



The Orissa Gazette

PUBLISHED BY AUTHORITY.

No. 9. CUTTACK, FRIDAY, MARCH 5, 1937.

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 25th February 1937.

No. 1958-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.

ESTABLISHMENTS.

New Delhi, 27th January 1937.

No. F.10/11/36-Ests./S. C. S. R. No. 75:—
The following Resolution by the Secretary of State for India in Council 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 for India in Council, with the concurrence of the majority of votes at a meeting of the Council of India held this 9th day of December 1936, hereby makes the following amendments in the Superior Civil Services Rules, namely:—

A. In Schedule VII to the said Rules under the head "C—Indian Forest Service"—

I. In Part 1 in the table relating to "*Sanctioned Strength*"—

(a) for the column relating to Bihar and Orissa and the entries thereunder the following columns and entries shall be substituted, namely:—

Bihar.	Orissa.
5	6
1*	
1	1
14†	

(b) After the footnote relating to the said table the following footnotes shall be inserted, namely:—

* Common to the two provinces, Bihar and Orissa. When no officer of either province is employed under the Government of India, the two provinces will decide between them as to which shall take the surplus officer.

† The cadre of Indian Forest Service officers for the two provinces of Bihar and Orissa is combined.

II. In Part 2 for the heading "Bihar and Orissa" and the entries thereunder, the following headings and entries shall be substituted, namely:—

"Bihar

- 1 Conservator of Forests.
- 4 Deputy and Assistant Conservators of Forests in charge of, or attached to, Divisions.

5

Orissa

- 1 Conservator of Forests.
- 1 Forest Adviser, Eastern States Agency.
- 4 Deputy and Assistant Conservators of Forests in charge of, or attached to, Divisions.

6"

B. In Schedule VIII to the said Rules under the head "C—Indian Forest Service" for the sub-head "Bihar and Orissa" and the entry thereunder the following sub-head and entry shall be substituted, namely:—

"Orissa—

Forest Adviser, Eastern States Agency
200"

C. In Schedule IX to the said Rules under the head "C—Indian Forest Service" in the table relating to "Posts outside the Time-scale"—

- (a) in the column headed "Administration" for the words "Bihar and Orissa" the word "Bihar" shall be substituted;
- (b) in the column headed "Posts" for the word "Conservators" the word "Conservator" shall be substituted; and
- (c) to the entries in the said table the following entry shall be added, namely:—

"Orissa | Conservator of Forests | 1,750—100—2,150."

ESTABLISHMENTS.

New Delhi, 28th January 1937.

No. F.-58/37-Ests./S. C. S. R. No. 77.—
The following Resolution by the Secretary of State for India in Council 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 15th day of December 1936, hereby makes

the following amendment to the Superior Civil Services Rules, namely:—

For Schedule IV to the said Rules the following Schedule shall be substituted, namely:—

SCHEDULE IV (see Rule 12).

1. These regulations apply to the following officers, namely:—

(a) any officer who belongs to a service, or holds substantively a permanent post, specified in Appendix A to this Schedule, and who had, at the date of his appointment to such service or post, his domicile elsewhere than in Asia; and

(b) any officer of the Indian Civil Service, having at the time of his appointment to that service his domicile in Asia, who is, or has at any time been, or would if he had been on the time-scale have been, entitled to overseas pay:

Provided that nothing in these regulations shall entitle an officer on probation to receive any benefit to which he was not already entitled in respect of a journey commenced prior to the date of his confirmation in the service to which he belongs, except with the express sanction of the Secretary of State in Council:

Provided further that no payment in respect of any benefit allowed to an officer on probation under the foregoing proviso shall be made until such officer has been confirmed in the service.

2. For the purposes of these regulations—

(a) "passage" means a unit of credit in an individual passage account, and represents in the case of an officer or his wife one standard return fare, and in the case of a child one standard single fare;

(b) "standard fare" means the cost for the time being, according to the table of rates published by the P. and O. Company, of an ordinary, as distinct from off season, ticket for an adult giving first-class B grade accommodation for a journey between Bombay and London by mail steamer of that Company:

"standard single fare" means a standard fare for a journey one way only, and

"standard return fare" means a standard fare for a journey both ways;

(c) "port in India" means—

(1) in the case of journeys beginning or ending by sea—the actual seaport in India or Burma at which an entitled person embarks on or disembarks from a steamship departing for or arriving from a place outside Asia, as the case may be, and shall be deemed to include Colombo;

(2) in the case of journeys beginning or ending by land routes—Quetta, Peshawar, or the actual official station of an officer in Asia situated in territories outside the western or northern boundaries of India; and

(3) in the case of journeys by air—Karachi (Drigh Road) Air Port or in the case of officers serving in Burma, Rangoon Air Port;

NOTE.—Journeys by land routes will be deemed to include—

(i) journeys by Afghanistan or Persia through Russia or Asia Minor to Europe or elsewhere; and

(ii) journeys by Iraq and Syria, notwithstanding that they may begin or end by sea between India and the Persian Gulf and include a sea journey across the Mediterranean:

Provided that they will not include a land journey to or from the port of embarkation or disembarkation, as the case may be, in India or Burma.

(d) "port outside Asia" means and includes—

(i) in the case of journeys beginning or ending by sea—the actual seaport of arrival or departure situated in the country of destination outside Asia, other than a Channel port in England, London being deemed to be the seaport of arrival or departure in the case of a sea journey beginning or ending at a Channel port in England; and

(ii) in the case of journeys beginning or ending by land or air routes—the actual place of destination or departure situated in a country outside Asia, London being deemed to be the place of destination or departure in the case of journeys by land or air routes beginning or ending at a Channel port in England;

(e) "officer" means an officer to whom these regulations apply;

(f) "child" means, except in Regulation 5, a legitimate child who is, if a male, under the age of 12 or if a female under the age of 21 and unmarried on the advertised date of sailing of the vessel in which the journey is performed or on the actual date of commencement of the journey, according as the first part of the journey is made by sea, or by land or air, and includes a step-child wholly dependent on an officer; and in Regulation 5 a legitimate child or step-child of any age if wholly dependent on the officer;

(g) "cost of a journey" means in the case of a journey by sea or air, the cost of that journey as fixed in the published rates for the time being in force of the steamer or air transport company by whose vehicle the journey is made, and in the case of a journey by a land route the actual cost incurred by the traveller for conveyance on the journey, and

(h) the domicile of a person at the date of his appointment shall be determined in accordance with the provisions set out in Appendix B to this Schedule.

3.—(1) The maximum benefits to which officers shall be entitled shall be:—

(A) In the case of officers appointed on or after the 1st day of April 1924—

(a) for the officer himself, four passages;

(b) for his wife, the number of passages shown in the following scale:—

Officer's length of service at date of marriage.	Number of passages.
Less than 7 years ...	4
7 years but less than 14 years ...	3
14 years but less than 21 years ...	2
21 years and over ...	1

(c) for each child, one passage; and

(B) In the case of officers appointed before the 1st April 1924—

(a) for the officer himself, the number of passages shown in the following scale:—

Officer's length of service on 1st April 1924.	Number of passages.
Less than 7 years ...	4
7 years but less than 14 years ...	3
14 years but less than 21 years ...	2
21 years and over ...	1

(b) for his wife, the same number of passages as for the officer himself:

Provided that where the officer was first married on or after the 1st day of April 1924, the scale of benefits for his wife shall be that laid down in sub-clause (b) of clause (A); and

() for each child, one passage.

(2) Notwithstanding anything in this regulation the Governor-General in Council may, in the case of officers appointed after attaining the age of 25 years and of officers holding His Majesty's commission to whom these regulations apply, by general or special order determine the maximum benefits to which such officers shall be entitled for themselves, their wives and their children.

(3) An officer shall be entitled for a second or subsequent wife to either the benefits set out in the table in clause (A) (b) of sub-regulation (1) or any benefits which were

available to him, but were not utilised, for the wife by the immediately prior marriage, whichever are less.

(4) When an officer passes without a break in service from one post or service included in Appendix A to this Schedule to another such post or service he shall carry with him to the new post or service the amount at credit in his passage account when he quitted the old post or service. A similar transfer of credit shall be made in respect of his wife and children, if any.

4. In the case of an officer who, before becoming entitled to the benefits of these regulations, was entitled to analogous benefits of a lower grade under any separate set of rules or orders, the maximum benefits admissible to him under these regulations for himself, his wife and children, if any, shall be the difference between the standard return or single fare, as the case may be, provided for in these regulations and the amount of credit for a return or single journey, as the case may be, provided for in the rules or orders to which he was previously subject, for the number of passages to which he shall be entitled for himself, his wife and children on the date of his admission to the benefits of these regulations *plus* the balance, if any, existing in the passage accounts of the respective beneficiaries opened under the rules or orders to which he was previously subject. Provided that the credit to be given under these regulations in respect of the aforesaid difference shall not be for a number of passages greater than that for which he was originally given credit on his admission to benefits of the lower grade.

5. Notwithstanding anything elsewhere contained in these regulations, if an officer dies while in service his wife and each of his children shall be entitled at any time not being more than one year from the date of his death, to receive from general revenues the cost of a single journey from a port in India, to their destination outside India such cost not to exceed one standard single fare for each such person:

Provided that the Governor-General in Council or the Local Government, as the case may be, may, in special cases, extend the said period of one year to any period not exceeding two years.

6. A separate account shall be opened for each officer and if he is married for his wife and for each child. Subject to the provisions of Regulation 8, these accounts shall be credited respectively with the number of passages to which the officer, his wife and children are entitled under Regulation 3, or Regulation 4, as the case may be, and no transfer of any credit shall be made from one account to another. Within the amount of these credits, the officer shall be entitled to draw for himself, his wife and his children

respectively the cost of a journey between a port in India and a port outside Asia: provided that the amount drawn from an individual account shall not exceed a standard single fare in the case of a single journey, and a standard return* fare in the case of a return journey, save in respect of a child under 12 in whose case the amount drawn shall not exceed the cost of a half standard single or return fare as the case may be.

7. Notwithstanding anything contained in these regulations, an officer, his wife or children travelling to or from Burma from or to a seaport outside Asia on a through ticket across India shall be entitled to the cost of the land journey performed in India, provided that the total amount drawn from an individual account in respect of the entire journey shall not exceed a standard single or return* fare, as the case may be.

8.—(1) In the case of pensionable officers engaged on contract for definite periods and of officers whose service is not pensionable, no credit shall be made under Regulation 6 in such officer's personal account or in those of his wife and children until the 1st April 1924, or until he has completed five years' service from the date of his appointment to a qualifying post or service, whichever is later, and a second, third and fourth passage, if due under the provisions of Regulation 3 or Regulation 4, as the case may be, shall not be credited to the officer's account or that of his wife until the officer has completed 5, 10 and 15 years' service respectively from the date with effect from which the first credit is made: provided that if, before the conclusion of any such quinquennial period of service, any such officer applies to the sanctioning authority to receive any benefits prescribed in these regulations for himself, his wife or his children, as the case may be, he may be granted such benefits up to the value in each case of the amount which will fall due to be credited to his account on behalf of himself, his wife or his children, at the conclusion of such period of service, on his satisfying the sanctioning authority that he intends to complete the said period of service, and on his entering into a written agreement to that effect in the form prescribed by the sanctioning authority.

(2) For the purposes of this regulation the sanctioning authority shall be the authority which is empowered to grant leave to the officer concerned.

(3) This regulation shall not apply to officers who before 17th May 1927 had been admitted, without restriction, to the benefits prescribed in these regulations.

*NOTE.—A return ticket shall be taken in respect of a return journey in cases in which it is possible to do so. If, however, such a journey is performed on two single tickets, the aggregate that can be drawn from an account in respect of the two single journeys shall not exceed a standard return fare.

9. Any benefits for himself and for his wife to which an officer is entitled under Regulation 3 or Regulation 4, as the case may be, shall be in abeyance for any period of foreign service in respect of which it has been agreed between the Government of India and the foreign employer that the officer shall receive from the foreign employer any concessions of the kind contemplated in these regulations, and the sums credited to the accounts of the officer and his wife shall be reduced by one-seventh of a standard return fare for each completed year of such period.

10.—(1) Payment for all sea or air journeys other than journeys permitted during the period of probation with the express sanction of the Secretary of State in Council shall be made from general revenues to the ^{steamship} _{air transport} ^{recognised} _{their} companies either direct or through ^{firms of passenger} _{accredited} agents, and not to the officers themselves.

(2) Payment on account of journeys excepted in sub-regulation (1) and journeys by land routes shall be made to the officer making the claim.

11. The accounts mentioned in Regulation 6 shall be debited with—

- (a) the sums actually drawn from general revenues under that regulation; and
- (b) the cost of any benefits utilised in advance for himself, his wife or children under Rule 11 of the Passage (Subordinate) Rules, 1925, or the corresponding rule of the rules which those rules superseded, by an officer before his promotion to a service or post qualifying for the benefits prescribed in these regulations.

12. When a standard fare is increased or decreased, the balance at credit of each account referred to in Regulation 6 shall be increased or decreased, as the case may be, in proportion to the increase or decrease in that fare.

13.—(1) An officer is entitled to the benefits provided by these regulations in respect of any journey between a port in India and a port outside Asia performed by himself or his wife, or any of his children which commences on or after 1st April 1924, and before the date of the officer's retirement: provided that—

- (a) if an officer is proceeding out of Asia on leave preparatory to

retirement, he, his wife, or any of his children shall be entitled to receive, so far as their respective credits permit, the benefits admissible under Regulation 6 or Regulation 7, as the case may be, for a single journey;

- (b) if an officer having proceeded out of Asia on leave with the intention of returning to duty in India and having drawn for himself, his wife or any of his children the benefits admissible under Regulation 6 or Regulation 7, as the case may be, for a return journey, retires during or on the termination of such leave, he shall (unless he is an officer of Asiatic domicile or the Governor General in Council is satisfied that the return to India or Burma of the officer or any member of his family is justified) refund to their respective passage accounts, the difference between the benefits admissible under Regulation 6 or Regulation 7, as the case may be, for a return and a single journey.

(2) An officer, his wife or any of his children shall be entitled to receive, so far as their respective credits permit, the benefits admissible for a single journey under Regulation 6 or Regulation 7, as the case may be; in respect of a journey from a port in India to a port outside Asia commenced within six and completed within twelve months after the officer's retirement.

14. Any balance remaining at the credit of any person in his or her personal account after such person has ceased to be eligible for any benefits under these regulations shall lapse to Government.

15. The Governor-General in Council may make supplementary regulations to carry out the purposes and objects of these regulations, and may sanction the relaxation of the provisions of regulation 10 (1); he may also with the sanction of the Secretary of State in Council by order in writing, direct that any of the provisions of Regulations 6, 7, 11 or 13 of these regulations be relaxed or varied in any particular case to such extent and subject to such conditions (if any) as he may think proper.

R. M. MAXWELL,

Secy. to the Govt. of India.

The 4th March 1937.

No. 2225-A.—The following notification, issued by the Government of Bihar, in the Political and Appointment Departments, is republished for general information.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

ELECTIONS BRANCH.

The 22nd February 1937.

No. 791-A.—It is hereby notified for general information that the first Half-yearly Departmental Examination for Assistant Magistrates, Deputy and Sub-Deputy Collectors,

Munsifs and the officers of the Police, Medical, Forest, Excise and other departments will be held on Monday, the 26th April 1937, and the following days in the Conference Room of the Patna Secretariat.

2. The table below shows the date and hour fixed for each paper :—

Date.	Morning from 10 A.M.	Afternoon from 2 P.M.
Monday, 26th April 1937	<p>Law, Parts I and II (for Civil officers), without books. Three hours.</p> <p>Criminal Law (for Police officers), higher standard, without books. Three hours.</p> <p>Canal Officers' Law, Part A, with books. Three hours.</p> <p>Land Revenue System, without books (for Forest officers). Three hours.</p> <p>Excise, Salt and Criminal Law, without books, for Superintendents and Inspectors of Excise. Three hours.</p> <p>Tenancy Law, without books (for Munsifs). Three hours.</p>	<p>Translation from vernacular (Hindi, Oriya and Bengali) for all except Imperial Agricultural, Veterinary and Public Works Department officers. Two hours.</p> <p>Transliteration and translation from vernacular (Hindi, Oriya and Bengali) into English for Public Works Department officers (first paper). Two hours.</p>
Tuesday, 27th April 1937	<p>Law, Parts I and II (for Civil officers), with books. Three hours.</p> <p>Criminal Law (for Police officers), lower standard, with books. Three hours.</p> <p>Forest Law, without books. Three hours.</p> <p>Canal Officers' Law, Part B, with books. Three hours.</p> <p>Excise Rules and Procedure, with books, for Superintendents and Inspectors of Excise. Three hours.</p> <p>High Court General Rules and Circular Orders, with books (for Munsifs). Three hours.</p> <p>Accounts, without books, for Provincial Agricultural Officers. Three hours.</p>	<p>Translation into vernacular (Hindi, Oriya and Bengali) for all officers. Two hours.</p>
Wednesday, 28th April 1937.	<p>Accounts (without books) for Civil officers. Three hours.</p> <p>Accounts (with books) for Police officers. Three hours.</p>	<p>Transliteration and translation from vernacular (Hindi, Oriya and Bengali) for imperial Agricultural and Veterinary Officers. Two hours.</p>

Date.	Morning from 10 A.M.	Afternoon from 2 P.M.
Wednesday, 28th April 1937 — <i>concl'd.</i>	<p>Procedure and Accounts (with books) for Forest officers. Three hours.</p> <p>Accounts (with books) for Superintendents and Inspectors of Excise. Three hours.</p> <p>Canal Officers' Examination in Law, Part C (Cases). Time to be determined by the Examination Committee.</p> <p>Accounts (with books) for Provincial Agricultural Officers. Three hours.</p>	<p>Transliteration from vernacular (Hindi, Oriya and Bengali) for all officers.</p> <p>Transliteration and translation from vernacular (Hindi, Oriya and Bengali) for Public Works Department officers (second paper). Two hours.</p>
Thursday, 29th April 1937	Criminal Law, with books, higher standard, for Police officers. Three hours.	

Note 1.—Viva voce examination in languages of all officers will be held from 2 P.M. to 5 P.M. on the 26th, 27th and 28th April 1937.

Note 2.—There will be no test in transliteration for the examination in the vernacular languages by the higher standard excepting in Bengali for all officers and in Hindi and Oriya for the examination of officers of the Forest, Imperial Agricultural and Education departments who are not required to pass in the vernacular languages by the lower standard.

Note 3.—Names of candidates for the examination must reach the Central Examination Committee, Bihar, on or before the 15th March 1937, after which date no application will be entertained.

By order of the Governor in Council,

W. B. BRETT,

Chief Secretary to Government of Bihar.

The 3rd March 1937.

No. 515-C.—The following notification by the Government of the Punjab is republished for general information.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

HOME DEPARTMENT.

GENERAL.

The 8th February 1937.

No. C-354-D.S.B.—In exercise of the powers conferred by section 99-A of the Code of Criminal Procedure, 1898, as amended by section 4 of the Indian States (Protection against Disaffection) Act, 1922, the Governor in Council is pleased to declare to be forfeited to His Majesty every copy, wherever found, of the booklet in Gurmukhi entitled "Shahid S. Sewa Singh ji Ashram: Adarsh unnati No. 1 Arthat Shriman Sardar Ujagar Singh ji Sahib 'Bhaura' to Baba Mehr Singh ji De Daure Da Sanman to Samachar" printed by M. Shamas Din at the Punjab Literary Press, Chowk Manna Singh, Amritsar and published by Hari Singh 'Gardi', President, Parja Mandal, Riayast Patiala, on the ground that the said booklet contains matter which brings or is intended to bring into hatred or contempt, or excites or is intended to excite disaffection towards the Ruler of the Patiala State, the publication

of which is punishable under section 3 (1) of the Indian States (Protection against Disaffection) Act, 1922.

By order of the Governor in Council,

F. H. PUCKLE,

Chief Secretary to Government, Punjab.

The 26th February 1937.

No. 755—ELA-3/37-R.—The following corrigendum, issued by the Government of India (Legislative Department), is republished for general information.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

New Delhi, 17th February 1937.

In section 2 of the Madras Estates Land (Orissa Amendment) Regulation, 1937 (VII of 1937), published with the notification of the Government of India in the Legislative Department no. 354/36-P., dated the 1st February 1937, and printed at page 186 of the *Gazette of India*, Part I, dated the 6th February 1937, delete the brackets and figure "(1)".

J. D. ANDERSON,

Offg. Secy. to the Govt. of India.