article 1023.

1024. 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.

1025. 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.

1026. 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.

NOTE.—[Articles 1022 to 1026 regarding the recovery of table-money apply to voyages in the neighbourhood of India only.]

1027. Messing charges are recovered as follows from civil officers provided with first class passages between England and India:—

(1) When free passage is granted—

(*a*) to officers recalled from leave, or proceeding on or returning from duty, recovery is made at the rate of 2 shillings a day for the actual number of days messed; when recovery is made in India the amount due is converted at the official rate of exchange in force on the day of embarkation.

(*b*) to officers proceeding to India on first appointment either to a regular service or to temporary employment, or returning to England from temporary employment, no recovery is made.

(2) When an allowance is granted in lieu of passage—

The allowance granted in England for a first class passage to India is £47-10-0 from which £2-10-0 is deducted for messing in all cases. When a similar allowance is granted in India to an officer proceeding to England the amount granted is Rs. 625 from which Rs. 37-8-0 is deducted for messing in all cases.

Government vessels.

1028. An officer is bound to travel in an Indian Government vessel, if suitable accommodation be offered to him.

1029. An officer travelling otherwise than on payment of passage-money in a vessel, the cost of which is paid by the State or Local Funds, is subject to the rules regarding scale of accommodation in Articles 1016 and 1017 and table-money in Articles 1022 and 1023. But the travelling allowance of an officer travelling in a vessel, the crew of which is paid by himself and not by the State or Local Funds is regulated by Article 999.

1030. The rates payable to Commanders of Government vessels for the entertainment on board 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, and 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 19.

Crossing River by Steamer.

1031. The rules in this Section 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 are applied.

Embarking and Disembarking.

1032. In adition to passage-money an officer travelling by steamer is 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 are not reimbursed.

Section III.—Travelling by Road.

1033. 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.

1034. For journeys by road, mileage allowance is calculated at the following rates:—

Officers of the 1st class . 8 annas	Officers of the 3rd class . 2 annas
,, ,, 2nd ,, . 4 ,,	,, ,, 4th ,, . 1 anna

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 1065* (ii).]

1035. 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.

1036. (*a*) The undermentioned Revenue and Forest officers in Madras receive mileage at the rates shown below when travelling on tour within their respective districts or charges:—

	Without Camp. Annas.	With Camp. 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*) The following officers also draw mileage at the special rates shown:—

	Annas.
Junior Port officers in Madras	8
Overseers in the Public Works Department	2
Assistant Inspectors of Schools, Bengal	6
Deputy Inspectors of Schools, Bengal, substantive or temporary	4
Extra Assistant Conservators of Forests placed in charge of a forest division	6
Assistant Opium Agents	8
Superintendents and Assistant Superintendents in the Northern India Salt Revenue Department	8
Chief Observers at Lahore and Allahabad and Clerks in the Calcutta, Madras and Bombay Meteorological Observatories when inspecting observatories	4
Settlement and Assistant Settlement Officers in Bengal whose pay is less than Rs. 700 a month—50 per cent. extra, subject to a maximum of	8

Special Conveyance.

1037. (*a*) When an officer of a class lower than the first is required by superior authority to travel by special means of conveyance, the cost of which exceeds the daily allowance under Article 1063 when daily allowance only is admissible, or the mileage admissible under Article 1034, the actual

cost of transit may be drawn in lieu of daily allowance or mileage. The bill for the actual cost of transit 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.

(*b*) 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 LIII.—Travelling Allowances for Journeys on Tour.

Section I.—General Rules.

1038. An officer other than one of those referred to in Article 1039, 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 LII.

(*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 or of the Indian Empire 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.

1039. The pay of the officers named in Appendix 20 has been fixed so as to compensate them for the cost of ordinary journeys (other than journeys by rail or steamer) within their respective jurisdictions, and they are not entitled to travelling allowance for such journeys. When travelling by rail or steamer within jurisdiction, they are entitled to travelling allowance under Articles 1011 to 1032. When proceeding under proper authority beyond their jurisdiction, they are entitled to travelling allowance for the entire journey, including such part of it as is within their jurisdiction.

NOTE 1.—[The Judicial Commissioner, Central Provinces, is not entitled to any travelling allowance for journeys on duty within his jurisdiction.]

NOTE 2.—[Zilladars and Veterinary Assistants serving in the Civil Veterinary Department in Baluchistan are only entitled to actual railway fare when travelling by rail on duty.]

NOTE 3.—[Revenue Surveyors in Burma are not entitled to travelling allowance for journeys of any description within their jurisdiction. When travelling beyond their jurisdiction they are entitled to actual rail and steamer fares for the whole journey.]

1040. The Local Government is empowered to add to the list of officers in Appendix 20 subject to confirmation, on report of its proceedings to the Government of India.

Limits of Ordinary Jurisdiction.

1041. A Local Government may fix the limits of ordinary jurisdiction for, and impose restrictions upon the duration and frequency of the journeys on any specified duty of, any officer or class of officers.

Tents and Tentage Allowance.

1042. (*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. When they are used partly for office and partly for private purposes, the officer using them must, save as provided in Article 1000, pay half the cost of carriage. When they are used wholly for private purposes, the officer using them must, unless the case is met by Article 1000, pay the whole cost of carriage.

1043. An allowance called tentage is made to the officers mentioned in Appendix 21 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.

Section II.—Permanent Allowances.

1044. A permanent monthly travelling allowance is granted in lieu of all other travelling allowances (except Tentage) 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 such an 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.

Exceptions.—The following officers who draw permanent monthly travelling allowance may draw single fare for a journey by rail in addition:—

(*a*) District Inspectors of Excise in the Central Provinces, provided the Deputy Commissioner certifies that the journey by rail was necessary and that the Inspector has duly earned the monthly allowance.

(*b*) Police Inspectors in Bombay.

(*c*) District Inspectors of Schools in the Punjab—with the special sanction of the Post Master-General for journeys made by them as Inspectors of School Post Offices.

1045. 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 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 LII in addition to his ordinary permanent allowance for such period.

1046. 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 1065, the daily allowance being taken to be one-thirtieth of the permanent monthly allowance.

1047. A permanent monthly allowance cannot be drawn during absence on leave or during joining time, 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.

1048. Permanent monthly allowances are granted to the officers named in Appendix 22 at the rates shown therein.

Additions to this Appendix can be made only with the sanction of the Government of India.

1049. (*a*) The Local Government may grant to a Forest officer, in lieu of other travelling allowance, a permanent allowance, according to the following scale:—

	Rs.
To an officer in charge of a circle	150 a month.
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.

1050. Conservators of Forests in Madras may grant a Forester not in charge of a Range a permanent monthly travelling allowance not exceeding Rs. 8.

1051. Munshis and clerks attached to Canal Divisions of the Public Works Department and sub-divisional clerks and munshis on the establishment of the Executive Engineer, Kumaun Government Estates, United Provinces, 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 Rs. $7\frac{1}{2}$, in lieu of all other travelling allowance.

Section III.—Daily Allowances—Conditions.

1052. (*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.

1053. 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.

1054. (*a*) The Local Government may apply the provisions regarding a halt at head-quarters, contained in Article 1059, subject to the conditions and certificates therein specified (as far as applicable), and 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 1059 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 1059.]

1055. 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.

Exceptions.—1. No travelling allowance, other than a permanent monthly allowance, is admissible to a District 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. In this clause "Tour" means a journey which involves absence from head-quarters for two or more consecutive nights, and the visitation of two or more police stations or posts.

2. 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, are exempted from the operation of this Article.

Halts during Tour.

1056. 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, although camp equipage was not maintained, the officer was put to extra expense by his halt after the expiration of the first ten days.

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.

1. 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 limitation imposed by this Article. For halts after the first 120 days the limitation applies.

NOTE.—[As regards officers of the Settlement Department and their establishments, the Local Government may delegate its powers under this Article to any officer of not lower rank than Settlement Commissioner. As regards officers in (*a*) the Geological Survey Department, including the Inspector of Mines and his establishment, and (*b*) the Thagi and Dakaiti Department, the head of the department exercises the powers of a Local Government under this Article.]

1057. An officer who remains more than ten days halted at a place may, after he ceases to draw the daily allowance, draw travelling allow-

ance under the ordinary rules 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.

1058. The officers and establishments enumerated in Appendices 23 and 24 have been exempted from the rule in Article 1056: those in 24 unconditionally and those in 23 on the understanding that they maintain camp equipage.

Head-quarters.

1059. (*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, 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 Exception 2 to Article 1055 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.—[Riding camels and riding horses may, under the orders of the Local Government, be treated as camp equipage for the purposes of Article 1059 in the case of munshis and clerks in the Punjab and Sind, and also for the purposes of Article 1054 (*b*) in the case of such officials in Sind.]

1060. The Local Government may determine, in case of doubt, what are the head-quarters of any officer serving under it.

Cumulative Allowances.

1061. (*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 LII, whether the camp be moved or not.

(*b*) The Local Government may delegate its power under this Article to the head of a department.

1062. 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.

Section IV.—Daily Allowances—Rates.

1063. Officers are entitled to daily allowances as follows:—

(i) An officer of the first class, Rs. 5.

(ii) An officer of the second class, four annas for every Rs. 25 or fraction of Rs. 25 of the pay or maximum pay of his appointment, subject to a maximum of Rs. 3.

(iii) An officer of the third class, two annas for every Rs. 12½, or fraction of Rs. 12½ of the pay or maximum pay of his appointment, 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 Rs. 8, and one anna if his pay is Rs. 8 or less.

Exceptions.—(*a*) The officers mentioned in Appendix 25 are entitled to 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 the allowance of his class.

(*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., are 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*) Clerks and inferior servants accompanying His Excellency the Viceroy or a member of the Viceroy's Council 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 under Chapter LII may be drawn in addition to these allowances:—

(i) Clerks on salaries of less than Rs. 100—Full salary, provided the sum of salary and allowance does not exceed Rs. 150 a month.

(ii) Clerks on salaries of not less than Rs. 100, but less than Rs. 200—Half salary, provided the sum of salary and allowance does not exceed Rs. 266§ a month.

(iii) Clerks on salaries of Rs. 200 and above—One-third salary to a maximum of Rs. 200 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.]

(*g*) The Head Commissioner 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 . . . . Rs. 2½ | 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. He may also grant daily allowances up to a maximum of Rs. 1-8-0 a day to clerks and potdars accompanying remittances of less than twenty lakhs, when he is satisfied that the ordinary rates are insufficient.

(*h*) Clerks and Hospital Assistants 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 Rs. 50 and a minimum of Rs. 20 a month, from the date on which the Lieutenant-Governor's camp leaves head-quarters to the date of its return. Inferior servants are entitled to the free carriage of their baggage.

(*i*) Settlement and Assistant Settlement Officers in Bengal are entitled to daily allowance at the following rates:—

(*i*) Officers on pay of Rs. 700 or upwards, Rs. 7-8-0 a day.

(*ii*) Officers on pay of less than Rs. 700 a month, 50 per cent. in excess of the rate of their class, subject to a maximum of Rs. 5 a day. For journeys by boat in the Chittagong and Dacca divisions, and the districts of Khulna, Jessore and the 24-Parganas, the officers may draw only such daily allowance as is admssible under Appendix 29.

(*j*) 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.

1064. With the following exceptions 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:

(1) The Secretary and the Joint Secretary to the Government of India in the Public Works Department, are entitled to a daily allowance of Rs. 10.

(2) Secretaries or Joint Secretaries to Government in the Public Works Department of Madras, Bombay, Bengal, the United Provinces and the Punjab, when travelling with the Governor or Lieutenant-Governor, are entitled to a daily allowance of Rs. 10.

Section V.—Mileage in lieu of Daily Allowances.

When Daily Allowances are exchangeable.

1065. 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 Articles 1011 to 1015 or Articles 1016 to 1032, 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 public or hired conveyance under a certificate from the head of the office that he was required to do so, the allowances admissible under Chapter LII.

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."]

(iii) if he travels partly by road and partly by rail or steamer, or both—

(1) in respect of the road journey, the allowance admissible under Articles 1033 to 1037, 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 Article 999, or Articles 1011 to 1015, or Articles 1016 to 1032, or both, as the case may be.

1066. In the case of officers whose salary does not exceed Rs. 200 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 LII 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.

1067. The following officers, whose duties require them to travel constantly by railway, are not entitled to allowances under Articles 1011 to 1015, except in cases of transfer from one line to another, but are granted 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. Inspectors of maintenance on State Railways are not entitled to draw allowances under 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.

2. The proviso in Article 23 applies to allowances drawn under this Article.

3. 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 1033 to 1035, or Articles 1016 to 1021.

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.

1068. 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 ,, ,, ,, ,,

NOTE 2.—[In case of transfer, the officers mentioned in this Article are entitled to travelling allowance under Article 1013.]

1069. 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.

Officers in the Survey of India Department.

1070. (*a*) The following special rules apply to officers in the Survey of India:—

(i) A Survey officer may, for a journey in the field, exchange his daily allowance for the allowance admissible under Chapter LII only when he is specially authorized by the Surveyor-General or Deputy Surveyor-General, and when he has to travel by public or hired 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 travelling expenses of a Survey officer, including charges by public or hired conveyance, and cost of carriage to and from such conveyance, for himself, his servants and baggage, not exceeding the limit named in the table below, exceed the amount admissible under Chapter LII, he may for such journey, in lieu of the amount so admissible, draw such actual expenses on a bill prepared in sufficient 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 .	35	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, and Hospital Assistants—		
(*a*) whose salaries are not less than Rs. 50	8	2
(*b*) whose salaries are less than Rs. 50	5	

NOTE.—[In applying this rule a journey must be treated as a whole. An officer cannot draw actual expenses under this rule for a part of a journey and ordinary rates for the remainder.]

(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.

Officers in the Madras Survey.

(*b*) The above rules apply also to officers in the Madras Survey, with the two following modifications, namely, the Superintendent of the Sur-

vey exercises the functions of the Surveyor-General or Deputy Surveyor-General, and the following table is substituted for the table in clause (*a*).

	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 Rs. 50	8	2
(*b*) whose salaries are less than Rs. 50	5	

1071. Clause (*a*) (ii) of Article 1070 applies to officers of the Geological Survey, the bill in their case being countersigned by the Director.

Other Special Cases.

1072. (*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.

1073. An inferior servant if entitled to daily allowance under Article 1038, may, for a journey by railway, draw his daily allowance in addition to railway fare. An inferior servant named in Appendix 20 may draw daily allowance in addition to the rail or steamer fare admissible under Article 1039 for an authorised journey beyond jurisdiction, but not for one within jurisdiction.

Section VI.—Conveyance Allowances.

1074. 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 this Chapter, a permanent conveyance or horse allowance is granted to him, which is drawn throughout the year.

1075. Conveyance allowances are granted to the officers named in Appendix 26.

Additions to this Appendix can be made only with the sanction of the Government of India.

How affected when on Tour or on Leave.

1076. (*a*) Save as provided in Article 1077 (*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 rule.

(*b*) It is, however, inadmissible during joining time or, except in the undermentioned cases, during leave.

Exceptions.—Provided it is not drawn by any other officer during his absence, conveyance allowance may be drawn during privilege leave by an Archdeacon, a Presidency Senior Chaplain of the Church of Scotland, a Chaplain, a Police Inspector in Madras, a Military Medical Subordinate employed in the Civil Department, and a zilladar or a salutri in Baluchistan or Sindh.

Public Works, Telegraph, Forest and other Departments.

1077. (*a*) A conveyance allowance not exceeding the amount shown in each case in the following table may be granted to a subordinate named in the first column 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 1065 (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.

Subordinate to whom conveyance or horse allowance may be granted.	Amount of allowance.	Authority empowered to grant allowance.
Public Works Department.	Rs.	
Upper subordinate	30	Manager and Engineer-in-Chief, State Railways.
Canal Zilladar	15	
Segyi of Irrigation Circle, Burma (on condition that a horse is maintained).	15	Superintending Engineer of Irrigation, Buildings and Roads, or Military Works Branch.
* Lower subordinate	15	
Assistant Surgeon † or Civil Apothecary.	15	
Hospital Assistant	7½	Local Government.
Ditto (in exceptional cases).	15	
Apprentice Overseer	15	Principal, Thomason College.
Cashier	15	Local Government.
Military Works Department.		
Store-keepers ‡	7½	Director-General of Military Works.
Telegraph Department.		
Upper subordinates and Inspecting Telegraph Masters and Signallers other than those sent out on casual inspection duty.	30	Director-General of Telegraphs, and in the case of the Indo-European Telegraph Department, the Director-in-Chief of that Department.
Forest Department.		
Hospital Assistant	7½	Government of Bengal.
Revenue Department.		
Lower Subordinates on the establishment of the Executive Engineer, Kumaun Government Estates, United Provinces.	15	Board of Revenue, United Provinces.

* 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 North-West Frontier Province or the Punjab, stationed beyond the external boundaries of the Hazara, Peshawar, Kohat, Dera Ismail Khan or Dera Ghazi Khan districts receive a horse allowance of Rs. 22-8 a month, with the sanction of the Local Government in each case. In the Military Works Department the allowance may be sanctioned by the Commanding Royal Engineer, Punjab Frontier District.

Lower Subordinates of the Tochi independent executive charge serving beyond the frontier, and Sub-Overseers located in the Simla and Kulu hills also draw a horse allowance of Rs. 22-8 a month.

Lower Subordinates in the Chin Hills and the Lushai Hills receive horse allowances of Rs. 30 and Rs. 22-8-0 a month respectively.

† The Railway Assistant Surgeon at Rawalpindi, North Western Railway, draws a horse allowance of Rs. 30 a month.

‡ The Store-keeper at Aden draws Rs. 17-8 a month.

1078. (*a*) Managers of State 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 their opinion, a source of danger or of 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 Rs. 30 a month for an officer who ranks with an Upper Subordinate, and Rs. 15 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 Rs. 30 a month under this Article.

1079. Subject to the restriction contained in the note under entry 26 in 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.

1080. 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.

1081. The Local Government may grant to any officer summoned temporarily on duty to a Presidency town or to Rangoon such conveyance allowance not exceeding Rs. 3 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.

1082. Conveyance hire is granted in the special cases shown in Appendix 27 at the rates and under the conditions therein indicated.

Chapter LIV.—Other Journeys.

Section I.—Joining first Appointment.

1083. 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 1002 as he would be if he had already joined such appointment.

Exceptions.—In the following cases travelling allowances are admissible for joining a first appointment:—

(*a*) To 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.

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. Students of the Normal Agricultural class, Nagpur, are also granted travelling allowance for the return journey at the same rates.

(*b*) To a person selected in Calcutta to be European Warder or Assistant Warder on pay not exceeding Rs. 100 in a jail in the interior of Bengal.

(*c*) Under the special orders of the Director-General, to a person newly appointed to the Postal Department to fill a temporary vacancy or a vacancy in another province in which no suitable person is procurable locally.

(*d*) Not exceeding actual travelling expenses, to foreign recruits for the armed portion of the Police in the United Provinces and Assam, for Reserve Jail Warder guards in the Central Provinces, and recruits enlisted in India for the Port Blair Police.

(*e*) To a passed candidate for the Government of India Secretariat clerical service, appointed either permanently or temporarily to any office to which the Secretariat clerical service examination rules apply, from the railway station nearest his home, if he is required to travel beyond the limits of the Province in which he appeared for his examination.

(*f*) To a Chaplain appointed to the service of Government while resident in India, from the place where he receives the order of appointment.

(*g*) Not exceeding actual expenses and under the orders of the Local Government, or, under its general sanction, of the Inspector-General of Jails, to jail officials on a pay of less than Rs. 10 a month recruited under an authorised system from a district or province other than that in which the officials appointed reside.

(*h*) Under Article 1098, for themselves and their families, to 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, from the place at which the final examination is passed to the place to which they are appointed.

(*i*) Not exceeding actual expenses and under the special orders of the Surveyor-General of India in each case, to computers and copyists of the Computing Party of the Trigonometrical Branch Office at Dehra Dun and computers of Astronomical Parties.

(*j*) Free passage from the place of enlistment may be granted to men recruited in India for the Rangoon Police, subject to the condition that those who leave the Police within three years of their enlistment must refund the allowance paid to them. Subject to the same condition, the expenses incurred by recruits for the lower grades of the Police in Bombay in travelling from the district in which they are enlisted to that in which they are employed may be re-imbursed, provided that (1) the concession is limited to such districts as may be specified from time to time by the Local Government and (2) the amount of expenses paid in each case shall not exceed the travelling allowance for the same journey of an officer of the fourth class.

Pensioner re-employed.

1084. 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.

1085. 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.

1086. 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.

1087. The rules regarding (*a*) passage to India and outfit allowances (in case of appointment in Europe) and (*b*) return to Europe (on termination of appointment), of certain high officers, which have been framed by the Secretary of State, are given in Appendix 28.

NOTE.—[The rule regarding a Chief Justice or Judge of any of the High Courts is included in Statutory Rule No. 40 in Article 543.]

1088. Officers appointed in Europe to the public service in India, are ordinarily allowed by the Secretary of State a free passage to India.

1089. 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, Chaplains are required to refund the cost of their passage to India.

1090. A Chaplain appointed on probation compelled by ill-health to leave India during the probationary period, must resign the Service entirely, and is not 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, is not entitled to a return passage to his country, and is bound to refund the cost of his passage to India.

1091. An officer appointed to the Bengal Pilot Service is granted an Outfit-Allowance of £20.

Journeys from Port.

1092. An officer, who is appointed by the Secretary of State, while resident in Europe, and who is not one of the high officers referred to in Article 1087, is entitled to travelling allowance at the rates laid down in Chapter LII from the capital town of the Presidency to which he is attached, to the first station to which he is posted.

1093. (*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.

NOTE.—[For the purposes of the preceding Articles, an officer attached to any Province other than Bombay or Madras, is held to be attached to the Bengal Presidency.]

Section II.—Journeys on Transfer.

1094. An officer in superior service is entitled to travelling allowance at the rates prescribed in Chapter LII 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.

Exceptions.—1. Police officers below the rank of Assistant Superintendent, transferred from one station to another in the same district, are not entitled to travelling allowance except for journeys by rail or steamer, but may be allowed the actual cost of conveyance of their necessary baggage. In Burma such officers when so transferred are, however, allowed their actual expenses for journeys by boat on production of a certificate from the District Superintendent that this is the ordinary mode of travelling for persons of their class, and that the amount charged is reasonable.

2. In the United Provinces, Tahsildars and Revenue and Judicial ministerial officers in superior service, transferred from one tahsil to another, or to or from the district headquarters (sadar) station from or to a tahsil in the same district, are allowed actual expenses not exceeding the allowances admissible under Chapter LII.

NOTE 1.—[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 Dehra Dun, or the Burma Vernacular Forest School, members of the subordinate police force in the United Provinces selected for training at the Police Training School, 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 2.—[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.]

1095. The officers mentioned in Article 1067 draw allowances under that Article 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 connection with their duty.

1096. The rules in Articles 1070 (*a*) (ii) and 1070 (*b*) for Survey officers apply also to journeys on transfer.

Transfers of Subordinates.

1097. (*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) Departmental Officers and Warrant Officers;
(ii) Non-Commissioned Military Officers;
(iii) European Soldiers; and
(iv) Officers of the second or third class whose pay is less than Rs. 200.

(*b*) If, however, any member of the family of such an officer is prevented by good and sufficient cause from travelling with him, the Local Government may sanction the grant of passage-money for such member: Provided such member follows the officer within six months of the date of his transfer or precedes him by a period not exceeding one month.

NOTE.—[In the Military Works Department Chief Engineers of Commands exercise the powers of a Local Government under this Article.]

1098. A non-gazetted officer, whose salary after transfer does not exceed Rs. 400 a month, is, if the transfer is to a station more than 200 miles distant by the ordinary route, and is made for a period exceeding three months, entitled to travelling allowance as follows:—

(*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 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.
Rupees 100 or less	5 Maunds.
More than Rs. 100, but not more than Rs. 200 .	8 ,,
More than Rs. 200	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 cost of carriage of personal effects within the scale given in the preceding clause.

NOTE.—[For officers of the second and third classes, when travelling over the undermentioned hill routes in Assam, the maximum admissible under this clause is Rs. 2 and Rs. 1-8 per mile, respectively, instead of three times the ordinary mileage rate (see Appendix 29, Rule (x) under "Bengal and Assam"—

(*a*) Gauhati to Shillong. | (*c*) Kohima to Manipur. | (*e*) Shillong to Therriaghat.
(*b*) Golaghat to Kohima. | (*d*) Manipur to Silchar. | (*f*) Silchar to Aijal.]

(*c*) If any member of the officer's family is prevented by good and sufficient cause from travelling with him, his or her journey may be charged for within these limits: Provided he or she follows the officer within two months of the date of his transfer or precedes him by a period not exceeding one month.

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, and for Misconduct.

1099. (*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*).

1100. The Local Government may, if it thinks fit, by special order, permit an officer transferred for misconduct to draw travelling allowance.

Transfers from the Army.

1101. A military officer joining an appointment in the Civil Department may draw travelling allowance subject to the conditions laid down in this Section.

1102. 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 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.

Appointment changed in Transit.

1103. 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 station to which he was proceeding) at which he receives his further orders, and thence to his new station.

When Leave intervenes.

1104. 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.

1105. An officer transferred during privilege or examination leave is entitled to travelling allowance from his old station, or from the place where he receives the order of transfer, whichever is less.

1106. 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.

1107. Save as provided in the two succeeding Articles, an inferior servant may not draw travelling allowance for a journey on transfer, except under the special orders of the Local Government.

NOTE.—[The Inspector-General, Civil Veterinary Department, and Engineers of Commands and Commanding Royal Engineers of districts, Military Works Services, exercise the powers of a Local Government under this Article in respect to menials in their Departments. Powers under this Article may be delegated in regard to servants in their respective Departments to Boards of Revenue, Provincial heads of the Civil Medical Department, Inspectors-General of Jails, Conservators of Forests, the Commissioner in Sind, Commissioners of divisions in Bombay, and the Presidency Port Officer, Madras.]

1108. A Police officer in inferior service is entitled to travelling allowance on transfer on the same conditions (*vide* exception 1 under Article 1094) as apply to a Police officer in superior service below the rank of Assistant Superintendent.

NOTE.—[For the purposes of the travelling allowance regulations, the following Police subordinates are held to be in superior service if their pay exceeds Rs. 10 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.]

1109. 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*) Bengal Salt Department, when transferred from one district to another.

(*c*) Madras Salt Department, when transferred from one circle to another.

(*d*) Bombay (including the Salt and Customs Departments in Sind) Salt Department, when transferred from one Salt taluka to another and, for journeys by rail, on transfer from one station to another in the same taluka. In the case of journeys other than by rail in the same taluka, only actual cost of conveyance of necessary baggage is allowed.

(*e*) Postal Department, when transferred from one station to another.

(*f*) Under the orders of the Inspector-General, Karkuns of the Registration Department, in Bombay, when transferred to act as, or to be, Village Registrars.

(*g*) Teachers in Government salary-results schools in the Madras Presidency, drawing pay of Rs. 10 a month or less, when transferred from one station to another.

(*h*) Bengal Survey Department, when transferred from one station to another.

(*i*) Head warders and warders of jails, when transferred from one jail to another, at the following rates:—

	When travelling alone.	*When travelling with family.*
(1) By railway or steamer	A single fare of the lowest class	Double fare of the lowest class.
(2) By road or boat	One anna a mile	Two annas a mile by road and one anna a mile by boat.

(*j*) Registration Muharirs in the United Provinces, when transferred from one station to another.

Section III.—Journeys to Hill Stations.

1110. Special rules—not incorporated in these Regulations—are prescribed for officers and establishments moving with the head-quarters of a Government to and from a hill sanitarium.

1111. Clerks formerly attached to the office of the Director-General of Railways but now employed in the Public Works Secretariat, who in 1890 elected to retain the personal allowances granted in 1879, while annually moving with the Government of India from Simla to Calcutta and back, are entitled to draw personal travelling allowance under the rules referred to in the preceding Article.

1112. 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.

Accountant-General.

1113. An Accountant-General permitted by the Government of India to proceed to a hill station, may draw travelling allowance at the ordinary rates for his journey to and from the hill station, and charge to Government the cost of the carriage of his records. He should not take with him more clerks or records than are essential to the efficient discharge of his duties. Any small establishment which he may require to take may be granted the following allowances, if admissible under, and subject to the conditions of, the Hill Allowance Rules of the Province:—

(i) Personal Travelling Allowance.
(ii) Special Maintenance Allowance, or Deputation Allowance.
(iii) Family Maintenance Allowance.
(iv) House-rent 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 there of the Secretariat establishment of the Local Government.

Other Officers.

1114. Officers other than those mentioned in the Hill Allowance Rules (*see Article 1110*), 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 there on duty. 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 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 1056 made by Local Governments under that Article and those enumerated in Appendix 23 shall be held to be inapplicable.]

1115. 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.

1116. 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—

(1) an obligatory departmental examination,
(2) in the case of Military officers in civil employ, an examination for promotion in military rank,
(3) an examination held under any rules in force for a reward for passing in the vernacular language of any frontier or hill tribe, or
(4) in the case of officers in Burma, an elementary examination in Chinese.

NOTE.—[The Local Government may extend the provisions of this Article to any departmental examination, even though it be not obligatory.]

1117. 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 1116.

1118. 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.

1119. 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.

1120. 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.

1121. Save as provided in this Section, an officer is not entitled to travelling allowance for a journey on proceeding on, rejoining from, or during leave of any kind; or on retirement or dismissal from the public service.

Leave on Medical Certificate.

1122. 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.

1123. 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., referred to in Article 1122.

1124. The provisions of the Military Transport Regulations applicable to Departmental Officers and Warrant Officers proceeding on or returning from leave on medical certificate apply also to such officers in civil employ.

1125. 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.

1126. Non-commissioned officers and men of the Military Police companies at Dacca, Bhagalpur, Dumka, and Hooghly, taking furlough, leave on private affairs or leave on medical certificate are entitled to free passage by river and rail to and from their homes.

Recall from Leave.

1127. An officer recalled to duty on public grounds before the expiry 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, to free passage to India, and travelling allowance from the port of debarkation, to the station to which he is recalled.

Recess of Survey Subordinates.

1128. 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.

1129. 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.

1130. 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.

1131. Members of the Police Force in the United Provinces whose homes lie west of the Sutlej, may, on discharge or retirement from the service, if their pay was less than Rs. 20, be provided with a railway ticket

to enable them to reach their homes, and may also be allowed subsistence allowance of two annas a day for a period not exceeding ten days: Provided that no policeman shall be entitled to these allowances if he has 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.

1132. A person employed for a temporary purpose, who has received travelling allowance for joining his appointment, may, on the termination of his employment, be allowed, for the return journey, travelling allowance not exceeding the amount drawn for joining the appointment, provided the claim is preferred within three months of the termination of the temporary service, and the officer under whom the person was employed is satisfied that he intends to make the journey.

Section VI.—Other Occasions.

To give Evidence.

1133. 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.

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.]

1134. (*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.

1135. As an exception to Articles 1133 and 1134, Patwaris and Chaukidars in the United Provinces 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.

1136. An officer compelled to leave his station, whether permanent or temporary, where there is no Medical officer, to procure Medical advice, is, on production of a certificate from the Medical officer consulted that the journey was, in his opinion, absolutely necessary, entitled to travelling

allowance for the journey to and from the nearest station where a Medical officer is located.

NOTE.—[This Article is applicable to cases where an officer is compelled to leave his head-quarters to obtain the certificates referred to in Articles 828 and 833. But, no travelling allowance is admissible for journeys undertaken with a view to obtaining the certificate referred to in Articles 829 and 831 or the countersignature referred to in Articles 833 and 834.]

1137. The permission of superior authority should be obtained beforehand where it is possible to obtain such permission without risk to the officer requiring advice. 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.

1138. An officer applying for an invalid pension, who is required to leave his station to appear before a medical board, may, if 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 for the journey his actual expenses not exceeding the amount he would 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 LV.—Special Rates for Special Localities.

1139. 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 Rs. 10.

(ii) No mileage shall be increased so as to exceed one rupee.

(iii) The allowances admissible under Articles 1011 to 1015 and under Articles 1067 to 1069 and 1072 (*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.

1140. 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 29.

Chapter LVI.—Special Rules for High Officers.

NOTE.—[The rules in this Chapter relate to journeys on duty. Rules on the subject of journeys by railway otherwise than on duty of Governors, Lieutenant-Governors, Members of the Executive Councils of the Governor-General and of the Governors of Madras and Bombay, Chief Commissioners, Residents of the first class, Judges of High Courts, and the Commissioner in Sind are contained in Appendix 30.]

Viceroy, Governors, and Lieutenant-Governors.

1141. 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.

1142. 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.

1143. The travelling expenses of the Governors of Madras and Bombay, and of their households, are paid out of the contract allowance for household charges.

1144. 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.

Members of Viceroy's Council.

1145. An Ordinary member of the Viceroy'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. When travelling on duty by road or steamer he 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."

NOTE.—[Further rules are contained in Appendix 30.]

1146. A Non-official Additional Member of the Governor-General's Legislative Council, 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 Rs. 1,000 for each month or part of a month during which he may attend the session, *plus* a sum of Rs. 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 Rs. 5,000. These rates also apply to Members who may be specially required to attend meetings of the Council at Simla.

Members of a Governor's Executive Council.

1147. Members of the Executive Councils of the Governors of Madras and Bombay, when travelling by railway, are entitled to a reserved first class carriage, to railway fares actually paid for four servants at lowest class rates, and to the freight of luggage not exceeding ten maunds.

When travelling by road or steamer they are entitled to charge to Government their personal *bonâ fide* travelling expenses, appending to their bills 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."

Members of the Legislative Councils of Local Governments.

1148. Non-official members of the Legislative Councils of Local Governments, when summoned to attend a Council from a place other than the head-quarters 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 Rs. 1,000 for each session, in lieu of travelling allowances at the ordinary rates.

Bishops of Calcutta, Madras, and Bombay.

1149. The Bishops of Calcutta, Madras, and Bombay, when on tours of visitation, draw a monthly allowance of Rs. 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. The allowance is not admissible during a Bishop's residence at a sanitarium unless he is there on duty with the head of the Government.

Chief Commissioners and Residents of the First Class.

1150. Chief Commissioners and Residents of the first class, when travelling by railway, are entitled to a reserved first class carriage, to railway fares (if actually paid) for four servants at lowest class rates, and to the freight of luggage not exceeding ten maunds.

Judge of a High Court.

1151. A Judge of a High Court is entitled to a reserved first class compartment when travelling by railway, and also to fares (if actually paid) for four servants at lowest class rates. When travelling by road on a tour of inspection he draws a mileage of one rupee.

Other Officers.

1152. The Directors of Railway Construction and Railway Traffic, 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.

1153. The Director-General of Telegraphs is entitled to a reserved carriage when travelling by railway on a tour of inspection.

1154. 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.

1155. The Resident at Baroda, when travelling on duty by railway, is entitled to a reserved first class compartment, and to fares at lowest class rates (if actually paid) for two servants. He is also permitted to recover the actual cost of carriage by rail of two horses, when visiting outlying districts where local arrangements cannot be made for supplying means of travelling by road.

1156. 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 999; 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.

1157. 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.

1158. The officers mentioned in Articles 1145, 1147, and 1150 to 1157, should pay the usual fares for any person besides themselves travelling in the reserved accommodation provided for them.

NOTE.—[When the reserved accommodation is obtained by the purchase of a prescribed number of tickets from the Railway, no further payment should be made to the Railway in compliance with this Article for other persons travelling with the officer. The sum due from the officer on this account will be deducted in his travelling allowance bill from the amount which would otherwise be payable to him as travelling allowance. The following certificate signed by the officer should be appended to his travelling allowance bill:—

Certified that —— persons besides myself for whom $\frac{\text{——full}}{\text{——half}}$ fares were payable by me travelled with me.

When the reserved accommodation is obtained by requisition in the form prescribed in Appendix 30 the officer will purchase tickets for persons travelling with him and get the station master to sign in the requisition form a certificate to the effect that fares for such persons have been paid.]

Chapter LVII.—Rules of Procedure.

Countersignature.

1159. 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. The Local Government may declare who shall be the Controlling officer for all or any of the officers of any particular department.

PART XI.

1160. In the following cases bills for travelling allowance may be paid without countersignature:—

(*a*) Chaplains—provided the bill is accompanied by the order of the Bishop or Commissary of the Diocese authorising the Chaplain to make the journey.

(*b*) Non-gazetted officers—provided that detailed countersigned bills are subsequently submitted to the Audit Officer for adjustment.

Controlling and Audit Officers' Duties.

1161. (*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 1065.

(*b*) The Local Government may lay down any subsidiary rules that it thinks fit, for the guidance of a Controlling officer of any department.

1162. 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.

1163. 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 1161 (*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.

REFERENCE TABLES.

ABBREVIATIONS USED IN THESE TABLES.

N., *Not in previous edition.* Ex., *Exception.* r., *rule, or rules.* n., *note, or notes.* O., *omitted.* App., *Appendix.*

TABLE I—Showing where the rules of the 4th Edition are to be found in the 3rd Edition of the Civil Service Regulations.

Reference to		Reference to		Reference to		Reference to		Reference to	
4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn
1	1	29	16	56	71	84	101	109	128
2	2	30	36A	57	72	85 & n. 1 & 2	103—105 & n.	110	129
3	3	31	37	58	73	86	106	111	130
4	5, 6, 7	32	38	59	75	87	107	112	131
5	8	33	39	60	76, 241	88	108	113	132
6	9	34	40, 41, 99A	61	77	89	109 & n.	114, 115	133, 134
7	10	35	42	62	78	90	110 & n.	116	135
8	11	35 (c) n.	N.	63	80	90 n.	114	117	136
9	12 (a)	36	43	64	81	91	111	118	137
10	13	37	45	65	81A	92	112	119	138
11	14A	38	47	66	82	93	113	120	139
12	14B	38 r. 5	N.	67	83	94	115	121	140
13	15	39	48	68	84	95	116	122	141
14	15A	40	49	69	85	96	117	123	141A
15	17	41	50	70	87	97	118	124	142
16	18	42	52	71	88	98	119	125	142A
17	19	43	53	72	89	99	120	126	142B
18	20	44	54	73	90	100	121	127	143
19	21	45	56	74	91	101	122	128	144
20	22	46	58	75	92	102	123	129	145
21	25	47	58A	76	93	103	123 A	130	146
22	26	48	59	77	94	104	124	131	146A
23	29	49	60 to 62	78	95	105	125	132	147
24	30	50		79	96	106	126	133 (a)	148, 169
25	31	51	63	80	97	107	127	133 (b)	N.
26	32	52	64	81	98	108 (a)	127—I, 295 n.	134	149
27	33	53	67	82	99			135	150
28	34	54	68	83	100	108 (b)	131	136	151
		55	69						

Reference to		Reference to		Reference to		Reference to		Reference to	
4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.
137	152	170	188	189	223	229 n.	261(*b*)	261	293
138	154	171	189	200	225	230	262	262	294
139	154A	172	190	201	227 n. (2)	231	263	262 n.	N.
140	155	173	191	201 n.	227	232	264	263	295
141	156	174	192	202	228	233 (i) (ii) (iv)& (v)	264A(i) to (iv)	264	296
142	157 & n.2	175	193	203	229			265	298
143	157A	176	194	204	230,231(*a*)	233(iii) & n.	N.	266	299
144	158	177	195	205(*a*)	232	234	265	267	300
145	159	178	196	205(*b*)	234	235	266	268	301
146	160	179	70	206	235	236	267	269	303
147	161	180 (*a*) (i) & (*b*)	197, 200	207	235A	237	268	270	304
148	162			208	236	237(*c*)n.	250	271	306
149	163	180 (*a*) (ii)	198	209	239	238	269	272	307
150	164	180 (*a*) (iii)	199	210	292	239	270	273	308
151	165			211	240	240	271	274	309
152	166	180(*c*)	198A	212	249	241	272	275	310
153	167	181	201	213	364, 365	242	273	276	311
154	167A	182	202	214	242 & n.	243	274	277	311A
155	168	183	203	215& n.1	243	244	275	278	311B
156	170, 172	184	204	215 n. 2	243 n.	245	276A	279	312
157	171	185	205	216	245	246	277	280	313
158	173	186	206	217	244, 246	247	278	281	314
159	174	187	207	218	247	248	279	282	315
160	175	188	208	219	248	249	280	283	315A
161	176	188 r. 1	N.	220	251	250	281	284	316
162	177	189	209	221	252, 66	251	282	285	317
163	178	190	210	222	253	252	283	286	319
164	179	191	211, 212	223	256	253	284	287	320
165	180	192	213, 214	224	257	254	285	288 & n.	321 & n. (2)
166	181	193	215	225	257A	255	286	289	322
167	182	193(*b*)n.	N.	226	258	256	287	290	323
167 n.	N.	194	216	227	259	257	288	291	324
168	184	195	218	228	260	258	289	292	325
168 n.	185, 187	196	219	229	261(*a*)	259	290	293	326
169	186	197	220			260	291		
		198	222						

Reference to		Reference to		Reference to		Reference to		Reference to	
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294	327	324	355	359	391	393	431	426	468
295	328	325	356 (*a*)	360	392	394	432	427	469
296	329	326	35?(*b*)896	361	393	395	433	428	470
297	330	327	357	362	394	396	434	429	471
298	333	328	358& r. 1	363	395	397	435	430	472
299	334	329	358A	364	396	398	436	431	473
300(*a*)	335(*b*)	330	362	365	398	399	437	432	474
300 (*b*)	335(*c*)	331	363	365 n.	400	400	438	433	475
301	336	332	366	366	399	401	439	434	476
302	337	333	366A	367	402 (*a*) (*b*) & (*c*)	402	440	435	477
303	338	334	367	368	403	403	441	436	478
304(*a*)	339 (*a*) (i) & (*b*)	335	368	369	404	404	441A	437	480
304(*b*)	339 (*c*)	336	369	370	405	405	443	438	481
305	339A	337	370	371	406	406	444	439	482
306	339B	338	371	372	407	407	445	440	483
307	339C	339	372	373	408	408	446	441	485
308	340	340	373	374	409	409	447	442	486
309	341	341	374	375	409A	409 n.	N.	443	487
310	342	342	374A	376	410	410	448	444	488
311	343	343	375	377	411	411 (*a*) to (*c*)	449	445	489
312	344	344	376	378	412	411 (*d*) & (*e*)	N.	446	490
313	345	345	377	379	413	412	452	447	491
314	346	346	378	380	414	413	454	448	492
315	347	347	379	381	415	414	455, 456	449	493
316	348	348	380	382	416	415	457	450	494
317	349	349	381	383	417	416	458	451	495
318 (*a*)	350 (*a*) & (*b*)	350	382	384	419	417	459	452	496
318 (*b*)	350 (*c*)	351	383	385	420	418	460	453	497
319	351	352	384	386	421	419	461	454	498
320	351A	353	385	387	422	420	463	455	499
321 (*a*)	352	354	386	388	426	421	464	456	500
321 (*b*)	352A	355	387	389	427	422	465	457	501
321 r.1 & 2	360, 360A	356	388	390	428	423	465A	458	502
322	353	357	389	391	429	424	466	459 (*a*) & n. 1 & 2	503 (*a*) & r. 1 & n.
323	354	358	390	392	430	425	467		

Reference to		Reference to		Reference to		Reference to		Reference to	
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459 (*b*)	503 (*c*)	492	536	517	572	552	611	583	647
460	504	493	537	518	573	553	612	584	648
461	505	494 (1)	538	519	574	554	613	585 (*a*)	649 (*a*), 650
462	506	494 (2)	539	520	575	554 1 & 2	609 r. 2 & 3	585 (*a*) n.	N.
463	507	494 (3)	540	521	576	555	614	585 (*b*) & (*c*)	649 (*b*) & (*c*)
464	508	494 (4)	541	522	577	556	615	586	649A
465	509	495	542	523	578	557	616 (*a*)	587	651
466	510	496	543	524	579	557 n.	616 (*b*)	588	652
467	511	497	544	525	581	558	617	589	653
468	512	498	545	526	582	559	618	590	654
469	513	499	546	527	583	560	619	591	655
470	514	500	548	528	584	561	620	592	656
471	515	501 (*a*) & r. 1	549 (*a*) & r. 1	529	587	562	621	593	656A
471 n.	N.	501 (*b*)	549 (*d*)	530	587A	563	622	594	657& Ex.
472	516	501 (*c*)	549 (*f*)	531	588	564	623	595	658
473	517	501 (*d*)	549 (*g*)	532	589	565	624	596	659
474	518	501 (*e*)	N.	533	590	566	625—627	597	659A
475	519	501 n.	550	534	591	567	632	598	660
476	520	502	551	535	592	568	633	599	661
477	520A	502 n.	N.	536	593	569	633A	600	663
478	521	503	552	537	594	570	634	601	664
479	522	504	553	538	595	571	635	601 n.	663 n.
480	523	505	554	539	596	572 (*a*)	636 (*a*) & (*b*)	602	665
481	524	506	555	540	597	572 (*b*)	636 (*c*)	603	666
482	525	507	556	541	598	573 (*a*)	637 (*a*) & (*b*)	604	669, 670
483	527	508	557	542	599	573 (*b*)	637 (*c*)	605	671
484	529	509	558	543	600	574	638	606	672
484 Ex.	N.	510	564	544	601	575	639	607	673
485	529A	511	565	545	602	576	640	608	674
486	530	512	566	546	603	577	641	609	675
487	531	512 n.	567	547	604	578	642	610	676
488	532	513	568	548	605	579	643	611	677
489	533	514	569	549	607	580	644	612	679
490	534	515	570	550	608	581	645	612 Ex.	680
491	535	516	571	551	610	582	646 (*c*)	613	681

Reference to		Reference to		Reference to		Reference to		Reference to	
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614	682	649	719	683	752	715	775G(I) 775H(II).	740 n.	783, 791 (*d*) n.
615	683	650	720	684	753	716	775G(II) 775H (III).	741	790
616	684	651	721	685	754	717	775C(II 775H (III).	742	791
617	685	652	722	686	756	717 n. 2	N.	743	787A
618	686	653	723	687	757	718	775G(II) 775 H (III).	744	788
619	687	654	724	688	758	719	775G (III). 775H (IV).	745	792–794
620	689	655	725	689	759	720	775G (IV). 775H (V).	746	797
621	689A	656	726	690	760	721	775G(IX).	747	798
622	689B	657	727	691	761	722	775G(I) —(III) 775H (II)— (IV).	748	800
623	689C	658	727A	692	762	723	775H(I).	749	801
624	689D	659	728	693	763	723 n.	N.	750	802
625	689E	660	729	694 (*a*)	764	724	775G(V) 775H (VI)	751	803
626	689F	661	730	694 (*b*)	765, 773	725	775H (VI)	752	804
627	690	662	731	695	769A	726	775G (VI)- (VIII).	753	806
628	691	663	732	696	766	727	775H (VII).	754	808
629	692	664	733	697	767	728	776	755	809
630	693	665	733A	698	768	729	777	756	810
631	694	666	734	699	771	730	778	757	811
632	695	667	735	700	772	731	779	758	812
633	696	668	735A—740A	701	774	732	780A	75	813
634	697	669	740B	702	775	733	780B	760	814
635	703	670	741	703	775A	734	781	761 (*a*) & n.	815 (*a*) & (*b*)
636	704	671	742	704	775B(*a*) (*b*)&(*d*)	735	782	761 (*b*)	815 (*c*)
637	705	671 n.	744A	705	775C(*a*) (*b*) &(*c*)	736	784	762	816
638	706	672	743	706	775C(*d*)	737	785	763	817 (*e*) to (*m*) 819
639	707	673	744	707	775C(*f*)	738	786	764	
640	711(*a*)	674	746A	708	775 D	739	787	765	820
641	712	675	745	709		740	789	766	821
642	714	676	746	710	N.			767	822
643	714A	677	747	711 (*a*)	775B(*c*), 775C(*e*) 775D			768	823
644	715	678	748	711 (*b*)	N.			769	825
645	716	679	749	712	775E			770	826
646	717	680	750	713	775F			771	827
647	718	681	751	714	775G, 775 H			772	828
648	718A	682	751A						

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773	829	806	866	838	902, 906	864 n.	939	895	975
774	830	807	867	839	908	865	940	896	976
775	831	807 n.	N.	840	909	866	941	897	977
776	832	808	868	841(*a*)	910(*a*)	867	942	898	979
777	833	809	869	841(*b*)	915 (*a*) & (*b*).	868	945	899	980
778	834	810	870	841(*c*)	910(*b*), 915 (*a*).	868 r.1	946	900	981
779	835	811	871, 79			869	948	901	982
780	836	812	79	841(*d*)	910(*c*)	870	943	902	983
781	837	813	872	842	911	870(*b*)n.	944	903	984
782	838	814	873	843	912	871	949	904	985
783	839	815	874, 875	844	913	872	950	905	986
784	840	816	876	845	914	873	950A, 965A	906	987
785	841	817	877	846	918	874	951	907	988
786	842	818	881	847	919	875	952	908	989
787	843	819	882	848	920	876	953	909	989A
788	844	820	883	849	921	877	954	910	990
789	845	821	884	850	922	878	955, 957	911	991
790	846	822 (*a*)	885 (*a*) & (*b*)	851	923	879	956	911(*c*)n.	N.
791	847	822 (*b*)	885 (*c*)	852	924	880	958	912	992
792	849A	823	886, 887	853	925	881	959	913	993
793	852	824	888	854	927	882	960	914	994
794	853	825	889	855(*a*)	929 (*a*), 930 (*d*).	883	961	915	995
795	854, 855	826	891	855(*b*)	929 (*b*), 931 (*b*).	884	962	916	996
796	857	827	892	856	930 (*a*) to (*c*).	885	963	917	997
797	858	828	893			886	964	918	998
798	859	829	894	857	931 (*a*), (*c*) & (*d*)	887	965	919	999
798 n.	N.	830	895	858	932	888	966	920	1000
799	860	831	897	859	933	889	967	921 & r.1	1001
800	861	832	899	860	934	890	968	921n.(1)-(4)	N.
801	862	833	903	861(*a*)	935(*a*) to (*d*).	891	969	921n.(5) & (6)	1002
802	863	834	904	861(*b*)	935 (*e*)	892	972	922	1003
803	864	835	905	862	936	893	973	923	1004
804	849 (2), (3) & n.	836	900	863	997	894	974	924	1005
805	865	837	901	864	938			925	1009
								926	1009A

Reference to		Reference to		Reference to		Reference to		Reference to	
4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.
927	1010	960	1042	992	1083	1023	1116	1055 Ex.	1158
928	1011	961	1044	993	1084	1024	1117	1056	1159
929	1012	962	1047	994	1085	1025	1118	1056 n.	1161
930	1013	963	1048	995	1086, 1087	1026	1119	1056 r. 1	1163
931	1014	964	1049	996	1088, 1089	1027	1119A	1057	1159
932	1014A	965	1050	997	1090	1028	1120	1058	1160, 1162
933	1015	966	1051, 1052	998	1091	1029	1121	1059	1164
934	1015A	967	1053	999	1092	1030	1122, 1123	1060	1165
935	1016	968	1054	1000	1093, 1095	1031	1124	1061	1166
936	1017	969	1055	1001	1094	1032	1125	1062	1166A
937	1018	970	1056	1002	1096	1033	1126	1063	1167
938	1019	971	1057	1003	1097	1034	1127	1063 Ex.	1168
939	1020	972	1058	1004	1097A	1035	1128	1064	1169
940	1021	973	1059	1005	1098	1036	1129, 1130A,	1065	1170
941	1022, 1023	974	1063	1006	1099	1037	1131	1066	1170A
942	1024	975	1064	1007	1100	1038	1132	1067	1171
943	1025	976	1065	1008	1101	1039	1133	1068	1172
944	1026	977	1066	1009	1102	1040	1134	1069	1173
945	1027	978	1067	1010	1103	1041	1135	1070	1174
946	1028	979	1068	1011	1105	1042	1141	1071	1175
947	1029	980	1069	1011 Ex.	1106	1043	1142	1072	1176
948	1030	981	1070	1012	1107	1044	1145	1073	1177
949	1031	982	1071	1013	1107A	1044 Ex.	1146	1074	1178
950	1032	983	1072	1014	1108	1045	1147	1075	1181
951	1033	984	1073	1015	1109	1046	1148	1076	1179
952	1034	985	1074	1016	1110	1047	1149	1076 Ex.	300 n. 1180
953	1035	986	1075	1017	1111	1048	1150	1077	1183
954	1026	987	1076	1018	1112	1049	1151	1078	1184
955	1037	988	1077	1019	N.	1050	1152	1079	1184A
956	1038	989	1078 (*a*)	1020	1113	1051	1153	1080	1185
957 & n. 1	1039 & n.	990	1079 1080	1021	1114	1052	1154	1081	1186
957 n. 2	N.	991	1081 1082	1022	1115	1053	1155	1082	1187—1189A
958	1040					1054	1156	1083	1190
959	1041					1055	1157	1083 Ex.	1191

Reference to		Reference to		Reference to		Reference to		Reference to	
4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.
1084	1192	1099	1206	1116	1226	1132	1243	1148	1283
1085	1193	1100	1207	1116 n.	1227	1133	1244	1149	1284
1083	1194	1101	1210	1117	1228	1134	1245	1150	1285
1087	1195	1102	1211	1118	1229	1135	1246	1151	1286
1088	1196	1103	1212	1119	1230	1136	1247, 1249	1152	1286A
1089	1197	1104	1213	1120	1231	1137	1248, 1250A	1153	1286B
1090	1197A	1105	1214	1121	1232			1154	1286C
1091	1198	1106	1215	1122	1233	1138	1250A	1155	1286D
1092	1200	1107	1216	1123	1234	1139	1251	1156	1286E
1093	1201	1108	1217	1124	1235	1140	1252	1157	1286F
1093 n.	1202	1109	1218	1125	1236	1141	1274	1158	1286G
1094	1203	1110	1219	1126	1236A	1142	1275	1159	1287, 1288
1094 Ex.	1208, 1209	1111	1220	1127	1238	1143	1276	1160	1289
1095	1203A	1112	1221	1128	1239	1144	1277	1161	1290
1096	1204A	1113	1222, 1223	1129	1240	1145	1280, 1281	1162	1291
1097	1204	1114	1224	1130	1241	1146	1282	1163	1292
1098	1205	1115	1225	1131	1242	1147	N.		

TABLE II—Showing where the rules of the 3rd Edition are to be found in the 4th Edition of the Civil Service Regulations.

Reference to		Reference to		Reference to		Reference to		Reference to	
3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.
1	1	22	20	52	42	81A	65	113	93
2	2	23	App. 4.	53 & n. & Example.	43 & n.	82	66	114	90n
3	3	24	O	54	44	83	67	115	94
5	4	25	21	55	O	84	68	116	95
6 (*a*)	4	26	22	56	45	85	69	117	96
6 (*b*)	4 n. 1	27	O	57	O	87	70	118	97 & App. 4
6 (*b*) n.	O	29	23	57 A	O	88	71	119	98
6 (*c*)	4	30	24	58	46	89	72	120	99
7 (*a*)	4	31	25	58 A	47	90	73	121	100
7 (*a*) n. 1 & 2	4 n 2	31A	O	59	48	91	74	122	101
7 (*b*)	O	32	26	60 — 62	49, 50	92	75	123	102
7 (*c*)	O	33	27	63	51	92 n.	O	123A	103
8	5	34	28	64	52	93	76	124	104
9	6	35	O	65	O	93 (iii) n.	O	125	105
10	7	36	O	67	53	94	77	126	106
11	8	36A	30	68	54	95	78	127	107
11 (iv) n.	O	37	31	69	55	96	79	127-I	108 (*a*)
12 (*a*)	9	38	32	70	179	97	80	128	109
12 (*b*)	O	39	33	71	56	98	81	129	110
13	10	40, 41	34 & App. 1	72	57	99	82	130	111
14	O			73	58	99 A	App. 1	131	112, 108 (*b*)
14 A	11	42	35	75	59	100	83		
14 B	12	43	36	76	60	101	84	132	113
15	13	45	37	77	61	103—105	85	133	114, 115
15 A	14	46	O	78	62	106	86	133 n.	O
16	29	47	38	79	811, 812	107	87	134 (*a*) & n. 2	115 (*a*)
17	15	48 & examples 1 & 2 & r. 1.	39 & r 1-3	80 & n. 1 & 3.	63 & n. 1 & 2	108	88	134 (*a*) n. 1 & (*b*)	115 (*a*) n. & (*b*)
18	16	49	40	80 n. 2	O	109 & n.	89	135	116
19	17	50	41	81	64	110 & n.	90	136	117
20	18	51	O			111	91	137	118
21	19					112	92		

Reference to		Reference to		Reference to		Reference to		Reference to	
3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.
138	119	166	152	198	180 (a) (ii)	232	205 (a)	264	232
139	120	167	153	198A	180 (c)	233	O	264A	233
140	121	167 n.	O	199	180 (a) (iii)	234	205 (b)	265	234
141	122	167A	154	200	180 (a) (i)	235	206	266	235
141A	123	168	155	201	181	235A	207	267	236
142	124	169	133(d)	202	182	236	208	268	237
142A	125	170	156	203	183	237	O	269	238
142B	126	171	157	204	184	238	O	270	239
143	127	172	156	205	185	239	209	271	240
144	128	173	158	206	186	240	211	272	241
145	129	174	159	207	187	241	60	273	242
146	130	175	160	208	188	242 & n.	214	274	243
146A	131	176	161	209	189	243	215 & n. 1	275	244
147	132	177	162	210	190			276A	245
148	133(a)	178	163 & App. 6.	211, 212	191	243 n.	215 n. 2	277	246
149	134	179	164	213, 214	192	244	217	278	247
150	135	180	165	215	193	245	216	279	248
151	136	181	166	216	194	246	217	280	249
152	137	182	167	217	O	247	218	281	250
154	138	183	O	218	195	248	219	282	251
154A	139	184	168	219	196	249	212	283	252
155	140	185	168 n.	220	197	250	237 (c) n.	284	253
156	141	186	169	222	198	251	220	285	254
157	142	187	168 n.	223	199	252	221	286	255
157 n. (1)	O	188	170	225	200	253	222	287	256
157A	143	189	171	227	201 n.	256	223	288	257
158	144	190	172	227 n. 1	O	257	224	289	258
159	145	191	173	227 n. 2	201	257A	225	290	259
160	146	192	174	228	202	258	226	291	260
161	147	193	175	229	203	259	227	292	210
162	148	194	176	230	204	260	228	293	261
163	149	195	177	230 (a) (b) & (c)	O	261 (a)	229	294	262
164	150	196	178			261 (b)	229 n.	295	263
165	151	197	180 (a) (i) & (b)	231 (a)	204	262	230	295 n.	108 (a)
				231 (b)	O	263	231	296	264

Reference to		Reference to		Reference to		Reference to		Reference to	
3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.
298	265	328	295	351A	320	381	349	415	381
299	266	329	296	352	321 (a)	382	350	416	382
300	267	330	297	352A	321 (b)	383	351	417	383
300 n.	1076 Ex.	333	298	353	322	384	352	419	384
301	268	334	299	354	323	385	353	420	385
302	O	335 (a)	O	355	324	386	354	421	386
303	269	335 (b)	300 (a)	356 (a)	325	387	355	422	387
304	270	335 (c)	300 (b)	356 (b)	326	388	356	423	O
305	O	336	301	357	327	389	357	425	O
306	271	337	302	358&r. 1	328	390	358	426	388
307	272	338	303	358A	329	391	359	427	389
308	27	339 (a) (i) & (b)	304 (a)	360	321 r. 1	392	360	428	390
309	274	339 (a) (ii)	O	360A	321 r. 2	392 n.	O	429	391
310	275	339 (c)	304 (b)	362	330	393	361	430	392
311	276	339A	305	362 (a) r. 1	O	394	362	430 r. 2	O
311A	277	339B	306	363	331	395	363	431	393
311B	278	339C	307	364, 365	213	396	364	432	394
312	279	340	308	366	332	398	365	433	395
313	280	340 (b) (iv) n.	O	366A	333	399	366	434	396
314	281	341	309	367	334	400	365 n.	435	397
315	282	342	310	368	335	402 (a) (b) & (c)	367	436	398
315A	283	343	311	369	336	402 (c) & (d)	O	437	399
316	284	344	312	370	337	403	368	438	400
317	285	345	313	371	338	404	369	439	401
318	O	346	314	371 r. 2	O	405	370	440	402
319	286	346 n.	O	372	339	406	371	441	403
320	287	347	315	373	340	407	372	441A	404
321 & n. (2)	288 & n.	348	316	374	341	408	373	443	405
321 n. (1)	O	348 n.	O	374A	342	409	374	444	406
322	289	349	317	375	343	09	375	445	407
323	290	350 (a) & (b)	318 (a)	376	344	410	376	446	408
324	291	350 (b) r. 1	O	377	345	411	377	447	409
325	292	350 (c)	318 (b)	378	346	412	378	448	410
326	293	351	319	379	347	413	379	449	411 (a) to (c)
327	294			380	348	414	380	452	412

Reference to		Reference to		Reference to		Reference to		Reference to	
3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.
453	O	488	444	518	474	549 (*a*) & r. 2 & 3	O	585, 586	O
454	413	489	445	519	475			587	529
455, 456	414	490	446	520	476	549 (*b*) (*c*) & (*e*)	O	587A	530
457	415	491	447	520A	477			588	531
458	416	492	448	521	478	549 (*d*) (*f*) & (*g*	501 (*b*) (*c*) & (*d*)	589	532
459	417	493	449	522	479	550	501 n.	590	533
460	418	494	450	523	480	551	502	591	534
461	419	495	451	524	481	552	503	592	535
462	O	496	452	525	482	553	504	593	536
463	420	497	453	526	O	554	505	594	537
	421	498	454	527	483	555	506	595	538
465	422	499	455	528	O	556	507	596	539
465A	423	500	456	529	484	557	508	597	540
466	424	501	457	529A	485	558	509	598	541
467	425	502	458	530	486	559	O	599	542
468	426	503 (*a*) & r. 1 & n.	459 (*a*) & n. 1 & 2	531	487	564	510	600	543
469	427			532	488	565	511	601	544
470	428	503 (*b*)	O	533	489	566	512	602	545
471	429	503 (*c*)	459 (*b*)	534	490	567	512 n.	603	546
472	430	504	460	535	491	568	513	603 n.	O
473	431	505	461	536	492	569	514	604	547
474	432	506	462	537	493	570	515	605	548
475	433	507	463	538	494 (1)	571	516	607	549
476	434	508	464	539	494 (2)	572	517	608	550
477	435	509	465	540	494 (3)	573	518	609 & r. 1	O
478	436	510	466	541	494 (4)	574	519	609 r. 2 & 3	554 r. 1 & 2
478 n. 1	O	511	467	542	495	575	520	610	551
479	O	512	468	543	496	576	521	611	552
480	437	513	469	544	497	577	522	612	553
481	438	513 n.	O	545	498	578	523	613	554
482	439	514	470	546	499	579	524	614	555
483	440	514 n.	O	547	O	581	525	615	556
485	441	515	471	548	500	582	526	616	557 & n.
486	442	516	472			583	527		
487	443	517	473	549 (*a*) & r. 1	501 (*a*) & r. 1	584	528	617	553

Reference to		Reference to		Reference to		Reference to		Reference to	
3rd Edn.	4th Edn	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.
618	559	651	587	685	617	716	645	746A	674
619	560	652	588	686	618	717	646	747	677
620	561	653	589	687	619	718	647	748	678
621	562	654	590	687(*d*) n. 1	O	718 n. 1	O	749	679
622	563	655	591	688	O	718A	648	750	680
623	564	656	592	689	620	719	649	751	681
624	565	656A	593	689A	621	720	650	751A	682
625—627	566	657 & Ex.	594	689B	622	721	651	752	683
632	567	658	595	689C	623	722	652	753	684
633	568	659	596	689D	624	723	653	754	685
633 n.	O	659A	597	689E	625	724	654	755	O
633A	569	660	598	689F	626	725	655	756	686
634	570	661	599	690	627	726	656	757	687
635	571	663	600	691	628	727	657	758	688
636 (*a*) & (*b*)	572 (*a*)	663 n.	601 n.	692	629	727A	658	759	689
636 (*c*)	572 (*b*)	664	601	693	630	728	659	760	690
637 (*a*) & (*b*)	573 (*a*)	665	602	694	631	728(*a*)Ex.	O	761	691
637 (*c*)	573 (*b*)	666	603	695	632	729	660	762	692
638	574	669, 670	604	696	633	730	661	763	693
639	575	671	605	697	634	731	662	764	694(*a*)
640	576	672	606	698-702	O	732	663	765	694 (*b*)
641	577	673	607	703	635	733	664	766	696
642	578	674	608	703 n. 2	O	733A	665	767	697
643	579	675	609	704	636	734	666	768	698
644	580	676	610	705	637	735	667	769	O
645	581	677	611	706	638	735A to 740A	668 & Ex.	769A	695
646(i)	582	678	O	707	639	740B	669	770	O
		679	612	708-710	O	741	670	771	699
646(ii)	O	679 (*a*) r. 1	O	711(*a*)	640	742	671	772	700
647	583	680	612 Ex.	711 (*b*)	O	743	672	773	694 (*b*)
648	584	681	613	712	641	744	673	774	701
649	585	682	614	713	O	744A	671 n.	775	702
649A	586	683	615	714	642	745	675	775A	703
650	585 (*a*)	684	616	714A	643	746	676	775B	704 & 711 (*a*)
				715	644				

Reference to		Reference to		Reference to		Reference to		Reference to	
3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.	3rd Edn.	4th Edn.
775C	705-707 & 711 (*a*)	786	738	820	765	853	794	888	824
		787	739	821	766	854	795	889	825
775D	708, 709 & 711 (*a*)	787A	743	822	767	855	794	891	826
		788	744	823	768	857	796	892	827
775E	712	789	740	824	O	858	797	893	828
775F	713	790	741	825	76	859	798	894	829
775G	714	791	742	826	770	860	799	895	830
775G(I)	715, 722	791(*d*) n.	740 n.	827	771	861	800	896	326
775G(II)	716-718 & 722	792—794	745	828	772	862	801	897	831
		795	O	829	773	862 (iii)	O	898	O
775G (III)	719, 722	796	O	830	774	863	802	899	832
775G(IV)	720	797	746	831	775	864	803	900	836
775G (V)	724	798	747	832	776	865	805	901	837
775G(VI) —(VIII)	726	799	Form 22	833	777	866	806	902	838
		800	748	834	778	867	807	903	833
775G(IX)	721	801	749	835	779	868	808	904	834
775 H	714	802	750	836	780	868 n.	O	905	835
775 H (I)	723	803	751	837	781	869	809	906	838
775H (II)	715, 722	804	752	838	782	870	810	907	O
775H(III)	716, 718 & 722	805	O	839	783	871	811	908	839
		806	753	840	784	872	813	909	840
775H(IV)	719, 722	808	754	841	785	873	814	910 (*a*)	841(*a*)
775H(V)	720	809	755	841 Ex.(1)	O	874	815(*a*) & r. 1 & 2	910 (*b*)	841(*c*)
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