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Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART IV.

Regulations, Orders, Notifications and Rules, of the Government of India, of the Government of Bihar, and of the High Court. Papers extracted from the *Gazette of India* and Provincial Gazettes. Orders of Commandants of Volunteers Corps.

HOME, REVENUE AND FINANCE DEPARTMENTS.

NOTIFICATIONS.

The 17th May 1937.

No. 5876-A.—The following notifications, issued by the Government of India in the Home Department, are republished for general information.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

Simla, the 6th May 1937.

No. F. 10/5/37/S. C. S. R. No. 83.—The following Resolution by the Secretary of State for India in Council dated the 23rd March 1937 is published for general information:—

In exercise of the powers conferred by sub-section (2) of section 96-B of the Government of India Act, the Secretary of State, with the concurrence of the majority of votes at a meeting of the Council of India held this 23rd day of March 1937, hereby

makes the following amendments to the Superior Civil Services Rules, namely:—

In rule 17 of the said Rules, after sub-clause (b) of clause (i) of the first proviso the following sub-clause shall be added, namely:—

“(c) a Police Officer who is a member of the General Central Service, Class II, to a post borne on the cadre of the Indian Police other than a post of Inspector-General, Deputy Inspector-General or Commissioner of Police.”

POLICE.

The 6th May 1937.

No. F. 42/1/37.—The following Resolution by the Secretary of State for India in Council dated the 23rd March 1937 is published for general information:—

In exercise of the powers conferred by sub-section (2) of section 96-B of the Government of India Act, the Secretary of State, with the concurrence of the majority of votes at a meeting of the Council of India, held this 23rd day of March 1937, hereby makes the following amendments to the rules for the calculation of the pay of officers of a Provincial Police Service promoted

to the Indian Police or to officiate in posts borne on the cadre of that service, namely:—

1. In rule 1 of the said rules for clause (i) the following clause shall be substituted, namely.—

“(i) ‘Provincial Service’ means a Provincial Police Service, and ‘General Central Service, Class II’, means a service consisting of a post or posts of Deputy Superintendents of Police serving in areas under the administrative control of the Governor General in Council.”

2. In clauses (ii), (iii) and (iv) of rule 1 and in sub-rule (a) of rule 2 of the said rules for the words “Provincial Service” wherever they occur, the words “Provincial Service or General Central Service, Class II,” shall be substituted.

3. In the said rules for the words “Indian Police Service,” wherever they occur, the words “Indian Police” shall be substituted.

R. M. MAXWELL,

Secy. to Govt. of India.

The 18th May 1937.

No. 6006-A.—The following notification, issued by the Government of Bihar in the Appointment and Political Departments, is republished for general information.

P. T. MANSFIELD,

Chief Secretary to Government.

The 8th May 1937.

No. 2199-A.—In exercise of the powers conferred by sub-section (2) of section 265 of the Government of India Act, 1935, the Governors of Bihar, the Central Provinces and Berar and Orissa have in agreement made the following Regulations determining the number of members of the Joint Public Service Commission for the three provinces, their tenure of office and conditions of service and making provision with respect to the numbers of the staff of the Commission and their conditions of service.

PART I.

PRELIMINARY.

1. These Regulations may be called the Bihar, Central Provinces and Berar and Orissa Public Service Commission (Conditions of Service) Regulations.

2. In these Regulations, unless there is something repugnant in the subject or context—

(a) “the Commission” means the Joint Public Service Commission for Bihar, the Central Provinces and Berar and Orissa;

(b) “Member” means a member of the Commission and includes the Chairman thereof;

(c) “compensatory allowance” means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed.

PART II.

COMPOSITION OF THE COMMISSION AND PAY AND TENURE OF MEMBERS.

3. The Commission shall consist of a Chairman and two other Members.

4. The Chairman shall receive a pay of Rs. 3,000 a month and each of the Members shall receive a pay of Rs. 2,000 a month.

5. A Member shall hold office for four years:

Provided that—

(i) a Chairman's tenure of office may be extended by any period not exceeding four years, and

(ii) a Member other than the Chairman may be re-appointed for a further term not exceeding four years:

Provided further that the three Governors in agreement may at any time terminate the appointment of any Member if satisfied that that Member is for any reason unable or unfit to continue to perform the duties of his office:

Provided also that on the annulment of the agreement between the three provinces of Bihar, the Central Provinces and Berar and Orissa to have a joint Commission, the appointment of all Members shall be terminated on the date from which such annulment takes effect.

PART III.

THE CONDITIONS OF SERVICE OF MEMBERS.

Section 1.—Leave.

6. A Member who at the date of his appointment was in the service of the Crown in India may be granted leave under the rules applicable to the service to which he belongs and his service as Member shall count for such leave.

7. A Member who at the date of his appointment was not in the service of the Crown in India may be granted leave as follows:—

(a) Leave on leave salary equivalent to full pay up to 1/11th of the period spent on duty as a Member, subject to a maximum of four months at any time.

[1] Ins. by notfn. no. 1338-A dt 6.4.38 of the Govt. of Bihar (O. Govt. Notfn. no. 4018-A dt 27-4-38) (see O. Gazette of 6.5.38, Pt. IV, p. 77)

[2] Ins. by notfn. no. 3884-A dt 21-12-39 of the Govt. of Bihar (O. Govt. Notfn. no. 961-A dt 5.2.40) (see O. Gazette of 9.2.40, Pt. I, p. 27)

The Chairman and a member may in addition draw any pension to which he is entitled at the date of his appointment or to which he may thereafter become entitled]

(i) the Governor by whom a Member is appointed may at the time of appointment direct that such Member shall hold office for any specified period less than four years.

- (b) Leave on medical certificate on leave salary equivalent to half pay, subject to a maximum of three months at anyone time.
- (c) Extraordinary leave without allowances, subject to a maximum of three months at anyone time.

Explanation.—All, or any two, of these kinds of leave may be granted in combination at one time.

8. The power to grant leave to a Member shall in all cases be exercised by the Governor by whom the Member was appointed.

9. (1) An officiating appointment may be made in the place of any Member absent on leave or on special duty or on the occurrence of a vacancy in the office of a Member until some person has been permanently appointed to the office and has entered upon the discharge of the duties thereof.

(2) An officiating appointment under this Regulation shall be made by the Governor who appointed the Member who is absent on leave or on special duty or in whose office a vacancy occurs.

Section 2.—Pension.

10. (1) The service of a Member who at the date of his appointment was in the service of the Crown in India shall count for pension under the rules applicable to the service to which such Member belongs and shall, unless the Member be a member of the Indian Civil Service or entitled to a pension under Army Regulations, also count if he is the Chairman of the Commission for the higher additional pension, and if he is a Member other than the Chairman, for the lower additional pension under Article 475A of the Civil Service Regulations.

(2) Save as provided in clause (1), no pension shall attach to the office of Member as such.

Section 3.—Passage Allowance.

11. (1) A Member who at the date of his appointment was in the service of the Crown in India shall retain his right to such passage benefits as he was entitled to before his appointment.

(2) Save as prescribed in clause (1), no passage benefits will be admissible to a Member as such.

Section 4.—Travelling Allowance.

12. The travelling allowance of a Member will be regulated by the rules in force applicable to Government servants of the first grade in the province in which the headquarters of the Commission are situated.

Provided that—

- (1) the Chairman shall be entitled to draw daily allowance at the rate of Rs. 10, and a Member other than the Chairman shall be entitled to draw daily allowance at the rate of Rs. 7-8-0; and
- (2) if he was not at the date of his appointment in the service of the Crown in India, a Member shall be entitled to draw, for the journey to join his post, travelling allowance as for a journey on transfer.

Section 5.—Other Conditions of Service.

13. Subject to the general condition that the amount of a compensatory allowance should be so regulated that the allowance is not on the whole a source of profit to the recipient, the three Governors in agreement may, subject to any conditions which they see fit to impose, grant to any Member any compensatory allowance other than travelling allowance and may fix the amount thereof.

14. A Member shall be a whole-time servant of Government and shall be ineligible to hold during his service any other office under the Crown in India.

15. A Member shall be entitled to subscribe to the General Provident Fund in accordance with the rules regulating that Fund.

16. If a residence owned or leased by Government is allotted to a Member, his occupation of the residence shall be subject to the rules which apply to an officer of the Indian Civil Service in the province in which the residence is situated.

PART IV.

THE STAFF OF THE COMMISSION.

Section 1.—Composition.

17. The staff of the Commission shall include a Secretary and such number of assistants, stenographers and clerks and also such number of inferior servants as the Commission may from time to time determine:

Provided that until otherwise determined by the three Governors in agreement the strength of the staff to be employed by the Commission and the salaries to be paid to them shall not exceed the scale specified in the Schedule to these Regulations and the total expenditure for contingencies, supplies and services and other expenses connected with the Commission's work including the travelling allowances of the Members, the Secretary and persons employed by the Commission shall not exceed an aggregate sum of Rs. 11,000 per annum:

Provided further that all appointments made by the Commission shall be terminated

on the annulment of the agreement between the three provinces of Bihar, the Central Provinces and Berar and Orissa to have a joint Commission.

Section 2.—The Secretary.

18. The Secretary shall be appointed by the Commission with the approval of the three Governors.

19. (1) If the Secretary was at the date of his appointment in the service of the Crown in India, he shall hold office for a period of five years :

Provided that the Commission with the consent of the three Governors in agreement may extend the Secretary's tenure by a period not exceeding five years.

(2) If the Secretary was not at the date of his appointment in the service of the Crown in India he shall hold office during the pleasure of the three Governors in agreement and shall normally serve till he attains the age of 55 years unless his services are terminated earlier for inefficiency or infirmity of body or mind or for any other reason.

20. (1) If at the date of his appointment the Secretary was in the service of the Crown in India, he shall receive pay according to the time-scale of the service to which he belongs (where a senior time-scale exists, in the senior time-scale) and in addition a special pay of Rs. 150 a month, the total pay being subject to a maximum of Rs. 1,000 a month.

(2) If at the date of his appointment, the Secretary was not in the service of the Crown in India, he shall receive pay in the time-scale of Rs. 600—50—1,000.

21. In respect of all other matters, the Secretary's conditions of service shall be the same as those of other members of the service to which he belongs; and if the Secretary was not at the date of his appointment in the service of the Crown in India, his conditions of service shall be the same as those of Government servants of the first grade in superior service serving under the Government within whose territory the headquarters of the Commission are situated.

Section 3.—Ministerial Establishment and Inferior Servants.

22. The assistants, clerks and stenographers and the inferior servants shall be appointed by the Commission and shall receive such pay and allowances as the Commission may determine.

23. The ministerial establishment and the inferior servants shall be subject to the same conditions of service as the personnel of the corresponding grades serving in the Secretariat of the province within which the headquarters of the Commission are situated save that the authority who may impose any of the penalties prescribed in rule 49 of the Civil Services (Classification, Control and Appeal) Rules shall be the Secretary and the appellate authority the Chairman.

PART V.

INTERPRETATION.

24. In discharging their functions under these Regulations, the Governors of the three provinces shall act in their discretion.

25. Where under these Regulations the three Governors are to act in agreement and there is a difference of opinion, the decision of the majority shall prevail.

SCHEDULE.

Maximum strength of staff.	Maximum scales of pay.
	Rs.
1 Head Assistant	200—10—300.
1 Assistant	125—15/2—200.
1 Assistant	90—5—130.
1 Assistant	65—4—85.
1 Assistant	50—3—65.
1 Accountant	65—4—85.
1 Typist	60—5/2—85 plus Rs. 40 as steno-typist's allowance.
2 Typists	40—2—60 each.
2 Stenographers...	100—7—170 each.
1 Daftari and record-supplier	20—1—25.
11 Peons	12 each.
1 Chaukidar	10.

W. B. BRETT,

Chief Secretary to Government.

The 18th May 1937.

No. 6007-A.—The following notifications, issued by the Government of India in the Home Department, are republished for general information.

P. T. MANSFIELD,

Chief Secretary to Government.

JUDICIAL.

The 3rd May 1937.

No. F. 34/3/36.—The following Resolution by the Secretary of State is published for general information:—

In exercise of the powers conferred by sub-section (1) of section 104 of the Government of India Act, the Secretary of State in Council at a meeting held this 31st day of March 1937, hereby makes the following further amendment to the High Court Judges (India) Rules, 1922, namely:—

To rule 24 of the said Rules the following further proviso shall be added, namely:—

Provided further that if a Judge of any other High Court is appointed Chief Justice of the Nagpur High Court he shall be entitled to the pension he would have earned otherwise than as a Chief Justice had he remained in the other High Court, if this pension is greater than the pension calculated according to the table for the Nagpur High Court.

The 4th May 1937.

No. F. 59/1/37.—The following Resolution by the Secretary of State is published for general information:—

In exercise of the powers conferred by sub-section (1) of section 104 of the Government of India Act, the Secretary of State in Council at a meeting held this 31st day of March 1937, hereby makes the following further amendment to the High Court Judges (India) Rules, 1922, namely:—

After rule 43 of the said Rules, the following heading and rule shall be added, namely:

“SECTION VIII.—PROVIDENT FUND.

44. A Judge who is not a member of the Indian Civil Service shall be entitled to subscribe to the General Provident (Superior Civil Services) Fund in accordance with the rules of that Fund:

Provided that nothing in this rule shall have effect so as to give to a Judge who is a member of a civil service of the Crown in India less favourable terms in regard to General Provident Fund benefits than those to which he would be entitled as a member of this civil service if he had not been appointed a Judge.”

J. A. THORNE,

Joint Secy. to the Govt. of India.

LAW AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

The 13th May 1937.

No. 4313—III-C-26/37-Com.—The following notification of Government of India in the Department of Commerce is republished for general information.

By order of the Governor,

C. G. NAIR,

Secretary to Government.

TARIFFS.

New Delhi, the 1st April 1937.

No. 341-T. (5)/37.—In exercise of the powers conferred by sub-section (1) of section 4 of the Indian Tariff Act, 1934 (XXXII of 1934), the Governor General in Council is pleased to increase the duty chargeable under the First Schedule to the said Act on the articles specified in the annexed table to the extent set forth therein.

TABLE.

Article, with number of entry in the First Schedule under which chargeable.	Present rate of duty chargeable under the Indian Tariff Act.	Increased rate of duty.
1	2	3
48 (1) Fabrics, not otherwise specified, containing more than 90 per cent of artificial silk— (b) not of British manufacture ...	50 per cent <i>ad valorem</i> or 4 annas per square yard, whichever is higher.	50 per cent <i>ad valorem</i> or 5 annas per square yard, whichever is higher.

Article, with number of entry in the First Schedule under which chargeable. 1	Present rate of duty chargeable under the Indian Tariff Act. 2	Increased rate of duty. 3
48 (5) Fabrics, not otherwise specified, containing not more than 10 per cent silk but more than 10 per cent and not more than 90 per cent artificial silk—		
(a) containing 50 per cent. or more cotton—		
(i) not of British manufacture	50 per cent <i>ad valorem</i> or 3½ annas per square yard, whichever is higher.	50 per cent <i>ad valorem</i> or 4 annas per square yard, whichever is higher.
(b) containing no cotton or containing less than 50 per cent cotton—		
(i) not of British manufacture	50 per cent <i>ad valorem</i> or 4 annas per square yard, whichever is higher.	50 per cent <i>ad valorem</i> or 5 annas per square yard, whichever is higher.

H. DOW,

*Secretary to the Government of India.**The 15th May 1937.*

No. 4337-Com.—The following notification of the Government of India in the Finance Department (Central Revenues) is republished for general information.

By order of the Governor,

C. G. NAIR,

Secretary to Government.

CUSTOMS.

New Delhi, the 1st April 1937.

No. 1-X.—In pursuance of entry 19 of List I in the Seventh Schedule to the Government of India Act, 1935, the Governor General in Council hereby defines the customs frontier for the purposes of that entry as the frontier, whether one or more than one, whether sea or land, whether exterior or interior, of British India.

W. W. NIND,

Joint Secy to Govt. of India.