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MUNICIPAL MANUAL - II

(Corrected Upto 20th August, 1980).

Union Territory of Pondicherry,
Local Administration Department,
August, 1980.



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CHAPTER—I

APPOINTMENT OF VARIOUS AUTHORITIES UNDER THE PONDICHERY MUNICIPALITIES ACT, 1973

Appointment of Director

In partial modification to the Local Administration Department G. O. Ms. No. 314 dated 14-12-1978 and in exercise of the powers conferred by sub-section (1) of section 106 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints Thiru Balbir Singh, I. A. S., Secretary to Government, Local Administration Department to exercise all powers and to perform all duties as Director under the said Act with effect from the forenoon of 3rd August, 1979 vice Thiru C. Ramu, I.A.S., transferred.

(G. O. Ms. No. 205 dated 22nd August, 1979 of the Local Administration Department, Pondicherry)

2. In partial modification of the Local Administration Department G. O. Ms. No. 205, dated 22nd August, 1979 and in exercise of the powers conferred by sub-section (1) of section 106 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints Thiru R. S. Chari, I. A. S., Secretary to Government, Local Administration Department, to exercise all powers and to perform all duties as Director under the said Act with effect from the forenoon of 2nd April, 1980, vice Thiru Balbir Singh, I. A. S., until further order.

(G. O. Ms. No. 143, dated 2nd May, 1980 of the Local Administration Department, Pondicherry)

3. In exercise of the powers conferred by sub-section (1) of section 106 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints Thiru E. Palani, Director of Local Administration Department as Director to exercise all the powers conferred on and to perform all the duties imposed upon such Director under the said Act with effect from the forenoon of 11th February, 1981.

The notification issued in Local Administration Department's G. O. Ms. No. 143 dated 2nd May, 1980 is superseded on and from the 11th February, 1981 provided that such supersession shall not affect anything duly done or suffered thereunder.

(G. O. Ms. No. 30 dated 24th February, 1981 of the Local Administration Department, Pondicherry.)

4. In exercise of the powers conferred by sub-section (1) of section 106 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints Thiru M. Syed Kabeer Ahamed, who was holding full additional charge of the post of Director, Local Administration Department, as Director to exercise all the powers conferred on and to perform all the duties imposed upon such Director under the said Act with effect from the forenoon of 19th December, 1981, till 11th February, 1982.

The notification issued in Local Administration Department's G. O. Ms. No. 30, dated 24th February, 1981 is superseded on and from the 19th December, 1981 provided that such supersession shall not affect anything duly done or suffered thereunder.

(G. O. Ms. No. 51 dated 11th March, 1982 of the Local Administration Department, Pondicherry.)

5. In exercise of the powers conferred by sub-section (1) of section 106 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints Thiru B. Douressamy, Director of Local Administration Department as Director to exercise all the powers conferred on and to perform all the duties imposed upon such Director under the said Act with effect from the forenoon of 12th February, 1982.

The notification issued in Local Administration Department's G. O. Ms. No. 51 dated 11th March, 1982 is superseded on and from the 12th February, 1982 provided that such supersession shall not affect anything duly done or suffered thereunder.

(G. O. Ms. No. 53 dated 11th March, 1982 of the Local Administration Department, Pondicherry)

6. In exercise of the powers conferred by sub-section (1) of section 106 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints Thiru R. Lakshmikanthan, Director of Local Administration Department, as Director to exercise all the powers conferred on and to perform all the duties imposed upon such Director under the said Act with effect from the forenoon of 1st June, 1983.

The notification issued in Local Administration Department's G. O. Ms. No. 53 dated 11th March, 1982 is superseded on and from the 1st June, 1983 provided that such supersession shall not affect anything duly done or suffered thereunder.

(G. O. Ms. No. 174 dated 7th July, 1983 of the Local Administration Department, Pondicherry)

7. In exercise of the powers conferred by sub-section (1) of section 106 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby

appoints Thiru P. Gopannan, Deputy Director in the Local Administration Department, Pondicherry, as Director to exercise all the powers conferred on and discharge all the functions imposed upon such Director under the said Act with effect from 8th July, 1984 until further orders vice Thiru R. Lakshmikanthan granted leave.

(G. O. Ms. No. 222 dated 20th August, 1984 of the Local Administration Department, Pondicherry.)

2. Appointment of Auditor of Accounts and Receipts and Expenditure of the Municipal Council under section 205 (1)

In exercise of the powers conferred by sub-section (1) of section 205 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby makes the following amendment to the notification issued in G. O. Ms. No. 42/74/LAD, dated 26th January, 1974 of the Local Administration Department, Pondicherry and published in the Extraordinary Gazette No. 15, dated 26th January, 1974, namely:—

Amendment

In the said notification, for the words "Pay and Accounts Officer, Pondicherry", the words "Director of Accounts and Treasuries Pondicherry" shall be substituted.

(G. O. Ms. No. 155 dated 7th June, 1984 of Local Administration Department published in the Gazette No. 26, dated 26th June, 1984.)

CHAPTER—II

3. Delegation of powers under section 163

In exercise of the powers conferred by sub-section (1) of section 501 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby authorises the Secretary to Government, Local Administration Department, Pondicherry to exercise the powers vested in the Government under section 163 of the said Act.

(G. O. Ms. No. 27, dated 18th January, 1984 of the Local Administration Department published in the Gazette No. 6, dated 7th February, 1984.)

CHAPTER—III

MUNICIPAL COUNCILS AND ELECTIONS

4. Annual Administration Report of the Municipalities—Model Form.

The Municipalities/Commune Panchayats should send 10 copies of the Annual Administration Report every year in the prescribed form (Model form enclosed) to the Director of Local Administration Department by 30th April as required under section 89 of the Pondicherry Municipalities Act, 1973 and section 66 of the Pondicherry Village and Commune Panchayats Act, 1973.

2. However, the Annual Administration Report for the year 1983-84 may be sent to this Department on or before 30th June, 1984.

Administration report of the Municipality Commune / Panchayat
for the year.....

1. Jurisdiction

- (a) Area (in Sq. Km.)
- (b) Changes in the jurisdiction
- (c) Total population

- (d) Scheduled Caste population
- (e) Total electorate
- (f) Scheduled Caste electorate

2. Municipal Council

- (a) Total number of wards
- (b) Number of wards reserved for Scheduled Caste/Women

3. Commune Panchayat Council

- (a) Whether the Chairman of the Commune Panchayat Council is reserved for Scheduled Caste/Women.
- (b) Total number of Panchayat Villages.
- (c) Number of Villages reserved for Scheduled Caste/Women for election of Presidents.
- (d) Total number of wards of Panchayat Villages.
- (e) Number of wards reserved for Scheduled Caste.

4. Municipal Election

- (a) General election last held.
- (b) Number of casual vacancies in the office of members as on 1st April.
- (c) Number of casual vacancies occurred during the year.
- (d) Date on which election for casual vacancies held and number of members elected.

5. Commune Panchayat Election

- (a) **Chairman of Commune Panchayat Council**
 - (i) General election last held.
 - (ii) Whether the post was vacant as on 1st April.

- (iii) Whether casual vacancy occurred during the year.
- (iv) Whether election was held for filling up of the post.

(b) President of Village Panchayats

- (i) General elections last held.
- (ii) Total number of casual vacancies as on 1st April—
(a) General, (b) Scheduled Caste and (c) Women.
- (iii) Number of vacancies occurred during the year—
(a) General, (b) Scheduled Caste and (c) Women.
- (iv) Date on which election was held and number of vacancies filled (a) General, (b) Scheduled Caste and (c) Women.

(c) Village Panchayats (Members)

- (i) General elections last held.
- (ii) Total number of casual vacancies as on 1st April—
(a) General and (b) Scheduled Caste.
- (iii) Number of vacancies occurred during the year—
(a) General and (b) Scheduled Caste.
- (iv) Date on which election was held and number of vacancies filled (a) General, and (b) Scheduled Caste.

(d) Village Panchayats (Co-opted Women)

- (i) Total number of co-opted women members as on 1st April.
- (ii) Total number of casual vacancies of co-opted women members as on 1st April.
- (iii) Number of casual vacancies of co-opted members during the year.
- (iv) Number of co-opted members appointed during the year.

6. Election — General

- (a) Cost of preparing electoral roll and conduct of elections.
- (b) Election disputes

(i) Number of cases pending as on 1st April (Give details).

(ii) Number of cases filed during the year (Give details).

7. Meetings of the Council

(a) Number of ordinary meetings held and the number of meetings adjourned for want of quorum.

(b) Number of urgent meetings held and the number of meetings adjourned for want of quorum.

8. Committees

(a) Details of committees as on 1st April.

(b) Details of committees appointed during the year.

9. Commissioner — When appointed and his name

10. Establishment — (Regular)

Sl. No.	Categories of posts (Scale of pay)	Sanctioned strength as on 1st April	No. of posts vacant as on 1st April	No. of posts created during the year
(1)	(2)	(3)	(4)	(5)

No. of posts filled during the year

No. of persons officiating in the posts as on 31st March

General	S.C.	S.T.	Physically handicapped	General	S.C.	S.T.	Physically handicapped
(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)

11. Establishment -- (Daily Wages) As on 31st March

Sl. No.	Categories of employees (Rate per day)	No. persons				Total
		General	S.C.	S.T.	Physically handicapped	
(1)	(2)	(3)	(4)	(5)	(6)	(7)

12. Establishment -- Part-time/Fixed salary (including Water tank Operators/Radio Operators)—As on 31st March

Sl. No.	Categories of employees (Rate per month)	No. of persons				Total
		General	S.C.	S.T.	Physically handicapped	
(1)	(2)	(3)	(4)	(5)	(6)	(7)

13. Receipts -- (Own resources only)

Sl. No.	Description of Tax	As provided in the Budget	Actuals
A.	TAX REVENUE		
1.	Property/House Tax		
2.	Profession Tax		
3.	Entertainments Tax		

4. Tax on cinematograph exhibition (Show Tax)
5. Duty on transfer of property
6. Duty on toddy trees
7. Local Cess.
8. Local Cess Surcharge
9. Surcharge on Cess on sugar cane
10. Octroi
11. Advertisement Tax
12. Other Taxes

Total Tax Revenue

B. NON-TAX REVENUE

1. Leasing out of usufructs of trees
2. Leasing of fishing rights
3. Rent from Shops, Stalls, Buildings, Kalyanamandapam, Community Hall etc.,
4. Licence fees
5. Market fees
6. Bus Stand Parking fees
7. Income from Slaughter house
8. Other revenues.

Total Non-Tax Revenue.

C. Total Revenue (A--Tax Revenue + B: Non-Tax Revenue)

14. Expenditure (from own resources only)—

Sl. No.	Description of items	As provided in the Budget	Actuals
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1. Establishment charges
2. Payment of pension and secours
3. Telephone and Trunk Call Charges
4. Purchase of Stationery
5. Purchase of Diesel, Petrol, Oil for vehicles
6. Maintenance charges of vehicles
7. Purchase of vehicles

8. Stationery and Printing
9. Purchase of Chemicals for sanitary purposes
10. Current consumption charges
11. Water charges
12. Execution of development works
13. Maintenance of buildings
14. Maintenance of Over Head Tanks and repairing of Motors and Pump sets
15. Repayment of loan
16. Other expenditure

Total Expenditure

15. Roads—

(a) Length of roads (in Km.)

- (i) Cement concrete
- (ii) Black Topping
- (iii) Water bound macadam
- (iv) Earthen

(b) Provision of roads from own funds

- (i) Spillover Works

Sl. No.	Description of estimate	Year in which the work was taken up	Estimate cost	Amount to be spent as on 1st April	Amount spent during the year
(1)	(2)	(3)	(4)	(5)	(6)

(ii) Works undertaken during the year.

Sl. No.	Description of estimate	Estimate cost	Amount spent during the year
(1)	(2)	(3)	(4)

(c) Provision of roads from Grants of Local Administration Department.

(i) Spill over works.

Sl. No.	Description of estimate	Year in which sanctioned	Estimate cost	Amount to be spent as on 1st April	Amount spent during the year
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(ii) Works sanctioned during the year.

Sl. No.	Description of estimate	Estimate cost	Amount spent during the year
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(d) Provision of roads from grants of other Departments.

(i) Spill Over Works

Sl. No.	Description of estimate	Year in which sanctioned	Estimate cost	Amount spent as on 1st April	Amount spent during the year	Name of Department who sanctioned the grant
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(ii) Works sanctioned during the year

Sl. No.	Description of estimate	Estimate cost	Amount spent during the year	Name of Department who sanctioned the grant
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16. Water Supply—

(a) Details of Water Supply System.

Sl. No.	Details of water supply system	Number as on 1st April	Number as provided during the year
1.	Ground level reservoirs		
2.	Over Head Tanks		
3.	Pressure Tanks		
4.	Hand Pumps		

(b) Details of pump sets.

Sl. No.	Description	Number as on 1st April	Number as provided during the year
1.	Centrifugal		
2.	Sub-mercible		
3.	Turbine		
4.	Jet		

(c) Provision of public taps and house connections

Sl. No.	Details	Number as on 1st April	Number as provided during the year
1.	Public Taps		
2.	House connections		

(d) Rate of water tax

(e) Collection of water tax

- (i) Arrears as on 1st April
- (ii) Demand for the year
- (iii) Total
- (iv) Amount collected during the year

(f) Provision of water supply system from own funds.

- (i) Spill Over Works

Sl. No.	Description of estimate	Year in which the work was taken up	Estimate cost	Amount to be spent as on 1st April	Amount spent during the year
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(ii) Works undertaken during the year

Sl. No.	Description of estimate	Estimate cost	Amount spent during the year
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(g) Provision of water supply system from grants of various Government Departments.

(i) Spill Over Works

Sl. No.	Description of estimate	Year in which sanctioned	Estimate cost	Amount to be spent as on 1st April	Amount spent during the year	Name of the Department who sanctioned the grant
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(ii) Works sanctioned during the year

Sl. No.	Description of estimate	Estimate cost	Amount spent during the year	Name of the Department who sanctioned the grant
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17. Bridges, Causeways, Culverts, Side drains—

(i) Spill Over Works.

Sl. No.	Description of estimate	Year in which sanctioned	Estimate cost	Amount to be spent as 1st April	Amount spent during the year	Name of Department who sanctioned/executed from own funds
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(ii) Works sanctioned during the year.

Sl. No.	Description of estimate	Estimate cost	Amount spent during the year	Name of the Department who sanctioned the grant/executed from own funds
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18. National Rural Employment Programme

(i) Spill Over Works.

Sl. No.	Description of estimate	Year in which sanctioned	Estimate cost	Amount to be spent as on 1st April	Amount spent during the year
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(ii) Works sanctioned during the year

Sl. No.	Description of estimate	Estimate cost	Amount spent during the year
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19. Public latrines—

(a) Details of Public Latrines.

Sl. No.	Description	Number as on 1st April	Number as provided during the year
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1. Public latrines on pay and use

2. Other latrines

(b) Provision of Public Latrines.

(i) Spill) over works.

Sl. No.	Description of estimate	Year in which sanctioned	Estimate cost	Amount to be spent on 1st April	Amount spent during the year	Name of Department who sanctioned the grant/executed from own funds
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(ii) Works sanctioned during the year.

Sl. No.	Description of estimate	Estimate cost	Amount spent during the year	Name of Department who sanctioned the grant/executed from own funds
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20. Remunerative Enterprises—

(a) Details of remunerative enterprises

	No. as on 1st April	No. as constructed during the year
(i) Stalls/Shops		
(ii) Community Hall		
(iii) Kalyanamandapam		
(iv) Quarters		
—LIG		
—MIG		

(b) Construction of remunerative enterprises.

(i) Spill over works

Sl. No.	Description of works	Year in which sanctioned	Estimate cost	Amount to be spent as on 1st April	
			Amount spent during the year	Source from which the work was undertaken	Stage of the work

(ii) Works undertaken during the year

Sl. No.	Description of works	Estimate cost	Amount spent during the year	Source from which the work was undertaken	Stage of the work
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21. Other Works—

(i) Spill over works

Sl. No.	Description of works	Estimate cost	Year in which sanctioned	Amount to be spent as on 1st April	Amount spent during the year	Source from which the work was taken up
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(ii) Works undertaken during the year.

Sl. No.	Description of work	Estimate cost	Amount spent during the year	Source from which the work was taken up
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22. Street Lights—

(a) Street lights and services.

	As on 1st April	No. as provided during the year
(i) MVL		
(ii) 4 Ft. Twin		
(iii) 4 Ft. Single		
(iv) 2 Ft. Twin		
(v) 2 Ft. Single		
(vi) Filament lamps		
(vii) Number of services		
(a) Office buildings		
(b) Lavotary Block, Radio Station, Community Centre, Bus Stand, Market etc.		
(c) Over Head Tanks		
(d) Others		

(b) Current consumption charges.

	Street lights	Buildings
(i) Arrears as on 1st April		
(ii) Demand for the year		
(iii) Total		
(iv) Amount paid during the year		

23. Cash Balance—

(a) Cash Position

	Cash balance as on 1st April	Cash balance as on 31st March
(i) Own resources		
(ii) Provident Fund		
(iii) Grant-in-aid		

(b) Banks in which savings bank accounts maintained

- (i) Own resources
- (ii) Grants-in-aid
- (iii) Provident Fund

(c) Investment in fixed deposits (As on 31st March).

Sl. No.	Name of the Bank	Amount kept in fixed deposit/ short term deposit	Date of investment	Period	Date of maturity
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- (i) Own Resources
- (ii) Provident Fund
- (iii) Grants-in-aid

24. Taxing pattern—

Furnish the details and rates of all taxes as on 1st April and indicate the changes in the rates of taxes, if any, during the year.

25. Births and Deaths—

- (i) Number of births and percentage to the total population.
- (ii) Number of deaths and percentage to the total population.

26. Tree Planting—

- (a) Number and names of trees planted.
- (b) Number of plants surviving.

- (c) Whether a programme of tree-planting has been drawn up and is being carried out.
- (d) Possibilities of development, outlay on avenues, if any.
- (e) Staff employed, and programme drawn up, results of any avenue schemes undertaken, nurseries.
- (f) Expenditure incurred on their maintenance — cost of staff and other items separately.
- (g) Income if any, derived from them and the source from which net expenditure is met.

27. Encroachments—

- (a) Number of encroachments pending at the beginning of the year.
- (b) Number of encroachments detected during the year.
- (c) Number of encroachments disposed of during the year.
- (d) Number of encroachments pending at the close of the year.

28. Fairs and festivals—

- (a) What are the principal fairs and festivals?
- (b) Were sanitary arrangements made during such fairs and festivals? If so, by whom and at what cost?
- (c) Income derived from such fairs and festivals.

29. Licences and permissions—

Permissions Licences

- (a) Number of applications pending at the beginning of the year
- (b) Number of applications received during the year

- (c) Number of applications disposed of during the year
- (d) Number of applications pending at the close of the year.

30. Bus Stand—

- (a) Is the Municipality/Commune Panchayat maintaining any Bus Stand? If so, how many?
- (b) What is the rate of fees and what is the method of collecting the fees.
- (c) What is the income therefrom and what is the cost of establishment?

31. Slaughter House—

- (a) State the number of Slaughter Houses maintained and the net income therefrom.
- (b) What is the rate of fees and what is the method of collecting the fees?
- (c) Number of animals slaughtered (Give details)

32. Parks and Gardens—

- (a) Number of public parks and gardens maintained and name, if any.
- (b) Expenditure incurred on their maintenance — Cost of staff and other items separately.
- (c) Income, if any derived from them and the source from which net expenditure is met.
- (d) Proposal, if any, to open new parks and gardens.

33. (a) A brief note on the action taken for the augmentation of the financial position.

- (b) A brief note indicating the items on which curtailment of expenditure was made.

- (c) A brief note on the working of the administration and suggestion for improvement.

34. Remarks

[Memorandum No. F. 156-1/84. Le.Ce.(1)/LAD, dated 30-5-1984]

5. Grant of fees to the Special Officers of Municipalities/Commune Panchayats.

The question of payment of fees to Government officials working as Special Officers of Municipalities and Commune Panchayats was engaging the attention of the Government for sometime past.

2. After careful consideration of the matter in detail, the Government is pleased to sanction fees to the Special Officers of the Municipalities and Commune Panchayats with effect from 31st March, 1978, subject to the following terms and conditions :—

- (i) The fees shall be payable at the following rates only—
 - (a) Pondicherry Municipality—Rs. 150 p. m.
 - (b) Karaikal Municipality—Rs. 75 p. m.
 - (c) Mahe/Yanam Municipalities — Rs. 60 p. m. per Municipality.
 - (d) Oulgaret/Villianur Commune Panchayats—Rs. 75 p.m. per Commune Panchayat
 - (e) All other Commune Panchayats—Rs. 60 p. m. per Commune Panchayat.
- (ii) The fees shall be payable from the funds of the concerned Municipality/Commune Panchayat.
- (iii) The fees may be paid to the Special Officers from the date of their assumption of duty till the date of their relief.

- (iv) One-third of fees received in excess of Rs. 500 in a year shall be credited to the Government funds.
- (v) The Government Officers working as Special Officers should get the approval of the competent authority for acceptance of the fees and communicate it to the concerned Municipality/Commune Panchayat for receiving the fees.
- (vi) On receipt of the orders of the competent authority for the acceptance of the fees by the Special Officers, the Commissioners of the Municipalities and Commune Panchayats can make payment to the persons concerned.

(G. O. Ms. No. 148, dated 23rd October 1981 of the Local Administration Department.)

The terms and conditions specified in clause (iv) of para 2 of the G. O. Ms. No. 148, dated 23rd October, 1981 of Local Administration Department may be deleted and in that place the following shall be substituted.

“(iv) The Special Officers may retain the full fee received by them up to a limit of Rs. 500. If the fee exceeds these limits one-third of the fee received subject to the conditions that the fee retained by the Special Officers does not fall short of Rs. 500 should be credited to Government. The limit of Rs. 500 should be applied with reference to the total recurring fee received in the financial year”.

(G. O. Ms. No. 169, dated 2nd December, 1981 of the Local Administration Department.)

6. Appointment of Advisory Councils for Municipalities

Whereas clause (a) of sub-section (6) of section 109A of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), empowers the Government to appoint an Advisory Council to

advise and assist the Special Officer appointed under sub-section (1) of section 109A of the said Act ;

Whereas the Government have appointed Special Officers for all the Municipalities in the Union territory of Pondicherry with effect from 31st March, 1979 ;

And whereas the Government have considered it necessary to appoint Advisory Councils to advise and assist the Special Officers of all Municipalities in the exercise of the powers and the performance and discharge of the duties and functions conferred and imposed on them under the said Act and other laws for the time being in force ;

Now, therefore, in exercise of the powers conferred by sub-section (6) of section 109A of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Government hereby appoints the persons mentioned in column (3) of the Table below to be the members of the Advisory Council for the purposes of the said Act, in respect of the Municipalities specified in column (2) of the said Table with immediate effect :

TABLE

Sl. No.	Name of the Municipality	Name of the members of the advisory council
(1)	(2)	(3)
1.	The Pondicherry Municipality, Pondicherry.	Thiru G. Palaniraja, M.L.A. Thiru C.M. Achraff, M.L.A. Thiru Seetha Vedanayagam, M.L.A. Thiru V. Kothandaraman <i>alias</i> Sabapathy, M.L.A. Thiru Na. Manimaran <i>alias</i> Na. Marimuthu, M.L.A. Thiru P. Ramalingam, M.L.A. Thiru P. Selvan, 42, Sankaradoss Street, Pondicherry. Thiru S. Bakkiam, Ex-Speaker, Pondicherry.

(1)	(2)	(3)
2.	The Karaikal Municipality, Karaikal.	Thiru V.M. Salih Maricar, M.L.A. Thiru G. Panjavarnam, M.L.A. Thiru P. Muthukrishna Pillai, Mela Oduthurai, Karaikal.
3.	The Mahe Municipality, Mahe.	Thiru N.K. Sachindranath, M.L.A. Thiru K.V. Raghavan, M.L.A.
4.	The Yanam Municipality, Yanam.	Thiru Kamichetty Sri Parassourama Varaprassadarao Naidou, M.L.A.

(G. O. Ms. No. 66, dated 9th April, 1981 of the Local Administration Department, published in the Gazette No. 18, dated 5th May, 1981.)

7. Inclusion of certain villages of Kottucherry, Neravy and Thirunallar Commune Panchayats with the Karaikal Municipality

Whereas in pursuance of the provisions of sub-section (4) read with sub-section (3) of section 3 of the Pondicherry Municipalities Act, 1973 (Act No. 9 of 1973) and sub-section (2) (a) (i) of section 3 read with section 5 of the Pondicherry Village and Commune Panchayats Act, 1973 (Act No. 10 of 1973) a proclamation announcing the intention of the Government to include in the Karaikal Municipality and to exclude from the Kottucherry, Neravy and Thirunallar Commune Panchayats the local area covered by certain panchayat villages forming part of the abovementioned commune panchayats as they are in the vicinity of the Karaikal Municipality and are semi-urban in nature was issued in the notification published in the Local Administration Department's G. O. Ms. No. 164, dated 6th June, 1983 inviting objections or suggestions from the residents or tax payers of the local areas concerned in respect of the said proclamation within two months from the date of publication of the said proclamation in the official gazette ;

And whereas the said proclamation was published also in a newspaper as required under sub-section (3) of section 3 of the Pondicherry Municipalities Act, 1973 ;

And whereas the said proclamation was communicated on 6th June 1983 to the Special Officers of the Kottucherry, Neravy and Thirunallar Commune Panchayats under sub-section (2) (b) of section 3 of the Pondicherry Village and Commune Panchayats Act, 1973 and also to the Special Officer of the Karaikal Municipality as required under the proviso to clause (a) of sub-section (4) of section 3 of the Pondicherry Municipalities Act inviting objections and explanations on the said proclamation within a period of two months for consideration by the Government ;

And whereas the objections and suggestions received within the prescribed period from the residents of the Kottucherry, Neravy and Thirunallar Commune Panchayats and Karaikal Municipality as well as the objections of the Special Officers of the Kottucherry and Neravy were considered by the Government in detail and the Government has been pleased to decide that those objections have to be over-ruled ;

Now, therefore, in exercise of the powers conferred by sub-clause (i) of clause (a) of sub-section (4) of section 3 of the Pondicherry Municipalities Act, 1973 (Act No. 9 of 1973) read with sub-clause (i) of clause (a) of sub-section (2) of section 3 of the Pondicherry Village and Commune Panchayats Act, 1973 (Act No. 10 of 1973) and all other powers enabling him hereunto in this behalf, the Lieutenant-Governor, Pondicherry hereby includes the local areas comprising the panchayat villages specified in column 3 of the Table below in the Karaikal Municipality and excludes the said local areas from the commune panchayats mentioned in the corresponding entries under column 2 of the said Table with effect from 1st April 1984.

TABLE

Sl. No.	Name of the commune panchayat	No. and name of the panchayat village	Name of the villages included in the panchayat village	Corresponding revenue village, village number and name	Re-survey No.
(1)	(2)	(3)	(4)	(5)	(6)
1.	Kottucherry	5. Keezhakasakudi	Keezhakasakudi Keezhakasakudi Makuary	14-Keezhakasakudi 14-Keezhakasakudi	1 to 164
2.	Neravy	2. Odouthurai	Keezhakasakudi Odouthurai Mela-Odouthurai	29-Odouthurai 29-Odouthurai	1 to 200
		5. Accaravattam	Accaravattam Accaravattam Koilpathu	32-Accaravattam 32-Accaravattam	1 to 236
		6. Karukkalacherry	Karukkalacherry	32-Accaravattam	
3.	Thirunallar	12. Thirunallar	Thakkalur Keezhaputhamangalam Uthirankudy	26-Kizhavor 26-Kizhavor 26-Kizhavor	61 to 97 29 to 51 6 to 28

(G. O. Ms. No. 102, dated 15th March, 1984 of the Local Administration Department, published in the Gazette No. 13, dated 27th March, 1984.)

**CHAPTER—IV
ESTABLISHMENT**

8. The Pondicherry Municipalities (Grant of Motor Cycle Advance Rules, 1981.

In exercise of the powers conferred by sub-section (2) of section 114 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipalities (Grant of Motorcycle Advance) Rules, 1981.

(2) They shall come into force from the date of their publication in the official gazette (10-2-1981).

2. Application.—(1) Save as otherwise provided by or under these rules, these rules shall apply to persons appointed to municipal services and posts in connection with the affairs of the municipality.

(2) These rules shall not apply to,—

(a) Government servants borne on provincialised common cadre ;

(b) persons not in whole-time employment ;

(c) persons paid out of contingencies ;

(d) persons employed otherwise than on a monthly basis including those paid only on a piece-rate basis ;

(e) persons employed on contract except where the contract provides otherwise ;

(f) persons re-employed in municipal services after retirement ; and

(g) any other class or category of persons whom the Government may by order, specifically exclude from the operation of all or any of the provisions contained in these rules.

3. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Pay" means the amount drawn monthly by a municipal servant as the pay other than special pay or pay granted in view of his personal qualifications or compensatory allowance or ad hoc increase or dearness allowance or additional dearness allowance, which has been

sanctioned for post held by him substantively or in a temporary capacity as per the "Statut personnel" or pay as determined in accordance with rule 7 of the Pondicherry Municipal Subordinate Services (Revised Pay) Rules, 1975 ;

(b) "municipal servant" includes an officer or servant holding a post under a municipal council but does not include a part-time employee or staff or person paid from contingencies ;

(c) "statute personnel" means the arrete or order governing the terms and conditions of service of municipal servant.

4. Grant of motor-cycle advance to municipal servants.—

(1) A municipal servant may be granted an advance for the purchase of a motor-cycle,

(i) if it is certified that, in the opinion of the municipal council, the possession of a motor-cycle by the municipal servant will be useful for the efficient performance of his official duties ; and

(ii) if the municipal council is satisfied that the municipal servant has the capacity to repay the advance.

(2) Subject to the provisions of sub-rule (1), the municipal council may sanction to a municipal servant an advance for the purchase of a motor-cycle :

Provided that the amount of such advance shall not exceed three thousand and five hundred rupees or ten months' pay of the municipal servant, or anticipated price of the motor-cycle, whichever is the least.

5. Recovery of the advance.—(1) The advance granted under these rules, shall be recovered from the municipal servant in such number of equal monthly instalments as he may elect subject to a maximum of seventy instalments.

(2) The recovery of the advance shall commence with the first issue of pay, leave salary or subsistence allowance, as the case may be, after the advance is drawn.

6. Second or subsequent advances.—A second or subsequent advance for the purchase of a motor-cycle will be admissible only after a minimum of four years reckoned from the date of draw of the last advance :

Provided that the quantum of advance that may be granted on the second or subsequent occasions for the purchase of the motor-cycle shall be equal to the difference between the price of the vehicle to be purchased and the sale proceeds left over with the municipal servant after the repayment of the earlier outstanding advance, including interest, but the amount of advance so granted shall not exceed rupees two thousand seven hundred and fifty or eight months pay, whichever is less.

7. Advance not payable to suspended municipal servants.—An advance for the purchase of a motor-cycle shall not be granted to a municipal servant who is under suspension and if an advance as already been sanctioned to him before he was placed under suspension he shall not be permitted to draw such advance during the period of his suspension.

8. Interest.—Simple interest at such rates as may be fixed by the Government from time to time shall be charged on the advance granted to municipal servant for the purchase of motor-cycle. Such interest shall be calculated on the balance outstanding on the last day of each month.

9. Recovery of interest.—(1) The amount of interest calculated under rule 8 shall be recovered in the minimum number of monthly instalments, the amount of each such instalment being not greater than the amount of instalment fixed under sub-rule (1) of rule 5.

(2) The recovery of the amount of interest shall commence from the month immediately following the one in which the repayment of the advance is completed.

10. Sale or transfer.—A municipal servant shall not sell or transfer a motor-cycle purchased from the advance granted under these rules so long as the amount of advance together with the interest on such amount is not completely repaid, except with the permission of the municipal council.

11. Period within which purchase of motor-cycle shall be made.—A municipal servant, who is sanctioned an advance for the purchase of motor-cycle shall complete the purchase of, and pay for the motor-cycle within one month from the date on which he draws the advance. In case, a municipal servant fails to purchase or/and pay for the motor-cycle within one month, he shall refund forthwith the full amount of advance drawn together with interest on that amount for one month. If he fails to refund the amount, the net salary payable to him after deducting normal recoveries such as Provident Fund, Festival and other advances, shall be recovered in full every month till the repayment of advance drawn together with interest and penal interest calculated under these rules.

Note 1.—The municipal council may, in exceptional cases, extend the period of one month prescribed in this rules upto two months.

Note 2.—Where a municipal servant refunds the full amount of the advance before the end of the month in which it was drawn for the purchase of motor-cycle, the interest may be recovered for the actual period the advance was retained by the municipal servant.

Note 3.—Where the amount of advance is retained beyond one month in contravention of this rule, only the normal rate of interest leviable under rule 8 shall be charged for the first month and for the period in excess of one month, penal interest at not less than two and a half per cent per annum above the normal rate of interest prescribed by Government from time to time under rule 8 shall be charged.



12. Agreement and mortgage bonds.—(1) A municipal servant shall, before he draws an advance for the purchase of a motor-cycle execute an agreement in Form 1. On completing the purchase of a motor-cycle, he shall also execute a Mortgage Bond in Form 2 hypothecating the motor-cycle to the municipal council as security for the advance.

(2) The mortgage bond should be kept in the safe custody of the Commissioner. When the advance has been fully repaid, the bond should be returned to the municipal servant concerned duly cancelled, after obtaining a certificate from the Local Fund Examiner, as to the complete repayment of the advance and interest.

(3) The failure to execute a mortgage bond in time will render the municipal servant drawing the advance liable to refund forthwith the whole of the amount of advance with interest accrued unless good and sufficient reason is shown to the contrary and the municipal council waives the condition prescribed in this regard.

13. Insurance.—(1) A municipal servant who purchases a motor-cycle with an advance obtained from the municipal council shall, from the date of its purchase, comprehensively insure, and so long as the advance and the interest on such advance is not fully repaid, keep so insured the motor-cycle against loss or damage by fire, theft, accident, strike, riot and any disturbance of public peace in accordance with such instructions as may be issued by the Government from time to time.

(2) The insurance policy shall be submitted by the municipal servant to the Commissioner along with the cash receipt and the bill for the purchase of motor-cycle for scrutiny.

(3) The failure to comply with the conditions prescribed in sub-rules (1) and (2) will render the municipal servant drawing the advance liable to refund forthwith the whole of the amount of advance with interest accrued unless good and

sufficient reason is shown to the contrary and the municipal council waives the fulfilment of any of the conditions prescribed in sub-rule (1).

(4) The amount for which a motor-cycle is insured for any period shall not be less than the outstanding balance of the advance with interest accrued at the beginning of that period but if such amount is less, the difference shall be refunded to municipal council in not more than three equal monthly instalments.

14. Grant of motor-cycle advance to a municipal servant in a temporary capacity.—(1) A temporary municipal servant may be granted an advance for the purchase of motor-cycle, provided he furnishes alongwith his application for the grant of such advance, a surety bond in Form 3 from a permanent municipal servant having a status comparable to or higher than that of the municipal servant who applies for the advance.

(2) If a temporary municipal servant is granted an advance for the purchase of motor-cycle, but ceases to be in municipal service before the amount of the advance and the interest thereon is completely repaid, the balance shall, to the extent possible be adjusted against the pay and allowances due to municipal servant at the time of his ceasing from municipal service. Any amount, as then remaining unpaid, shall be recovered from the surety.

15. Advance to the municipal servant due to retire or likely to be terminated.—If an advance for the purchase of a motor-cycle is granted to a municipal servant who is due to retire or whose services are likely to be terminated within the maximum period prescribed for its repayment, the number of instalments shall be so regulated that the repayment of advance with interest, if any, is completed before retirement, or termination of service, as the case may be.

(By order of the Lieutenant-Governor)

K. BAPANAYYA,
Under Secretary to Government.

FORM—1

(See rule 12)

**Form of agreement to be executed before drawing
an advance for the purchase of a motor-cycle**

An agreement made on
day of one thousand nine hundred
and between
(hereinafter called the borrower which expression shall
include his heirs, administrators, executors and legal repre-
sentatives) of the one part and the Municipal Council (herein-
after called the council, which expression shall include his
successors and assignees) of the other part. Whereas the
borrower has under the provisions of the Pondicherry Muni-
cipalities (Grant of Motor-cycle Advance) Rules, 1981 (herein-
after referred to as the said rules which expression shall
include any amendments thereof for the time being in force)
applied to the council for a loan of Rs.
for the purchase of a motor-cycle and whereas the council
has agreed to lend the said amount to the borrower on the
terms and conditions hereinafter contained. Now it is hereby
agreed between the parties hereto that in consideration of the
sum of Rs. to be paid by the council to
the borrower, the borrower hereby agrees with the council
(1) to pay the council the said amount with interest calculated
according to the said rules by monthly deductions from his
salary as provided in the said rules and hereby authorises the
council to make such deductions and (2) within one month
from the date of payment of the said sum to expend the full
amount of the said loan in purchase of a motor-cycle or if the
actual price paid is less than the loan to repay the difference
to the council forthwith, and (3) to execute a document hypo-
thecating the said motor-cycle to the council as security for
the amount to be lent to the borrower as aforesaid and
interest in the form provided by the said rules and it is
hereby lastly agreed and declared that if the motor-cycle has
not been purchased and hypothecated as aforesaid within one
month from the date of payment of the said sum or if the

borrower within that period becomes insolvent or quits the service of the council or dies, the whole amount of the loan and interest accrued thereon shall immediately become due and payable.

In witness whereof the mortgagor/borrower has hereunto set his hand and Thiru
in the municipality for and on behalf of the municipal council has hereunto set his hand.

* Signed by the said in the presence of
.....
.....

(Signature of Witnesses)

(Signature and designation of
the Borrower)

Signed by (Name and designation)
.....

For and on behalf of the
municipal council in the presence of
.....
.....

(Signature of Witnesses)

(Signature and designation
of the Officer)

FORM—2

(See rule 12)

Form of Mortgage Bond for Motor-Cycle initial Advance

The indenture made this.....day.....one
thousand nine hundred and.....between.....
(hereinafter called "the Borrower", which expression shall

* Name and designation of the borrower

include his heirs, administrators, executors and legal representatives) of the one part and the municipal council (hereinafter called "the Council", which expression, shall include his successors and assignees) of the other part. **Whereas** the borrower has applied for and has been granted an advance of Rs. to purchase a motor-cycle on the terms of the Pondicherry Municipalities (Grant of Motor-cycle Advance) Rules, 1981. (hereinafter referred to as "the said Rules" which expression shall include any amendment thereof or addition thereto for the time being in force) **and whereas** one of the conditions upon which the said advance has been/was granted to the borrower is/was that the Borrower will/would hypothecate the said motor-cycle to the council as security for the amount lent to the borrower **and whereas** the borrower has purchased with or partly with the amount so advanced as aforesaid the motor-cycle particulars whereof are set out in the Schedule hereunder written.

Now, this indenture witnesseth that in pursuance of the said agreement and for the considerations aforesaid the borrower doth hereby covenant to pay to the Council the sum Rs. aforesaid or the balance thereof remaining unpaid at the date of these presents by equal payments of Rs. each on the first day of every month and will pay interest on the sum for the time being remaining due and owing calculated according to the said rules and the borrower doth agree that such payments may be recovered by monthly deductions from his salary in the manner provided by the said rules.

And the borrower doth hereby agree and declare that he has paid in full, the purchase price of the said motor-cycle and that the same is his absolute property and that he has not pledged and so long as any money remain payable to the council in respect of the said advance will not sell, pledge or part with the property in or possession of the said motor-cycle provided always and it is hereby agreed and declared that if any of the said instalments of principal or interest shall not be paid or recovered in manner aforesaid within ten days after the same are due or if the borrower shall die at any time, ceases to be in municipal service or if the borrower

shall sell or pledge or part with the property in or possession of the said motor-cycle or become insolvent or make any composition or arrangement with his creditors or if any person shall take proceedings in execution of any decree or judgment against the borrower the whole of the said principal sum which shall then be remaining due and unpaid together with interest thereon calculated as aforesaid shall forthwith become payable and it is hereby agreed and declared that the Council may on the happening of any of the events herein-before mentioned seize and take possession of the said motor-cycle and either remain in possession thereof without removing the same or else may remove and sell the said motor-cycle either by public auction or private contract and may out of the sale moneys retain the balance of the said advance then remaining unpaid and any interest due thereon calculated as aforesaid and all costs, charges, expenses and payments properly incurred or made in maintaining, defending or realising his rights hereunder and shall pay over the surplus, if any, to the borrower, his executors, administrators or personal representatives provided further that the aforesaid power of taking possession or selling of the said motor-cycle shall not prejudice the right of the council to sue the borrower or his personal representatives for the said balance remaining due and interest or in the case of the motor-cycle being sold the amount by which the net sale proceeds fall short of the amount owing and the borrower hereby further agrees that so long as any moneys are remaining due and owing to the council, he, the borrower will insure and keep insured the said motor-cycle against loss or damage by fire, theft or accident or strike, riot and any disturbance of public peace with an Insurance Company to be approved by the council and will produce evidence to the satisfaction of the council that the Motor Insurance Company with whom the said motor-cycle is insured have received notice that the council interested in the policy and the Borrower hereby further agrees that he will not permit or suffer the said motor-cycle to be destroyed or injured or to deteriorate in a greater degree than it would deteriorate by reasonable wear and tear

thereof and further that in the event of any damage or accident happening to the said motor-cycle, borrower will forthwith have the same repaired and made good.

THE SCHEDULE

Description of motor-cycle:

Maker's name:

Description:

No. of cylinders:

Engine number:

Chassis No.

Cost price:

In witness whereof the Mortgagor/Borrower has hereunto set his hand and in the municipality for and on behalf of the municipal council has hereunto set his hand.

*Signed by the said

in the presence of

1.
 2.
- (Signature of witnesses) (Signature and designation

Signed by (Name and designation) of the borrower)

for and on behalf of the municipal council in the presence of

1.
 2.
- (Signature of Witnesses) (Signature and designation
of the Officer)

*Name and designation of the Borrower.

FORM-3

(See rule 14)

FORM OF SURETY BOND

Known all men by these presents that I,
..... son of
resident of in the district of
at present employed as a permanent
in the (hereinafter called "the
Surety") am held and firmly bound up to the municipal
council (hereinafter called "the Council" which expression
shall include his successors and assignors) in the
sum of Rs. (Rupees
only) with interest as hereinafter specified and all cost between
attorney and client and all charges and expenses that shall or
may have been incurred by or occasioned to the council to be
paid to the Council for which payment to be well and truly
made I hereby bind myself, my heirs, executors, administra-
tors and representatives firmly by these presents. As witness
my hand this day of one
thousand nine hundred and

Whereas the Council has agreed to grant to
son of a resident
of in the district of
at present employed as a temporary
in the (hereinafter called "the borrower")
at the borrower's own request an advance of Rs.
(Rupees only) for
and whereas the borrower has undertaken to repay the said
amount in equal monthly instalments
with interest as calculated at the rates and in the manner
prescribed under rule 8 thereon or on so much thereof or shall
for the time being remain due and unpaid calculated at
rates in force for motor-cycle advance from the day of the
advance.

And whereas in consideration of the council having agreed to grant the aforesaid advance to the borrower the surety has agreed to execute the above bond with such condition as hereunder written.

Now the condition of above written Bond is that if the said borrower shall, while employed in the said duly and regularly pay or cause to be paid to the council the amount of the aforesaid advance owing to the council by instalments with interest as calculated in the aforesaid manner thereon or on so much thereof as shall for the time being, remain due and unpaid calculated at rates in force for motor-cycle advance from the day of the advance until the said sum of Rs. (Rupees only) with interest as calculated in the aforesaid manner shall be duly paid, then this bond shall be void otherwise the same shall be and remain in full force and virtue.

But so nevertheless that if the borrower shall die or become insolvent or at any time cease to be in the service of the council the whole or so much of the said principal sum of Rs. (Rupees only) thereof as shall then remain unpaid and the interest due on the said principal sum calculated in the aforesaid manner from the day of the advance shall immediately become due and payable to the council and be recoverable from the surety in one instalment by virtue of this bond.

The obligation undertaken by the surety shall not be discharged or in any way affected an extension of time or any other indulgence granted by the council of the said borrower whether with or without the knowledge or consent of the surety.

The council have agreed to bear the stamp duty, if any, for this document.

Signed and delivered
 (Signature of surety)
 by the said Designation
 Municipality to which attached
 at
 this In the presence of
 19 (i)
 of (ii)
 (Signature, address and
 occupation of the witnesses)

ACCEPTED

For and on behalf of the municipal council
**(G. O. Ms. No. 8 dated 9th January, 1981 of the Local Adminis-
 tration Department — Published in the Extraordinary
 Gazette No. 14 dated 10th February, 1981.)**

9. The Pondicherry Municipal Services (Classification Control and Appeal) Rules, 1982.

In exercise of the powers conferred by sub-section (2) of section 114 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely:—

Part I—General

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipal Services (Classification, Control and Appeal) Rules, 1982.

(2) They shall come into force from the date of their publication in the Official Gazette. (22-9-1982).

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) 'Appointing authority' in relation to a municipal servant means the municipal council constituted under section 7 of the Act;

(b) 'Disciplinary authority' means the authority competent under these rules to impose on a municipal servant any of the penalties specified in rule 7;

(c) 'Municipal servant' include an officer or servant holding a post under municipal council but not a part-time employee or staff or persons paid from contingencies,

(d) 'section' means a section of the Act;

(e) 'service' means municipal service of a Municipality.

3. Application.—Save as otherwise provided by or under these rules, these rules shall apply to persons appointed to municipal services and posts in connection with the affairs of the Municipality:

Provided that nothing in these rules shall apply to any municipal servant who is,—

(a) borne on provincialised common cadre;

(b) a person not in whole time employment;

(c) a person paid otherwise than on a monthly basis including those paid only on a piece-rate basis;

(d) a person paid out of contingencies; and

(e) any other category of persons whom the Government may by order specifically exclude from the operation of all or any of the provisions contained in these rules.

Part II—Classification

4. Classification of service.—The municipal services shall be classified as follows:—

Sl. No.	Description of posts	Classification of posts
(1)	(2)	(3)
1.	A post carrying a pay or a scale of pay with a maximum of not less than Rs. 1,300	... Group 'A'
2.	A post carrying a pay or a scale of pay with a maximum of not less than Rs. 900, but less than Rs. 1,300	... Group 'B'

(1)	(2)	(3)
3.	A post carrying a pay or a scale of pay with a maximum of over Rs. 290, but less than Rs. 900	... Group 'C'
4.	A post carrying a pay or a scale of pay the maximum of which is Rs. 290 or less	... Group 'D'

Note:—For the purposes of this rule 'pay' means the amount drawn monthly by a municipal servant as—

- (i) the pay other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position;
- (ii) special pay and personal pay; and
- (iii) any other emoluments which may be specially classed as pay by the Government.

Part III—Appointing Authority

5. Appointment of posts.—All appointments to municipal services shall be made by the municipal council.

Part IV—Suspension

6. (1) The appointing authority or any authority to which it is subordinate or the disciplinary or any other authority empowered in this behalf by the Government by general or special order may place a municipal servant under suspension—

(a) where a disciplinary proceeding against him is contemplated or is pending; or

(b) where in the opinion of the authority aforesaid, he has engaged himself in activities prejudicial to the interest or the security of the Municipality; or

(c) where a case against him in respect of any criminal offence is under investigation, inquiry or trial:

Provided that, where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

(2) A municipal servant shall be deemed to have been placed under suspension by an order of appointing authority—

(a) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise for a period exceeding forty-eight hours;

(b) with effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation :—The period of the forty-eight hours referred to in clause (b) of this sub-rule shall be computed from the commencement of the imprisonment after the conviction and for this purpose intermittent period of imprisonment if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a municipal servant under suspension is set aside in appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a municipal servant is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority on a consideration of the circumstances of

the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the municipal servant shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) (a) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where a municipal servant is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may for reasons to be recorded by him in writing, direct that the municipal servant shall continue to be under suspension until the termination of all or any such proceedings.

(c) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

Note :—(1) A municipal servant who is detained in custody under any law providing for preventive detention or as result of a proceeding either on a criminal charge or for his arrest for debt shall, if the period of detention exceeds 48 hours and unless he is already under suspension, be deemed to be under suspension from the date of detention until further orders as contemplated under sub-rule (2). Municipal servant who is undergoing a sentence of imprisonment shall be also dealt with in the same manner pending decision on the disciplinary action to be taken against him.

(2) A municipal servant against whom a proceeding has been taken on a criminal charge but who is not actually detained in custody (e.g. a person released on bail) may be placed under suspension by an order of the competent authority under clause (c) of sub-rule (1). If the charge is connected with the official position of the municipal servant or involving any moral turpitude on his part suspension shall be ordered under this rule unless there are exceptional reasons for not adopting this course.

(3) A municipal servant against whom a proceedings has been taken for arrest for debt but who is not actually detained in custody may be placed under suspension by an order under clause (a) of sub-rule (1) i. e., only if a disciplinary proceedings against him is contemplated.

(4) When a municipal servant who is deemed to be under suspension in the circumstances mentioned in clause (a) of sub-rule (1) or who is suspended in circumstances mentioned in clause (c) of sub-rule (1) is reinstated without taking disciplinary proceedings against him, his pay and allowances for the period of suspension will be regulated under sub-rules (17) to (25) of rule 24 i. e. in event of his being acquitted of blame or if the proceedings taken against him was for his arrest for debt on its being proved that his liability arose from circumstances beyond his control or the detention being held by any competent authority to be wholly unjustified, the case may be dealt with under sub-rule (19) of rule 24 otherwise it may be dealt with under proviso to sub-rule (19) of rule 24.

Part V—Penalties and disciplinary authorities

7. Penalties.—The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a municipal servant namely:—

Minor Penalties

- (i) censure;
- (ii) withholding of his promotion;

(iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to the Municipality by negligence or breach of order ;

(iv) withholding of increments of pay ;

Major Penalties

(v) reduction to a Power Stage in the time scale of pay for a specified period, with further directions as to whether or not the municipal servant will earn increment of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay ;

(vi) reduction to a lower time-scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the municipal servant to the time-scale of pay, grade, post or service from which he was reduced, with or without further direction regarding conditions of the restoration to the grade or post or service from which the municipal servant was reduced and his seniority and pay on such restoration to that grade, post or service ;

(vii) compulsory retirement ;

(viii) removal from service which shall not be a disqualification for future employment under the municipal service ;

(ix) dismissal from service which shall ordinarily be a disqualification for future employment under the municipal service.

Explanation :—The following shall not amount to penalty within the meaning of this rule, namely :—

(i) withholding of increments of pay of a municipal servant for his failure to pass any departmental examination in accordance with the rules or orders governing the service to which he belongs or post which he holds or the terms of his appointment ;

(ii) stoppage of a municipal servant at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar ;

(iii) non-promotion of a municipal servant, whether in a substantive or officiating capacity, after consideration of his case to a service, grade or post for promotion to which he is eligible ;

(iv) reversion of a municipal servant officiating in a higher service, grade or post to a lower service, grade or post, on the ground that he is considered to be unsuitable for such higher service, grade or post on any administrative ground unconnected with his conduct ;

(v) reversion of a municipal servant, appointed on probation to any other service, grade or post, to his permanent service, grade or post during or at the end of the period of probation in accordance with the term of his appointment or the rules and orders governing such probation ;

(vi) compulsory retirement of a municipal servant in accordance with the provisions relating to his superannuation or retirement ;

(vii) termination of services—

(a) of a municipal servant appointed on probation, during or at the end of the period of his probation in accordance with the terms of his appointment or the rules and orders governing such probation ; or

(b) of a municipal servant, employed under an agreement in accordance with the terms of such agreement.

8. Disciplinary authorities.—(1) The municipal council may impose any of the penalties specified in rule 7 on any municipal servant.

(2) Without prejudice to the provision of sub-rule (1) any of the penalties specified in clauses (i) to (iv) of rule 7 may be imposed on a municipal servant by the Commissioner.

9. Authority to institute proceedings.—(1) The Commissioner may institute disciplinary proceedings against any municipal servant.

(2) The Commissioner competent under these rules to impose any of the penalties specified in clauses (i) to (iv) of rule 7 may institute disciplinary proceedings against any municipal servant for the imposition of any of the penalties specified in clauses (v) to (ix) of rule 7 notwithstanding that the Commissioner is not competent under these rules to impose any of the later penalties.

Part VI—Procedure for imposing penalties

10. Procedure for imposing major penalties.—(1) No order imposing any of the penalties specified in clauses (v) to (ix) of rule 7 shall be made except after an enquiry held, as far as may be in the manner provided in this rule and rule 11.

(2) Wherever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a municipal servant, it may itself inquire into or appoint under this rule, an authority to inquire into the truth thereof.

Explanation :—Where the disciplinary authority itself holds the inquiry, any reference in sub-rule (7) to sub-rule (20) and in sub-rule (22) to the enquiring authority shall be construed as a reference to the disciplinary authority.

(3) Where it is proposed to hold an enquiry against a municipal servant under this rule and rule 11, the disciplinary authority shall draw up or cause to be drawn up—

(i) the substance of the imputations of misconduct or misbehaviour into definite and distinct articles of charge ;

(ii) a statement of imputations of misconduct or misbehaviour in support of each article of charge, which shall contain—

(a) a statement of all relevant facts including any admission or confession made by the municipal servant;

(b) a list of documents by which, and a list of witnesses by whom the articles of charge are proposed to be sustained.

(4) The disciplinary authority shall deliver or cause to be delivered to the municipal servant a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charges is proposed to be sustained and shall require the municipal servant to submit, within such time as may be specified, a written statement of his defence and to state whether he desires to be heard in person.

(5) (a) On receipt of the written statement of defence, the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or if it considers it necessary to do so appoint, under sub-rule (2), an inquiring authority for the purpose, and where all the articles of charge have been admitted by the municipal servant in his written statement of defence the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in rule 11.

(b) If no written statement of defence is submitted by the municipal servant, the disciplinary authority may itself inquire into the articles of charge or may, if it considers it necessary to do so, appoint, under sub-rule (2) an inquiring authority for the purpose.

(c) Where the disciplinary authority itself inquires into any article of charge or appoints an inquiring authority for holding an inquiry into such charge, it may, by an order, appoint a municipal servant or a legal practitioner to be known as the "Presenting Officer" to present on its behalf the case in support of the article of charge.

(6) The disciplinary authority shall where it is not the inquiring authority, forward to the inquiring authority—

(i) a copy of the articles of charge and the statement of the imputations of misconduct or misbehaviour ;

(ii) a copy of the written statement of defence, if any, submitted by the municipal servant ;

(iii) a copy of the statements of witnesses, if any, referred to in sub-rule (3) ;

(iv) evidence proving the delivery of the documents referred to in sub-rule (3) to the municipal servant ; and

(v) a copy of the order appointing the "Presenting Officer".

(7) The municipal servant shall appear in person before the inquiring authority on such day and at such time within ten working days from the date of receipt by him of the articles of charge and the statement of the imputations of misconduct or misbehaviour, as the inquiring authority may, by notice in writing, specify in this behalf or within such further time not exceeding ten days, as the inquiring authority may allow.

(8) (a) The municipal servant may take the assistance of any other municipal servant to present the case on his behalf, but may not engage a legal practitioner for the purpose unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner, or the disciplinary authority, having regard to the circumstances of the case, so permits.

Note :—The municipal servant shall not take the assistance of any other municipal servant who has two pending disciplinary cases on hand in which he has to give assistance.

(b) The municipal servant may also take the assistance of a retired municipal servant to present the case on his behalf, subject to such conditions as may be specified by the Government from time to time by general or special order in this behalf.

(9) If the municipal servant who has not admitted any of the articles of charge in his written statement of defence, or has not submitted any written statement of defence, appears before the inquiring authority, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the inquiring authority shall record the plea, sign the record and obtain the signature of the municipal servant thereon.

(10) The inquiring authority shall return a finding of guilt in respect of those articles of charge to which the municipal servant pleads guilty.

(11) The inquiring authority shall, if the municipal servant fails to appear within the specified time or refuses or omits to plead, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge, and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the municipal servant may, for the purpose of preparing his defence—

(i) inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow the documents specified in the list referred to in sub-rule (3) ;

(ii) submit a list of witnesses to be examined on his behalf ;

Note :—If the municipal servant applies orally or in writing for the supply of copies of the statements of witnesses mentioned in the list referred to in sub-rule (3), the inquiring authority shall furnish him with such copies as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the disciplinary authority.

(iii) give a notice within ten days of the order or within such further time not exceeding ten days as the

inquiring authority may allow; for the discovery or production of any documents which are in the possession of municipality but not mentioned in the list referred to in sub-rule (3).

Note:—The municipal servant shall indicate the relevance of the documents required by him to be discovered or produced by the Municipality.

(12) The inquiring authority shall on receipt of the notice for the discovery or production of documents forward the same or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of the document by such date as may be specified in such requisition:

Provided that the inquiring authority may for reasons to be recorded by it in writing refuse to requisition such of the documents as are, in its opinion not relevant to the case.

(13) On receipt of the requisition referred to in sub-rule (12) every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority:

Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the Municipality, it shall inform the inquiring authority accordingly and the inquiring authority shall on being so informed, communicate the information to the municipal servant and withdraw the requisition made by it for the production or discovery of such documents.

(14) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the Commissioner. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross examined by or on behalf of the municipal servant. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross examined but not on

any new matter without the leave of the inquiring authority. The inquiring authority may also put such question to the witnesses as it thinks fit.

(15) If it shall appear necessary before the close of the case on behalf of the disciplinary authority, the inquiring authority may, in its discretion, allow the Presenting Officer to produce evidence not included in the list given to the municipal servant or may itself call for new evidence or recall and re-examine any witness and in such case the municipal servant shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned. The inquiring authority shall give the municipal servant an opportunity of inspecting such documents before they are taken on the record. The inquiring authority may also allow the municipal servant to produce new evidence if it is of the opinion that the production of such evidence is necessary in the interests of justice.

Note:—New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacuna or defect in the evidence which has been produced originally.

(16) When the case for the disciplinary authority is closed, the municipal servant shall be required to state his defence, orally or in writing, as he may prefer. If the defence is made orally, it shall be recorded and the municipal servant shall be required to sign the record in either case a copy of the statement of defence shall be given to the Presenting Officer, if any appointed.

(17) The evidence on behalf of the municipal servant shall then be produced. The municipal servant may examine himself in his own behalf if he so prefers. The witnesses produced by the municipal servant shall then be examined and shall be liable to cross examination, re-examination, and examination by the inquiring authority according to the provisions applicable to the witnesses for the disciplinary authority.

(18) The inquiring authority may, after the municipal servant closes his case and shall, if the municipal servant has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the municipal servant to explain any circumstances appearing in the evidence against him.

(19) The inquiring authority may, after the completion of the production of evidence, hear the Presenting Officer, if any appointed, and the municipal servant or permit them to file written briefs of their respective case, if they so desire.

(20) If the municipal servant to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of this rule, the inquiring authority may hold the inquiry **ex-parte**.

(21) (a) Where a disciplinary authority competent to impose any of the penalties specified in clauses (i) to (iv) of rule 7, but not competent to impose any of the penalties specified in clauses (v) to (ix) of rule 7 has itself inquired into or caused to be inquired into the articles of any charge and that authority, having regard to its own findings or having regard to its decision on any of the findings of any inquiring authority appointed by it, is of the opinion that penalties specified in clauses (v) to (ix) of rule 7 should be imposed on the municipal servant that authority shall forward the records of the inquiry to such disciplinary authority as is competent to impose the last mentioned penalties.

(b) The disciplinary authority to which the records are so forwarded may act on the evidence on the records or may, if it is of the opinion that further examination of any of the witnesses is necessary in the interests of justice, recall the witness and examine, cross examine and re-examine the witnesses and may impose on the municipal servant such penalties as it may deem fit in accordance with these rules.

(22) Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein and is succeeded by another inquiring authority which has, and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself :

Provided that if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice it may recall, examine, cross examine and re-examine any such witnesses as hereinbefore provided.

(23) (i) After conclusion of the inquiry, a report shall be prepared and it shall contain—

(a) the articles of charge and the statement of the imputations of misconduct or misbehaviour ;

(b) the defence of the municipal servant in respect of each article of charge ;

(c) an assessment of evidence in respect of each article of charge ;

(d) the findings on each article of charge and the reasons therefor.

Explanation :—If in the opinion of the inquiring authority, the proceedings of the inquiry established any article of charge different from the original article of the charge, it may record its findings on such article of charge :

Provided that the findings on such article of charge shall not be recorded unless the municipal servant has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(ii) The inquiring authority where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include—

(a) the report prepared by it under clause (i);

(b) the written statement of defence, if any submitted by the municipal servant;

(c) the oral and documentary evidence produced in the course of the inquiry;

(d) written briefs, if any, filed by the Presenting Officer or the municipal servant or both during the course of inquiry; and

(e) the orders, if any, made by the disciplinary authority and the inquiring authority in regard to the inquiry.

11. Action on the inquiry report.—(1) The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded by it in writing remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of rule 10 as far as may be.

(2) The disciplinary authority shall if it disagrees with the findings of the inquiring authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

(3) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of penalties specified in clauses (i) to (iv) of rule 7 should be imposed on the municipal servant, it shall notwithstanding anything in rule 12 make an order imposing such penalty.

(4) If the disciplinary authority having regard to its findings on all or any of the articles of charge, and on the basis of the evidence adduced during the inquiry is of the opinion that any of the penalties specified in clauses (v) to (ix) of rule 7

should be imposed on the municipal servant, it shall make an order imposing such penalty and it shall not be necessary to give the municipal servant any opportunity of making representation on the penalty proposed to be imposed.

12. Procedure for imposing minor penalties.—(1) Subject to the provisions of sub-rule (3) of rule 11, no order imposing on a municipal servant any of the penalties specified in clauses (i) to (iv) of rule 7 shall be made except after—

(a) informing the municipal servant in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal ;

(b) holding an inquiry in the manner laid down in sub-rule (3) to (23) of rule 10 in every case in which the disciplinary authority is of the opinion that such inquiry is necessary ;

(c) taking the representation if any, submitted by the municipal servant under clause (a) and record of inquiry, if any, held under clause (b) into consideration ; and

(d) recording a finding on each imputation of misconduct or misbehaviour.

(2) Notwithstanding anything contained in clause (b) of sub-rule (1), if in a case it is proposed, after considering the representation if any, made by the municipal servant under clause (a) of that sub-rule, to withhold increments of pay and such withholding of increment is likely to affect adversely the amount of pension payable to the municipal servant or to withhold increments of pay for a period exceeding three years or to withhold increments of pay with cumulative effect for any period, an inquiry shall be held in the manner laid down in sub-rules (3) to (23) of rule 10 before making any order imposing on the municipal servant any such penalty.

(3) The record of the proceedings in such cases shall include—

(i) a copy of the intimation to the municipal servant of the proposal to take action against him;

(ii) a copy of the statement of imputations of misconduct or misbehaviour delivered to him; and

(iii) his representation, if any;

(iv) the evidence produced during inquiry;

(v) the finding on each imputation of misconduct or misbehaviour; and

(vi) the orders on the case together with the reasons therefor.

13. Communication of order.—Orders made by the disciplinary authority shall be communicated to the municipal servant who shall also be supplied with a copy of the report of the inquiry, if any, held by the disciplinary authority and a copy of its findings on each article of charge, or, where the disciplinary authority is not the inquiring authority, a copy of the report of the inquiring authority and a statement of the findings of the disciplinary authority together with brief reasons for its disagreement, if any, with the findings of the inquiring authority unless they have already been supplied to him.

14. Common proceedings.—Where two or more municipal servants are concerned in any case, the Municipal Council or the Commissioner may make an order directing that disciplinary action against all of them may be taken in a common proceedings.

15. Special procedure in certain cases.—Notwithstanding anything contained in rule 10 to rule 14—

(i) Where any penalty is imposed on a municipal servant on the ground of conduct which has led to his conviction on a criminal charge, or

(ii) Where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules, or

(iii) Where the Municipal Council is satisfied that in the interest of the security of the Municipality, it is not expedient to hold any inquiry in the manner provided in these rules,

the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit.

Part VII—Appeal

16. Orders against which no appeal shall lie.—Notwithstanding anything contained in this part, no appeal shall lie against—

(i) any order of an interlocutory nature or of the nature of a step-in-aid; or the final disposal of a disciplinary proceeding other than an order of suspension;

(ii) any order passed by an inquiring authority in the course of an inquiry under rule 10.

17. Orders against which appeals lie.—Subject to the provisions of rule 16, a municipal servant may prefer an appeal against all or any of the following orders, namely:—

(i) an order of suspension made or deemed to have been made under rule 6;

(ii) an order imposing any of the penalties specified in rule 7 whether made by the disciplinary authority or by any appellate or reviewing authority;

(iii) an order enhancing any penalty, imposed under rule 7;

(iv) an order which—

(a) denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement; or

(b) interprets to his disadvantage the provisions of any such rule or agreement;

(v) an order—

(a) stopping him at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar;

(b) reverting him while officiating in a higher service, grade or post to a lower service, grade or post, otherwise than as a penalty;

(c) reducing or withholding the pension or denying the maximum pension admissible to him under the rules;

(d) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof;

(e) determining his pay and allowances—

(i) for the period of suspension, or

(ii) for the period from the date of his dismissal, removal or compulsory retirement from service or from the date of his reduction to a lower service, grade, post, time-scale or stage in a time-scale of pay, to the date of his reinstatement or restoration to his service, grade or post; or

(f) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, time-scale of pay or stage in a time-scale of pay to the date of his reinstatement or restoration to his service grade or post shall be treated as a period spent on duty for any purpose.

Explanation.—In this rule—

(i) the expression "Municipal servant" includes a person who has ceased to be in municipal service ;

(ii) the expression 'Pension' includes additional pension, gratuity and any other retirement benefit.

18. Appellate authority.—A municipal servant, including a person who has ceased to be in municipal service, may prefer an appeal against all or any of the orders specified in rule 17 to the Director.

19. Period of limitation for appeals.—No appeal preferred under this part shall be entertained unless such appeal is preferred within a period of forty-five days from the date on which a copy of the order appealed against is delivered to the appellant :

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

20. Form and contents of appeals.—(1) Every person preferring an appeal shall do so separately and in his own name.

(2) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself.

(3) The authority which made the order appealed against shall on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant records to the appellate authority without any avoidable delay and without waiting for any direction from the appellate authority.

21. Consideration of appeal.—(1) In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of rule 6 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against an order imposing any of the penalties specified in rule 7 or enhancing any penalty imposed under the said rule, the appellate authority shall consider—

(a) whether the procedure laid down in these rules has been complied with, and if not, whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice;

(b) whether the findings of the disciplinary authority are warranted by the evidence on the record; and

(c) whether the penalty or the enhanced penalty imposed is adequate, inadequate; or severe;

and pass orders—

(i) confirming, enhancing, reducing or setting aside the penalty; or

(ii) remitting the case to the authority which imposed or enhanced the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case:

Provided that—

(i) if such enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (v) to (ix) of rule 7 and an inquiry under rule 10 has not already been held in the case, the appellate authority shall, subject to the provisions of rule 15 itself hold such inquiry or direct that such inquiry be held in accord-

ance with the provisions of rule 10 and thereafter, on a consideration of the proceedings of such inquiry and after giving the appellant a reasonable opportunity, as far as may be in accordance with the provisions of sub-rule (4) of rule 11, of making a representation against the penalty proposed on the basis of the evidence adduced during such inquiry, make such orders as it may deems fit ;

(ii) if the enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (v) to (ix) of rule 7 and an inquiry under rule 10 has already been held in the case, the appellate authority shall, after giving the appellant a reasonable opportunity as far as may be in accordance with the provisions of sub-rule (4) of rule 11 of making a representation against the penalty proposed on the basis of the evidence adduced during the inquiry, make such orders as it may deems fit ; and

(iii) no order imposing an enhanced penalty shall be made in any other case unless the appellant has been given a reasonable opportunity, as far as may be in accordance with the provisions of rule 12 of making a representation against such enhanced penalty.

(3) In an appeal against any other order specified in rule 17, the appellate authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

22. Implementation of orders in appeal.—The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

Part VIII—Review

23. Review.—(1) Notwithstanding anything contained in these rules—

(i) the Government ; or

(ii) the appellate authority within six months of the date of the order proposed to be reviewed ; or

(iii) any other authority specified in this behalf by the Government by a general or special order and within such time as may be prescribed in such general or special order may at any time, either on his or its own motion or otherwise call for the records of any inquiry and review any order made under these rules or under the rules repealed by rule 27 from which an appeal is allowed but from which no appeal has been preferred or from which no appeal is allowed, and may—

(a) confirm, modify or set aside the order ; or

(b) confirm, reduce, enhance or set aside the penalty imposed by the order or impose any penalty where no penalty has been imposed ; or

(c) remit the case to the authority which made the order or to any other authority directing such authority to make such further inquiry as it may consider proper in the circumstances of the case ; or

(d) pass such other orders as it may deem fit :

Provided that no order imposing or enhancing any penalty shall be made by any reviewing authority unless the municipal servant concerned has been given a reasonable opportunity of making representation against the penalty proposed and where it is proposed to impose any of the penalties specified in clauses (v) to (ix) of rule 7 or to enhance the penalty imposed by the order sought to be reviewed to any of the penalty specified in those clauses, no such penalty shall be imposed except after an inquiry in the manner laid down in rule 10 and after giving a reasonable opportunity to the municipal servant concerned of showing cause against the penalty proposed on the evidence adduced during the inquiry.

(2) No proceeding for review shall be commenced until after—

(i) the expiry of the period of limitation for an appeal ; or

(ii) the disposal of the appeal, where any such appeal has been preferred.

(3) An application for review shall be dealt with in the same manner as if it were an appeal under these rules.

Part IX—Regulation of pay and allowances on dismissal, removal and suspension

24. Regulation of pay and allowances of a municipal servant under suspension or dismissal or removal from municipal service.—(1) The pay and allowances of a municipal servant who is dismissed or removed from service cease from the date of such dismissal or removal.

(2) A municipal servant under suspension or deemed to have been placed under suspension by an order of the appointing authority shall be entitled to the following payments, namely:—

(a) a subsistence allowance at an amount equal to the leave salary which the municipal servant would have drawn if he had been on leave on half average pay or on half pay and in addition, dearness allowance, if admissible on the basis of such leave salary:

Provided that where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows:—

(i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first twelve months, if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the municipal servant;

(ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first twelve months, if, in the opinion of the said authority the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the municipal servant;

(iii) the rate of dearness allowance will be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under sub-clauses (i) and (ii) above.

(b) Any other compensatory allowances admissible from time to time on the basis of pay of which the municipal servant was in receipt on the date of suspension subject to the fulfilment of other conditions laid down for the drawal of such allowances.

(3) No payment under sub-rule (2) shall be made unless the municipal servant furnishes a certificate that he is not engaged in any other employment, business, profession or vacation.

(4) When a municipal servant who has been dismissed, removed or compulsorily retired is reinstated as a result of appeal or review or would have been so reinstated but for his retirement on superannuation while under suspension or not, the authority competent to order reinstatement shall consider and make a specific order—

(a) regarding the pay and allowances to be paid to the municipal servant for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case be; and

(b) whether or not the said period shall be treated as a period spent on duty.

(5) Where the authority competent to order reinstatement is of opinion that the municipal servant who had been dismissed, removed or compulsorily retired has been fully exonerated, the municipal servant shall, subject to the provisions of sub-rule (9), be paid the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsorily retirement, as the case may be:

Provided that where such authority is of opinion that the termination of the proceedings instituted against the municipal servant had been delayed due to reasons directly attributable to the municipal servant, it may, after giving him an opportunity to make his representation within sixty days from the date on which the communication in this regard is served on him and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the municipal servant shall, subject to the provisions of sub-rule (10), be paid for the period of such delay, only such amount not being the whole of such pay and allowances as it may determine.

(6) In a case falling under sub-rule (5), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement, as the case may be, shall be treated as a period spent on duty for all purposes.

(7) In cases other than those covered by sub-rule (5) including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the appellate or reviewing authority solely on the ground of non-compliance with the requirements of clause (2) of Article 311 of the Constitution and no further inquiry is proposed to be held, the municipal servant shall, subject to the provisions of sub-rules (9) and (10), be paid such amount not being the whole of the pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily

retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the municipal servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period which in no case shall exceed sixty days from the date on which the notice has been served as may be specified in the notice :

Provided that any payment under this sub-rule to a municipal servant shall be restricted to a period of three years immediately preceding the date on which orders for reinstatement of such municipal servant, are passed by the appellate authority or reviewing authority or immediately preceding the date of retirement on superannuation of such municipal servant as the case may be.

(8) In a case falling under sub-rule (7), the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically directs that it shall be so treated for any specified purpose :

Provided that if the municipal servant so desires, such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be shall be converted into leave of any kind due and admissible to the municipal servant.

Note:—The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of—

(a) extraordinary leave in excess of three months in the case of temporary municipal servant ; and

(b) leave of any kind in excess of five years in the case of permanent or quasi-permanent municipal servant.

(9) The payment of allowances under sub-rule (5) or sub-rule (7) shall be subject all other conditions under which such allowances are admissible.

(10) The amount determined under the proviso to sub-rule (5) or under sub-rule (7) shall not be less than the subsistence allowance and other allowances admissible under sub-rules (2) and (3).

(11) Any payment made under this rule to a municipal servant on his reinstatement shall be subject to adjustment of the amount, if any earned by him through an employment during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of reinstatement. Where the emoluments admissible under this rule are equal to or less than the amounts earned during the employment elsewhere, nothing shall be paid to the municipal servant.

(12) Where the dismissal, removal or compulsory retirement of a municipal servant is set aside by a court of law and such municipal servant is reinstated without holding any further inquiry, the period of absence from duty shall be regularised and the municipal servant shall be paid pay and allowances in accordance with the provisions of sub-rule (13) or (14) subject to the directions if any, of the court.

(13) (i) Where the dismissal, removal or compulsory retirement of a municipal servant is set aside by the court solely on the ground of non-compliance with the requirements of clause (2) of Article 311 of the Constitution, and where he is not exonerated on merits, the municipal servant shall, subject to the provisions of sub-rule (10) be paid such amount not being the whole of the pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired, or suspended prior to such dismissal, removal, or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the

municipal servant of the quantum proposed and after considering the representation, if any, submitted by him, in that connection within such period which in no case shall exceed sixty days from the date on which the notice has been served as may be specified in the notice :

Provided that any payment under this sub-rule to a municipal servant shall be restricted to a period of three years immediately preceding the date on which the judgment of the court was passed, or the date of retirement on superannuation of such municipal servant as the case may be.

(ii) The period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of judgment of the court shall be regularised in accordance with the provisions contained in sub-rule (8).

(14) If the dismissal, removal and compulsory retirement of a municipal servant is set aside by the court on the merits of the case, the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement shall be treated as duty for all purposes and he shall be paid the full pay and allowances for the period, to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

(15) The payment of allowances under sub-rule (13) or sub-rule (14) shall be subject to all other conditions under which such allowances are admissible;

(16) Any payment made under this rule to a municipal servant on his reinstatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of dismissal, removal or compulsory retirement and the date of reinstatement. Where the emoluments admissible under this rule are equal to or

less than those earned during the employment elsewhere, nothing shall be paid to the municipal servant.

(17) When a municipal servant who has been suspended is reinstated or would have been so reinstated but for his retirement on superannuation while under suspension, the authority competent to order reinstatement shall consider and make a specific order—

(a) regarding the pay and allowances to be paid to the municipal servant for the period of suspension ending with reinstatement or the date of his retirement on superannuation, as the case may be; and

(b) whether or not the said period shall be treated as a period spent on duty.

(18) Notwithstanding anything contained in sub-rules (2) and (3), where a municipal servant under suspension dies before the disciplinary or the court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his family shall be paid the full pay and allowances for the period to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.

(19) Where the authority competent to order reinstatement is of the opinion that the suspension was wholly unjustified, the municipal servant shall subject to the provisions of sub-rule (24) be paid the full pay and allowances to which he would have been entitled, had he not been suspended:

Provided that where such authority is of the opinion that the termination of the proceedings instituted against the municipal servant had been delayed due to reasons directly attributable to the municipal servant, it may, after giving him an opportunity to make his representation within sixty days from the date on which the communication in this regard is served on him and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing,

(22) Where suspension is revoked pending finalisation such delay only such amount not being the whole of such pay and allowances as it may determine.

(20) In a case falling under sub-rule (19), the period of suspension shall be treated as a period spent on duty for all purposes.

(21) In cases other than those falling under sub-rules (18) and (19), the municipal servant shall, subject to the provisions of sub-rules (24) and (25), be paid such amount not being the whole of the pay and allowances to which he would have been entitled had he not been suspended, as the competent authority may determine, after giving notice to the municipal servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period which in no case shall exceed sixty days from the date on which the notice has been served on him, as may be specified in the notice.

(22) Where suspension is revoked pending finalisation of the disciplinary or the court proceedings, any order passed under sub-rule (17) before the conclusion of the proceedings against the municipal servant, shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-rule (17) who shall make an order according to the provisions of sub-rule (19) or sub-rule (21), as the case may be.

(23) In a case falling under sub-rule (21), the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that if the municipal servant so desires such authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the municipal servant.

Note:—The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of—

(a) extraordinary leave in excess of three months in the case of temporary municipal servant; and

(b) leave of any kind in excess of five years in the case of permanent or quasi-permanent municipal servant.

(24) The payment of allowances under sub-rule (18), sub-rule (19) or sub-rule (21) shall be subject to all other conditions under which such allowances are admissible.

(25) The amount determined under the proviso to sub-rule (19) or under sub-rule (21) shall not be less than the subsistence allowance and other allowances admissible under sub-rule (2) and (3).

Part X—Miscellaneous

25. Service of orders, notice, etc.—Every order, notice and other process made or issued under these rules shall be served in person on the municipal servant concerned or communicated to him by registered post.

26. Powers to relax time-limit and to condone delay.—Save as otherwise expressly provided in these rules, the authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown extend the time specified in these rules for anything required to be done under these rules or condone any delay.

27. Repeal and savings.—(1) Any degree or Arrête or Statute Personnel or law, or rules or regulations corresponding to the rules in force immediately before the commencement of these rules to the municipal servant to whom these rules apply, are hereby repealed:

Provided that—

(a) such repeal shall not affect the previous operation of the said Decree, Arrete, Statute Personnel, laws, rules and regulations or any notification or order made, or anything done, or any action taken thereunder ;

(b) any proceedings under the said Decree, Arrete, Statute Personnel, laws, rules and regulations pending at the commencement of these rules shall be continued and disposed of as far as may be, in accordance with the provisions of these rules, as if such proceedings were proceedings under these rules.

(2) Nothing in these rules shall be construed as depriving any person to whom these rules apply, of any right of appeal which had accrued to him under the Decree, Arrete, Statute Personnel, law, rules, regulations, notifications or orders in force before the commencement of these rules.

(3) An appeal pending at the commencement of these rules against an order made before such commencement shall be considered and orders thereon shall be made, in accordance with these rules ; as if such orders were made and the appeal were preferred under these rules.

(4) As from the commencement of these rules any appeal or application for review against any orders made before such commencement shall be preferred or made under these rules, as if such orders were made under these rules :

Provided that nothing in these rules shall be construed as reducing any period of limitations for any appeal or review provided by any rule in force before the commencement of these rules.

28. Removal of doubts.—If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the Government or such authority as may be specified by the Government by a general or special order, and the Government or such other authority shall decide the same.

(G. O. Ms. No. 135, dated 4th August, 1982 of Local Administration Department—Published in the Extraordinary Gazette No. 37, dated 22nd September, 1982.)

10. The Pondicherry Municipal Subordinate Services (Grant of Cycle Advance) Rules, 1982.

In exercise of the powers conferred by sub-section (2) of section 114 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following amendment to the Pondicherry Municipal Subordinate Services (Grant of Cycle Advance) Rules, 1976, namely:—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipal Subordinate Services (Grant of Cycle Advance) (Amendment) Rules, 1982.

(2) They shall come into force from the date of their publication in the official gazette. (22—11—82)

2. Amendment to rule 5.—In the Pondicherry Municipal Subordinate Services (Grant of Cycle Advance) Rules, 1976, for the existing rule 5, the following rule shall be substituted, namely:—

“5. The Commissioner with the previous approval of the municipal council may grant advances to the municipal servants from municipal funds for the purchase of bicycle in accordance with the provisions of these rules”.

(G. O. Ms. No. 190, dated 25th October, 1982 of Local Administration Department—Published in the Extraordinary Gazettee No. 50 dated 22nd November, 1982.)

11. The Pondicherry Municipal Services Fundamental Rules, 1984.

In exercise of the powers conferred by sub-section (2) of section 114 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipal Services Fundamental Rules, 1984.

(2) They shall come into force from the date of their publication in the official gazette.

2. Categories of municipal servants to whom the rules apply.—(1) Save as otherwise provided by or under these rules, these rules shall apply to persons appointed to municipal services and posts in connection with the affairs of the Municipality.

(2) These rules shall not apply to—

(a) Government servants borne on provincialised common cadre ;

(b) persons not in whole time employment ;

(c) persons paid out of contingencies ;

(d) persons paid otherwise than on a monthly basis including those paid only on a piece-rate basis ;

(e) persons employed on contract except where the contract provides otherwise ;

(f) persons re-employed in municipal services after retirement ;

(g) any other class or category of persons whom the Government may by order specifically exclude from the operation of all or any of the provisions contained in these rules.

3. Definitions.—In these rules, unless the context otherwise requires,—

(a) 'average pay' means the average monthly pay earned during the 12 complete months immediately preceding the month in which the event occurs which necessitates the calculation of average pay ;

(b) 'cadre' means the strength of a service or a part of a service sanctioned as a separate unit;

(c) 'compensatory allowance' means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed and also includes travelling allowance;

(d) 'Duty' includes—

(1) (i) service as a probationer or apprentice provided that such service is followed by confirmation; and

(ii) joining time;

(2) A municipal servant may be treated as on duty—

(i) during a course of instruction or training in India; or

(ii) in the case of a student, stipendiary or otherwise, who is entitled to be appointed to the municipal service on passing through a course of training at a University, college or school in India, during the interval between the satisfactory completion of the course and his assumption of duties;

(e) 'fee' means a recurring or non-recurring payment to a municipal servant from a source other than the municipal fund, whether made directly to the municipal servant or indirectly, but does not include—

(i) unearned income such as income from property, dividends and interests on securities; and

(ii) income from literary, cultural, artistic, scientific or technological efforts and income from participation in sports activities as amateur;

(f) 'honorarium' means a recurring or non-recurring payment granted to a municipal servant from the municipal fund as remuneration for special work of an occasional or intermittent character;

(g) 'joining time' means the time allowed to a municipal servant in which to join a new post or to travel to or from a station to which he is posted ;

(h) 'leave salary' means the monthly amount paid by the municipality to a municipal servant on leave ;

(i) 'lien' means the title of municipal servant to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively ;

(j) 'month' means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently ;

(k) 'municipal servant' includes an officer or servant holding a post under a municipal council but not a part-time employee or staff or persons paid from contingencies ;

(l) 'officiate'—A municipal servant officiates in a post when he performs the duties of a post on which another person holds a lien. The municipal council may if it thinks fit, appoint a municipal servant to officiate in a vacant post on which no other municipal servant holds a lien ;

(m) 'pay' means the amount drawn monthly by a municipal servant as—

(i) the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre ; and

(ii) special pay and personal pay ; and

(iii) any other emoluments which may be specially classed as pay by the Government.

(n) 'permanent post' means a post carrying a definite rate of pay sanctioned without limit of time;

(o) 'personal pay' means additional pay granted to a municipal servant—

(i) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or

(ii) in exceptional circumstances, on other personal considerations;

(p) 'presumptive pay of a post' means the pay to which the municipal servant would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the municipal servant performs or discharges the work or responsibility, in consideration of which the special pay was sanctioned;

(q) 'special pay' means an addition, of the nature of pay, to the emoluments of a post or of a municipal servant, granted in consideration of—

(i) the specially arduous nature of the duties; or

(ii) a specific addition to the work or responsibility;

(r) subsistence grant means a monthly grants made to a municipal servant who is not in receipt of pay or leave salary;

(s) 'substantive pay' means the pay other than special pay, personal pay or emoluments classed as pay by the Government under clause (m) (iii) of this rule, to which a municipal servant is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre;

(t) 'temporary post' means a post carrying a definite rate of pay sanctioned for a limited time;

(u) 'tenure post' means a permanent post which an individual municipal servant may not hold for more than a limited period;

(v) (i) 'Time-scale pay' means pay which, subject to any condition prescribed in these rules, rises by periodical increments from a minimum to a maximum. It includes the class of pay hitherto known as progressive;

(ii) Time-scale are said to be **identical** if the minimum, the maximum, the period of increment and the rate of increment of the time-scales are identical;

(iii) A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility, in a service or establishment or group of establishments, so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds that post;

(w) 'travelling allowance' means an allowance granted to a municipal servant to cover the expenses which he incurs in travelling in the interests of the public service. It includes allowances granted for the maintenance of conveyances, horses and tents.

4. General conditions of service.—(1) Except as provided under this rule, no person may be appointed to a post in a municipal service without a medical certificate of health.

(2) (a) A medical certificate of fitness for municipal service shall be in the following form:—

"I hereby certify that I have examined A. B., a candidate for employment in the _____ municipality and cannot discover _____ that _____ has any disease (communicable or otherwise), constitutional weakness or bodily infirmity except _____. I do not consider this _____ a disqualification for employment in the Office of _____ Municipality".

(b) In the case of appointments to municipal service in Group 'C' and Group 'D' posts, the Commissioner shall attach with the form of the medical certificate, a declaration form which is to be filled in by the candidate concerned in the presence of the Medical Officer. The declaration form shall be prescribed by the Director.

(3) (a) Such a certificate shall be signed by a Medical Board in the case of a municipal servant in Group 'A' and Group 'B' posts and by a Civil Surgeon or a Chief Medical Officer or a Medical Officer of equivalent status in the case of a municipal servant in Group 'C' posts.

(b) (i) In the case of female candidate appointed to a Group 'A' and Group 'B' posts, the medical certificate shall be signed by a Medical Board consisting of a woman Doctor possessing medical qualification included in one of the schedules to the Indian Medical Council Act, 1956 (102 of 1956), as one of its members, and

(ii) in the case of a female candidate appointed to a Group 'C' and Group 'D' posts, the medical certificate shall be signed by a registered female medical practitioner possessing a medical qualification included in one of the schedules to the Indian Medical Council Act, 1956 (102 of 1956), Indian Medical Central Act, 1970 and Homoeopathy Central Council Act, 1973

(c) In the case of Group 'D' municipal servants, the medical certificate shall be signed by the authorised medical attendant possessing a medical qualification included in one of the schedules to the Indian Medical Council Act, 1956 (102 of 1956) and when there is no such authorised medical attendant, by a Government Medical Officer of the nearest dispensary or hospital possessing such qualification.

(d) A candidate, who is likely to be employed in a temporary capacity continuously for a period exceeding three months, shall produce either before or within a week from the date of employment, the certificate from the competent medical authority as prescribed in this rule. When, however, a municipal servant initially employed in a municipal office in a temporary capacity for a period not exceeding three months is subsequently retained in that office or is transferred without a break to another municipal office and the total period of continuous service under the municipalities is expected to last for a period exceeding three months, he shall produce such a certificate within a week from the date of the orders sanctioning his retention in that office or joining the new office.

(4) The Government may, in individual cases, dispense with the production of a medical certificate, and may by general or special order exempt any specified class of municipal servants from the operation of this rule. Except where the Government by general or special order directs otherwise, the following classes of municipal servants are exempted from producing a medical certificate of health:

(a) A municipal servant appointed in a temporary vacancy for a period not exceeding three months;

(b) A temporary municipal servant who has already been medically examined in one municipal office, if transferred to another municipal office without a break in his service.

(c) A retired municipal servant re-employed immediately after retirement.

Note: The production of a medical certificate is necessary when—

(a) a person is re-employed after resignation or forfeiture of past service ;

(b) a person is re-employed in circumstances other than those referred to in clause (a) above, the municipal council will decide whether a medical certificate should be produced.

(5) Unless in any case it be otherwise distinctly provided, the whole time of a municipal servant is at the disposal of the municipal council, which pays him, and he may be employed in any manner required by the Commissioner, without claim for additional remuneration, whether the services required of him are such as would ordinarily be remunerated from the municipal fund or not.

(6) (a) Two or more municipal servants cannot be appointed substantively to the same permanent post at the same time.

(b) A municipal servant cannot be appointed substantively to two or more permanent posts at the same time.

(c) A municipal servant cannot be appointed substantively to a post on which another municipal servant holds a lien.

(7) Unless in any case it be otherwise provided in these rules, a municipal servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

(8) Unless his lien is suspended under sub-rule (9) of this rule or transferred under sub-rule (11) of this rule, a municipal servant holding substantively a permanent post retains a lien on that post—

(a) while performing the duties of that post;

(b) while holding a temporary post or officiating in another post;

(c) during joining time on transfer to another post, unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;

(d) while on leave other than refused leave granted after the date of compulsory retirement; and

(e) while under suspension.

(9) (a) The Commissioner shall be suspended the lien of a municipal servant on a permanent post which he holds substantively if he is appointed in a substantive capacity—

(i) to a tenure post, or

(ii) provisionally, to a post on which another municipal servant would hold a lien that his lien not been suspended under this sub-rule.

(b) Notwithstanding anything contained in clause (a) of this sub-rule, a municipal servant's lien on a tenure post may in no circumstances be suspended. If he is appointed substantively to another permanent post, his lien on the tenure post must be terminated.

(c) If a municipal servant's lien on a post is suspended under clause (a) of this sub-rule, the post may be filled substantively and the municipal servant appointed to hold it substantively shall acquire a lien on it provided that the arrangements shall be reversed as soon as the suspended lien revives.

Note 1: This clause shall also apply to a post in a selection grade of a cadre.

Note 2: When a post is filled substantively under this clause, the appointment will be termed a provisional appointment; the municipal servant appointed will hold a provisional lien on the post; and that lien will be liable to suspension under clause (a) of this sub-rule.

(d) A municipal servant's lien which has been suspended under clause (a) of this sub-rule shall revive as soon as he ceases to hold a lien on a post of the nature specified in sub-clause (i) or (ii) of that clause.

(10) (a) Except as provided in clauses (b) and (c) of this sub-rule, a municipal servant's lien on a post, may in no circumstances, be terminated even with his consent if the result will be to leave him without a lien or a suspended lien upon a permanent post.

(b) Notwithstanding the provisions of clause (a) of sub-rule (9) of this rule, the lien of a municipal servant holding substantively a permanent post shall be terminated while on refused leave granted after the date of compulsory retirement.

(c) A municipal servant's lien on a post shall stand terminated on his acquiring a lien on a permanent post outside the cadre on which he is borne.

(11) Subject to the provisions of sub-rule (12) of this rule, the Commissioner may transfer to another permanent post in the same cadre, the lien of a municipal servant who is not performing the duties of the posts to which the lien relates, even if that lien has been suspended.

(12) (a) The Municipal Council may transfer a municipal servant from one post to another post provided that except—

(i) on account of inefficiency or misbehaviour, or

(ii) on his written request,

a municipal servant shall not be transferred substantively to, or, except in a case covered by rule 7 appointed to officiate in a post carrying less pay than the pay of the permanent post

on which he holds a lien, or would hold a lien had his lien not been suspended under sub-rule (9) of this rule.

(b) Nothing contained in clause (a) of this sub-rule or in clause (j) of rule 3 shall operate to prevent the retransfer of a municipal servant to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of clause (a) of sub-rule (9) of this rule.

(13) Subject to any exceptions specifically made in these rules, a person shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post, and shall cease to draw them as soon as he ceases to discharge those duties:

Provided that a person who is absent from duty without any authority shall not be entitled to any pay and allowances during the period of such absence.

(14) Without prejudice to the provisions of rule 27 of the Central Civil Services (Pension) Rules, 1972, a period of an unauthorised absence—

(i) in the case of municipal servants as a result of acting in combination or in concerted manner, such as during a strike, without any authority from or valid reason to the satisfaction of the Commissioner; and

(ii) in the case of an individual municipal servant remaining absent unauthorisedly or deserting the post,

shall be deemed to cause an interruption or break in the service of the municipal servant, unless otherwise decided by the Commissioner for the purpose of quasi-permanency and eligibility for appearing in departmental examinations, for which a minimum period of continuous service is required.

Explanations.—For purpose of this sub-rule, "strike" includes a general, token, sympathetic or any similar strike, and also participation in a bundh or in similar activities.

(15) Unless the Government in view of the exceptional circumstances of the case otherwise determines, no municipal servant shall be granted leave of any kind for a continuous period exceeding five years.

5. Pay.—(1) Except in the case of personal pay granted in the circumstances defined in sub-clause (i) of clause (o) of rule 3, the pay of a municipal servant shall not be so increased as to exceed the pay sanctioned for his post without the sanction of an authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased.

(2) In respect of any period treated as duty under sub-clause (2) of clause (d) of rule 3 a municipal servant may be granted such pay as the Commissioner may consider equitable but in no case exceeding the pay which the municipal servant would have drawn had he been on duty other than duty under sub-clause (2) of clause (d) of rule 3.

(3) The initial substantive pay of a municipal servant who is appointed substantively to a post on a time-scale of pay is regulated as follows:—

(a) if he holds a lien on a permanent post, other than a tenure post or would hold a lien on such a post had his lien not been suspended—

(i) when appointment to the new post does not involve assumption of duties or responsibilities of greater importance he will draw as initial pay the stage of the time-scale which is equal to his substantive pay in respect of the old post, or, if there is no such stage, the stage next below that pay plus personal pay equal to the difference and in either case will continue to draw that pay until such time as he would have received an increment in the time-scale of the old post or for the period after which an increment is earned in the time-scale of the new post, whichever is less. But if the minimum pay of the time-scale of the new post is higher than his substantive pay in respect of the old post, he will draw that minimum as initial pay;

(ii) when appointment to the new post is made on his own request under clause (a) of sub-rule (12) of rule 4 and the maximum pay in the time-scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay.

(b) If the conditions prescribed in clause (a) of this sub-rule are not fulfilled, he will draw as initial pay the minimum of the time-scale :

Provided, both in cases covered by clause (a) of this sub-rule and in cases, other than cases of re-employment after resignation or removal or dismissal from the municipal service, covered by clause (b) of this sub-rule that if he either :

(A) has previously held substantively or officiated in—

(i) the same post ; or

(ii) a permanent or temporary post on the same time-scale ; or

(iii) a permanent post other than a tenure post or a temporary post on an identical time-scale ; or

(B) is appointed substantively to a tenure post on a time-scale, identical with that of another tenure post which he has previously held substantively or in which he has previously officiated ; then the initial pay shall not, except in cases of reversion to parent cadre, governed by proviso (A) (iii) of this sub-rule be less than the pay other than special pay, personal pay or emoluments classed as pay by the Government under rule 3 (m) (iii) which he drew on that last occasion and he shall count the period during which he drew that pay on such last and any previous occasions for increment in the stage of the time-scale equivalent to that pay. If, however, the pay last drawn by the municipal servant in a temporary post has been inflated by the grant of premature increments the pay

which he would have drawn but for the grant of those increments shall, unless otherwise ordered by the authority competent to create the new post, be taken for the purposes of this proviso to be the pay which he last drew in the temporary post. The service rendered in a post referred to in proviso (A) (iii) of this sub-rule, shall on reversion to the parent cadre, count towards initial fixation of pay, to the extent and subject to the conditions indicated below:—

(a) The municipal servant should have been approved for appointment to the particular grade/post in which the previous service is to be counted ;

(b) all his seniors, except those regarded as unfit for such appointment, were serving in posts carrying the scale of pay in which benefit is to be allowed or in higher posts whether in the municipalities itself or in any other municipality and at least one junior was holding a post in any municipality carrying the scale of pay in which the benefit is to be allowed ; and

(c) the service will count from the date his junior is promoted and the benefit will be limited to the period the municipal servant would have held the post in his parent cadre had he not been appointed to the ex-cadre post.

(4) The initial substantive pay of a municipal servant who is appointed substantively to a post on a time-scale of pay which has been reduced for reasons other than a diminution in the duties or responsibilities attached to post thereon and who is not entitled to draw pay on the time-scale as it stood prior to reduction, is regulated by sub-rule (3) of this rule provided, both in cases covered by clause (a) of that sub-rule and in cases, other than those of re-employment after resignation or removal or dismissal from the public service, covered by clause (b), that if he either—

(a) has previously held substantively or officiated in—

(i) the same post prior to reduction of its time-scale,
or

(ii) a permanent or temporary post on the same time-scale as the unreduced time-scale of the post, or

(iii) a permanent post other than a tenure post, or a temporary post, on a time-scale of pay identical with the unreduced time-scale of the post, such temporary post being on the same time-scale as a permanent post, other than a tenure post, or

(b) is appointed substantively to a tenure post the time-scale of which has been reduced without a diminution in the duties or responsibilities attached to it and has previously held substantively or officiated in another tenure post on a time-scale identical with the unreduced time-scale of the tenure post,

then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the Government under rule 3 (m) (iii) which he would have drawn under sub-rule (3) of this rule on the last such occasion if the reduced time-scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasions.

(5) (a) Notwithstanding anything contained in these rules, the following provisions shall govern the pay of a municipal servant who is appointed as a probationer in another service or cadre, and subsequently confirmed in that service or cadre—

(i) during the period of probation he shall draw pay at the minimum of the time-scale or at the probationary stages of the time-scale of the service or post as the case may be:

Provided that if the presumptive pay of the permanent post other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than the pay fixed under this clause, he shall draw the presumptive pay of the permanent post;

(ii) on confirmation in the service or post after the expiry of the period of probation, the pay of the municipal servant shall be fixed in the time-scale of the service, or post in accordance with the provisions of sub-rule (3) or sub-rule (6), as the case may be, of this rule;

Provided that the pay of municipal servant shall not be so fixed under sub-rule (3) or sub-rule (6) of this rule with reference to the pay that he would have drawn in the previous post which he was holding in a temporary capacity, but he shall continue to draw the pay in the time-scale of the service or post.

(b) The provisions contained in clause (a) of this sub-rule shall apply *mutatis mutandis* to cases of municipal servants appointed on probation with definite conditions against temporary posts in another service or cadre where recruitment to permanent posts of such service or cadre is made as probationers, except that in such cases the fixation of pay in the manner indicated in sub-clause (ii) of clause (a) of this sub-rule shall be done under sub-rule (16) of this rule immediately on the expiry of the period of probation and on regular officiating appointment to a post, either permanent or temporary, in the service or cadre.

(c) Notwithstanding anything contained in these rules, a municipal servant appointed as an apprentice in another service or cadre shall draw—

(i) during the period of apprenticeship, the stipend or pay prescribed for such period provided that if the presumptive pay of the permanent post, other than a tenure post, on which he holds a lien or would hold a lien has

his lien not been suspended, should at any time be greater than the stipend or pay fixed under this sub-clause, he shall draw the presumptive pay of the permanent post.

(ii) on satisfactory completion of the apprenticeship and regular appointment to a post in the service or cadre, the pay as fixed in the time-scale of the service or post under sub-rule (3) or sub-rule (6) or sub-rule (16) as the case may be, of this rule :

Provided that the pay of the municipal servant shall not be so fixed under sub-rule (3) or sub-rule (6) of this rule with reference to the pay that he would have drawn in the previous post which he was holding in a temporary capacity, but he shall continue to draw the pay in the time-scale of the service or post.

(6) Notwithstanding anything contained in these rules, where a municipal servant holding a post in a substantive, temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by one increment his pay in respect of the lower post by one increment at the stage at which such pay has accrued :

Provided that where a municipal servant is immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time-scale of the lower post, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by an amount equal to the last increment in the time-scale of the lower post :

Provided that if a municipal servant either—

(a) has previously held substantively, or officiated in—

(i) the same post, or

(ii) a permanent or temporary post on the same time-scale, or

(iii) a permanent post other than a tenure post, or a temporary post on an identical time-scale; or

(b) is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated; then proviso to sub-rule (3) of this rule shall apply in the matter of the initial fixation of pay and counting of previous service for increment.

(7) The holder of a post, the pay of which is changed, shall be treated as if he were transferred to a new post on the new pay; provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale, or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised is final.

(8) An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from a municipal servant by the Commissioner if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment the Commissioner shall state the period for which it is withheld, and whether the postponement shall have the effect postponing the future increments.

(9) Where an efficiency bar is prescribed in a time-scale, the increment next above the bar shall not be given to a municipal servant without the specific sanction of the Director.

(10) The following provisions prescribe the conditions on which service counts for increments in a time-scale:—

(a) All duty in a post on a time-scale counts for increments in that time-scale:

Provided that, for the purpose of arriving at the date of the next increment in that time-scale, the total of all such periods as do not count for increment in that time-scale, shall be added to the normal date of increment.

(b) (i) Service in another post, other than a post carrying less pay referred to in clause (a) of sub-rule (12) of rule 4, whether in a substantive or officiating capacity, and leave except extraordinary leave taken otherwise than on medical certificate shall count for increments in the time-scale applicable to the post on which the municipal servant holds a lien, as well as in the time-scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended.

(ii) All leave except extraordinary leave taken otherwise than on medical certificate shall count for increment in the time-scale applicable to a post in which a municipal servant was officiating at the time he proceeded on leave and would have continued to officiate but for his proceeding on leave:

Provided that the Commissioner may, in any case, in which he is satisfied that the extraordinary leave was taken for any cause beyond the municipal servant's control or for prosecuting higher scientific and technical studies, direct that extraordinary leave shall be counted for increments under sub-clause (i) or (ii).

(c) (i) If a municipal servant, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is reappointed to the lower post or is appointed or reappointed to a post on the same time-scale of pay, count for increments in the time-scale applicable to

such lower post. The period of officiating service in the higher post which counts for increment in the lower post is, however, restricted to the period during which the municipal servant would have officiated in the lower post but for his appointment to the higher post. This clause applies also to a municipal servant who is not actually officiating in the lower post at the time of his appointment to the higher post but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

(ii) If a municipal servant on reversion from an ex-cadre post to the parent cadre is appointed to a post on a scale lower than that of the ex-cadre post but not on the same time-scale as the post held at the time of his transfer to the ex-cadre post the service rendered on the higher scale in the ex-cadre post shall count for increments in the time-scale applicable to the cadre post subject to the same conditions as are laid down for cases falling under proviso A (iii) to sub-rule (3) of this rule.

(d) Joining time counts for increment if it is under rule 8 in the time-scale applicable to the post on which a municipal servant holds a lien or would hold a lien had his lien not been suspended as well as in the time-scale applicable to the post, the pay of which is received by a municipal servant during the period.

Explanation.—For the purposes of this sub-rule, the period treated as duty under sub-clause (2) of clause (d) of rule 3 shall be deemed to be duty in a post if the municipal servant draws pay of that post during such period.

(11) Subject to any general or special orders that may be made by the Government in this behalf, the Government may grant a premature increment to a municipal servant on a time-scale of pay.

(12) The authority which orders the transfer of a municipal servant as a penalty from a higher to a lower grade or post may allow him to draw any pay, not exceeding the maximum of the lower grade or post, which it may think proper :

Provided that the pay allowed to be drawn by a municipal servant under this sub-rule shall not exceed the pay which he would have drawn by the operation of sub-rule (3) read with clause (b) or clause (c) as the case may be, of sub-rule (10) of this rule.

(13) (a) If a municipal servant is reduced as a measure of penalty to a lower stage in his time-scale the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration the period of reduction shall operate to postpone future increments and, if so, to what extent.

(b) If a municipal servant is reduced as a measure of penalty to a lower service, grade or post or to a lower time-scale, the authority ordering the reduction may or may not specify, the period for which the reduction shall be effective ; but where the period is specified that authority shall also state whether on restoration the period of reduction shall operate to postpone future increments and, if so, to what extent.

(14) Where an order of penalty of withholding of increment of a municipal servant or his reduction to a lower service/grade or post or to a lower time-scale or to a lower stage in a time-scale, is set aside or modified by a competent authority on appeal or review the pay of the municipal servant shall notwithstanding anything contained in these rules be regulated in the following manner :—

(a) If the said order is set aside he shall be given for the period such order as has been in force the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn ;

(b) If the said order is modified, the pay shall be regulated as if the order as so modified had been made in the first instance.

Explanation.—If the pay drawn by a municipal servant in respect of any period prior to the issue of the orders of the competent authority under this sub-rule is revised, the leave salary and allowances (other than travelling allowance) if any, admissible to him during that period shall be revised on the basis of the revised pay.

(15) Pay of officiating municipal servants—

(a) Subject to the provisions of rule 7, a municipal servant who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, other than a tenure post, unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching to the post other than a tenure post on which he holds a lien or would hold a lien had his lien not been suspended.

(b) For the purposes of this sub-rule the officiating appointment shall not be deemed to involve the assumption of duties or responsibilities of greater importance if the post to which it is made is on the same scale of pay as the permanent post other than a tenure post on which he holds a lien or would hold a lien had his lien not been suspended, or on a scale of pay identical therewith.

(16) Subject to the provision of sub-rule (15) and sub-rule (19) of this rule, a municipal servant who is appointed to officiate in a post will draw the presumptive pay of that post.

(17) Notwithstanding the provisions contained in these rules, the pay of a municipal servant whose promotion or appointment to a post is found to be or to have been erroneous, shall be regulated in accordance with any general or special orders issued by the Government in this behalf.

(18) When a municipal servant officiates in a post the pay of which has been fixed at a rate personal to another municipal servant, the Director may permit him to draw pay at any rate not exceeding the rate so fixed or if the rate so fixed be a time-scale may grant him initial pay not exceeding the lowest stage of that time-scale and future increments not exceeding those of the sanctioned scale.

(19) The Director may fix the pay of an officiating municipal servant at an amount less than that admissible under these rules.

(20) The Director may issue general or special orders allowing acting promotions to be made in the place of municipal servants who are treated as on duty under 3 (d) (2).

(21) **Personal pay.**—Except when the authority sanctioning it orders otherwise personal pay shall be reduced by any amount by which recipient's pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

6. Additions to pay.—(1) Fees:—Subject to any special or general order issued by the Director under sub-rule (4) of this rule a municipal servant may be permitted if this can be done without detriment to his official duties and responsibilities, to perform a specified service or series of services for a private person or body or for a public body and to receive a remuneration therefor, if the service be material a non-recurring or recurring fee.

(2) **Honoraria:**—The Director may grant or permit a municipal servant to receive an honorarium as remuneration for work performed which is occasional or intermittent in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons which should be recorded in writing exist for a departure from this provision, sanction to the grant of acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the Director and its amount has been settled in advance.

(3) Fees and Honoraria.—In the case of both fees and honoraria, the sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in sub-rule (5) of rule 4 and shall record also the reasons which in his opinion justify the grant of the extra remuneration.

(4) The Director may by special or general orders prescribe the conditions and limits subject to which honorarium may be granted or accepted and subject to which a fee may be accepted by the municipal servant.

(5) Any municipal servant is eligible to receive and except as otherwise provided by a general or special order of the Director, to retain without special permission—

(a) the premium awarded for any essay or plan in public competition ;

(b) any reward offered for the arrest of a criminal or for information or special service in connection with the administration of justice ;

(c) any reward in accordance with the provisions of any Act or regulation or rules framed thereunder ;

(d) any reward sanctioned for services in connection with the administration of the customs and excise laws ; and

(e) any fees payable to a municipal servant for duties which he is required to perform in his official capacity under any special or local law or by order of Government.

(6) A municipal servant whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, cause or permit any other person to apply for or obtain a patent for an invention made by such municipal servant save with the permission of the Director and in accordance with such conditions as the Director may impose.

(7) If a question arises whether a municipal servant is a municipal servant to whom sub-rule (6) of this rule applies, the decision of the Director shall be final.

7. Combination of appointments.—The municipal council may appoint a municipal servant already holding a post in a substantive or officiating capacity to officiate as a temporary measure, in one or more of other independent posts at one time in the municipality. In such cases, his pay is regulated as follows:—

(i) where a municipal servant is formally appointed to hold full charge of the duties of a higher post in the same municipal office as his own and in the same cadre/line of promotion in addition to him, if he is appointed to officiate in the higher post, unless the competent authority reduces his officiating pay under sub-rule (19) of rule 5; but no additional pay shall, however, be allowed for performing the duties of a lower post;

(ii) where a municipal servant is formally appointed to hold dual charges of two posts in the same cadre in the same office carrying identical scales of pay, no additional pay shall be admissible irrespective of the period of dual charges:

Provided that if the municipal servant is appointed to an additional post which carries a special pay he shall be allowed such special pay;

(iii) where a municipal servant is formally appointed to hold charge of another post or posts which is or are not in the same office, or which, though in the same office is or are not in the same cadre/line of promotion, he shall be allowed the pay of the higher post or of the highest post if he holds charge of more than two posts, in addition to ten per cent of the presumptive pay of the additional post or posts, if the additional charge is held for a period exceeding 39 days but not exceeding 3 months:

Provided that if in any particular case, it is considered necessary that the municipal servant should hold charge of another post or posts for a period exceeding 3 months the concurrence of the Director shall be obtained for the payment of the additional pay beyond the period of 3 months;

(iv) no additional pay shall be admissible to a municipal servant who is appointed to hold current charge of the routine duties of another post or posts irrespective of the duration of the additional charge;

(v) if compensatory or sumptuary allowances are attached to one or more of the posts, the municipal servant shall draw such compensatory or sumptuary allowances as the Director may fix:

Provided that such allowances shall not exceed the total of the compensatory and sumptuary allowances attached to all the posts.

8. **Joining time.**—(1) Joining time shall be granted to a municipal servant on transfer in public interest to enable him to join the new post either at the same or a new station. No joining time is admissible in cases of temporary transfer for a period not exceeding 180 days. Only the actual transit time, as admissible in case of journeys on tour may be allowed.

(2) The joining time shall commence from the date of relinquishment of charge of the old post if the charge is made over in the forenoon or the following date if the charge is made over in the afternoon.

(3) The joining time shall be calculated from old headquarters in all cases including where a municipal servant receives his transfer orders or makes over charge of the old post in a place other than his old headquarters, or where the headquarters of a municipal servant while on tour is changed to the tour station itself or where his temporary transfer is converted into permanent transfer.

(4) Not more than one day's joining time shall be allowed to a municipal servant to join a new post within the municipality.

(5) In cases involving transfer from one station to another and also involving change of residence, the municipal servant shall be allowed 10 days joining time.

(6) When a municipal servant joins the new post without availing of the full joining time the number of days of joining time as admissible under sub-rule (5) of this rule subject to the maximum of 10 days, reduced by the number of days actually availed of shall be credited to his leave account as earned leave.

(7) Joining time may be combined with regular leave of any kind except casual leave.

(8) If a municipal servant in transit on transfer is directed to proceed to a place different from that indicated in the initial transfer orders, he shall be entitled to joining time already availed of upto the date of receipt of revised orders plus fresh spell of full joining time from the date following the date of receipt of the revised orders. The fresh spell of joining time in such cases shall be calculated from the place at which he received the revised orders as if he is transferred from that place.

(9) A municipal servant on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled to dearness allowance, if any, appropriate to the joining time pay. In addition, he can also draw compensatory allowance like house rent allowance as applicable to the old station from which he was transferred. He shall not be allowed conveyance allowance or permanent travelling allowance.

9. Records of service.—(1) A service book in such form as the Director may prescribe must be maintained for every municipal servant holding a substantive post on a permanent establishment or officiating in a post or holding a temporary post.

(2) Such service book shall be maintained for a municipal servant from the date of his first appointment to municipal service. It must be kept in the custody of the Commissioner.

(3) Every step in a municipal servant's official life must be recorded in his service book and each entry must be attested by the Commissioner. The Commissioner must see that all entries are duly made and attested and that the book contains no erasure or overwriting all corrections being neatly made and properly attested.

(4) Every period of suspension from employment and every other interruption of service must be noted, with full details of its duration, in an entry made across the page of the service book and must be attested by the Commissioner. It is the duty of the Commissioner to see that such entries are promptly made.

(5) Personal certificates of character must not, unless the Director so directs, be entered in a service book, but, if a municipal servant is reduced to a lower substantive post, the reason of the reduction must be briefly shown.

(6) It shall be the duty of the Commissioner to initiate action to show the service book to the municipal servants under his control every year and to obtain their signature therein in token of their having inspected the service books. A certificate to the effect that he has done so in respect of the preceding financial year should be submitted by him to the Director by the end of every September. The municipal servants shall *inter alia* ensure before affixing their signature that their services have been duly verified and certified as such.

10. **Removal of doubts.**—If any doubt arises as to the interpretation of any of the provisions of these rules the matter shall be referred to the Government or such authority as may be specified by the Government by a special or general order and the Government or such authority shall decide the same.

11. **Power to issue direction.**—The Government may, from time to time, issue any directions consistent with the provisions of these rules, by a special or general order, under any of the provisions of these rules for giving effect to the provisions of these rules.

12. **Delegation of powers.**—The Government may, by general or special order, direct that any power exercisable by it under these rules shall subject to such conditions, if any, as may be specified in the order be exercisable also by such officer or authority as may be specified in the order.

13. **Savings.**—All cases of fixation of pay pending at the commencement of these rules or the cases of which pay fixed before the commencement of these rules but after 1st January, 1975 shall be made or reviewed and refixed, as the case may be, in accordance with these rules, as if such pay had been fixed or refixed under these rules.

(G. O. Ms. No. 9 dated 3rd January 1984 of the Local Administration Department—Published in the Extraordinary Gazette No. 2, dated 28th February, 1984.)

12. The Pondicherry Municipal Services (Temporary Service) Rules, 1984

In exercise of the powers conferred by sub-section (2) of section 114 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Pondicherry Municipal Services (Temporary Service) Rules, 1984.

(2) They shall come into force from the date of their publication in the official gazette. (17-10-1984).

2. Categories of municipal servants to whom the rules apply.—(1) Save as otherwise provided by or under these rules shall apply to persons appointed to municipal services and posts in connection with the affairs of the municipality.

(2) These rules shall not apply to—

(a) Government servants borne on provincialised common cadre or on deputation to local body ;

(b) Persons not in whole-time employment ;

(c) Persons paid out of contingencies ;

(d) Persons paid otherwise than an monthly basis including those paid only on a piece-rate basis ;

(e) Persons employed on contract except where the contract provides otherwise ;

(f) Persons re-employed in municipal services after retirement ;

(g) Any other class or category of persons whom the Government may by order specifically exclude from the operation of all or any of the provisions contained in these rules.

3. Definitions.—In these rules, unless the context otherwise requires,—

(a) "act" means the Pondicherry Municipalities Act, 1973 ;

(b) "appointing authority" in relation to a municipal servant means the municipal Council constituted under section 7 of the Act ;

(c) "quasi-permanent service" means temporary service commencing from the date on which a declaration made under rule 4 takes effect and consist of periods of duty and leave (other than extraordinary leave) after the date ;

(d) "section" means a section of the Act;

(e) "specified post" means the particular post, or the particular grade of posts within a cadre in respect of which a municipal servant is declared to be quasi-permanent under rule 4;

(f) "temporary service" means the service of a temporary municipal servant in a temporary post, under the Municipal Council.

4. When a municipal servant shall be deemed to be quasi-permanent.—A municipal servant shall be deemed to be in quasi-permanent service,—

(i) if he has been in continuous temporary service for more than three years; and

(ii) if the appointing authority, being satisfied, having regard to the quality of his work, conduct and character as to his suitability for employment in a quasi-permanent capacity under the Municipal Council has made a declaration to that effect.

5. Declaration under rule 4 to specify the post.—A declaration made under rule 4 shall specify the particular post or the particular grade of post within a cadre, in respect of which it is made and the date from which it shall take effect.

6. Termination of temporary service.—(1) (a) The service of a temporary municipal servant who is not in quasi-permanent service shall be liable to termination at any time by a notice in writing given either by the municipal servant to the appointing authority or by the appointing authority to the municipal servant;

(b) The period of such notice shall be one month:

Provided that the service of any such municipal servant may be terminated forthwith and on such termination the municipal servant shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of the

notice at the same rates at which he was drawing them immediately before the termination of his service, or, as the case may be, for the period by which such notice falls short of one month.

Note:—The following procedure shall be adopted by the appointing authority while serving notice on such municipal servant under clause (a):—

(i) The notice shall be delivered or rendered to the municipal servant in person ;

(ii) Where personal service is not practicable, the notice shall be served on such municipal servant by registered post acknowledgment due at the address of the municipal servant available with the appointing authority. If the notice sent by registered post is returned unserved, it shall be published in the official gazette and upon such publication, it shall be deemed to have been personally served on such municipal servant on the date it was published in the official gazette.

(2) (a) Where a notice is given by the appointing authority terminating the services of a temporary municipal servant, or where the services of any such municipal servant is terminated either on the expiry of the period of such notice or forthwith by payment of pay plus allowances, the Director on his own motion or otherwise, re-open the case and after calling for the records of the case and after making such inquiry as he deems fit,—

(i) confirm the action taken by the appointing authority ;

(ii) withdraw the notice ;

(iii) reinstate the municipal servant in service ; or

(iv) make such other order in the case as he may consider proper :

Provided that except in special circumstances, which should be recorded in writing, no case shall be reopened under this sub-rule after the expiry of three months,—

(i) from the date of notice, in a case where notice is given;

(ii) from the date of termination of service, in a case where no notice is given.

(b) Where a municipal servant is reinstated in service under clause (a) of this sub-rule, the order of reinstatement shall specify,—

(i) the amount or proportion of pay and allowances if any, to be paid to the municipal servant for the period of his absence between the date of termination of his services and the date of his reinstatement; and

(ii) whether the said period shall be treated as a period spent on duty for any specified purpose or purposes.

7. Termination of temporary service on account of physical unfitness.—Notwithstanding anything contained in rule 6, the services of a temporary municipal servant who is not in quasi-permanent service may be terminated at any time without notice on his being declared physically unfit for continuance in service by an authority who would have been competent to declare him as permanently incapacitated for service had his appointment been permanent.

8. Termination of quasi-permanent service.—(1) The services of a municipal servant in quasi-permanent service, shall be liable to termination,—

(i) in the same circumstances and in the same manner as a municipal servant in permanent service, or

(ii) when the appointing authority concerned has certified that a reduction has occurred in the number of posts available for municipal servants not in permanent service:

Provided that the services of a municipal servant in quasi-permanent service shall not be liable to termination under clause (ii) so long as any post of the same grade and under the same appointing authority as the specified post held by the

municipal servant in quasi-permanent service continues to be held by a municipal servant not in permanent or quasi-permanent service :

Provided further that as among municipal servants in quasi-permanent service whose specified posts are of the same grade and under the same appointing authority termination of service consequent on reduction of posts shall ordinarily take place in order of juniority :

Provided further that when the services of a quasi-permanent municipal servant are terminated under clause (ii) he shall be given three months notice and if, in any case, such notice is not given then with the sanction of the authority competent to terminate the services of such municipal servant a sum equivalent to his pay plus allowances for the period of notice, or as the case may be, for the period by which the notice actually given to him falls short of three months, shall be paid to him at the same rates at which he was drawing them immediately before the termination of his services, and if he is entitled to any gratuity such gratuity shall not be paid for the period in respect of which he receives a sum in lieu of notice.

(2) Nothing in this rule shall affect any special instructions issued by Government regarding the manner and the order in which temporary Government servants belonging to any scheduled caste or scheduled tribe may be discharged.

9. Leave, allowances, etc., of a municipal servant in quasi-permanent service.—A municipal servant in quasi-permanent service and holding a specified post shall, as from the date on which his services are declared to be quasi-permanent, be entitled to the same conditions of service in respect of leave, allowances and disciplinary matters as a municipal servant in permanent service holding the specified post is entitled to.

10. Terminal gratuity payable to temporary municipal servants.—(1) A temporary municipal servant who retires on

superannuation or is discharged from service or is declared invalid for further service shall be eligible for gratuity at the rate of,—

(a) one-half of a month's pay for each completed year of his service, if he had completed not less than five years' continuous service at the time of retirement, discharge or invalidment;

(b) one month's pay for each completed year of his service, subject to a maximum of fifteen months' pay or fifteen thousand rupees, whichever is less, if he had completed not less than ten years' continuous service at the time of retirement, discharge or invalidment;

subject to the condition of service rendered by the the municipal servant concerned being held by the authority competent to appoint him to be satisfactory :

Provided that where the service rendered by such municipal servant is not held by the authority competent to appoint him to be satisfactory, such authority may, by order and for reasons to be mentioned therein, make such reduction in the amount of gratuity as it may consider proper :

Provided further that, before passing an order under the foregoing proviso, the competent authority shall serve or cause to be served a notice upon the person concerned specifying the reduction proposed to be made in the amount of gratuity on account of his unsatisfactory service under the municipality and call upon such person to submit, within fifteen days of the receipt of the notice or such further time as may be allowed by that authority, such representation as the person concerned may wish to make against the proposed order and take into consideration the representation, if any, submitted by such person.

(2) In the case of temporary municipal servant who is compulsorily retired from service as a disciplinary measure the provisions of sub-rule (1) shall apply subject to the modification that the rate of gratuity payable in his case shall not

be less than the two-thirds of, but in no case exceeding the rate specified in clause (a) or as the case may be, clause (b) of sub-rule (1).

3. **Death gratuity.**—In the event of the death of a temporary municipal servant while in service, his family shall be eligible for a death gratuity on the scale and subject to the conditions specified below:—

(a) if the death takes place after completion of one year's service but before completion of three years' service, a gratuity equal to one month's pay;

(b) if the death takes place after completion of three years' service but before completion of five years' service a gratuity equal to two month's pay;

(c) if the death takes place after completion of five years' but before completion of ten years' service a gratuity equal to three months' pay or the amount of the terminal gratuity as calculated under sub-rule (1), whichever is more;

(d) if the death takes place after completion of ten years' service or more, a gratuity equal to one month's pay for each completed year of service subject to a maximum of fifteen months' pay or fifteen thousand rupees, whichever is less.

(4) No gratuity shall be admissible under this rule to a municipal servant,—

(a) who resigns his post or who is removed or dismissed from service as a disciplinary measure;

(b) who is re-employed after retirement on superannuation or retiring pension.

(5) Where gratuity under this rule is paid to or in respect of a municipal servant who is not covered by rule 54 of the Central Civil Services (Pension) Rules, 1972, as applicable to the municipal servant, no other gratuity or pensionary benefit is payable.

(6) For the purpose of this rule and rule 11,—

(a) gratuity shall be calculated on the basis of average of the last ten months' pay ;

(b) 'pay' shall mean pay as defined in the Pondicherry Municipal Services Fundamental Rules, 1984 ;

(c) period of extraordinary leave, if any, availed of by the municipal servant concerned shall be taken into account for computing the completed service on the same basis as it is taken into account for the purposes of the calculation of pension and death-cum-retirement gratuity under rule 21 of the Central Civil Services (Pension) Rules, 1972, as amended from time to time and as applicable to the municipal servants.

11. Terminal gratuity payable to a municipal servant in quasi-permanent service.—(1) A municipal servant in quasi-permanent service shall, if his service are terminated otherwise than as a disciplinary measure or by resignation, be eligible for gratuity at the rate of,—

(a) one-half of a month's pay for each completed year of his service, if he had completed not less than five years' continuous permanent service at the time of termination ;

(b) one month's pay for each completed year of his service, subject to a maximum of fifteen months' pay or fifteen thousand rupees, whichever is less, if he had completed not less than ten years' continuous service at the time of termination ;

subject to the condition of service rendered by the municipal servant concerned being held by the authority competent to appoint him to be satisfactory :

Provided that where the service rendered by such municipal servant is not held by the authority competent to be satisfactory, such authority may, by order for reasons to be mentioned therein, make such reduction in the amount of gratuity as it may consider proper :

Provided further that, before passing an order under the foregoing proviso, the competent authority shall serve or cause to be served a notice upon the person concerned specifying the reduction proposed to be made in the amount of gratuity on account of his unsatisfactory service, under the municipality and call upon such person to submit, within fifteen days of the receipt of the notice or such further time as may be allowed by that authority, such representation as the person concerned may wish to make against the proposed order and take into consideration, the representation, if any, submitted by such person.

(2) In the case of a municipal servant in quasi-permanent service who is compulsorily retired from service as a disciplinary measure, the provisions of sub-rule (1) shall apply subject to the modification that the rate of gratuity payable in his case shall not be less than two-thirds of, but in no case exceeding the rate specified in clause (a) or, as the case may be, clause (b) of sub-rule (1).

(3) **Death gratuity.**— In the event of the death of a quasi-permanent municipal servant while in service, his family shall be granted gratuity on the following scale:

(i) if the death takes place after completion of three years but before completion of five years of total continuous service, a gratuity equal to three months' pay;

(ii) if the death takes place after five years but before completion of ten years' total continuous service a gratuity equal to four months' pay or gratuity under sub-rule (1) above, whichever is more;

(iii) if the death takes place after completion of ten years of total continuous service or more, a gratuity equal to one month's pay for each completed year of continuous service subject to a maximum of fifteen months' pay or fifteen thousand rupees, whichever is less.

(4) No gratuity shall be admissible under this rule to a municipal servant,—

(a) who resigns his post or who is removed or dismissed from service as a disciplinary measure;

(b) who is re-employed after retirement, on superannuation or retiring pension.

(5) Where gratuity under this rule is paid to or in respect of a municipal servant who is not covered by rule 54 of the Central Civil Services (Pension) Rules, 1972, as applicable to the municipal servants, no other gratuity or pensionary benefit is payable.

(6) For the purpose of this rule, "continuous service" means the total service including spells of quasi-permanent and temporary services.

(G. O. Ms. No. 233 dated 22-8-1984 of the LAD, Published in the Extraordinary Gazette No. 24, dated 17-10-1984)

13. The Pondicherry Municipal Subordinate Services (Grant of Fan Advance) Rules, 1984.

In exercise of the powers conferred by sub-section (2) of section 68 of the Pondicherry Village and Commune Panchayats Act, 1973 (No. 10 of 1973) and of all other powers enabling him, in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Commune Panchayat Subordinate Services (Grant of Fan Advance) Rules, 1984.

(2) They shall come into force from the date of their publication in the official gazette. (17-10-84).

2. Categories of commune panchayat servants to whom the rules apply.—(1) Save as otherwise provided by or under

these rules, these rules shall apply to persons appointed to commune panchayat services and posts in connection with the affairs of the commune panchayat.

(2) These rules shall not apply to,—

(a) Government servants borne on provincialised common cadre;

(b) Persons not in whole-time employment;

(c) Persons paid out of contingencies;

(d) Persons paid otherwise than on a monthly basis including those paid only on a piece-rate basis;

(e) Persons employed on contract except where the contract provides otherwise;

(f) Persons re-employed in commune panchayat services after retirement;

(g) Any other class or category of persons whom the Government may by order specifically exclude from the operation of all or any of the provisions contained in these rules.

3. Definitions.—In these rules, unless the context otherwise requires,—

(a) "commune panchayat servant" include an officer or servant holding a post under a Commune Panchayat Council but not a part-time employee or staff or person paid from contingencies;

(b) "pay" means the pay as defined under clause (m) of sub-rule (2) of rule 2 of the Pondicherry Commune Panchayat Services Fundamental Rules, 1984.

4. Power of sanction.—The Commissioner may with the approval of the Commune Panchayat Council sanction an advance to Group 'D' commune panchayat employees for the purchase of a fan.

5. Conditions of eligibility.—An advance under these rules may be granted to a commune panchayat servant who is living in a house which is provided with electricity and has a plug point and who does not already have a fan in the house.

Note: The advance should not be granted to a commune panchayat servant who is under suspension.

6. Amount of advance.—The amount of advance which may be granted to a commune panchayat servant shall not exceed rupees two hundred or the anticipated price of the fan, whichever is less.

Note: If the actual price paid is less than the advance taken, the balance should forthwith be refunded to the commune panchayat.

7. Form of application.—Applications for advance for the purchase of a fan shall be in the form appended to these rules.

8. Grant of second advance.—A second advance shall not ordinarily be granted to a commune panchayat servant within 10 years of the grant of the previous advance.

Note: An entry about the grant of fan advance should be kept in the Service Book of the official concerned so as to enable the sanctioning authority to ensure that this condition is satisfied.

9. Conditions to be fulfilled after advance is taken.—A commune panchayat servant who draws an advance under these rules, should within one month from the date on which he has drawn the advance, furnish a certificate giving full particulars of the fan purchased with advance, and the cash receipt, obtained for the amount actually paid for it. The Commissioner may, in an exceptional case, extend the period of one month up to two months. If the fan is not purchased within the stipulated period, the full amount of the advance

drawn, with interest thereon, must be forthwith refunded to the commune panchayat. The conditions should always be mentioned in the order sanctioning the advance.

10. Recovery of advance.—The amount of advance granted to a commune panchayat servant shall be recovered from him in such number of equal monthly instalments as he may elect, but such number shall not be more than ten.

Note: The recovery of the amount of advance shall commence with the first issue of pay after the advance is drawn.

11. Recovery of interest.—(1) Simple interest at such rates as may be fixed by Government from time to time shall be charged on advances granted to a commune panchayat servant for the purchase of a fan. Such interest shall be calculated on the balance outstanding on the last day of each month.

(2) The amount of interest calculated under sub-rule (1) of this rule shall be recovered in the minimum number of monthly instalments, the amount of each such instalment being not greater than the amount of the instalment fixed under rule 10.

(3) The recovery of the amount of interest shall commence from the month immediately following that, in which the repayment of the advance for the purchase of a fan, is completed.

12. Table fan to be considered commune panchayat property till advance with interest is repaid.—The fan purchased with the advance shall be considered as the property of the Commune Panchayat Council till the advance with interest accrued thereon has been fully repaid. A provision to this effect should be included in the order sanctioning the advance.

13. Conditions for the grant of advance to a commune panchayat servant in temporary capacity.—(1) An advance from the commune panchayat funds shall not be granted to a

commune panchayat servant in a temporary capacity except as provided under sub-rule (2) of this rule and the grant of the advance shall be subject to such general or special instructions as may be issued from time to time by the Director of Local Administration Department.

(2) A commune panchayat servant in temporary capacity may be granted an advance from the commune panchayat funds provided he furnishes along with the application for the grant of such advance a surety bond as has been prescribed under rule 8 of the Pondicherry Commune Panchayat Subordinate Services (Grant of Cycle Advance) Rules, 1976 from a permanent commune panchayat servant having a status comparable to or higher than that of the commune panchayat servant who applied for the advance.

(3) If a commune panchayat servant in temporary capacity is granted an advance for the purchase of a fan, but ceases to be in commune panchayat service before the amount of the advance and the interest thereon is completely repaid, the balance shall to the extent possible be adjusted against the pay and allowances due to commune panchayat servant. Any amount, as then remains unpaid shall be recovered forthwith from the surety.

14. Grant of advance to a commune panchayat servant due to retire or likely to be terminated.—If an advance is granted to a commune panchayat servant who is due to retire or whose services are likely to be terminated within the maximum period prescribed for its repayment the number of instalments shall be so regulated that the repayment of advance with interest, if any, is completed before retirement or termination of service, as the case may be.

15. Availability of funds.—No sanction for the payment of an advance shall be issued unless the Commissioner is satisfied himself with the availability of funds in the budget of the year in which the amount of the advance is to be sanctioned. Every such sanction should clearly indicate that funds are available in the budget under relevant head of account.

16. Detailed accounts of individual advance.—Subject to such general or special orders as may be issued by the Auditor of Accounts of receipts and expenditure of the commune panchayat funds, detailed accounts of advance should be maintained by the Commissioner who shall watch their recovery and see that the conditions attached to each advance are fulfilled.

FORM

(See rule 7)

Application form for the grant of advance for the purchase of fan

1. Name of applicant :
2. Designation and the Commune Panchayat Office in which working :
3. Residential address :
4. Date of superannuation or retirement :
5. Amount of advance required :
6. Number of instalments in which the amount of the advance is desired to be refunded :
7. Whether advance for similar purpose was obtained previously and if so—
 - (i) date of drawal of the advance :
 - (ii) the amount of advance and/or interest thereon still outstanding, if any :
8. Certified that I am not already in possession of a fan in my house. Certified that the house in which I am living has been provided with electricity and a plug for the use of a fan.

Place :

Signature of applicant.

Date :

((G. O. Ms. No. 237, dated 25th August 1984 of the Local Administration Department—Published in the Extraordinary Gazette No. 24, dated 17th October, 1984))

14. Forms under the Pondicherry Municipal Servants (Conduct) Rules 1980

In pursuance of rule 19 of the Pondicherry Municipal Servants (Conduct) Rules, 1980, the Lieutenant-Governor, Pondicherry hereby prescribes the forms as in the annexure for the purposes of the said rules in respect of municipal servants.

ANNEXURE

FORM—I

(See rule 19)

Form for intimation/seeking sanction of the competent authority in respect of transactions/proposed transactions in immovable/movable property (other than for building of or additions and alterations to a house) as required under rule 19 of the Pondicherry Municipal Servants (Conduct) Rules, 1980.

(While filling up this form, delete the words which are not applicable. Also give the appropriate answer to each question/items, dots and dashes are not to be used).

1. Name of the municipal servant :
(in BLOCK LETTERS) :
2. Date of joining municipal service :
3. (a) Substantive grade/post :
(b) Date of confirmation :
(c) Scale of pay :
(d) Substantive pay :
4. (a) Officiating grade/post held at present, if
any :
- (b) Date from which continuously officiat-
ing in the present grade/post :
- (c) Scale of pay :
- (d) Present pay drawn :

5. Whether the application/intimation is in respect of acquisition/disposal of property; and what is the nature of property :
6. If the property has already been acquired/disposed of, the actual date of the transaction :
7. In case of immovable property—
 - (a) Full details about its location, viz., Municipal No., Street/Village, Taluk, District and State in which situated :
 - (b) Description of the property, in the case of cultivable land, dry or garden land :
 - (c) Whether freehold or leasehold :
 - (d) Whether the applicant's interest in the property is in full or in part. (In case of partial interest, the extent of such interest must be indicated) :
 - (e) Mode of acquisition/disposal (Purchase/sale, gift, mortgage, lease or otherwise) :
8. In case of movable property—
 - (a) Description of the property (e.g., Car/Scooter/Motor Cycle/Refrigerator/Radio/Radiogram / Jewellery/ Loans/ Insurance policies, etc.) :
 - (b) Make, model (and also registration No. in case of vehicles) where necessary :
9. Sale/Purchase price of the new property (Market value in the case of gifts) :
10. In case of acquisition, source or sources from which financed/proposed to be financed
 - (a) Personal savings :
 - (b) Other sources giving details :

11. In case of disposal of property, was requisite sanction/intimation obtained/given for its acquisition (a copy of the sanction/acknowledgment should be attached) :
12. (a) Name and address of the party with whom transaction is proposed to be made/has been made :
- (b) Is the party related to the applicant? If so, state the relationship :
- (c) Did the applicant have any dealings with the party in his official capacity at any time, or is the applicant likely to have any dealings with him in the near future?
13. Was/is the transaction made/proposed to be made through a regular or reputed dealer? If so, full name and address of the dealer :
14. Any other relevant facts which the applicant may like to mention :

DECLARATION

I, hereby declare that the particulars given above are true. I request that I may be given permission to acquire/dispose of property as described above from/ to the party whose name is mentioned in item 12 above.

OR

I, hereby intimate the acquisition/disposal of property by me as detailed above through the dealer whose address is furnished against item 13. I declare that the particulars given above are true.

Station :

Signature :

Date :

Designation :

N.B.—The appropriate declaration will be used. The one not applicable will be struck out.

FORM-2

(See rule 19)

Form of Report/Application for permission to the prescribed authority for the building of or addition to a house

Date

From

To

Sir,

*This is to report to you that I propose to build a house/ to make an addition to my house.

*This is to request that permission may be granted to me for the building of a house/the addition to the house.

The estimated cost of the land and material for the construction/extension is given below :

Land—

(1) Location—

Survey nubmer

Village

District

State

(2) Area

(3) Cost

Sl.No.	Building materials etc.	Rate	Quantity	Cost
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Rs,

1. Bricks

2. Cement

3. Iron and steel

4. Timber

5. Sanitary fittings

6. Electrical fittings

7. Any other special fittings

8. Labour charges

9. Other charges, if any

Total cost of land and building Rs.

*2. The construction will be supervised by myself/the construction will be done by

*I do not have any official dealings with the contractor nor did I have any official dealings with him in the past.

*I have/had official dealings with contractor and the nature of my dealing with him is/was as under.

3. The cost of the proposed construction will be met as under:—

	Amount Rs.
(i) Own savings	
(ii) Loans/Advances with full details	
(iii) Other sources with details	

Yours faithfully,

*Strike out the portions not applicable.

†Enter the name and place of business of the contractor.

FORM-3

(See rule 19)

Form of report to the prescribed authority after completion of the building/extension of a house.

Date

From

To

Sir,

*In my letter No. dated I had reported that I proposed to build a house.

*Permission was granted to me in Order No. dated for the building of a house.

The house has since been completed and I enclose a Valuation Report, duly certified by†

2. The cost of construction indicated in the enclosed Valuation Report was financed as under :—

	Amount
	Rs.
(i) Own savings	
(ii) Loans/Allowances with details	

Yours faithfully,

NOTE :— Variations, if any, between the figures given above and figures given in Form-2 may be explained suitably.

*Strike out the portion not applicable.

†A firm of Civil Engineers or Civil Engineer of repute,

Valuation Report

I/We hereby certify that I/we have valued house*

 constructed by Thiru/Thirumati†
 and I/we give below the value at which I/we estimate the cost of the house under the following headings.

Heading	Cost
	Rs.
1. Bricks	
2. Cement	
3. Iron and steel	
4. Timber	
5. Sanitary fittings	
6. Electrical fittings	
7. All other special fittings	
8. Labour charges	
9. All other charges	

Total cost of the building

Date : _____ Signature and designation
 _____ of the valuation authority.

*Here enter details of the house.

†Here enter name, etc. of the municipal servant.

FORM—4

(See rule 19)

Statement of immovable property on first appointment for the year.....

1. (i) Name of the municipal servant
(ii) Municipality in which he is working
2. Present post held
3. Present pay

Name of district, sub-division, taluk and village in which the property is situated	Name and details of property			If not in own name, state in whose name held, and his/her relationship to the municipal servant
	Housing and other building	Lands	* Present value	
(1)	(2)	(3)	(4)	(5)

How acquired—whether by purchase, lease † mortgage, inheritance, gift or otherwise, with date of acquisition and name with details of persons from whom acquired	Annual income from the property	Remarks
(6)	(7)	(8)

* In case where it is not possible to assess the value accurately, the approximate value in relation to present conditions may be indicated.

† Includes short-term lease also.

(G. O. Ms. No. 76, dated 8th May 1981, Published in the Extraordinary Gazette No. 63, dated 10th June 1981.)

15(a) THE PONDICHERRY MUNICIPALITY
(RECRUITMENT) RULES, 1982

In exercise of the powers conferred by sub-section (2) of section 114 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipalities (Recruitment) Rules, 1982.

(2) They shall come into force from the date of their publication in the official gazette (30-3-1982).

2. Application.—These rules shall apply to recruitment and appointments to the various posts specified in column 2 of the Schedule annexed hereto and as are in existence in the respective Municipalities of this Union territory.

3. Method of recruitment, age limit, educational and other qualifications.—(1) The method of recruitment, age limit, educational and other qualifications and other matters relating to the said posts shall be as specified in columns 3 to 6 of the said Schedule.

Note:—The crucial date for determining the age limit mentioned in column 3 of the Schedule shall in each case, be the closing date for receipt of applications from candidates. In respect of posts, the appointments to which are made through the Employment Exchange, the crucial date for determining the age limit shall in each case be the last date upto which the Employment Exchanges are asked to submit the names.

(2) All the posts specified in column (2) of the Schedule shall be classified as selection posts.

Explanation: "Selection Posts" means posts to which recruitment is made on grounds of merit and ability, the seniority being counted where merits are approximately equal.

4. Disqualifications.—(1) No person,—

(a) who has entered into or contracted a marriage with a person having a spouse living, or

(b) who having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the said posts:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

(2) No person shall be eligible for appointment to any posts unless he is a citizen of India.

5. Authorities for making selection of candidates.—

(1) Selection of candidates for appointment to all posts carrying the scale of pay of Rs. 260—6—290—EB—326—8—366—EB—8—390—10—400 and below shall be made by a Selection Committee consisting of the Chairman of the Municipal Council as Chairman, two members of the Municipal Council duly nominated by the Municipal Council and the Commissioner of the Municipality as members. The selection made by the Selection Committee shall be given effect to after it is approved by the Municipal Council.

(2) In respect of posts other than those specified in sub-rule (1), selection of candidates for appointment shall be made by a Selection Committee consisting of the Director of Local Administration Department as Chairman, Deputy Director (Municipal Administration), Local Administration Department, and the Commissioner of the Municipality concerned as members. The Director of Local Administration Department, if he deems it necessary may co-opt any officer of the Government or the Municipality to be a member of the Selection Committee for selection of candidates to any post of the Municipality.

(3) The Selection Committee referred to under sub-rule (1) and sub-rule (2), if considered necessary, may conduct any written test or *viva voce* tests or both the tests for selection of candidates for any post.

(4) Whenever vacancies arise in respect of posts covered under sub-rule (2), the Commissioner shall send necessary proposals to the Director of Local Administration Department for selection of suitable candidates for filling up of the posts.

6. Appointing authority.—All appointments to municipal services shall be made by the Municipal Council.

7. Probation.—Any person appointed under these rules shall from the date on which he joins duty be on probation for a period of two years:

Provided that a person who has already commenced probation in a category before the commencement of these rules shall complete his probation in accordance with those rules.

8. Prescription of departmental test.—(1) The Government may by special or general order, prescribe any departmental test for any category of posts included in the Schedule annexed to these rules.

(2) A person who has already commenced probation in a category before the commencement of these rules may be required to pass such departmental test, if any, prescribed under sub-rule (1), before the end of the probation period.

(3) The Government may, by general or special order exempt any class or category of persons from passing the departmental test.

9. Appointment on compassionate grounds.—The Municipal Council may appoint the son or daughter or near relative of a municipal servant who has died while in service or of a municipal servant retired on medical grounds in a post carrying the pay of Rs. 425—700 and below, subject to such terms

and conditions, as may be specified by the Government, by a general or special order.

10. **Power to relax.**—Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

11. **Repeal and savings.**—(1) The Pondicherry Municipalities (Recruitment) Rules, 1979 shall stand repealed as from the date of coming into force of these rules:

Provided that such repeal shall not affect anything duly done thereunder.

(2) Nothing in these rules shall affect the reservations, relaxation in upper age limit and other concessions required to be provided for the scheduled castes, the scheduled tribes and other special categories of persons in accordance with the rules framed or orders issued by the Government from time to time.

**RECRUITMENT RULES FOR THE POST OF SUPERINTENDENT GRADE-I/
OFFICE MANAGER GRADE-I**

1. Serial No. : 1
2. Name of the post and scale of pay : Superintendent Grade I/Office Manager Grade I
Rs. 550—25—750—EB—30—900.
3. Age limit for direct recruits : Does not arise.
4. Educational and other qualifications required for direct recruits : Does not arise.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
6. Method of recruitment : By promotion failing which by transfer on deputation.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the post of Office Manager Grade II/Superintendent Grade-II with five years of service in the grade.
By transfer on deputation of Officers holding analogous ministerial posts in the Government or from the grade of Superintendent Grade II with five years of service in the grade.

1. Serial No. : 2
2. Name of the post and scale of pay : Superintendent Grade II/Office Manager Grade II
Rs. 425-15-500-EB-15-560-20-700
3. Age limit for direct recruits : Does not arise.
4. Educational and other qualifications required for direct recruits : Does not arise.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
6. Method of recruitment : By promotion failing which by transfer on deputation.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made :
By promotion from the post of Office Manager Grade III/Senior Assistant/Manager (Tourist Bungalow)/Confidential Assistant/Stenographer who have passed Secondary School Leaving Certificate or equivalent examination with seven years of service in the grade and from the Office Manager Grade III/Senior Assistant/Manager (Travellers Bungalow)/Confidential Assistant/Stenographer who have not passed Secondary School Leaving Certificate or equivalent examination but who

have at least passed VIII standard with 10 years of service in the ratio of 1 : 1.

In the case of Municipality where there is no post of Office Manager Grade III/Senior Assistant/Manager (Travellers Bungalow)/Confidential Assistant/Stenographer, by promotion from the post of Junior Assistant who have passed Secondary School Leaving Certificate or equivalent examination with 12 years of service in the grade and from the post of Junior Assistant who have not passed Secondary School Leaving Certificate or equivalent examination but who have at least passed VIII standard with 15 years of service in the grade in the ratio of 1 : 1.

By transfer on deputation of officers holding analogous ministerial posts in the Government or from the grade of Upper Division Clerks with 5 years of service in the grade.

1. Serial No : 3
2. Name of the post and scale of pay : Office Manager Grade III/Senior Assistant/Manager (Travellers Bungalow)/Confidential Assistant.
Rs. 330-10-380-EB-12-500-EB-15-560.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A Degree in Arts, Science or Commerce of a recognised University or its equivalent.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : No
6. Method of recruitment : By promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the post of Junior Assistant/Private Branch Exchange Operator who have passed Secondary School Leaving Certificate or equivalent examination with 5 years of

service in the grade and from the post of Junior Assistant/Private Branch Exchange Operator who have not passed Secondary School Leaving Certificate or equivalent examination but who have at least passed VIII standard with 10 years of service in the grade in the ratio of 1 : 1.

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1. Serial No. : 4
2. Name of the post and scale of pay : Stenographer.
Rs. 330-10-380-EB-12-500-EB-15-560.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : 1. A pass in Brevet or Secondary School Leaving Certificate or Matriculation or any other equivalent examination.
2. Should have passed at least the lower grade examination in English stenography and higher grade in typewriting conducted by a State Government.
- Desirable: A pass in Higher Secondary Examination.
- Preference will be given to those who are working in the Municipality.

5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : Not applicable.
6. Method of recruitment : By promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the grade of Junior Assistants who have passed stenography and typewriting in English in the lower grade and have completed 3 years continuous service in the post.

Note:—The promotee shall also acquire qualification in Tamil typewriting and pass the higher grade examination in Tamil or English typewriting on or before the completion of the period of probation.

1. Serial No. : 5
2. Name of the post and scale of pay : Junior Assistant.
Rs. 260-6-290-EB-6-326-8-366-EB-8-390
10-400.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : 1. A pass in Brevet or Secondary School Leaving Certificate or Matriculation or any other equivalent examination.
2. A pass in typewriting lower grade examination conducted by a State Government.
- Desirable:** A pass in Higher Secondary Examination.
- Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : **Age:** No
Qualifications: Yes.
6. Method of recruitment : 50% by direct recruitment of which 20% through a competitive examination limited to the general category of employees in the grade of Peon, Watchman, Sanitary Assistant, etc.,

who are working in posts which carry a scale of pay, the maximum of which is Rs. 290 or less, and who possess a pass in Secondary School Leaving Certificate or equivalent examination and have completed 3 years of continuous service, failing which by direct recruitment.

50% by promotion failing which by direct recruitment.

Note :--Apprentice Clerks trained shall be absorbed whenever vacancy arises under the quota for direct recruitment.

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made :

By promotion from the post of Octroi Barrier Officer/Karnam/Bill Collector Grade I with 2 years of service in the grade and Copyist/Bill Collector Grade II with five years of service in the grade.

1. Serial No. 6
2. Name of the post and scale of pay : Copyist
Rs. 225-5-260-6-290-EB-6-308.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications : A pass in Brevet or Secondary School Leaving Certificate or Matriculation or any other equivalent examination.
required for direct recruits : Desirable: A pass in Higher Secondary Examination.
5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : Age: No
Preference will be given to those who are working in the Municipality.
6. Method of recruitment : Qualifications: As indicated in column (7).
: By promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the general category of employees in the grade of Peon, Watchman, Sanitary Assistant, Assistant Karnam, etc. who are working in posts which carry a scale of pay, the maximum of which is Rs. 290 or

less and who possess a pass in Secondary School Leaving Certificate or equivalent and have completed 5 years of continuous service.

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1. Serial No. : 7
 2. Name of the post and scale of pay : Store-Keeper Grade II
Rs. 330-10-380-EB-12-500-EB-15-560.
 3. Age limit for direct recruits : Between 18 and 30 years
 4. Educational and other qualifications required for direct recruits : A pass in Brevet or Secondary School Leaving Certificate of Matriculation or any other equivalent examination.
A pass in Book-keeping or Commercial correspondence by lower grade with two years of experience in the type of work.**
Desirable: A pass in Higher Secondary examination.
Preference will be given to those who are working in the Municipality.

5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : No

6. Method of recruitment : By transfer on deputation failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By transfer on deputation of officials holding analogous posts in Government or from the Grade of Store-keeper Grade III with 5 years of service in the grade.

Note :—Candidates appointed in the post shall have to pay the Security Deposit as may be prescribed by the Commissioner.

**The qualification(s) regarding experience is/are relaxable at the discretion of the Selection Committee in the case of candidates belonging to scheduled castes and scheduled tribes, if at any stage of selection the Selection Committee is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them.

1. Serial No. : 8
2. Name of the post and scale of pay : Store-keeper Grade III
Rs. 260-6-290-EB-6-326-8-366-EB-8
390-10-400.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in Brevet or Secondary School Leaving Certificate or Matriculation or any other equivalent examination.
A pass in Book-keeping or Commercial correspondence by lower grade.
Desirable: A pass in Higher Secondary Examination.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : Does not arise.
6. Method of recruitment : By transfer on deputation failing which by direct recruitment.

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By transfer on deputation of officials holding analogous posts in Government.
 Note :—Candidates appointed in the post shall have to pay the Security Deposit as may be prescribed by the Commissioner.

1. Serial No. : 9
2. Name of the post and scale of pay : Private Branch Exchange Operator.
Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in Brevet or Secondary School Leaving Certificate or Matriculation or any other equivalent examination with six months practical experience in the type of work.*
Desirable: A pass in Higher Secondary Examination.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : Does not arise.

- 6. Method of recruitment : By direct recruitment.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

- 1. Serial No. : 10
- 2. Name of the post and scale of pay : Caretaker.
Rs. 200-3-206-4-234-EB-4-250.
- 3. Age limit for direct recruits : Does not arise.
- 4. Educational and other qualifications required for direct recruits : Does not arise.
- 5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : Does not arise.
- 6. Method of recruitment : By promotion.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the post of Peon/Watchman with five years of service or more in the grade.

- 1. Serial No. : 11.
- 2. Name of the post and scale of pay : Peon.
Rs. 196-3-208-4-220-EB-4-232.
- 3. Age limit for direct recruits : Between 18 and 30 years.
- 4. Educational and other qualifications required for direct recruits : A pass in VIII standard.
Preference will be given to those who are working in the Municipality.
- 5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : No
- 6. Method of recruitment : 50% by direct recruitment.
50% by promotion, falling which by direct recruitment.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from among the part-time Watchman and part-time Overhead Tank Operators who have put in five completed years of service in the grade.

1. Serial No. : 12
2. Name of the post and scale of pay : Watchman.
Rs. 196-3-208-4-220-EB-4-232. ...
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications : A pass in VIII standard.
required for direct recruits : Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : No
6. Method of recruitment : 50% by direct recruitment.
50% by promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from among the part-time watchman and part-time Overhead Tank Operators who have put in five completed years of service in the grade.

1. Serial No. : 13
2. Name of the post and scale of pay : Assistant Engineer.
Rs. 650-30-740-35-810-EB-35-880-40-1,000-EB-40-1,200.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A Degree in Engineering of a recognised University or equivalent or Diploma in Engineering from a recognised Institution or equivalent with five years professional experience.**
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : Age : No
Qualifications : As indicated in column (7).
6. Method of recruitment : By promotion or by deputation according to exigencies of service failing which by direct recruitment.

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made :

By promotion from the post of Junior Engineer possessing a recognised degree in Engineering or equivalent with three years of service in the grade of holding diploma in Engineering with five years of service in the grade or holding certificate of Technical examination in Engineering subjects of the State Board of Technical Education and Training, Department of Technical Education, Madras with 10 years of service in the grade.

By transfer on deputation of officers holding analogous post in Government or from the grade of Junior Engineer with five years of service in the grade.

***The qualification(s) regarding experience is/are relaxable at the discretion of the Selection Committee in the case of candidates belonging to scheduled castes and scheduled tribes if at any stage of selection, the Selection Committee is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them.

1. Serial No. : 14
2. Name of the post and scale of pay : Junior Engineer/Junior Engineer (Civil)
Rs. 425-15-500-EB-15-560-20-700.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A Degree or Diploma in Civil Engineering of any recognised University or its equivalent.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees ... : Age: No
Qualifications: As indicated in column (7).
6. Method of recruitment : By promotion or by deputation according to exigencies of service, falling which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the post of Overseer Grade I and Draughtsman Grade III possessing a recognised degree in Civil Engineering or equivalent with two years of service in the grade or holding a diploma in Civil Engineering with four years of service in the grade.

By promotion from the posts of Overseer Grade I and Draughtsman Grade III with eight years of service in the grade if they are not holders of any degree or diploma.

By transfer on deputation of officers holding analogous posts in Government or from the grade of Overseer Grade I/Draughtsman Grade III with five years of service in the grade.

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|--|---|--|
| 1. Serial No | : | 15 |
| 2. Name of the post and scale of pay | : | Junior Engineer (Mechanical)
Rs. 425-15-500-EB-15-560-20-700. |
| 3. Age limit for direct recruit | : | Between 18 and 30 years. |
| 4. Educational and other qualifications required for direct recruits | : | A Degree in Mechanical Engineering of any recognised University or a Diploma in Mechanical Engineering with three years experience.**See page 186. |

Desirable:—A Diploma or Certificate or experience in Automobile Engineering. Preference will be given to those who are working in the Municipality.

- 5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : Does not arise.
- 6. Method of recruitment : By deputation failing which by direct recruitment.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made. : By deputation of officials holding analogous post in Public Works Department or Government Automobile Workshop or Agricultural Engineering Workshop.

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- 1. Serial No. : 16
 - 2. Name of the post and scale of pay : Overseer Grade I/Draughtsman Grade III
Rs. 330-10-380-EB-12-500-EB-15-560.
 - 3. Age limit for direct recruits : Between 18 and 30 years.
 - 4. Educational and other qualifications required for direct recruits : A Degree or Diploma in Civil Engineering of any recognised University or its equivalent.
- Preference will be given to those who are working in the Municipality.

5. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees : No
6. Method of recruitment : By promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made. : By promotion from the post of Building Mistry Grade I with 8 years of service in the grade.

1. Serial No. : 17
2. Name of the post and scale of pay : Field Surveyor
Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in Secondary School Leaving Certificate or Matriculation or any other equivalent examination.
- Desirable:—**A pass in Higher Secondary Examination.
- Preference will be given to those who are working in the Municipality.

- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
- 6. Method of recruitment : By transfer on deputation falling which by direct recruitment.
(Direct recruits should undergo prescribed training in Survey Department and will be eligible for regular appointment only on successful completion of training in Survey Department.)
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By transfer on deputation from officials holding analogous posts in Survey Department.

- 1. Serial No. : 18
- 2. Name of the post and scale of pay : Building Mistry Grade I.
Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.
- 3. Age limit for direct recruits : Between 18 and 30 years.
- 4. Educational and other qualifications : (i) A pass in VIII standard.
(ii) Must possess practical experience of five years in the construction of buildings, road works and connected civil works.

**See page 186.

Preference will be given to those who are working in the Municipality.

Age:—No

Qualifications:—As indicated in column (7).

- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees
 - 6. Method of recruitment
 - 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made
- By promotion failing which by direct recruitment.
- By promotion from the post of Building Maistry Grade II who have passed VIII standard and possess experience in construction of buildings and other civil works with 2 years of service in the grade.

- 1. Serial No. : 19
- 2. Name of the post and scale of pay : Building Maistry Grade II.
Rs. 225-5-260-6-290-EB-6-308.
- 3. Age limit for direct recruits : Between 18 and 30 years.
- 4. Educational and other qualifications required for direct recruits : (i) A pass in VIII standard.
(ii) Experience in construction of buildings, road works, and connected civil works for not less than three years.

**See page 186.

Preference will be given to those who are working in the Municipality.

5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.

6. Method of recruitment : By direct recruitment.

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

1. Serial No. : 20

2. Name of the post and scale of pay : Gangman
Rs. 196-3-208-4-220-EB-4-232.

3. Age limit for direct recruits : Between 18 and 30 years.

4. Educational and other qualifications required for direct recruits : Should have experience of one year in the type of work.
**See page 186.
Preference will be given to those who are working in the Municipality.

5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.

6. Method of recruitment : By direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

1. Serial No. : 21

2. Name of the post and scale of pay : Mechanic (Welder / Fitter / Turner / Blacksmith/ Tinker/Painter) Rs. 260-6-326-EB-8-350.

3. Age limit for direct recruits : Between 18 and 30 years.

4. Educational and other qualifications required for direct recruits : Craftsmanship certificate in the trade concerned issued by a Technical Institution recognised by Government
Preference will be given to those who are working in the Municipality.
Does not arise.

5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.

6. Method of recruitment : By direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

1. Serial No. : 22
 2. Name of the post and scale of pay : Carpenter.
Rs. 210-4-250-EB-5-270.
 3. Age limit for direct recruits : Between 18 and 30 years.
 4. Educational and other qualifications required for direct recruits : Craftsmanship certificate in the trade concerned issued by a Technical Institution recognised by Government or should have experience of five years in the type of work.**See page 186.
- Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
 6. Method of recruitment : By direct recruitment.
 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

- 1. Serial No. : 23
- 2. Name of the post and scale of pay : Plumber.
Rs. 196-3-208-4-220-EB-4-232.
- 3. Age limit for direct recruits : Between 18 and 30 years.
- 4. Educational and other qualifications required for direct recruits : Should have experience of one year in the type of work**See page 186.
Preference will be given to those who are working in the Municipality.
- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
- 6. Method of recruitment : By direct recruitment.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

1. Serial No. : 24
 2. Name of the post and scale of pay : Driver.
Rs. 260-6-326-EB-8-350.
 3. Age limit for direct recruits : Between 18 and 30 years.
 4. Educational and other qualifications required for direct recruits : (i) A pass in VIII standard.
(ii) Must possess a valid driving licence.
Preference will be given to those who are working in the Municipality.
 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
 6. Method of recruitment : By direct recruitment.
 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.
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1. Serial No. : 25
 2. Name of the post and scale of pay : Boatman.
Rs. 196-3-208-4-220-EB-4-232.
 3. Age limit for direct recruits : Between 18 and 30 years.

- 4. Educational and other qualifications required for direct recruits : Should have experience of one year in the type of work.**See page 186.
Preference will be given to those who are working in the Municipality.
- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
- 6. Method of recruitment : By direct recruitment.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

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- 1. Serial No. : 26
 - 2. Name of the post and scale of pay : Mechanic (Auto)
Rs. 260-6-326-EB-8-350.
 - 3. Age limit for direct recruits : Between 18 and 30 years.
 - 4. Educational and other qualifications required for direct recruits : Industrial Training Institute Certificate in Automobile Engineering.
Preference will be given to those who are working in the Municipality.

- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
- 6. Method of recruitment : By direct recruitment.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

- 1. Serial No. : 27
- 2. Name of the post and scale of pay : Cleaner.
Rs. 196-3-208-4-220-EB-4-232.
- 3. Age limit for direct recruits : Between 18 and 30 years.
- 4. Educational and other qualifications required for direct recruits : (i) A pass in VIII standard.
(ii) Must have practical experience of two years **See page 186.
Preference will be given to those who are working in the Municipality.
- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
- 6. Method of recruitment : By direct recruitment.

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made Does not arise.

1. Serial No. : 28

2. Name of the post and scale of pay : Junior Engineer (Electrical)
Rs. 425-15-500-EB-15-560-20-700.

3. Age limit for direct recruits : Between 18 and 30 years.

4. Educational and other qualifications required for direct recruits : A Degree or Diploma in Electrical Engineering of any recognised University or its equivalent.
Preference will be given to those who are working in the Municipality.

5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : No

6. Method of recruitment : By direct recruitment.

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

- 1. Serial No. : 29
- 2. Name of the post and scale of pay : Electrician Grade I
Rs. 260-6-290-EB-6-326-9-366-EB-8-390-10-400.
- 3. Age limit for direct recruits : Between 18 and 30 years.
- 4. Educational and other qualifications required for direct recruits : Craftsmanship Certificate in the trade issued by an Institution recognised by Government with four years experience or Licentiate in Electrical Engineering. **See page 186.
Preference will be given to those who are working in the Municipality.
- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : No
- 6. Method of recruitment : By promotion falling which by direct recruitment.
- 7. In the case of recruitment by promotion/Transfer/Deputation, posts from which Promotion/Transfer/Deputation to be made. : By promotion from the post of Electrician Grade II holding certificate of competency for Electrical Supervisor Group 'B' and who have put in five years of service in the grade or holding certificate course examination in Electrical Wing and who have put in five years of service in the grade.

1. Serial No. : 30
2. Name of the post and scale of pay : Electrician Grade II
Rs. 260-6-326-EB-8-350.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : Craftsmanship certificate in the trade of Wireman/Linememan issued by an Institution recognised by Government.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Age :—No
Qualifications :—As indicated in column (7).
6. Method of recruitment : By promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the post of Assistant Electrician (Helper) with two years of service in the grade and who possess Industrial Training Institute Certificate as Electrician.

1. Serial No. : 31
2. Name of the post and scale of pay : Assistant Electrician (Helper).
Rs. 210-4-226-EB-4-250-EB-5-280.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : Practical experience in a reputed organisation for a period of not less than two years as Electrician in maintenance of direct current and alternative current motors, generators, power supply lines, illumination works and auto-electrical works. ** See page 186.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise
6. Method of recruitment : By direct recruitment
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise

- | | | |
|---|---|--|
| 1. Serial No. | : | 32 |
| 2. Name of the post and scale of pay | : | Sanitary Inspector (Selection Grade)
Rs. 425-15-500-EB-15-560-20-700. |
| 3. Age limit for direct recruits | : | Between 18 and 30 years. |
| 4. Educational and other qualifications required for direct recruits | : | Does not arise. |
| 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees | : | No |
| 6. Method of recruitment | : | By promotion. |
| 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made | : | By promotion from the post of Sanitary Inspector Grade I with eight years of service in the grade. |

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|---|---|---|
| 1. Serial No. | : | 33 |
| 2. Name of the post and scale of pay | : | Sanitary Inspector Grade I
Rs. 330-10-380-EB-12-500-EB-15-560. |
| 3. Age limit for direct recruits | : | Between 18 and 30 years. |
| 4. Educational and other qualifications | : | (i) A pass in Brevet or Secondary School Leaving Certificate or its equivalent. |

(ii) A Diploma in Sanitary Inspector Course with seven years of practical experience in the type of work.**See page 186.

Desirable :—A pass in Higher Secondary examination.

Preference will be given to those who are working in the Municipality.

5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : :
No
 6. Method of recruitment : :
By promotion falling which by direct recruitment.
 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : :
By promotion from which the post of Sanitary Inspector Grade II with three years of service in the grade.
-
1. Serial No. : : 34
 2. Name of the post and scale of pay : : Sanitary Inspector Grade II
Rs. 290-8-330-EB-8-370-10-400-EB-10-480.
 3. Age limit for direct recruits : : Between 18 and 30 years.
 4. Educational and other qualifications required for direct recruits : : (i) A pass in Brevet or Secondary School Leaving Certificate or its equivalent.

(ii) A Diploma in Sanitary Inspector Course with five years of practical experience in the type of work. **See page 186.

Desirable :—A pass in Higher Secondary examination.

Preference will be given to those who are working in the Municipality.

No

5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees :

By promotion failing which by direct recruitment.

6. Method of recruitment

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made :

By promotion from the post of Sanitary Inspector Grade III/Supervisor (Market)/Sanitary Maistry Grade I/Maistry Grade I with three years of service in the grade.

1. Serial No.

35

2. Name of the post and scale of pay : Sanitary Inspector Grade III/Sanitary Maistry Grade I/Maistry Grade I/Supervisor (Market)
Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.

3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : (i) A pass in Brevet or Secondary School Leaving Certificate or its equivalent.
(ii) A Diploma in Sanitary Inspector Course with two years of practical experience in the type of work.**See page 186.
- Desirable:—A pass in Higher Secondary examination.
Preference will be given to those who are working in the Municipality.
- Age:—No
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Qualifications:—As indicated in column (7).
6. Method of recruitment : By promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : (i) 50% by promotion from the post of Sanitary Mistry Grade II/Maistry Grade II who possess the qualifications prescribed for direct recruits with two years of service in the grade; and
(ii) 50% by promotion from the post of Sanitary Maistry Grade II/Maistry Grade II who do not possess the requisite qualifications.

prescribed for direct recruits with 5 years of service in the grade.

-
1. Serial No. : 36
 2. Name of the post and scale of pay : Sanitary Maistry Grade II/Maistry Grade II.
Rs. 225-5-260-6-290-EB-6-308.
 3. Age limit for direct recruits : Between 18 and 30 years.
 4. Educational and other qualifications required for direct recruits :
(i) A pass in Brevet or Secondary School Leaving Certificate or its equivalent.
(ii) A Diploma in Sanitary Inspector Course.
Desirable :—A pass in Higher Secondary examination.
Preference will be given to those who are working in the Municipality.
 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Age :—No
Qualifications :—As indicated in column (7).
 6. Method of recruitment : By promotion failing which by direct recruitment.

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made

By promotion from the grade of Sanitary Assistant / Grave digger / Sanitary Helper/ Sanitary Worker/Sweeper-cum-water carrier/ Drain cleaner with 10 years of service in the grade.

- | | |
|---|---|
| 1. Serial No. | : 37 |
| 2. Name of the post and scale of pay | : Sanitary Assistant / Grave Digger / Sanitary Helper / Sanitary Worker / Sweeper-cum-Water Carrier / Drain Cleaner.
Rs. 196-3-208-4-220-EB-4-232. |
| 3. Age limit for direct recruits | : Between 18 and 30 years. |
| 4. Educational and other qualifications required for direct recruits | : Should have experience of one year in the type of work.**See page 186.
Preference will be given to those who are working in the Municipality. |
| 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees | : Does not arise. |
| 6. Method of recruitment | : By direct recruitment. |
| 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made | : Does not arise. |

1. Serial No. : 38
2. Name of the post and scale of pay : Midwife
Rs. 260-6-326-EB-8-350.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits :
 - (i) A pass in VIII standard.
 - (ii) Certificate in Midwifery obtained after training for 18 months in a recognised Training Institute.

Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
6. Method of recruitment : By direct recruitment failing which by transfer on deputation from Government.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By transfer on deputation from the analogous posts in the Directorate of Health and Family Welfare Services.

1. Serial No. : 39
2. Name of the post and scale of pay : Ayah.
Rs. 196-3-208-4-220-EB-4-232.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in VIII standard.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
6. Method of recruitment : By direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

- 1. Serial No. : 40
- 2. Name of the post and scale of pay : Garden Superintendent.
Rs. 425-15-500-EB-15-560-20-700.
- 3. Age limit for direct recruits : Between 18 and 30 years.
- 4. Educational and other qualifications required for direct recruits : (i) A Bachelor's Degree in Agriculture or Chemistry or Botany.
(ii) Must possess at least two years experience in Gardening or in Horticulture.
**See page 186.
Preference will be given to those who are working in the Municipality.
- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
- 6. Method of recruitment : By direct recruitment or by transfer on deputation from Government.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By transfer on deputation of official holding analogous posts in Government.

178

1. Serial No. : 41
2. Name of the post and scale of pay : Fieldman.
Rs. 260-6-326-FB-8-350.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in Secondary School Leaving Certificate with diversified course in Agriculture.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : No
6. Method of recruitment : By promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the post of Gardener/Gardener-cum-Watchman with 10 years of service in the grade.

1. Serial No. : 42
2. Name of the post and scale of pay : Gardener/Gardener-cum-Watchman.
Rs. 196-3-208-4-220-EB-4-232.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : Should have experience of one year in the type of work.**See page 186.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
6. Method of recruitment : By direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

1. Serial No. : 43
2. Name of the post and scale of pay : Inspector (Octroi)
Rs. : 260-6-290-EB-6-326-8-366-EB-6-390-10-400.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in Secondary School Leaving Certificate or Matriculation or its equivalent.
Desirable : A pass in Higher Secondary examination.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : No
6. Method of recruitment : By promotion failing which by direct recruitment
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : By promotion from the post of Octroi Barrier Officer with three years of service in the grade.

1. Serial No.

44

2. Name of the post and scale of pay : Octroi Barrier Officer/Karnam
Rs. 260-6-326-FB-8-350.

3. Age limit for direct recruits : Between 18 and 30 years.

4. Educational and other qualifications required for direct recruits : A pass in Brevet or Secondary School Leaving Certificate or Matriculation or its equivalent.

Desirable:—A pass in Higher Secondary examination.

Preference will be given to those who are working in the Municipality.

5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees :

Age :—No
Qualifications :—Yes

6. Method of recruitment : By promotion falling which by direct recruitment or by deputation.

7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made :
By promotion from the post of Bill Collector Grade II with 5 years of service in the grade.
By deputation of persons holding analogous post in Government.

1. Serial No. : 45
2. Name of the post and scale of pay : Karnam/Bill Collector Grade I
Rs. 260-6-326-EB-8-350.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in Secondary School Leaving Certificate or Matriculation or its equivalent.
Desirable:—A pass in Higher Secondary examination.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees :
Age:—No
Qualifications:—Yes
6. Method of recruitment :
By promotion failing which by direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made :
By promotion from the post of Bill Collector Grade II with three years of service in the grade.

- 1. Serial No. : 46
- 2. Name of the post and scale of pay : Bill Collector Grade II.
Rs. 225-5-260-6-290-EB-6-308.
- 3. Age limit for direct recruits : Between 18 and 30 years.
- 4. Educational and other qualifications required for direct recruits : A pass in Brevet or Secondary School Leaving Certificate or Matriculation or equivalent examination.
- Desirable:—A pass in Higher Secondary examination.
- Preference will be given to those who are working in the Municipality.
- 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : No
- 6. Method of recruitment : By promotion failing which by direct recruitment.
- 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made :
By promotion from the general category of employees in the grade of Assistant Karnam, Peon, Watchman, Sanitary Assistant, etc. who are working in posts which carry a scale of pay, the maximum of which is Rs. 290 or less and who possess a pass in Secondary School Leaving Certificate or equivalent and have completed 5 years of continuous service.

1. Serial No. : 47
2. Name of the post and scale of pay : Assistant Karnam.
Rs. 196-3-208-4-220-EB-4-232.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in VIII standard.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : Does not arise.
6. Method of recruitment : By direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

1. Serial No. : 48
2. Name of the post and scale of pay : Plumbing Maistry Grade II.
Rs. 225-5-260-6-290-EB-6-308.
3. Age limit for direct recruits : Between 18 and 30 years.
4. Educational and other qualifications required for direct recruits : A pass in VIII standard.
Should have experience of three years in the type of work.**See page 186.
Preference will be given to those who are working in the Municipality.
5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees : No
6. Method of recruitment : By direct recruitment.
7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made : Does not arise.

- | | | |
|---|---|---|
| 1. Serial No. | : | 49 |
| 2. Name of the post and scale of pay | : | Plumber/Helper to Plumber.
Rs. 196-3-208-4-220-EB-4-232. |
| 3. Age limit for direct recruits | : | Between 18 and 30 years. |
| 4. Educational and other qualifications required for direct recruits | : | Should have experience of one year in the type of work.**
Preference will be given to those who are working in the Municipality. |
| 5. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees | : | Does not arise. |
| 6. Method of recruitment | : | By direct recruitment. |
| 7. In the case of recruitment by promotion/transfer/deputation, posts from which promotion/transfer/deputation to be made | : | Does not arise. |

**The qualification(s) regarding experience is/are relaxable at the discretion of the Selection Committee in the case of candidates belonging to Scheduled Castes and Scheduled Tribes, if at any stage of selection, the Selection Committee is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them.

(G. O. Ms. No. 49 dated 10-3-1982 of the LAD—Published in Supplement-II to Gazette No. 13 dated 30-3-1982).

15(b). The Pondicherry Municipalities (Recruitment) (Amendment) Rules, 1983.

In exercise of the powers conferred by sub-section (2) of section 114 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules to amend the Pondicherry Municipalities (Recruitment) Rules, 1982 published in Supplement II to the Gazette No. 13, of the 30th March, 1982 of the Government of Pondicherry, namely :—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipalities (Recruitment) (Amendment) Rules, 1983.

(2) They shall come into force from the date of their publication in the official gazette. (10.5.1983).

2. Amendment to the Schedule.—In the Schedule appended to the Pondicherry Municipalities (Recruitment) Rules, 1982 after serial number 49, the following serial numbers and the entries relating thereto shall be inserted, namely :—

(1)	(2)	(3)	(4)	(5)	(6)	(7)
50	Assistant Commissioner (Rs. 650-30-740-35-810-EB-35 880-40-1,000-EB-40-1,200)	Does not arise	Does not arise	Does not arise	By transfer	By transfer from the grade of Revenue Officer Grade-I in the Municipality with 3 years of service in the grade failing which by transfer on deputation, without deputation allowance, from among the Pondicherry Civil Service Entry Grade Officers.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
51	Revenue Officer Grade-I (Rs. 650-30-740-35-810-EB-35-880-40-1,000-EB-40-1,200)	Does not arise	Does not arise	Does not arise	By failing transfer on deputation without deputation allowance.	By promotion from the grade of Accounts Officer with 3 years of service in the grade.	By transfer on deputation of Revenue Officer from the Revenue Department.
52	Accounts Officer (Rs. 650-30-740-35-880-EB-40-960).	Does not arise	Does not arise	Does not arise	By failing transfer on deputation without deputation allowance.	By promotion from the grade of Assistant Revenue Officer Grade-I/Office Manager Grade-I/Superintendent Grade-I who have passed Secondary School Leaving Certificate or equivalent examination with 3 years of service in the grade and from the grade of Assistant Revenue Officer Grade-I/Office Manager Grade-I/Superintendent Grade-I who have not passed Secondary School Leaving Certificate or equivalent examination, with 5 years of service in the grade.	By transfer on deputation of Junior Accounts Officer from Government.

53 Assistant Revenue Officer Grade-I (Rs. 550-25-750-EB-30-900) Does not arise Does not arise Does not arise By promotion failing which by transfer on deputation without deputation allowance.

By promotion from the grade of Assistant Revenue Officer Grade-II/Superintendent Grade-II/Office Manager Grade-II with 5 years of service in the grade.

By transfer on deputation of Tahsildar from the Revenue Department.

54 Assistant Revenue Officer Grade-II (Rs. 425-15-550-EB-15-560-20-700) Does not arise Does not arise Does not arise By promotion failing which by transfer on deputation without deputation allowance.

By promotion from the post of Office Manager Grade-III/Senior Assistant / Manager (Travellers Bungalow) / Confidential Assistant/Stenographer who have passed Secondary School Leaving Certificate or equivalent examination with 7 years of service in the grade and from the Office Manager Grade-III/Senior Assistant/Manager (Travellers Bungalow)/Confidential Assistant/Stenographer who have not passed secondary School Leaving Certificate or equivalent examination but who have at least passed VIII Standard with 10 years of service in the grade in the ratio of 1:1.

(1) (2) (3) (4) (5) (6) (7)

In the case of Municipality where there is no post of Office Manager Grade-III / Senior Assistant/ Manager (Travellers Bungal/wo Confidential Assistant/Stenographer, by promotion from the post of Junior Assistant who have passed Secondary School Leaving Certificate or equivalent examination with 12 years of service in the grade and from the post of Junior Assistant who have not passed Secondary School Leaving Certificate or equivalent examination but who have at least passed VIII Standard with 15 years of service in the grade in the ratio of 1:1.

By transfer on deputation of Deputy Tahsildar from the Revenue Department.

55 Assistant Surgeon (Rs. 650-30-740-35-810-EB-35-880-40-1,000-EB-40-1200) Does not arise Does not arise Does not arise By transfer on deputation from Government with-out deputation allowance. By transfer on deputation of officers holding analogous posts in Health and Family Welfare Services.

56 Veterinary Medical Officer (Rs. 50-25- 750-EB-30- 900)	Does not arise	Does not arise	Does not arise	By transfer on deputation of deputation from officers holding analogous Government with- out deputation allo- vance. Department.
57 Sub-Inspector of Survey (Rs. 425-15- 500-EB-15 560-20-700)	Between 18 and 30 years	A degree of a recognised University with Mathematics as one of the subjects, or Baccalaureat.	No	By promotion failing which by transfer on deputation without deputation allo- vance and failing both by direct recruitment. By promotion from the post of Deputy Surveyor with 3 years of service in the grade. By transfer on deputation of Sub-Inspector of Survey from Survey and Land Records Department.
58 Deputy Surveyor (Rs. 330-10 380-EB-12- 500-EB-15- 560)	Between 18 and 30 years	Preference will be given to those who are working in the Municipality.	No	By promotion failing which by transfer on deputation without deputation allo- vance and failing both by direct recruitment. By promotion from the post of Field Surveyor with 3 years of service in the grade. By transfer on deputation of Deputy Surveyor from Survey and Land Records Department.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
59	Translator (English-Tamil) (Rs. 330-10-380-EB-12-500-EB-15-560)		Between 18 and 30 years	<i>Essential:</i> — A degree of a recognised University or equivalent with Tamil as the main subject or as second language.	Does not arise	By direct recruitment.	Does not arise.
				<i>Desirable:</i> — Knowledge of Stenography. Preference will be given to those who are working in the Municipality.			
60	Senior Grade Stenographer (Rs. 425-15-500-EB-15-560-20-700)		Does not arise	Does not arise	Does not arise	By promotion failing which by transfer on deputation without deputation allowance.	By promotion from among Stenographers who have completed 5 years of continuous service in the grade. By transfer on deputation of Senior Grade Stenographer from Government.

61 Chairman Between A pass in No. 50% by direct By promotion from among
 (Rs. 196-3-18 and VIII Standard recruitment. the part-time watchmen and
 208-4-220-30 years Preference will 50% by promotion part-time overhead tank
 EB-4-232) be given to failing which by operators who have put in
 those who are working in the direct recruitment. 5 completed years of service in
 Municipality. the grade.

(G. O. No. 74 dt. 5-3-1983 of the LAD, Published in Supplement to Gazette No. 19 dt. 10-5-83.)

15(c). The Pondicherry Municipality (Executive Engineer) Recruitment Rules, 1980.

In exercise of the powers conferred by sub-section (2) of section 114 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry, hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipality (Executive Engineer) Recruitment Rules, 1980.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Number of post and scale of pay.—The number of said post and the scale of pay attached thereto shall be as specified in columns (2) and (3) of the Schedule annexed hereto.

3. Method of recruitment, age limit and other qualifications.—The method of recruitment to the said post, age limit, qualification and other matters relating thereto shall be as specified in columns (4) to (10) of the said Schedule.

Explanation.—In the said Schedule—

(i) "Selection post" means the post to which recruitment or promotion, as the case may be, is made on grounds of merit and ability, the seniority, if any, being counted where merit and ability are approximately equal;

(ii) The crucial date for determining the age limit shall in each case be the closing date for receipt of application from the candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep) and where appointment is made through the Employment Exchange, the crucial date for determining the upper age limit shall, in each case, be the date upto which the Employment Exchanges are required to submit names.

6. **Saving.**—Nothing in these rules shall affect reservation and other concessions required to be provided for the scheduled castes, scheduled tribes and other special categories of persons in accordance with the rules framed by the Government from time to time in this regard.

(2) No person shall be eligible for appointment to the said post unless he is a citizen of India.

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of these rules.

shall be eligible for appointment to the said post:

- (a) who has entered into or contracted a marriage with a person having a spouse living, or
- (b) who having a spouse living has entered into or contracted a marriage with any person;

5. **Disqualifications.**—(1) No person,—

4. **Appointing Authority.**—On the recommendation of the Selectin Committee specified in column (11) of the said Schedule, the Commissioner shall issue orders of appointment to the person concerned.

SCHEDULE
(See Rules 2, 3 and 4)

RECRUITMENT RULES FOR THE POST OF EXECUTIVE ENGINEER
IN THE PONDICHERY MUNICIPALITY

Name of the Post	No. of Post	Scale of pay	Whether selection or non-selection post	Age-limit for direct recruitment	Educational and other qualifications required for direct recruits
(1)	(2)	(3)	(4)	(5)	(6)
Executive Engineer	1 (one)	Rs. 1100-50-1600	Selection post	Not exceeding 45 years.	<p>Essential :</p> <p>(i) Degree in Civil Engineering of a recognised University or equivalent.</p> <p>(ii) Not less than 8 years professional experience as Civil Engineer. Qualifications relaxable at Government's discretion in case of candidates otherwise well qualified.</p>
Whether age and educational qualifications prescribed	Period of probation	Method of recruitment whether by direct	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made	If a selection/recruitment Committee exists, what its composition	

for direct recruitment will apply in the case of promotees	(7)	(8)	(9)	(10)	(11)
Age—No Qualifications— As specified in column (10)	Two years	By promotion failing which by transfer on deputation and failing both by direct recruitment.	Promotion : Assistant Engineers of Pondicherry Municipality who possess degree in Civil Engineering or equivalent, with 5 years of service as Assistant Engineer or Diploma in Civil Engineering or equivalent with 8 years of service as Assistant Engineer.	<ol style="list-style-type: none"> 1. Chief Secretary—Chairman 2. Secretary in-charge of Local Administration Department, Pondicherry —Member. 3. Special Officer, Pondicherry Municipality if there is no Municipal Council or Commissioner (if there is Municipal Council)—Member. 	
<p>Transfer on deputation : Assistant Engineer in Public Works Department of State Government/ Central Public Works Department, who possess a degree in Engineering or equivalent with 5 years of service as Assistant Engineer or who possess a diploma in engineering or equivalent with 8 years of service as Assistant Engineer or officers holding analogous post under the Central/ State Public Works Department.</p>					

(G. O. Ms. No. 286 dated 24-10-1980 of the Local Administration Department. Published in the Gazette No. 50 dated 9-12-1980).

15(d).—Description of Departmental Tests for various categories of posts in Municipalities.

Sub-rule (1) of rule 8 of the Pondicherry Municipalities (Recruitment) Rules, 1982 provides that Government may by special or general order prescribe any departmental test for any category of posts included in the schedule annexed to the said rules. Now, the Government have considered necessary that departmental test may be prescribed for certain categories of posts in the Municipalities.

2. Accordingly, the Lieutenant-Governor, is placed to order that the holders of the following categories of posts specified in column (2) of the Table below shall pass the departmental tests indicated against each in column (3) of the said Table.

TABLE

Sl. No.	Categories of posts	Departmental tests to be passed
(1)	(2)	(3)
I	Office Manager Grade-I	(a) Departmental test for municipal employees
	Office Manager Grade-II	(b) Account test for municipal employees
	Office Manager Grade-III	(c) Departmental test for municipal Office Managers
II	Senior Assistant/Manager (Travellers Bungalow)/confidential Assistant / Steno-grapher/Junior Assistant/Private Branch Exchange Operator.	(a) Departmental test for municipal employees
	Superintendent Grade-II	(b) Account test for Municipal Employees.

3. The syllabus and other details of the departmental tests are given in the annexure to this order.

1. The Government of Union Territories Act, 1963.
2. Constitution of India (Articles 14, 15, 16, 19, 20, 31, 31-A, 31-B, 31-C, 239, 239-A, 239-B, 240, 309, 310, 311 and 324 to 329).
3. The Pondicherry Municipal Servants (Conduct) Rules, 1980.
4. The Pondicherry Municipal Services (Classification, Control and Appeal) Rules, 1982.
5. The Pondicherry Municipalities (Recruitment) Rules, 1982.
6. The Pondicherry Municipalities (Reservation of posts for Scheduled castes and Scheduled Tribes) Rules, 1975.

PART-II (with Books) Maximum Marks 100
Time: 3 hours Minimum Marks 40

1. The Pondicherry Municipalities Act, 1973 and the rules (other than the rules prescribed under part II and the rules prescribed the Accounts test for Municipal Employees) framed thereunder.
2. The Registration of Births and Deaths Act, 1969 and the rules made thereunder.

PART-I (with Books) Time: 3 hours Maximum Marks 100
Minimum Marks 40

Departmental test for Municipal Employees

ANNEXURE

4. The Director of Local Administration Department shall conduct the departmental test, at least once in a year and publish the results in the Official Gazette.

1. The Pondicherry Exorcise Act. 1970 and the rules framed thereunder (Portions relating to toddy only).
 2. Code of Criminal Procedure, 1973 (Sections 125 to 128 202, 300, 340 and 341).

Departmental Test for Municipal Office Managers

1. C. T. R.—Vol. I-Part V — Chapters I to V.
 2. The Pondicherry Municipalities (Medical Attendance) Rules, 1974.
 3. The Pondicherry Municipal Subordinate Services (Provident Fund) Rules, 1976.
 4. The Pondicherry Municipal Subordinate Services (House Building Advance) Rules, 1976.
 5. The Pondicherry Municipal Subordinate Services (Grant of Cycle Advance) Rules, 1976.
 6. The Pondicherry Municipal Subordinate Services (Festival Advance) Rules, 1976.
 7. The Pondicherry Municipalities (Grant of Motor Cycle Advance) Rules, 1981.

Maximum Marks 100
 Minimum Marks 40
 Time : 2 hours

1. The Pondicherry Municipalities (Leave) Rules, 1974.
 2. The Pondicherry Municipal Subordinate Services (Retirement and Pension) Rules, 1976.
 3. The Pondicherry Municipal Subordinate Services (Travelling Allowance) Rules, 1976.

Maximum Marks 100
 Minimum Marks 40
 Time : 2 hours

Account Test for Municipal Employees

PART-I (with books)

(G. O. Ms. No. 139, dated 17-4-1984 of the Local Administration Department, published in the Gazette No. 20, dated 15-5-84.)

In G. O. Ms. No. 224, dated 25th November, 1982 of the Local Administration Department, published at page 14 of the Official Gazette No. 2, dated 11-1-1983, the following rules shall be added after serial No. 3 of the syllabus prescribed for Part-I Account test for Municipal employees :

(G. O. Ms. No. 224, dated 25-11-1982 of the Local Administration Department, published in the Gazette No. 2, dated 11-1-83.)

15. The Revenue Recovery Act, 1970.
14. The Local Authorities Loans Act, 1914.
13. The Prevention of Food Adulteration Act, 1974).
12. The Pondicherry (Public) Health Act, 1973 (No. 5 of 1974).
- 11- The Pondicherry Town and Country Planning Act, 1969 (No. 13 of 1970).
10. The Indian Stamp Act, 1899.
9. The Pondicherry Animals and Birds Sacrifices Prohibition Act, 1965.
8. The Indian Lunacy Act, 1912 (Section 88 only).
7. The Police Act, 1861 (Sections 7 and 29 only).
6. The Representation of People Act, 1951 (Sections 123, 125, 126, 127, 127-A, 129, 130, 131, 132, 134-A, 135 and 136).
5. The Representation of People Act, 1950 (Section 20 only).
4. The Limitation Act, 1963.
3. Indian Penal Code 1860 (Act XIV of 1860) (Sections 160, 277, 283, 290, 323, 334, 352, 358, 379, 426, 504 and 510).

Government have prescribed various departmental tests for certain categories of employees working in the Municipalities and Commune Panchayats in G. O. Ms. No. 224, dated 25-11-82 and G. O. Ms. No. 225, dated 25-11-82 of the Local Administration Department, Pondicherry and the departmental tests will be conducted periodically as per the tentative programme drawn and communicated in Memorandum No. 6782/D1/82/LAD/1/ Part, dated 7-1-1983 of the Local Administration Department, Pondicherry. Although these tests are meant for certain categories of Municipal/Commune Panchayat employees for whom they are specifically prescribed other categories of the Municipal/

15(f)—Prescription of admission fees for appearing departmental tests and employees eligible for appearing departmental tests :

(G. O. Ms. No. 48, dated 17-2-1983 of the LAD)

3. This issues with the concurrence of the Finance Department vide their U. O. No. 3832/83-F4, dated 8-2-1983.

2. As and when the rates of remuneration prescribed in the Government Order Ms. No. 36/82 GAD (Exam) dated 14th May, 1982 of the General Administration Department (Examination Cell) are revised by the General Administration Department, the revised rates of remuneration will be automatically made applicable in respect of the examiners and other officials engaged for supervision of the conduct of the departmental tests for the Municipal and Commune Panchayat employees also.

The Lieutenant-Governor is pleased to prescribe the same rates of remuneration prescribed in the Government Order Ms. No. 36/82—GAD (Exam), dated 14th May 1982 of the General Administration Department (Examination Cell) in respect of the examiners and other officials engaged for supervision of the conduct of the Departmental test for the Municipal and Commune Panchayat employees.

15(e)—Rates of remuneration payable to the Examiner and Other Officials engaged for supervision of departmental tests :

(G. O. Ms. No. 55, dated 23-2-1983 of LAD)

(3) Only the Municipal/Commune Panchayat employees who are on regular employment in Municipal / Commune Panchayat services, in any capacity, will be admitted to the departmental tests.

(2) Municipal employees shall appear for the departmental tests prescribed for Municipal employees only. Similarly Commune Panchayat employees shall appear for the departmental tests prescribed for Commune Panchayat employees only.

(1) For departmental tests, all the categories of Municipal/Commune Panchayat employees except Group D employees will be admitted.

2. The following orders are also issued in so far as admission of candidates to the departmental tests are concerned:

(6) Scheduled Castes/Scheduled Tribes and Ex-service-men candidates are exempted from payment of fee for departmental tests.

(5) Applications without the Indian Postal Order will be summarily rejected.

(4) Fees once paid will not be refunded on any account.

(3) The fee is payable by Indian Postal Order payable to the Assistant Director, Local Administration Department, Pondicherry (by designation only).

(2) The fee payable will be Rs. 5 even if a part of a particular test is to be written.

(1) A fee of Rs. 5 be collected for each departmental test.

orders are issued with regard to payment of fees. Panchayat servants who have not succeeded in their attempts twice in the departmental tests. Accordingly the following ed that fees may be collected from the Municipal/Commune under Group D posts, may write these tests. It has been decided that fees may be collected from the Municipal/Commune Panchayat servant, other than the employees coming

- (i) To be filled in by the candidate's own hand writing.
- (ii) No column should be left blank.
- (iii) Place and date should be indicated.
- (iv) Any omission will lead to summary rejection of the application and no correspondence will be entertained on this matter.

Important

TEST FOR YEAR

APPLICATION FORM FOR ADMISSION TO THE

ANNEXURE

(Letter No. 6782/D1/82/3/LAD, dated 23rd February, 1983.)

3. All the Commissioners of the Municipalities/Commune Panchayats are requested to circulate the Memorandum to all employees working under their control and to send a compliance report to this Department early.

2. The application form for admission to the departmental tests for the Municipal and Commune Panchayat employees shall be as indicated in the annexure.

The departmental tests for the Municipal employees will be conducted at all the four regions Pondicherry, Karaikal, Mahe and Yanam respectively to facilitate the Municipal employees to write the tests in their headquarters itself. The departmental tests for the Commune Panchayats will be conducted only in Pondicherry and Karaikal.

15(g)—Prescription of Centres for the conduct of departmental tests and prescription of forms for admission to the tests.

Date: _____
 Place: _____
 Signature of the candidate: _____

- (v) Commissioner of the Municipality/Commune Panchayat should furnish the certificate indicated below.
1. Name of the candidate (in block letters)
2. Designation and Municipality/Commune Panchayat in which the candidate is working.
3. Post held (whether regular or on *ad hoc* basis).
4. In case the candidate officiates in the present post on *ad hoc* basis, indicate whether the holds any other post on regular basis
5. Classification of the post
6. Whether the candidate belongs to Scheduled caste/Scheduled tribe
7. Date of initial appointment with designation
8. (i) Whether appeared previously?
 (ii) If so, indicate the number of attempts already made together with particulars of conduct of the test
9. Fee paid, if any—vide postal order No. _____
10. Name of the centre in which the candidate is to be examined
11. Specify the name of the part/parts of the test which the candidate is willing to sit for:

(G. O. Ms. No. 190, dated 11-8-1983 of LAD, published in the Gazette No. 37, dated 13-9-1983)

2. Requests for grant of exemption in favour of Junior Assistants appointed through Apprentices Scheme from passing Part-I of the Account test for commune panchayat employees and Part-I of the Accounts test for municipal employees and Part-I of the Accounts test for commune panchayat employees, as the case may be.

Government have prescribed Account test for Municipal employees and Account test for commune panchayat employees in the G. O. Ms. No. 224, dated 25-11-1982 and G. O. Ms. No. 225, dated 25-11-1982 of the Local Administration Department, Pondicherry for certain categories of municipal/commune panchayat employees.

15(b).—Exemption of Junior Assistants appointed through Apprentices scheme from passing Part I of the Accounts test for Municipal Employees.

(Memo. No. 6782/D1/82/3/LAD, dated 23-2-1983 of LAD)

Date: Municipality/Commune Panchayat
Place: Signature of the Commissioner,

Verified with reference to the relevant records and found correct.
Selvi against item Nos. 1 to 8 have been
Certified that the particulars furnished by Thiru/Tmt./

(To be filled up by the Commissioner of the Municipality/Commune Panchayat)

(Order No. 12887/531/79/D1/LAD, dated 11-8-1984 of LAD.)

(c) This order will take effect from the date of issue of this order.

(b) The vacant posts, if any, shall be filled up only according to the recruitment rules in force such posts.

(a) The existing employees officiating in the post shall only be absorbed against the post in the revised scales.

2. The revision of scales of pay, in this order, is subject to the following conditions:—

(d) The scale of pay of the post of Inspector (Octroi) in Pondicherry Municipality is revised from Rs. 260-6-290-EB-8-326-8-366-EB-8-390-10-400 to Rs. 290-8-330-EB-8-370-10-400-EB-10-480.

(c) The scale of pay of the post of "Octroi Barrier Officer" in Pondicherry Municipality is revised from Rs. 260-6-326-EB-8-350 to Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.

(b) The scale of pay of the post of "Maistry Grade III" in Karakal Municipality is revised from Rs. 200-3-206-4-234-EB-4-250 to Rs. 225-5-260-6-290-EB-6-308 and the post of "Maistry Grade III" is redesignated as Maistry Grade II".

(a) The scale of pay of the post of "Sanitary Maistry" in Yanam Municipality, Ariankuppam, Outgaret, Thirunallar and T. R. Pattanam Commune Panchayats is revised from Rs. 196-3-208-4-220-EB-4-232 to Rs. 225-5-260-6-290-EB-6-308 and the post of "Sanitary Maistry" is redesignated as "Maistry Grade II".

The scale of pay certain posts in Municipalities/Commune Panchayats are revised, as indicated below:—

15(i).—Revision of scales of pay of certain posts in Municipalities.

4. If in any year, the vacancies reserved for these categories are not filled, the reservations should be carried over for a period of up to three recruitment years. Any recruitment of the physically handicapped candidates will first be counted against the additional quota brought forward from previous years, if any, in their chronological order. If such candidates are not available for all the vacancies, the older vacancies carried-forward should be filled first and the comparatively later vacancies carried-forward should be further carried-forward.

3. The reservation of posts should be made separately for each of the aforesaid three categories of the physically handicapped persons but inter-exchange of vacancies is permissible, if candidates belonging to the particular category of persons are not available or if the nature of vacancies in an office is such that a given category of persons cannot be employed.

2. The categories of the physically handicapped persons for purposes of reservations in employment will on the basis of definition furnished in the annexure attached to this Government order.

Category of the handicapped	Percentage of reservation
(a) The Blind	1%
(b) The Deaf	1%
(c) The Orthopaedically handicapped	1%

16(a)—Reservation of posts for physically handicapped persons. The question of reservation of posts in the Municipalities and Commune Panchayats for the physically handicapped persons has been under consideration of the Government for some time. Now, the Lieutenant-Governor, Pondicherry is pleased to decide that the reservations in Group 'C' and Group 'D' posts/services, (i.e. a post carrying a pay or a scale of pay with a maximum of over Rs. 290 but less than Rs. 900 and a post carrying a pay or a scale of pay the maximum of which is Rs. 290 or less) in the Municipalities and Commune Panchayats for the physically handicapped persons listed below should be made to the extent indicated against each.

- (c) Limiting of the field of vision subtending an angle of 20 degrees or worse.
- (b) Visual acuity not exceeding 6/60 or 20/200 (Snellen) in the better eye with correcting lenses; and
- (a) Total absence of sight;

The Blind : The blind are those who suffer from either of the following conditions:—

Definitions of the categories of the handicapped for purposes of reservation in employment.

Annexure

7. The Lieutenant-Governor, as also pleased to decide that for the purposes of appointment to Group 'C' and 'D' posts, filled through Employment Exchanges, the upper age limit in the case of Blind, Deaf, Mute and Orthopaedically handicapped persons shall be relaxed up to 10 years.

6. A roster shall be maintained by the Municipality/Commune Panchayat for giving effect to the reservation for the physically handicapped persons. The 34th vacancy occurring in a particular recruitment year would be earmarked for the blind. Similarly, the 67th vacancy and 100th vacancy would be served for the Deaf and the Orthopaedically handicapped respectively in a cycle of 100 vacancies. In case, any of the vacancies happens to be reserved for the Scheduled Caste and Scheduled Tribe, the next clearly available vacancy should be reserved for the physically handicapped persons.

5. Where a Municipality/Commune Panchayat consider that it is not possible to provide for the physically handicapped to the extent of the reservations in view of the nature of duties expected to be performed by the employees, that Municipality/Commune Panchayat could be partly or fully exempted from the reservation orders. The grant of such exemption shall be decided by the Government.

(G. O. Ms. No. 213, dated 4-8-84 of LAD, published in the Gazette No. 34, dated 21-8-84.)

3. This order will take effect from the date of issue of this G. O. which are to be filled by direct recruitment only.

2. It is clarified that reservation for physically handicapped is applicable only in respect of Group C and Group D posts reserved for the physically handicapped persons.

6. A roster shall be maintained by the Municipality/Commune Panchayat for giving effect to the reservation for the physically handicapped persons. The 3rd vacancy occurring in particular recruitment year would be earmarked for the blind, and the 37th and 70th vacancy would be earmarked for the deaf and orthopaedically handicapped respectively in a cycle of 100 vacancies. In case of any of these vacancies happens to be reserved for the Scheduled Castes and Scheduled Tribes, the next clearly available vacancy should be reserved for the physically handicapped persons.

In the G. O. Ms. No. 84, dated 8th April 1982 of the Local Administration Department, for para 6, the following para shall be substituted.

(G. O. Ms. No. 84, dated 8-4-82 of LAD, published in the Gazette No. 21, dated 25-5-1982.)

The Orthopaedically Handicapped: The orthopaedically handicapped are those who have a physical defect or deformity which causes an interference with the normal functioning of the bones, muscles and joints.

The Deaf: The deaf are those in whom the sense of hearing is non-functional for ordinary purposes of life. They do not hear, understand sounds at all events with amplified speech. The cases included in this category will be those having hearing loss more than 90 decibels in the better ear (profound impairment) or total loss of hearing in both ears.

2. The Lieutenant-Governor is also pleased to authorise the Director, Local Administration to sanction the conveyance allowance in terms of these orders. The Municipal/Commune Panchayat servants concerned shall apply to the Commissioner for the grant of conveyance allowance. It shall be the responsibility of the Commissioner concerned to refer the cases of the

(iv) The allowance will not be admissible during leave (except casual leave) joining time or suspension.

(iii) In the case of blind employee, the allowance shall be admissible on the recommendation of the Head of Ophthalmological Department of the Government General Hospital.

(ii) The conveyance allowance will be admissible to the orthopaedically handicapped employees on the recommendation of the Head of Orthopaedics Department of the Government General Hospital.

(i) An Orthopaedically handicapped employee will be eligible for conveyance allowance only if he or she has a minimum of 40% permanent partial disability of either upper or lower limbs or 50% permanent partial disability of both upper and lower limbs together or if he or she has a minimum of 40% permanent partial disability of both the upper and lower extremity deformities.

The Lieutenant-Governor, Pondicherry is pleased to decide that the Municipal/Commune Panchayat employees borne on regular establishment (including work charged staff), who are blind or are orthopaedically handicapped with disability of lower extremities are entitled to get a conveyance allowance at the rate of 10% of basic pay subject to a maximum of Rs. 50 per month, subject to the following conditions, for going to and coming from the place of their duty.

16(b).—Grant of Conveyance allowance to blind and Orthopaedically handicapped municipal employees.

2. The Municipalities and Commune Panchayats shall supply uniforms to the following categories of employees only

At present, there is no uniformity in the matter of supply of uniforms to the employees of the Municipalities and Commune Panchayats in this Territory. Accordingly, the matter has been examined by the Government in detail and the Lieutenant-Governor, Pondicherry is pleased to issue the following orders:—

17.—Supply of uniforms to the Municipal employees.

(G. O. Ms. No. 296, dated 10-11-1980 of LAD)

3. In cases where a handicapped employees are referred by the Commissioner concerned to Government General Hospital located at stations outside their headquarters for getting the recommendations for grant of conveyance allowance, they may be reimbursed the actual travelling expenses subject to a maximum of T.A. admissible for a journey on tour without any daily allowance for the period of journey and for halts. The period spent on journeys, as also at the hospital shall however be treated as duty.

The allowance may be granted with effect from the date of the recommendations of the concerned medical authority. However, in the case of existing employees the allowance may be granted with effect from the date of issue of this Order.

concerned employee to the appropriate medical authorities for obtaining their recommendations for the grant of conveyance allowance.

Note :—The colour of the uniform may be decided by the Commune Panchayat Council Municipal

1.	Sanitary Mistry	2 full pants, 2 half shirts and one pair of chappals.	One year
2.	Sanitary Worker, Sweeper, Scavenger, Drain Cleaner—Men	2 half pants, 2 half shirts and one pair of chappals.	One year
3.	Sanitary Worker, Sweeper, Scavenger, Drain Cleaner—Women	2 sarees, 2 blouses (0.75 metre) and one pair of chappals.	One year
4.	Driver, Peon, Hommedepine, Watchman, Cleaner, Workshop Staff, Attender	2 full pants, 2 half shirts and one pair of chappals	One year
5.	Gurkha Watchman	2 full pants, 2 half shirts, one cap and one pair of shoes (In addition, belt with cross belt, 1 set for every five years)	One year
6.	Charitman and Commisioner's Driver	2 full pants, 2 full sleeve shirts, one cap and one pair of shoes	One year
7.	Ayah	2 sarees, blouses (0.75 metre) and one pair of chappals	One year

Category of persons	Articles of Uniforms per year	Minimum life of garment
(1)	(2)	(3)

from their funds at the rate of articles of uniforms per year and the minimum life of garment noted against each :

4. The Municipality/Commune Panchayat shall not supply uniforms to any employee unless he has completed six months of service. Replacement of old liveries may be made only after the expiry of the prescribed period and only if the garments are considered unfit for further use. When old garments are so replaced, the old ones shall become the property of the servants to whom they were issued. For this purpose, the livery statement and the certificate in the form prescribed by the Local Fund Examiner shall be sent to the audit officer for the purpose of audit alongwith the bills presented for the purpose of livery articles.

Stitching Charges: —	
Full pants	Rs. 4.50 per pant
Half pants	Rs. 3.00 "
Full hand shirts	Rs. 4.50 per shirt
Half hand shirts	Rs. 2.50 "
Blouse	Rs. 1.50 per blouse
Cap	Rs. 0.50 per cap

Saree	5.5 metre	Rs. 35 per Saree
Blouse	0.75 "	Rs. 50 per 0.75 metre
Shoes	1 pair	Rs. 45 per pair
Chappals (for Gents)	1 pair	Rs. 15 per pair
Chappals (for Ladies)	1 pair	Rs. 10 per pair

Item	Unit	Ceiling price
(1) Cloth for pants, half pants	1 metre	Rs. 7 per metre
(2) Full sleeve shirt, half shirt		
(3) and cap.		

3. The maximum rates of cloth, chappals, and stitching charges shall be as follows :

2. Now, the Assistant Local Fund Examiner, has sought clarification whether the Municipal Council have power to sanction the expenditure towards supply of liveries under item No. 10 of Schedule I of the said rules.

In the letter No. PAO/LFA-IPM/81/445, dated 13th February 1981, the Assistant Examiner, Local Fund Accounts has stated that the Commissioner, Pondicherry Municipality has presented a bill to the Local Fund Audit, towards the cost of Chappals and sandals and stitching charges of the uniforms for incurring of the expenditure within the financial powers of the Municipal Council. The Assistant Local Fund Examiner has returned the bill unpassed stating that the Municipal Council have no power to sanction the expenditure. But the Commissioner, Pondicherry Municipality has again represented the bill to the Local Fund Audit stating that the Municipal Council have power to incur such expenditure under item No. 10 of Schedule-I of the Pondicherry Municipalities (Powers and Procedure for executing of work and for purchase of stores) Rules, 1980.

(G. O. Ms. No. 300, dated 11-11-1980 of LAD)

5. When once servant to whom livery has been issued quits the office on discharge or resignation, the livery shall be surrendered by him to the Municipa/Commune Panchayat Office. In cases in which the new incumbent entitled to the use of livery is not agreeable to wear the garments left by his predecessor, the old garment shall be disposed of to the best advantage of the stage but the issue of fresh uniforms to the new incumbent of the post may be made only subject to the availability of funds in the budget for the year and minimum service requirements. Articles of liveries should be withdrawn and preserved during the period of their absence from duty on leave exceeding fifteen days and re-issued to them on rejoining duty.

(G. O. Ms. No. 187, dated 22-10-1982 of the LAD)

Full pants	8.00 per pant
Half pants	4.00 per pant
Full hand shirts	6.00 per shirt
Half hand shirts	3.00 per shirt
Blouse	2.00 per blouse
Cap	0.50 per cap

3. Rates of stitching charges :

In partial modification of para 3 of the orders issued in the G. O. Ms. No. 300, dated 11th November 1980 of the Local Administration Department sanction of the Lieutenant-Governor is hereby accorded for fixing the following revised rates of stitching charges for uniforms with immediate effect :

(G. O. Ms. No. 154, dated 10-11-1981 of the LAD.)

Chappal (for gents) —	Rs 27 per pair.
Chappal (for ladies) —	Rs 27 per pair

The Lieutenant-Governor, is pleased to revise the maximum rate of chappal prescribed at para 3 of the G. O. Ms. No. 300, dated 11-11-1980 of the Local Administration Department, Pondicherry as follows :

(Letter No. 2519/81/LAD/D1, dated 6-3-1981 of LAD)

3. The matter has been examined by this Department in consultation with the Law Department. It appears that no specific powers have been delegated to the Municipal Council in the said rules towards the supply of liveries, as in Government. Further, liveries and uniforms cannot be strictly called stores. Therefore, it is clarified that approval of the Director is necessary for incurring any expenditure towards the supply of liveries by the Municipality/Commune Panchayat.

Pondicherry Municipalities (Recruitment) Rules, 1982 and the Pondicherry Commune Panchayats (Recruitment) Rules, 1982 have been notified by the Government and the same were published in Supplement II to the Gazette No. 13, dated 30th March 1982. After framing of recruitment rules, instructions have been issued in this Department's Memorandum No. 4806/DI/82/LAD, dated 23rd April 1982 of the Local Administration Department to the effect that appropriate action may be taken for filling up of all the vacant posts according to the revised recruitment rules during the financial year 1982-83 itself. Besides, local bodies were advised to review all the *ad hoc* appointments and to appoint persons on regular basis. Further in the Memorandum No. 4806/DI/82/LAD, dated 27th May 1982

18(a).—Absorption of daily rated employees in Municipalities against regular vacancies.

(G. O. Ms. No. 202, dated 17-9-1983 of the LAD)

3. The procedure laid down for the supply of liveries in the Government Order Ms. No. 300, dated 11th November 1980 of the Local Administration Department remains unaltered.

2. While purchasing clothes for liveries, quotations should be called for at least from three co-operative societies in addition to other dealers dealing in mill clothes and the rates being comparative, the cloth may be purchased locally.

(iii) Blouse—Rs. 7.00 per 0.75 metre.

(ii) Saree—Rs. 40 per saree (5.5 metres)

(i) Clothes for pants, half pants, full sleeve shirt, half shirt and cap—Rs. 10 per mt.

Approval of the Lieutenant-Governor is accorded to the fixation of the maximum ceiling rates for the purchase of clothes needed for the liveries in regard to the items given hereunder with effect from the date of issue of the orders, as indicated against each.

4. The matter has been examined in detail in consultation with the Law Department and Labour Department. After careful consideration, the Lieutenant-Governor, Pondicherry is pleased

3. It has therefore been considered necessary to evolve a policy for absorption of daily rated employees against vacancies in the regular establishment taking into account, all aspects.

2. Once the recruitment rules are framed by the Government for the employees of the local bodies, the vacancies in regular establishment should be filled up only in accordance with the provisions of such recruitment rules. Further, it is necessary to safeguard the interests of the weaker sections of the community, especially the Scheduled Castes and Scheduled Tribes and physically handicapped persons when vacancies are to be filled up in the regular establishment.

of the Local Administration Department, particulars of the employees working on daily wages/*ad hoc* basis have been called for from all the Municipalities/Commune Panchayats. On perusal of the particulars received from the Municipalities/Commune Panchayats, it was noticed that several local bodies have recruited persons on daily wages in the regular establishment as well as in work charged establishment and most of the appointments were made getting panel of names from the Employment Exchange and without following prescribed procedure. In certain cases, over aged persons were recruited on daily wages. Further the rules prescribed for the reservation of posts for Scheduled Castes and Scheduled Tribes and for physically handicapped persons have not been followed for the appointment of daily rated persons either against vacancies under regular establishment or otherwise. But, the employees appointed on daily wages as well as the various Service Associations of Municipal/Commune Panchayats employees have been pressing for absorption of these daily rated persons against the regular vacancies.

The local bodies may examine the possibility of creation of posts of work charged maistries in regular scale of pay, if considered necessary, under work charged establishment, and thereafter the local bodies may submit proposals for absorption of daily rated persons engaged as site maistries or work charged maistries against posts of work charged maistries under work charged establishment.

These persons should be considered for absorption only against the vacancies in the work charged establishment. The expenditure on the work charged establishment should be restricted to 2 1/2% provided in the estimates towards petty supervision charges. A circular (vide No. F. 147-8-84-Le.Ce.(1)) LAD, dated 17th March 1984 of Local Administration Department) has been issued to the effect that the expenditure on work charged establishment should be restricted to 2 1/2% of the expenditure incurred on civil works, every month, in order to ensure that the work charged maistries are employed only when the work is under execution and when there is need for Site Maistries. If this is not followed scrupulously, the work charged maistries may be employed in excess of the requirement and when the work is under actual execution, it will not be possible for the local body to engage work charged maistries for supervision purposes, which will result in poor execution of works. The quality of execution will therefore suffer.

(a) Persons appointed on daily rated basis in the work charged establishment.

to decide that the daily rated employees in the Municipalities/ Commune Panchayats may be absorbed in the regular vacancies subject to the following terms and conditions: —

(b) Persons appointed in regular establishment as daily rated employees :

Recruitment rules have been framed for the posts in regular establishment. Government is pleased to order that the following procedure should be followed for absorption of daily rated employees in regular establishment, in vacancies in regular establishment.

- (1) If a person has been recruited on daily wages on a particular designation, he should be asked to do the job allocated for such post. For example, if a person has been recruited as Mazdoor, he should do the job of Mazdoor, irrespective of the qualifications possessed by him.
- (ii) No new posts should be created for the absorption of daily rated employees.

(iii) In future, all daily rated persons should be appointed strictly in accordance with the provisions of recruitment rules for the corresponding post (viz. for appointment of a Driver on daily rate, qualifications, age and etc, prescribed for Driver in regular establishment and in the prescribed manner that is through Employment Exchange). Orders of Government in regard to reservation of vacancies for Scheduled Castes and Scheduled Tribes and physically handicapped persons and age, educational and other qualifications, etc. should be followed scrupulously.

(iv) Employees working on daily wages in a capacity (say, a Sanitary Worker) may be considered for appointment against the regular vacancy in the same capacity, viz. Sanitary Worker provided that he possesses the educational and other qualifications prescribed for direct recruits for such post. The daily rated employees who have put in not less than 2 years of continuous service (that is at least 240 days in a year) should only be considered. Daily rated employees should satisfy themselves that the person is fit before selecting any person for regularisation.

(viii) Persons who are on daily wages and who are cannot be absorbed for want of vacancies, etc. need not be retrenched immediately. In such cases, the local bodies should assess the requirement of staff and if the local bodies

(vii) Appointment of daily rated persons against the regular vacancies should be confined only to direct recruitment quota. Further, vacancies reserved for Scheduled Castes and Scheduled Tribes and physically handicapped persons should be filled up only by persons belonging to such communities/categories. In case, no person is available in the daily rated category, then such vacancy should be filled up only through Employment Exchange or after dereserving the post according to the prescribed procedure. All efforts should be taken to ensure that reserved vacancies are filled only by persons for whom reservations is made.

(vi) Seniority should be strictly followed in absorbing the daily rated persons against any vacant posts in the regular establishment.

(v) A person working in one capacity viz. daily rated Mazdoor cannot be considered for appointment against a vacancy in another post viz. Bill Collector irrespective of the fact whether he possesses the requisite educational qualifications or not for the post of Bill Collector. Such employees may be advised to register their names with the Employment Exchange. No relaxation for educational qualifications will be given. In respect of age, the number of years of service rendered by them as daily rated employee in the local body may be deducted for arriving at the maximum age limit. For example, if a person has served as daily rated Mazdoor for 4 years, and if the maximum age limit prescribed for a post is 30 years then the person may be considered for being sponsored by the Employment Exchange till he has completed 34 years. Local body may indicate this when a requisition is sent to Employment Exchange.

5. Instructions have been issued on a number of occasions that Special Officers and Commissioners should follow the prescribed procedure for recruitment of staff against posts on regular scales of pay and for appointment of persons on daily wages. They have also been informed that they should scrupulously follow the instructions of the Government in regard to the filling up of vacancies reserved in favour of Scheduled Caste and Scheduled Tribe and physically handicapped persons. Further, in the circular No. 11923/83/LAD/C2, dated 30-11-1983 of the Local Administration Department, detailed instructions have

(x) Local Bodies should absorb the daily rated employees according to the above guidelines only, after getting the clearance of the Local Administration Department. Therefore, all local bodies should submit detailed proposal to the Local Administration Department after examining the cases according to the guidelines prescribed above for absorption against regular vacancies. Detailed and separate proposals may be sent for each category indicating clearly the number of vacancies, vacancies to be filled up under direct recruitment and vacancies reserved in favour of Scheduled Caste and Scheduled Tribe and physically handicapped persons.

(ix) If daily rated employees are not available for filling up of any vacant post under regular establishment, according to the guidelines prescribed above, the local bodies may fill up such vacant posts strictly according to the provisions of Recruitment Rules and by following the prescribed procedure, provided that funds are available to meet the recurring expenditure within their own resources. Local Bodies may examine critically the need for filling up of a post, financial commitment, financial position of the local bodies, etc. before steps for filling up any vacancy on regular basis.

require the services of such employees, in the same capacity in which they were originally engaged, then the local bodies may continue to engage such persons on daily wages.

Local bodies may have to execute a few works department-ally viz., repairs and improvements to buildings and construction of drain. In such cases, the local body should prepare an estimate which would indicate various categories of persons and number of persons required for the work viz., carpenter, painter and mazdoor and etc. The estimate will also clearly indicate the schedule of rates at which payments have to be made. The out-turn should also be related to the wages paid. In such cases a muster roll in the prescribed form should be used for a specific period not exceeding a month at a time and for specific item of work. One or more muster rolls can be prepared for each work depending upon exigencies, but the nominal muster roll should never be prepared in duplicate. The daily labourer reports in the prescribed form indicating the number of labourers and workmen in different categories proposed to be employed in each

Local bodies have appointed persons on daily rates for (i) actual execution of works (ii) supervision of works executed and for (iii) office work. However, all these categories of persons are referred to as N. M. R. loosely. It is, therefore considered necessary to clarify the correct position.

18(b).—Payment in Muster Roll, payment as work charged maistries and appointment of daily rated persons paid out of contingencies.

(G. O. Ms. No. 135, dated 12-4-1984 of the LAD)

been issued for recruitment of staff through Employment Exchange. In circular No. F. 147-8/84/Le. Ce. (1)/LAD, dated 17th March 1984, of the Local Administration Department, guidelines were issued regarding payment in muster roll, payment as work charged maistries and appointment of daily rated employees. Therefore the Special Officer and Commissioners of the Municipalities/Commune Panchayats will be personally held responsible to ensure that correct procedure is followed both in regard to recruitment of staff (including daily rated persons) and filling of reserved vacancies in regular establishment and work charged establishment.

4. Several local bodies have engaged daily rated persons for attending to office work as driver, clerk, stenographer and etc. either against sanctioned posts or otherwise. These persons do not come either under the category of N.M.R. or Work Charged Maistries. They are paid from the provision under contingencies. They are generally called as Staff paid from contingencies.

When civil works are executed through contractors, it would be necessary to employ staff for supervisory work on sites. These persons are called as 'Site Maistries' or 'Work Charged Maistries'. In every estimate, provision is made for work charged maistries at 2 1/2% and the expenditure on the salary of the work charged maistries should be met from within the provision of 2 1/2% made in the estimate. Orders have already been issued that the expenditure on salary of work charged maistries should be restricted to 2 1/2% of the expenditure incurred on the execution of civil works every month, so that the expenditure incurred on Site Maistries is in proportion to the progress of execution of civil works. Otherwise, the persons would be engaged far in advance of the requirement. There will not be provision to pay the salary for work charged maistries when the work is actually executed and the quality of the work will suffer. The Work Charged Maistries should not be called as N.M.Rs.

day should be sent by the Junior Engineer to (Executive Engineer and) Commissioner. It should be ensured that the out-put is commensurate with the expenditure incurred on wages. Attendance in the muster roll should be marked daily at the time of roll call and it should be further checked once during the day. Name of the labourers/workmen, father's or husband's name and address should invariably be mentioned in the nominal muster roll. The daily attendance and absence of labourers/workmen should be recorded daily in Part-I of the muster roll clearly. Prescribed certificates should be furnished by the Engineering staff in the muster roll and the daily labourer report. Necessary entries should be made in the Measurement Book regarding particulars of muster roll. Only persons engaged in the nominal muster rolls are called N.M.Rs.

8. Government of India have also decided that while it may not be practicable to apply the reservation orders in toto in respect of daily rated staff, it should be ensured that persons belonging to Scheduled Caste and Scheduled Tribes are recruited in such a manner as their overall representation does not go below the prescribed percentage for Scheduled Castes and Scheduled Tribes respectively. For this purpose, no model roster need be maintained as there are no vacancies for daily wages as such but the number is determined depending upon the exigencies of works to be executed. For example, if a particular organisation engages about 100 daily rated persons, it

7. According to instructions of Government of India, the principle of reservation Scheduled Castes and Scheduled Tribes should generally be suitably applied to the extent possible to work charged posts also, except those required for emergencies like flood relief work, accident and restoration and relief and etc. The percentage of reservation in such appointments may correspond to what is applicable to Group 'C' and Group 'D' (Class-III and Class-IV).

6. Government of India have instructed that employment of staff paid from contingencies for work of regular nature or against requirement of vacant post, temporary or permanent, in regular establishment is irregular and should be avoided. They have also instructed that employment of casual hand to do the clerical work or stenography work on daily wages is irregular and should not any circumstances be resorted to and that the practice of employing Class-III (Group 'C') staff on daily wages should be terminated forthwith. Attention is invited to Para-2 of the Circular dated 30-11-83 referred to above.

5. Law and Labour Department have informed all the local bodies that all vacancies including those paid from contingencies (and daily rated employees) should be notified to the Employment Exchange and filled up through them. Attention is invited to this Department's Circular No. 11923/83/LAD/C2, dated 30-11-83.

1. Name and Designation of the incumbent.
2. Educational and other Qualifications.
3. Date of original appointment in the Municipal/Commune Panchayats service.
4. Date of appointment in the present post.
5. Date of Birth.
6. Whether he has been made permanent in any category of the post in the Municipality/Commune Panchayat. If so, the post in which he has been made permanent and the date of confirmation may be stated.
7. (a) Post for which confirmation is sought for.
(a) Total number of sanctioned post, and the scale of pay.

PROFORMA

All the Commissioners of Municipalities / Commune Panchayats are hereby requested to send proposal for confirmation of temporary Municipal/Commune Panchayat employees along with the required information prescribed in the enclosed proforma.

19.—Confirmation of Employees — Proforma for sending proposal.

(Circular No. F. 1478/84/Lc. Ce. (I) LAD, dated 17-3-1984 of LAD)

9. If it is requested that correct procedure may be followed, in future, in regard to recruitment, reservation and reference to designation of the employees/workmen/labourer engaged for various purposes in local bodies.

should be ensured that Scheduled Castes and Scheduled Tribes are employed in accordance with percentage fixed for them under orders of Government.

2. After careful consideration of the matter in detail in consultation with the Municipalities and Commune Panchayats, the Lieutenant-Governor, Pondicherry is now pleased to decide that the Municipal/Commune Panchayat employees who undergo sterilisation after having two or three surviving children may be granted a special increment in the form of personal pay not to be absorbed in future increases in pay either in the same post or on promotion to higher posts. The rate of personal pay

The question of providing incentive to promote the small family norm among the Municipal/Commune Panchayat employees has been under the consideration of the Government for some time past.

20. Introduction of incentives among the municipal employees or promoting small family norms.

(Memorandum No. 9633/80/LAD/C4, dated 28-10-1980 of the LAD.)

- 12. Conduct and character of the incumbent (Original Confidential Rolls for the last 5 years may be enclosed)
- 11. Whether the incumbent possesses the required qualifications prescribed in the recruitment rules in force?
- 10. Whether the incumbent is an Indian National? If not, the Nationality of the incumbent may be stated.
- 9. Whether the incumbent has been successfully completed the period of probation in the post?
- 8. Whether final seniority list of the officials has been published? If so, a copy of the list may be enclosed.
- (f) Whether the Council agree to confirm the incumbent.
- (e) Number and name of persons confirmed already in the post.
- (d) Number of temporary post.
- (c) Number of permanent post.

would be equal to the amount of the next increment due at the time of grant of the concession and will remain fixed during the entire service. In the case of persons drawing pay at the maximum rate of personal pay would be equal to the amount of the increment last drawn. The grant of the concession will be subject to the following conditions:—

(i) The benefit of special increment will be allowed to those Municipal/Commune Panchayat servants for undergoing sterilisation who have two or three living children only. It will not be admissible to those who have one child or more than three children, even they are within the re-productive age group.

(ii) The Municipal/Commune Panchayat employees must be within the reproductive age-group. In the case of a male employee, this would mean that he should not be over 50 years and his wife should be between 20 and 45 years of age. In the case of a female employee, she must not be above 45 years and her husband must not be over 50 years of age.

(iii) The sterilisation operation should be conducted in and the sterilisation certificate issued by a Central Government Hospital/C. G. H. S./State Government Hospital/Clinic. Where this may not be possible, such a certificate from a Voluntary Institution getting grants from the Government of India / State Government for conducting sterilisation operations or any other institution approved / recognised by the Central Government for the purpose, will also be acceptable. Until such time the list of such Voluntary Organisations/Institutions is circulated, certificates issued by the Voluntary Organisation / Institutions duly countersigned a by Civil Surgeon of District Medical Office shall be accepted for availing the benefit.

(iv) The sterilisation operation can be undergone either by the Municipal/Commune Panchayat employees or his/her spouse provided the conditions at serial No. (i) to (iii) above are fulfilled.

In continuation of the G. O. Ms. No. 136, dated 6th August 1982 of the Local Administration Department, the Lieutenant-Governor, Pondicherry is pleased to decide that for direct recruitment in Group 'C' and 'D' posts/Services in the

22.—Relaxation of upper age limit for Municipal servants for appointment to Group 'C' and 'D' posts in Municipalities.

(G. O. Ms. No. 136, dated 6-8-1982 of the LAD.)

2. After careful consideration of the matter in detail, the Lieutenant-Governor is pleased to decide that the persons serving in a particular Municipality/Commune Panchayat may be considered along with the nominees of the Employment Exchange, for the posts filled by direct recruitment in the same Municipality/Commune Panchayat in which the employees are working provided they fulfil the prescribed age and educational and other qualifications prescribed for the post in question and no other preferential treatment is given to such persons.

A point has been raised whether persons serving in a particular Municipality/Commune Panchayat may be allowed to compete with the nominees of the Employment Exchange for the posts filled by direct recruitment, in that Municipality/Commune Panchayat.

21. Appointment of Municipal Employees against the posts in Municipality which are to be filled up by direct recruitment.

(G. O. Ms. No. 117, dated 12-9-1981 of the LAD.)

(A) The concession will be admissible only to the employees who undergo the sterilisation operation on or after the date of issue of this order.

Provided that where persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, the seniority shall follow the order of confirmation and not the original order of merit.

1. *Direct recruits*.—The relative seniority of all the direct recruits shall be determined by the order of merit in which they are selected for appointment on the recommendations of the Selection Committee :

A copy of the instructions containing general principles for determining seniority of various categories of persons employed in local bodies is sent herewith for information and adoption in the local bodies.

23.—General principles for determining seniority list of various categories of persons employed in the local bodies.

(G. O. Ms. 230, dated 25-11-1982 of the LAD.)

Municipalities/Commune Panchayats, the upper age limit relaxed upto the age of 35 years in respect of Municipal/Commune Panchayat servants who are working in Municipal/Commune Panchayat posts which are in the same line or allied cadres and where a relationship could be established that service rendered in the Municipal/Commune Panchayat will be useful for efficient discharge of the duties in other categories of posts in the same Municipal/Commune Panchayat. The age concession will be admissible only where a Municipal/Commune Panchayat servant has rendered not less than three years continuous service in the same Municipal/Commune Panchayat. The question of determining the same line or allied cadres is, however, left to be decided by the selection committee referred to in sub-rule (1) or sub-rule (2) of rule 5 as the case may be of the Pondicherry Municipalities (Recruitment) Rules, 1982 and the Pondicherry Commune Panchayats (Recruitment) Rules, 1982. The age relaxation will be available for the posts which are under the control of the same Municipal/Commune Panchayat.

A roster should be maintained based on the reservation for direct recruitment and promotion in the recruitment rules. Where the reservation for each method is 50%, the roster will

3. *Relative seniority of direct recruits and promotees.*—The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules.

Where promotions are made on the basis of seniority subject to the rejection of unfit persons, the seniority of persons considered fit for promotion at the same time shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by a junior, such person shall not, if he is subsequently found suitable and promoted, take seniority in the higher grade over the junior person who had superseded him.

Where promotions to a grade are made from more than one grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. Thereafter, the Selection Committee shall select persons for promotion from each list upto the prescribed quota and arrange all the candidates selected from different lists in a consolidated order of merit which will determine the seniority of the persons on promotion to the higher grade.

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their promotion the seniority shall follow the order of confirmation and not the original order of merit.

2. *Promotees.*—The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion :

5. After confirmation, the Scheduled Caste / Scheduled Tribe candidates will rank senior to the temporary/officiating officers of the grade and amount the permanent officers of that grade, their seniority will follow the order of their confirmation.

Where a person is appointed by transfer in accordance with the provision in the recruitment rules providing for such transfer in the event of non-availability of a suitable candidate by direct recruitment or promotion, such transferees shall be grouped with direct recruits or promotees, as the case may be, for the purpose of para 3 above. He shall be ranked below all direct recruits or promotees, as the case may be, selected on the same occasion.

Where such transfers are effected against specific quotas prescribed in the recruitment rules therefor, the relative seniority of such transferred *vis-a-vis* direct recruits and promotees shall be determined according to the rotation of vacancies which shall be based on the quotas reserved for transfer, direct recruitment and promotion respectively in the recruitment rules.

4. *Transferees*.—The relative seniority of persons appointed by transfer shall be determined in accordance with the order of the selection for such transfer.

Illustration.—Where 75% of the vacancies are reserved for promotion and 25% for direct recruitment, each direct recruit shall be ranked in seniority below 3 promotees. If for any reason, a direct recruit or a promotee ceases to hold the appointment in the grade, the seniority list shall not be rearranged merely for the purpose of ensuring the proportion referred to above.

run as follows:—(1) Promotion, (2) Direct recruitment, (3) Promotion, (4) Direct recruitment and so on. Appointment should be made in accordance with the roster and seniority determined accordingly.

January	January to March	15th January
March	April to June	20th February
June	July to September	20th May
September	October to December	20th August

Month in which Efficiency bar cases will be considered	Month during which the date of crossing the efficiency bar falls	Date with in which proposals should be sent to this Department by the Commissioner
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2. It has been decided to follow a time schedule, as indicated below, mainly to avoid delays in the matter:—

In this department's memorandum of even number dated 27th April 1976, instructions have been issued to the effect that the proposals for reviewing the cases of crossing of efficiency bar should be sent to this department by 5th of every month alongwith the confidential reports of the Municipal/Commune Panchayat servants and of the performance report on every such Municipal/Commune Panchayat servants.

24.—Revised procedure for reviewing efficiency bar cases.

(Memorandum No. 34263/LAD/81/D1, dated 22-6-82 of the LAD.)

7. *General*—All the permanent employees of each grade shall be ranked senior to persons who are officiating in the grade.

6. Persons appointed on *ad hoc* basis are to be replaced by persons approved for regular appointment by direct recruitment, promotion or transfer as the case may be, until they are replaced, such persons will be shown in the order of their *ad hoc* appointments and below all persons regularly appointed to the grade. In such case, the seniority list should clearly show that such persons are not eligible for promotion or confirmation.

(Memorandum No. 1169/94-D/76/LAD/D1, dated 8-9-1983 of LAD)

5. If any proposal is sent after the due date prescribed above, specific reasons for the delays shall be given by the concerned Commissioners.

(c) A certificate to the effect that no disciplinary case is pending against the Municipal/Commune Panchayat servant.

(b) Performance report on every such Municipal/Commune Panchayat servants written by Commissioner.

(a) Last three years confidential reports of the Municipal/Commune Panchayat employees.

4. In these circumstances, all the Commissioners of the Municipalities and Commune Panchayats are hereby requested that proposals for reviewing the cases of crossing of efficiency bar by the Director (Local Administration) should be sent to this department within the time limit prescribed above, along with the following documents:—

3. At present, confidential rolls are written calendar-wise. It may be seen from the time schedule prescribed above that efficiency bar cases falling during the months of January to March should be cleared by the Local Administration Department in January itself. Therefore, it may become necessary to get the confidential reports in respect of those persons written on priority basis during the first week of January itself so that the consideration of these cases is not delayed beyond the month of January.

25.—Grant of special pay to Group 'D' employees of the Municipalities assisting cashiers in bringing cash from Banks.

The Lieutenant-Governor, Pondicherry is pleased to decide that Group 'D' employees of the Municipalities/Commune Panchayats going to the banks for depositing or bringing cash may be allowed a special pay of Rs 5 per mensem subject to the following conditions:—

(i) In the Municipal/Commune Panchayat office in question, there should only be one cashier or cash handling Senior Assistant or Junior Assistant so designated for dealing with cash and be in receipt of a special pay for the purpose.

(ii) A single Group 'D' employee should be attached to the Cashier or cash handling Assistant or the cash unit of a Municipality/Commune Panchayat.

(iii) The Group 'D' employee in question should be authorised as a regular measure by the Commissioner of the Municipality/Commune Panchayat asking him to go alone to the Banks for depositing or bringing small amounts of money, say about Rs 250 or so.

(iv) The Group 'D' employee in question, handling cash should be required to give a nominal security or fidelity bond for a amount equal to that upto which the Commissioner of the Municipality/Commune Panchayat would authorise the Group 'D' employee to handle cash.

2. An odd occasion of emergency when a Group 'D' employee is asked to perform this duty, would not be covered for this purpose. The employment of Group 'D' employees to fetch or carry money should be discouraged. When it is absolutely necessary to employ one for this purpose, a man of some length of service and proved trustworthiness should only be

(a) 2 sets of C. Rs. should be written and one set retained in the office of the Commissioner of the local Confidential Reports.

The following instructions should be followed while writing the Confidential Reports.

The matter regarding the prescription of the Reporting/Reviewing Officers for writing the Confidential Reports in respect of the employees of the Municipalities/Commune Panchayats has been engaging the attention of the Government. The suggestions in this regard have been received from various local bodies and they have been examined. Accordingly, the Reporting and Reviewing Officers in respect of the employees of the Municipalities/Commune Panchayats will be as indicated in the Annexure.

27.—Prescription of Reporting/Reviewing Officers for writing Confidential Report of municipal employees.

(Memorandum No. 18069/D1/LAD, dated 14-2-83 of the LAD)

2. All the Commissioners of the Municipalities/Commune Panchayats are hereby directed that pension to the Municipal/Commune Panchayat pensioners may be disbursed only on the first day of the following month. In case the first day (including Sunday) of the following month is a public holiday, pension payment may be made on a date as may be communicated by the Finance Department, Pondicherry.

The Local Fund Accounts, Pondicherry have brought to the notice of this Department that the Municipalities/Commune Panchayats are disbursing the pension to their pensioners on the last day of the month, whereas pension to the Government pensioners is usually being disbursed on the first day of the following month.

26.—Payment of pension on the first of the following month.

(G. O. Ms. No. 70, dated 4-3-1983 of the LAD)

selected and in cases where the amount to be handled is large one or more guards should accompany the messenger.

- bodies concerned and the other set sent to Local Administration Department.
- (b) Reviewing Officers should communicate adverse remarks within one month.
- (c) If adverse remarks have been recorded by the Reviewing Officers the files should be submitted to the next higher authority for consideration of the explanation received from the concerned official.
- (d) If adverse remarks are proposed to be expunged the remarks should be pasted.
- (e) C. Rs. need not be written for Group 'D' staff.
- Forms of C. Rs. adopted in the Government Departments for corresponding categories of staff should be adopted in the Municipalities/Commune Panchayats concerned. If there are no corresponding categories/new forms are proposed to be evolved, approval of Government for the form may be obtained.
3. The C. Rs. should be written for each calendar year viz. for the period from 1st January to 31st December. The C. Rs. shall be written within one month after the close of the year viz., before 31st January. In case, there is change of Reporting Officer/Reviewing Officer in the middle of the year, Confidential Report should also be written for the period. In such cases there will be more than one C. R. for the year. However, C. R. need not be written if the period served under a Reporting Officer is less than three months. A note to the effect should be kept in the Confidential Report file.
4. This memorandum supersedes all the orders issued previously in this regard.
5. The receipt of the memorandum may be acknowledged.
6. Commissioner should submit proposal for prescribing Reporting Officer/Reviewing Officer/Countersigning Officer, if any category is left out/new cadres are created.

ANNEXURE

Sl. No.	Designation of the Officer to be reported upon	Reporting Officer	Reviewing Officer	Countersigning Officer	Custodian of the Confidential Reports	
(1)	(2)	(3)	(4)	(5)	(6)	
PONDICHERRY MUNICIPALITY						
1.	Assistant Commissioner (When held by an officer of Municipality)	Commissioner	Chairman/ Special Officer	—	Office of the Commissioner Pondicherry Municipality.	
2.	Revenue Officer Gr. I	do.	do.	—	do.	
3.	Accounts Officer	do.	do.	—	do.	
4.	Assistant Revenue Officer, Gr. I & II	do.	do.	—	do.	
5.	Assistant Surgeon	do.	do.	—	do.	
6.	Veterinary Medical Officer	do.	do.	—	do.	
7.	Assistant Engineer	do.	Executive Commissioner	—	do.	
8.	Junior Engineer (Civil/ Mechanical/Electrical)	do.	Assistant Engineer	—	do.	
9.	Office Manager Gr. I/ Office Manager Gr. II	do.	Branch Officer concerned	Commissioner	—	do.

	Superintendent Gr. I/ Junior Assistant/ Senior Assistant/ Copyist/Manager (T.B.)					
10.	Confidential Assistant/ Stenographer	do.	Commissioner	—	—	do.
11.	Overseer Gr. I/ Draughtsman Gr. III/ Building Maistry Gr. I & Gr. II/ Mechan c/Blacksmith/ Tinker/Fitter/Mechani (Auto)/ Garden Superintendent/ Electrician Gr. I & Gr. II/ Supervisor (Market)/ Sanitary Maistry Gr. I & Gr. II/ Store-keeper.	do.	Assistant Engineer/ Municipal Health Officer concerned	Executive Engineer/ Commissioner	—	do.
12.	Sanitary Inspector (Selection Grade). Gr. I, Gr. II & Gr. III/Midwife	do.	do.	do.	—	do.
13.	Inspector (Octroi)/ Octroi Barrier officer/ Karnam	do.	Revenue Officer concerned	Commissioner	—	do.
14.	Sub-Inspector of Survey/ Deputy Surveyor/ Fieldman/Surveyor	do.	Assistant Engineer	Executive Engineer	—	do.
15.	PBX. Operator	do.	Assistant Commissioner	Commissioner	—	do.

(1)	(2)	(3)	(4)	(5)	(6)
16.	Driver	When held by an officer of municipality	Officer under whom the driver is working	—	Office of the Commissioner, Pondicherry Municipality.
17.	Translator	do.	Assistant Commissioner	Commissioner	do.
KARAİKAL MUNICIPALITY					
1.	Assistant Engineer	do.	Commissioner	Executive Engineer	Office of the Commissioner, Karaikal Municipality.
2.	Junior Engineer	do.	Assistant Engineer	Commissioner	do.
3.	Office Manager/Superintendent/Junior Assistant.	do.	Commissioner	Chairman/Special Officer	do.
MAHE AND YANAM MUNICIPALITIES					
1.	Junior Engineer/Overseer Gr. I and Gr. II.	When held by officials of the Municipality	Commissioner	Assistant Engineer (Local body or P.W.D. as the case may be)	Office of the Commissioner concerned Municipality.

2. Office Manager/Karnam/
Bill Collector Gr. I,
Gr. II/Copyst/Junior
Assistant/Sanitary
Maistry/Driver/Chief
Gangman. do. do. Chairman/
Special Officer do.

OULGARET COMMUNE PANCHAYAT

1. Assistant Engineer (When held by
officials of the
Commune
Panchayat) Commissioner Executive
Engineer Chairman/
Special
Officer Office of the
Oulgaret
Commune
Panchayat.
2. Junior Engineer/Overseer
Gr. I and Gr. II. do. Assistant
Engineer Commissioner do. do.
3. Office Manager/Junior
Assistant/Karnam/Bill
Collector Gr. I and Gr. II/
Copyst. do. Commissioner Chairman/
Special
Officer do.

OTHER COMMUNE PANCHAYATS

1. Junior Engineer/Overseer (When held by
officials of the
Commune
Panchayat) Commissioner Assistant
Engineer Chairman/
Special
Officer Office of the
Commune
concerned
Panchayats.

(1)	(2)	(3)	(4)	(5)	(6)	
2.	Office Manager/Kariam/ Bill Collector Gr. I and Gr. II/Copyist/Sanitary Maistry/Driver/Chief Gangman.	(When held by officials of the Commune Panchayat)	Commissioner	Chairman/ Special Officer	—	Office of the Commissioner concerned Commune Panchayats.

(Memorandum No. 2358/80/LAD/A1, dated 29-2-1984 of the LAD)

In supersession of the instructions contained in the Circular/Memorandum No. 942/LAD/75/A1, dated 30-6-1975 and 27-2-1976 and G. O. Ms. No. 125, dated 5-4-1983 of the Local Administration Department, the Reporting/Reviewing Officers for writing the Confidential Reports of the officers and staff in the Local Administration Department and Special Officers and Commissioners of the Municipalities/Commune Panchayats are prescribed as indicated in the Annexure.

These orders will take immediate effect.

ANNEXURE

Sl. No.	Designation of the Officer to be reported upon	Reporting Officer	Reviewing Officer	Countersigning authority	Custodian of the confidential reports
(1)	(2)	(3)	(4)	(5)	(6)

SELECTION GRADE P.C.S OFFICERS

1. Director (Local Administration) Secretary (Local Admn.) Chief Secretary — Office of the Chief Secretary
2. Commissioner, Pondicherry Municipality. " " — "
3. Special Officers of Municipalities/ Commune Panchayats " " — "
4. Project Director, D.R.D.A. (when held by Selection grade P.C.S. officers and I.A.S. junior time scale officer). " " — "

ENTRY GRADE P.C.S. OFFICERS

5. Deputy Director (Municipal Admn.) Director (Local Admn.) Secretary (L.A) Chief Secretary "
6. Deputy Director (Rural Development), " " " "

(1)	(2)	(3)	(4)	(5)	(6)
7.	Election Officer (Civics)	Director (Local Admn.)	Secretary (L.A.)	Chief Secretary	Office of the Chief Secretary
8.	Commissioner, Karaikal Municipality.	Special Officer concerned	Director (L.A.)	Secretary (L.A.)	"
9.	Commissioner, Oulgaret Commune Panchayat.	"	"	"	"
NON-P.C.S OFFICERS					
10.	Executive Engineer (Engg. Cell L.A.D.)	Director (Local Admn.)	Secretary (L.A.)	—	Director, P.W.D.
11.	Assistant Director (Admn.)	"	"	—	Deputy Director who is functioning as Head of Office.
12.	Assistant Statistical Officer	"	"	—	Office of the Director, Department of Statistics and Evaluation.
13.	Assistant Engineer (Engineering Cell) Local Admn. Department.	Executive Engineer	Director (L.A.)	—	Director, P.W.D.
14.	Assistant Surveyor of Works (Engineering Cell, L.A.D.)	"	"	—	"
15.	Assistant Examiner, L.F.A.	Examiner, L.F.A.	Secretary (L.A.)	—	Office of the Examiner, L.F.A.

(Directorate of
Accounts and
Treasuries).

NON-GAZETTED OFFICERS

16. Commissioner, Mahe Municipality.	Special Officer concerned	Director (L.A.)	—	Deputy Director who is functioning as Head of Office.
17. Commissioner, Yanam Municipality.	"	"	—	"
18. Commissioners of Commune Panchayats.	"	"	Secretary (L.A.)	"
19. Staff of the Directorate of Local Administration.	Dy. Director/ Election Officer/ Assist. Engineer/ Assistant Statistical Officer concerned.	Director (L.A.)/ Executive Engineer Engg. Cell, LAD.	—	"
20. Local Fund Accounts Staff	Asst. Examiner, L.F.A.	Examiner, L.F.A.	—	Examiner L.F.A. (Director of Accounts and Treasuries)

(Order No. 942/LAD/75/A1, dated 26-9-84 of L.A.D.).

28.—Grant of Special Casual leave to the employees of Municipal Councils.

The Lieutenant-Governor, Pondicherry is pleased to decide that the employees of the Municipal and Commune Panchayat Councils shall be granted with immediate effect special casual leave for the following purposes subject to the conditions hereinafter provided :—

(i) For participating in sports and cultural activities and mountaineering expeditions ;

(ii) For undergoing family planning operations ;

(iii) For attending interview/Medical Examination, etc. in connection with joining the Indian Naval Reserve and Indian Naval Volunteer Reserve ; and

(iv) For joining training in the Territorial Army/Defence Reserve or Auxiliary Air Force.

2. For the purposes of this order, 'Employees' includes an officer or servant holding a post under a municipal or commune panchayat council but not a part-time employee or staff paid from contingencies.

3. All kinds of special casual leave specified in this order shall be sanctioned by the commissioner of the respective municipal or commune panchayat council.

4. For participating in sports events.—(a) Special casual leave may be granted to an employee for a period not exceeding thirty days in any one calendar year. The period of absence in excess of thirty days should be treated as regular of the kind admissible under the leave rules applicable to the persons concerned. For this purpose, the employees may, as a special case, be permitted to combine special casual leave with regular leave. Special casual leave should not, however, be granted in combination with ordinary casual leave.

5. For participating in cultural activities.—The employees who participate in cultural activities like dance, drama, music, poetic, symposium, etc. of an All India or Inter-State character

(d) The special casual leave under paragraph 4 (a) may be granted to the employees who are selected or sponsored by the organisations mentioned in paragraph 4(b)(ii), for giving running commentaries over the All India Radio and Door-dharshan in National or International meets.

(ii) for absence due to pre-selection trials for selecting All India Players for their participation in sporting events of National or International importance or in Inter-Departmental tournaments.

(i) for participating either in a National or International sporting event in which such participation of the employee takes place in his personal capacity and not in a representative capacity; and

(c) This concession is not to be allowed—

(iii) in respect of events of National importance, when the sporting event in which participation takes place, is held on an inter-zonal or inter-circle basis and the employee concerned takes part in the event in a team as a duly nominated representative on behalf of the State, Zone or Circle, as the case may be.

(ii) in respect of International sporting events by any National Sports Federation or Association recognised by the All India Council of Sports and approved by the Ministry of Education.

(i) for participation in sporting events of National and International importance and when the employee is selected for such participation.

(b) The special casual leave may be allowed only—

7. For undergoing family planning operations.—(a) In the case of male employees.—Male employees who undergo vasectomy operation under the Family Welfare Programme for the first time may be granted special casual leave not exceeding six working days. Sundays and closed holidays intervening should be ignored while calculating the period of special casual leave. If any employee undergoes vasectomy operation for the second time on account of failure of the first operation, special casual leave not exceeding six days may be granted again on production of a certificate from the medical authority concerned to the effect that the second operation was performed due to the failure of the first operation.

(b) The period of absence in excess of thirty days should be treated as regular leave of the kind admissible under the leave rules applicable to the person concerned. For this purpose, the employees may be permitted as a special case to combine special casual leave with regular leave.

(ii) there will be no change in the over all limit of thirty days special casual leave for one calendar year for participation in sporting event of National or International importance.

(i) that the expedition has the approval of the Indian Mountaineering Foundation; and

6. For participating in mountaineering expeditions.—(a) employees participation in mountaineering expeditions may be granted special casual leave not exceeding thirty days in any one calendar year, subject to the following conditions.—

organised by the Central Secretariat Sports Control Board or on its behalf may be granted special casual leave subject to the overall limit of thirty days. This will not be admissible for practice or for participation in cultural activities organised locally.

(c) Male employees whose wives undergo tubectomy operation.—(i) Male employees whose wives undergo either puerperal or non-puerperal tubectomy operation for the first time or for the second time due to failure of the first operation under the Family Welfare Programme may be granted special casual leave for seven days subject to the production of a medical certificate stating that their wives have undergone tubectomy operation for the second time due to the failure of the first operation. It shall not be necessary to state in the certificate that the presence of the employee is required to look after the wife during her convalescence.

(v) Female employees who undergo salpingectomy operation after medical termination of pregnancy may be granted special casual leave not exceeding fourteen days.

(iv) Female employees who have re-insertions of intra-uterine device may be granted special casual leave on the date of the IUD re-insertion.

(iii) Female employees who have insertions of intra-uterine contraceptive devices may be granted special casual leave on the day of the IUCD insertion.

(ii) In the case of female employees who undergo tubectomy operation for the second time on account of the failure of the first operation, special casual leave not exceeding fourteen days may be granted again on production of a certificate from the prescribed medical authority concerned to the effect that the second operation was performed due to the failure of the first operation.

(b) In the case of female employees.—(i) Female employees who undergo tubectomy operations, whether puerperal or non-puerperal, may be granted special casual leave not exceeding fourteen days.

(1) the operation should have been performed in a hospital, medical college or institute where facilities for

(e) For undergoing recanalisation operation.—(1) The employees who undergo operation for recanalisation may be granted special casual leave upto a period of twenty-one days or actual period of hospitalisation as certified by the authorised medical attendant, whichever is less. In addition special casual leave can also be granted for the actual period of the to and fro journey performed for undergoing this operation. The grant of special casual leave for recanalisation operation without any commitment to the reimbursement of medical expenses) is subject to the following conditions :—

(d) In the case of post-sterilisation operation complications.—An employee who requires special casual leave beyond the limits laid down for undergoing sterilisation operation owing to the development of post-operation complications may be allowed special casual leave to cover the period for which he or she is hospitalised on account of post-operational complications, subject to the production of a certificate from the concerned hospital authorities or an authorised medical attendant. In addition, the benefit of the additional special casual leave may also be extended to the extent of seven days in case of vasectomy operation and fourteen days in case of tubectomy operation, and to such employees who after sterilisation operation do not remain hospitalised but at the same time, are not found fit to go to work, subject to the production of a medical certificate from the appropriate authority in the concerned hospital or an authorised medical attendant.

(ii) Male employees whose wives undergo tubectomy or salpingectomy operation after medical termination of pregnancy may be granted special casual leave upto seven days subject to the production of a medical certificate stating that their wives have undergone tubectomy or salpingectomy operation after medical termination of pregnancy. It shall not be necessary to state in the certificate that the presence of the employee is required to look after the wife during her convalescence.

8. For attending interview, medical examination, etc. in connection with joining the Indian Naval Reserve and the Indian Naval Volunteer Reserve.—The period of absence from duty of the employees occasioned by their interview, medical

case may be. Sundays may be prefixed or suffixed to regular leave, as the casual leave and not both. The intervening holidays and/or special casual leave may be suffixed either to regular leave or to prefixed to regular or to casual leave and not both. Similarly leave and casual leave. Special casual leave should either be fixed to regular leave or casual leave. However, special casual leave should not be allowed to be prefixed both to regular leave and casual leave. Special casual leave should either be prefixed to regular leave or casual leave. However, special casual leave connected with sterilisation or recanalisation under the Family Welfare Programme may be suffixed as well as prefixed to regular or casual leave.—Special

- (f) Combining with regular or casual leave.—Special
- (1) are unmarried ; or
 - (2) have less than two children ; or
 - (3) desire recanalisation for substantial reasons e. g. a person has lost all male children or all female children after vasectomy or tubectomy operation performed earlier.

employees who—
(ii) The concession indicated above is admissible to the

(2) the request for grant of special casual leave is supported by a medical certificate from the doctor who performed the operation to the effect that hospitalisation of the employee for the period stipulated therein was essential for the operation and post-operation recovery.

(2) the request for grant of special casual leave is supported by a medical certificate from the doctor who performed the operation to the effect that hospitalisation of the employee for the period stipulated therein was essential for the operation and post-operation recovery.

recanalisation are available. If the operation is performed in a private hospital, it should be one nominated by the State Government of Union Territory Administration for performing recanalisation operations.

The Lieutenant-Governor, Pondicherry is pleased to decide that immediate relief to the families of Municipal/Commune Panchayat servants who die while in service may be sanctioned by the Commissioners of the Municipalities/Commune Panchayats in accordance with the provisions of this order, in order to

29.—Payment of Immediate Relief to the families of Municipal servants who die while in service.

(G. O. Ms. No. 238, dated 6-12-1983 of LAD)

10. General.—The commissioner of the respective municipal or commune Panchayat council may grant casual leave in combination with special casual leave; but, in cases where it is permissible to grant regular leave in combination with special casual leave, casual leave should not be granted in combination with both special casual leave and regular leave.

9. For joining training in the Territorial Army, Defence Reserve or Auxiliary Air Force.—When the employees are called for training in the Territorial Army, Defence Reserve or Auxiliary Air Force, the period spent by them in transit from the date of their relief from the posts in a municipal or commune Panchayat council to the date on which they report to military authorities and vice-versa should be treated as special casual leave. During such periods, which should be restricted to the minimum required for the purpose, they would be paid pay and allowances at usual rates by the municipal or commune Panchayat office.

examined, etc. in connection with their joining the Indian Naval Reserve and the Indian Naval Volunteer Reserve should be treated as special casual leave. This concession would, however, be admissible in those cases where it may not be possible for the employees concerned to attend to their duties after the interview, medical examination, etc. If an employee withdraws his candidature at the interview, he would not be entitled to any special casual leave.

(a) pay including special pay or personal pay, if any.

(ii) The emoluments last drawn ;

Panchayat servant.

(i) Name and designation of the Municipal/Commune

culars :—

4. **Sanction of advance.**—The sanction of advance should be communicated to the Local Fund Examiner, Pondicherry or the Deputy Director of Accounts and Treasuries, Karaikal or the Branch Officer, Directorate of Accounts and Treasuries, Mahe/ Yanam, as the case may be, and contain the following parti-

3. **Amount of relief.**—The relief may be allowed in the form of advance limited to three months pay (including personal pay, and special pay) of the deceased Municipal/Commune Panchayat servant or Rs. 1,000 whichever is less. Provided that the amount so sanctioned does not exceed the estimated payments due to the family as indicated at paragraph 6.

Note : The term "emoluments" for the purpose of this clause will mean pay as defined in note below rule 4 of the Municipal Services (Classification, Control and Appeal) Rules, 1982 or the Commune Panchayat Services (Classification, Control and Appeal) Rules, 1982, as the case may be.

2. **Eligibility.**—In case a Municipal/Commune Panchayat servant other than a casual or daily rate employee holding a post in a permanent or temporary capacity dies while in service (whether on duty or on leave with or without leave salary) and was in receipt of emoluments not exceeding Rs. 1,200 per month, his family will be eligible for relief in the shape of an advance.

of financial assistance.

enable the family to meet its immediate requirements, if in the opinion of the Commissioner of the Municipality/Commune Panchayat, the family concerned has been left in indigent circumstances upon the death of the Municipal/Commune Panchayat servant on whom it was dependent and is in immediate need

(c) A separate undertaking should be taken from each person whom the payment of advance is made that he/she agrees to the amount of advance being recoverable from any amounts payable on the death of the Municipal/Commune Panchayat servant.

(b) In a case other than one referred to in (a) above, the payment of the advance should be to the person eligible to receive death-gratuity becoming payable on the death of the Municipal/Commune Panchayat servant.

7. **Beneficiaries.**—(a) In case the deceased Municipal/Commune Panchayat servant was governed by the provisions of the Liberalised Pension Rules, the payment of advance should be made to the person or persons in the same manner as the payment of death-cum-retirement gratuity would have been made.

6. **Adjustment of advance.**—The advance will be adjustable against the arrears of pay and allowances including leave salary, death-cum-retirement gratuity, balances in the provident fund or any other payment due in respect of deceased Municipal/Commune Panchayat servant and becoming payable to the family. The adjustment of advance should be made as soon as possible but should not be delayed beyond the period of six months reckoning from the date of sanction of the advance.

5. **Head of account.**—Advance paid under this Order should be debited to the Head of Account "Advance to the Municipal/Commune Panchayat Servants" of the Municipality/Commune Panchayat.

- (iv) Name or names of the beneficiaries to whom the payment of advance is to be made.
- (iii) Amount of advance sanctioned.
- (d) Interim relief.
- (c) Additional Dearness Allowance.
- (b) Dearness Allowance.

10. In cases where the Commissioners of the Municipalities/Commune Panchayats are in a position to assess the Municipal/Commune Panchayat dues payable by the deceased Municipal/

9. For the purpose of grant of the advance as immediate relief in accordance with this Government order, the Commissioners of the Municipalities/Commune Panchayats need not either insist on or wait for a formal application from the bereaved family. They may immediately on receipt of the information regarding the death of the Municipal/Commune Panchayat servant, arrange for the payment of the advance after getting a formal undertaking from the recipients agreeing to the advance being recovered from the arrears of pay and allowances and/or leave salary, death-cum-retirement gratuity, balance in the provident fund or any other payment due in respect of the deceased Municipal/Commune Panchayat servant and becoming payable to the family subject to the other conditions laid down in this Government Order.

8. **Payment of advance.**—To enable the Commissioners of the Municipalities/Commune Panchayats to make immediate payment to the family of the deceased Municipal/Commune Panchayat servant, the Commissioner is authorised to use for this purpose, the imprest or other resources available with him. If the imprest or other resources are not sufficient to cover the payment, the Commissioner of the Municipality/Commune Panchayat may draw the amount by presenting a bill in a simple receipt form. As soon as the payment of advance has been made, the Commissioner of the Municipality/Commune Panchayat will immediately inform the Local Fund Examiner, Pondicherry or the Deputy Director of Accounts and Treasuries, Karaikal or the Branch Officer, Directorate of Accounts and Treasuries, Mahé/Yanam, as the case may be, and also advise him as to how the advance is to be adjusted against the payment becoming payable in respect of the deceased Municipal/Commune Panchayat servant. The fact of the payment of advance should also be made by the Commissioner in the Last Pay Certificate.

(G. O. Ms. No. 18, dated 29-1-82 of the LAD)

2. This order will take effect from 1-1-1982.

(ii) revise the scale of pay of one of the post of Gangman in Bahour Commune Panchayat in which Thiru C. Sadagopan is officiating at present as Rs 225-5-260-6-290-EB-6-308, instead of Rs 196-3-208-4-220-EB-4-232 and to redesignate the post as Chief Gangman".

(i) enhance the special pay attached to the post of Office Manager Grade III in Yanam Municipality and in all Commune Panchayats in Karaikal region from Rs. 20 to 30.

After careful consideration of the list of anomalies submitted by the Pondicherry State Municipalities and Commune Panchayats Employees Union Federation, Pondicherry, the Government is pleased to—

30. Enhancement of special pay of Office Manager in Yanam Municipality.

(G. O. Ms. No. 212, dated 12-10-83 of the LAD)

Commune Panchayat servant they may do so on the same day and, on assessment, if they find that the dues are more than the payment to be made to the family they may not allow any immediate relief. In other cases where assessment of the Municipal/Commune Panchayat dues is not possible on the same day, the "immediate relief" should be allowed immediately on receipt of the intimation about the death by the Commissioner and the balance of the Municipal/Commune Panchayat dues, if later found to be in excess of the payment made to the family may be written off.

1. General.—The Municipal Councils are competent to appoint, in relaxation of the procedure of recruitment through the selection committee or Employment Exchange but subject to the other requirements set out below the son or daughter or near relative of a Municipal servant who dies in harness leaving his family in immediate need of assistance in the event of there being no other earning member in the family to a Municipal post, the scale of pay of which does not exceed Rs. 425-700. Such appointment shall be made by Municipal Council only after getting the prior approval of the Government.

In exercise of the powers conferred by rule 9 of the Pondicherry Municipalities Recruitment Rules, 1982, the Lieutenant-Governor, Pondicherry is pleased to direct that the Municipal Councils may appoint the son/daughter/near relatives of deceased Municipal servants on compassionate grounds to Municipal services subject to the following conditions:—

32. Compassionate appointments to the son/daughter/near relative of the deceased municipal servants.

(G. O. Ms. No. 240, dated 26-9-1980 of the LAD)

In partial modification of the G. O. Ms. No. 90, dated 29-3-77 of the Local Administration Department, sanction of the Lieutenant-Governor is hereby accorded to the payment of Washing Allowance at the rate of Rs 4 (Rupees four only) per month to all the category of Municipal/Commune Panchayat employees who are supplied with liveries, with effect from 1-7-1980.

31. Grant of washing allowance to Municipal Employees.

3. Eligibility.—Applicants for compassionate appointment should be appointed only if they are eligible and suitable for the posts in all respects under the provisions of the Recruitment Rules. Cases where the conditions of the family is very hard and appointment can be made only by relaxation of educational qualifications, the Municipal Council with the approval of Government may relax educational qualifications in case of appointment to the post carrying the scale of pay Rs. 260-400 and below where a son or daughter or wife or near relative applying for the posts does not yet have the necessary qualifications and has to be given an opportunity to acquire the requisite qualification. This relaxation shall be permitted for a period of two years. Beyond this no relaxation of educational qualification shall be admissible and the services of the person concerned, if still unqualified are liable to be terminated where the Municipal Council deem it imperative in the context of the impecunious conditions of the family it may with the prior approval of the Government, relax the age limit.

(i)	Scheduled Castes	15%
(ii)	Scheduled Tribes	7½%
(iii)	Ex-servicemen (in Junior Asst. posts)	10%
(iv)	Employees drawing below the scale of pay of Rs. 260-400 (in Junior Asst. posts)	10%
(v)	Handicapped	3%

2. Filling up of posts.—The total number of posts earmarked for making compassionate appointments shall not exceed substantially and significantly 50% of the vacancies in any calendar year after allowing for the following reservations which may vary from post to post.

7. Deaths during re-employment or extension in service.—A son/daughter/near relative of a Municipal servant who dies during the period of extension in service shall be eligible for the concession of compassionate appointments. However, the benefit of the concession of compassionate appointment shall not be admissible to these Municipal servants who pass away during re-employment.

6. Municipal servants retired on medical grounds.—In exceptional cases, when the Municipal Council is satisfied that the condition of the family is indigent and in great distress, the benefit of compassionate appointment may be extended to the son/daughter/near relative of Municipal servant retired on medical ground subject to the approval of the Government.

5. When there is an earning member.—In deserving cases even where there is an earning member in the family, a son or daughter or near relative of a Municipal servant, who dies in harness leaving his family in indigent circumstances, may be considered for appointment to the post. Such appointments also shall be made by the Municipal Council with the prior approval of the Government who before approving the appointment should satisfy that the grant of concession is justified, having regard to the number of dependants left by the deceased Municipal servant, the assets and liabilities left by him, the income of the earning member as also his liabilities, whether the earning member is residing with the family of the deceased Municipal servant and whether he would not be a source of support to the other members of the family.

4. Where the death took place long ago.—The Municipal Council may consider all cases, on merit, even though the death took place long ago, but while admitting the claims of such applications, the Municipal Council should keep in view the important fact that the concept of compassionate appointment is largely related to the need for immediate assistance to the family on the passing away of the Municipal servant in harness.

- I. (a) Name of the deceased/retired on medical grounds, employee
- (b) Designation of the employee
- (c) Date of death/retirement on medical grounds
- (d) Total length of service rendered
- (e) Whether permanent or temporary
- (f) Whether belonging to SC/ST

Part-I

Forma regarding employment of dependants of Municipal servants/retired on medical grounds

ANNEXURE

10. Form.—The forma as in the annexure may be used by the Municipalities for processing the cases for compassionate appointments.

9. Selective approach.—The appointments made on grounds of compassion shall be done in such a way that persons appointed to the post do have the essential educational and technical qualifications required for the post consistent with the requirement of the maintenance of efficiency of administration of the Municipality.

8. Request for change in post.—Once a person has accepted a compassionate appointment to a particular post, the set of circumstances which led to his initial appointment, shall be deemed to have ceased to exist and thereafter the person who has accepted compassionate appointment in a particular post should strive in his career like his colleagues for future advancement and claims for appointment to higher posts on consideration of compassion shall invariably be rejected.

Sl. No.	Name	Relationship with the employee and age	Employed or not (particulars of employment and emoluments)
1.			
2.			
3.			
4.			
5.			

V. Particulars of all dependants of the employee (if some are employed, their income and whether they are living together or separately.)

- IV. Brief particulars of liabilities, if any
- (a) Family pension
 - (b) D. C. R. Gratuity
 - (c) G. P. F. balances
 - (d) L. I. C. Policies
 - (e) Movable and immovable properties and income earned therefrom by the family

- III. Particulars of total assets left including amount of—
- (a) Name of the candidate for appointment
 - (b) His/Her relationship with the employee
 - (c) Date of birth
 - (d) Educational qualifications
 - (e) Whether any other dependant has been appointed on compassionate grounds

- I. (a) Name of candidate for appointment ...
- (b) His/Her relationship with the employee ...
- (c) Educational qualifications, Age (Date of birth) and experience, if any ...
- (d) Post for which employment is proposed ...
- (e) Whether the post is vacant. If so, the date from which it is vacant ...

Part-II

Signature of the Commissioner.

I have verified that the facts mentioned by candidate above are correct.

Address :

Name :

Signature of the permanent Municipal servant.

Thru ... is known to me and the facts mentioned by him are correct.

Signature of candidate.

I do hereby declare that the facts given by me above are to the best of my knowledge correct. If any of the facts herein mentioned are found to be incorrect or false at a future date, my services may be terminated.

VI. Declaration :

In partial modification of the order No. 8332/260/D1/76/LAD dated 29th March, 1983 of the Local Administration Department and in pursuance of sub-rule (2) of rule 8 of the Pondicherry Municipal Subordinate Services (Provident Fund) Rules, 1976, the following officers are authorised to be the sanctioning authority for the purposes of sub-rule (2) of rule 8

33.—Appointment of sanctioning authority under sub-rule (2) of rule 8 of the Pondicherry Municipal Subordinate Services (Provident Fund) Rules, 1976.

(G. O. Ms. No. 107, dated 28-5-82 of LAD—Published in the Gazette No. 26, dated 29-6-1982)

Signature of the Commissioner.

- IV. If the employee died/retired on medical grounds, more than 5 years back, why the case was not sponsored earlier ? ...
- III. Recommendations of the Municipal Council ...
- II. Whether the facts mentioned in Part-I have been verified by the office and if so indicate the records ...
- (h) Apart from waiver of Employment Exchange procedure what other relaxations are to be given ? ...
- (g) Whether the candidate fulfils the requirement of the Recruitment Rules for the post. ...
- (f) Whether the requirement rules provide for direct requirement ...

for sanctioning advances to the subscribers under the said sub-rule, except for sanctioning withdrawals from provident fund to the subscribers, for the Municipalities specified against each :

Name of the officer	Municipality for which authorised
1. The Special Officer, Pondicherry Municipality,	Pondicherry Municipality
2. The Special Officer, Karaikal Municipality, Karaikal	Karaikal Municipality
3. The Administrator, Mahe	Mahe Municipality
4. The Administrator, Yanam	Yanam Municipality

(Order No. 8332/260/D1/76/LAD, dated 30-12-1983 of the LAD)

34. Supereannuation of the employees of the local bodies and grant of pension — Guidelines.

The employees of the Municipalities and Commune Panchayats have been classified into four categories viz., Group A, B, C and D, according to the Pondicherry Municipal Services (Classification, Control and Appeal) Rules, 1982 and the Pondicherry Commune Panchayat Services (Classification, Control and Appeal) Rules, 1982 respectively. Further, rule 56 of the Fundamental Rules and rules 56(1) and 58, the Central Civil Services (Pension) Rules, 1972 were also made applicable to the employees of the local bodies as are for the time being applicable to the corresponding category or classification of Government servants, vide the Pondicherry Municipal Subordinate Services (Retirement and Pension) Rules, 1976 and the Pondicherry Commune Panchayat Subordinate Services (Retirement and Pension) Rules, 1976 respectively. According to the

The Municipalities and Commune Panchayats are sending proposals to this Department for the enhancement of daily wages to their employees working on daily rated basis whenever the schedule of rates adopted by the Public Works Department in the respective region are revised.

35. Wages to the daily rated employees — Adoption of rates followed by Public Works Department.

(Memorandum No. 4749/83/LAD/83 dated 11-8-1983 of the LAD)

3. In case any employee has been retained beyond his date of superannuation, he should be superannuated immediately and the list of names of such of those employees should be submitted to this Department on or before 1st September, 1983, without fail along with a detailed report for having retained them beyond the date of superannuation.

2. The Commissioners of all the Municipalities and Commune Panchayats are, therefore, requested to classify the employees of the local bodies into the various categories as defined in the above Rules and ensure that the employees are not retained beyond their date of superannuation. They are further requested to prepare (i) on 1st January and on 1st July of each year the list of employees who are due to retire within the next 25 to 30 months of that date and (ii) the pension papers two years before the date on which an employee is due to retire on superannuation, as required under rules 56 and 58 of the Central Civil Services Pension Rules.

LAD/C-I(II), dated 26-5-1980.
vide this Department's Circular/Memorandum No. 17753/79-80/ requested to submit monthly statements regarding the superannuation of the staff on the first week of every month, 60 years. Besides, the Commissioners of Local Bodies were of the last day of the month in which they attain the age of 60 years coming under the group 'D' should retire on the afternoon month in which they attain the age of 58 years and the employees coming under the group 'A, B and C should retire on the afternoon of the last day of the said Pension Rules, the employees coming under the Group A,

2. After careful consideration of the matter, approval of the Chief Secretary is hereby accorded for (i) payment of daily wages to all the daily rated employees working in the Municipalities and Commune Panchayats at the rates prescribed in the schedule of rates followed by Public Works Department in the respective region for the corresponding categories of staff with immediate effect and also for (ii) automatic revision of the rate of remuneration for the above daily rated employees on the basis of orders issued by the Public Works Department (i. e.) the Public Works Department schedule of rates, as amended from time to time would be adopted by the Local Bodies.

"The Entertainment Tax Officer shall, if he proposes to sanction the application, fix the amount of security to be furnished by the proprietor for the proper payment of the entertainment tax and the time within which such security shall be furnished. The amount of security deposit so fixed shall, both in the case of a touring cinema as well as permanent theatre, be equal to fifty per cent of the tax payable on tickets based on the full capacity of the auditorium for the period prescribed for submission of the returns in the

2. Amendment of rule 4.—In rule 4 of the Pondicherry Municipalities (Entertainments Tax) Rules, 1976, for the existing sub-rule (1), the following shall be substituted, namely:—

(2) They shall come into force from the date of their publication in the official gazette.

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipalities (Entertainment Tax) (Amendment) Rules, 1984.

In exercise of the powers conferred by section 171 read with section 440 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry, hereby makes the following amendment to the Pondicherry Municipalities (Entertainments Tax) Rules, 1984, namely:—

36(a).—The Pondicherry Municipalities (Entertainments Tax) (Amendment) Rules, 1984.

TAXATION

CHAPTER—V

(a) Till such time the video exhibitors obtained a licence under the Cinematograph Act, the Commissioners of the Municipalities may not allow the conduct of video exhibi-

2. In these circumstances, the Commissioners of Municipalities may collect entertainments tax on video exhibition. The following instructions are issued:—

Kind reference is invited to section 348 of the Pondicherry Municipalities Act, 1973 which provides that no enclosed place or building, whether permanent or temporary, shall be used for public resort or entertainment unless a licence of the Commissioner is obtained. The Commissioner may issue licence under section 349 of the said Act, after consulting the prescribed authorities (i.e., Additional District Magistrate and Senior Superintendent of Police in respect of Pondicherry Municipality and the Administrators concerned in respect of Municipalities in the outlying regions). Further rule 2(d) of the Pondicherry Municipalities (Entertainments Tax) Rules, 1976 provides that "entertainment" includes a cinematograph exhibition, performance, amusement, game, dramatic or music performance or exhibition to which persons are admitted on payment, but does not include circus.

36(b). Issue of licences and collection of Entertainment Tax on Video exhibition.

(G. O. Ms. No. 119, dated 3-4-1984 of the LAD — Published in the Extra Ordinary Gazette No. 8, dated 16-4-1984.)

permit issued in Form III. The security deposit may be furnished in any one or more of the forms specified in rule 274 of the General Financial Rules, 1963 or in such other form as may be approved by the Government. When the security is in a form other than cash, it should be duly pledged in the name of the Entertainment Tax Officer. When the security is furnished, the Entertainment Tax Officer shall grant the proprietor a permit in Form III".

3. Sections 348 to 354 of the Pondicherry Municipalities Act, 1973 and the Pondicherry Municipalities (Places of Public Resorts and Entertainments) Rules, 1980 have been extended to the Commune Panchayats (vide pages 25 and 26 of the Panchayat Manual). The Officers whom the Commissioners of the Commune Panchayats have to consult before issuing of licence have also been prescribed by the Government in G. O. Ms. No. 252, dated 5-11-1979 (vide page 26 of the Panchayat Manual—i.e., Additional District Magistrate and Senior Superintendent of

(c) In case the video exhibitors obtained licence from the Commissioner under the Pondicherry Municipalities Act, 1973, entertainments tax shall be collected on the face value of the tickets. If the licence is obtained under the Cinematograph Exhibition, entertainments tax shall be collected over and above the net value fixed by the District Magistrate together with the show tax.

(b) As soon as a licence is obtained by the video exhibitor for either under the Cinematograph Act or under the provisions of sections 348 and 349 of the Pondicherry Municipalities Act, 1973, the video exhibitor shall be required to obtain Entertainments tax permit from the Entertainments Tax Officer under the Pondicherry Municipalities (Entertainments Tax) Rules, 1976. Therefore, the Entertainments Tax Officer should ensure that video exhibitions are conducted only after obtaining necessary permit from him. Before issuing the permit, the Entertainments Tax Officer should collect necessary security, and follow the procedures prescribed under the rules. The video exhibitors should print tickets in the prescribed form and issue before admission of public to the entertainment.

Entertainments) Rules, 1980.
from him under the provisions of sections 348 and 349 of the Pondicherry Municipalities Act, 1973 and the Pondicherry Municipalities (Places of Public Resort and

Persons may be required to get trade licence under section 355 read with Schedule III of the Pondicherry Municipalities Act, 1973 in respect of Municipalities, and under section 121 of the Pondicherry Village and Commune Panchayats Act, 1973 and the Notification issued under that section specifying the purposes which are likely to be offensive or dangerous to human life or health or property (vide page 17 of the Panchayat Manual) in respect of Commune Panchayats. If the video

According to the provisions of section 348 of the Pondicherry Municipalities Act, 1973, a person need to a licence for use of enclosed place or building for public resort or entertainment only (i) if the area of the enclosed place or building is 60 sq. m. or more, or (ii) in case the area under (i) above is less than 60 sq. m., if the public are allowed to take part in any game or competition therein. Therefore, if a person decides to run a video parlour in a place or building where the area is less than 60 sq. m., he may not be required to obtain a licence under section 348 of the Pondicherry Municipalities Act, 1973.

In continuation of this Department's Memorandum No. F.30-1/84-Le.Ce(1)/LAD, dated 14-3-1984 on the above subject, the following clarification is issued:—

(Memorandum No. F.30-1/84/Le.Ce(1)/LAD, dated 14-3-1984 of the Local Administration Department)

4. The receipt of this Memorandum may kindly be acknowledged.

Police in respect of Commune Panchayats in Pondicherry region, and the Administrator, Karaikal and the Superintendent of Police, Karaikal in respect of Commune Panchayats in Karaikal region). Therefore, the Commissioners of the Commune Panchayats also may issue licences and collect entertainments tax as in the case of Municipalities.

Attention is invited to the memorandum No. 23110/D1/83/LAD-Part, dated 25th October, 1983 on the local bodies—Assessment of Property tax/House tax by Municipalities/Commune Panchayats. All the Commissioners of Municipalities/Commune Panchayats were requested to take immediate action for assessment of property tax/house tax for quinquennial period 1984-89. However, it is noticed that several Municipalities/Commune Panchayats have published the draft notice

37(a)—Assessment of Property Tax clarifications.

(Memorandum No. F.30-1/84-Le.Ce(1)/LAD, dated 19-3-1984 of Local Administration Department)

Commissioner should consult the authorities prescribed. If a licence is issued under sections 348 and 349, then the

Commune Panchayats.—(a) Articles of food made of flour, nuts, sugar or jaggery — Preparing for human consumption or selling, (b) Eating house, (c) hotel, (d) Lodging house — Keeping a hotel, a boarding house, a Choultry, Dharmasala or rest house not maintained by the Government, and (e) Coffee house.

Municipalities.—(a) Food — Preparing or selling, (b) Lodging, house-keeping, a hotel, a boarding house, a choultry, Dharmasala or any place where casual visitors are received and provided with sleeping accommodation, with or without food, and (c) Articles of food made of flour, nuts, sugar or jaggery — Preparing for human consumption or selling.

partours are required to take trade licence, on account of activities carried on by them (say supply of coffee) such trade licence is necessary. For example, trade licence is required for the following categories of items :—

only on 31st January, 1984, or subsequent dates. In the memorandum cited it was clearly indicated that statutory time limit has been prescribed for certain items of works and the time should be adhered in those cases according to statutory rules. Hence, if the draft notice is published on 31st January, 1984, the local body can issue final notice only around 10th March, 1984 after taking into account the objections/suggestions received applying mind and passing detailed order.

2. Attention is invited to the memorandum No. F-29-1/83/Le.Ce(1)/LAD, dated 4th February, 1984. A time schedule was prescribed for adoption by all Commissioners of Municipalities/Corporations for this purpose. Commissioners were requested to complete preparation of assessment list of property tax/house tax by 20th March, 1984. On account of the fact that the final notice can be issued by several local bodies only around 10th March, 1984 or subsequently the time available for completion is very short, if the work relating to assessment is taken up after issue of final notice.

3. The question whether assessment work can be taken up (inspection of houses, preparation of plans, enquiry whether it is self-occupied or leased, etc.) even before issue of final notification was examined in consultation with Law Department. Law Department have advised that there does not appear to have any objection to undertake the work of peripheral nature in connection with assessment work before the final notification is issued. If the entire work is undertaken after issue of final notice, the assessment work will have to be done in a hurry, and it may give rise to distortions, adverse criticisms and etc. It is therefore requested that the Commissioners may commence the assessment of annual value of buildings/houses under their jurisdiction in the prescribed form by undertaking house to house inspection. Immediately viz. even before issue of final notification; in brief collection of data, such as name, particulars of the owner of house, area of the building, description of the building, mode of use of the building, rent paid by the occupant, house-tax/property tax assessed for the period upto 31st March, 1984, etc. should be collected. The assessment value

5. It should be ensured that property tax/house tax levied for the same class of building in the same locality (say for example 2 huts in the same locality with more or less same ploth area and both self-occupied) is uniform. There will be scope for severe criticism if the rate of tax assessed varies widely for two similar buildings or two similar huts in the same locality, particularly if both are self-occupied. If one is self-occupied and another is leased out, the position may be different. For this purpose, each Commissioner should evolve some norms and conduct training classes for all the Officers appointed for undertaking assessment work. In addition to the training imparted, Commissioners should deploy the regular staff for undertaking inspection of a prescribed percentage of assessment work undertaken by each team employed for undertaking assessment work to see whether the assessment work is done with due care and diligence; whether all the particulars are collected and also whether the norms evolved have been scrupulously followed. Similarly, the Commissioners themselves should undertake inspection of a prescribed percentage in each ward/village/areas so as to satisfy himself that the work is done systematically and inspection by regular staff is done. It is requested that action may be taken for undertaking systematic assessment of the buildings/houses so as to ensure that there is no scope for criticism that the assessment work has been done without proper care.

4. All the Commissioners are requested to submit proposals on or before 1st March, 1984 for appointment of adequate number of authorised valuation officers.

undertake the work in a hurry. rate under a time schedule programme, and avoid the need to collect all the preliminary data for arriving at the assessment under the final notification. This will enable the Commissioners after issue of final notification fixing rates of property/house tax of the property/house tax should however, be worked out only

3. Regarding the point at (b) above, it is clarified that if a building or hut has been constructed on a Municipal/Panchayat land with or without permission, the owner of the building or

2. Regarding the point at (a) above, it is clarified that no committee can be appointed to assist the Commissioner. The Commissioners are however, advised that if the building is leased out and rent is realised by the owner, the annual value should be based strictly on the quantum of rent realised, irrespective of the quantum of property tax/house tax levied upto 31st March, 1984. On the other hand if it is self occupied property it may be desirable as a policy to show licence towards owners and increase should not be substantial as to cause unbearable burden, on the owners of such buildings/houses.

(b) Whether Property Tax/House Tax may be assessed on the huts put up by the unauthorised occupants.

(a) Whether a Committee may be appointed to assist the Commissioner in the matter of assessment of Property tax/House Tax for each and every house or the assessment may be made strictly according to the rules and regulations. On the basis of the prevailing rent, property tax that will be fixed will be very high, when compared to the property tax assessed upto 31st March, 1984.

The Commissioner, Yanam Municipality has sought for clarification on the following two points:—

[Memorandum No. F-29-1/83/Le.Ce(1)/LAD, dated 28th February 1984 of Local Administration Department.

7. A report on the action taken may kindly be submitted so as to reach this Directorate by 10th March, 1984.

6. Attention of the Commissioners is also invited to the Memorandum No. 15136/77/LAD/D1/2, dated 5th October, 1978 (vide pages 343 and 344 of the Panchayat Manual and page 475 of the Municipal Manual).

All the four Municipalities have assessed the Property Tax for the quinquennial period from 1st April, 1979 to 31st March, 1984 in accordance with the provisions of sections 126 to 130 of the Pondicherry Municipalities Act, 1973 and published the authenticated assessment list of property tax before 30th June, 1979 as required under section 133 of the said Act in order to collect the tax with effect from 1st April, 1979. Similarly, all the eleven Commune Panchayats have assessed the house tax for the quinquennial period from 1st April, 1979 to 31st March, 1984 in accordance with the provisions of sections 132 to 136 of the Pondicherry Village and Commune Panchayats Act, 1973 and published the authenticated assessment list of house tax before 30th June, 1979 as required under section 139 of the said

37(b)—Guidelines to the Authorised Valuation Officers for assessment of Property Tax.

(Memorandum No. F-29/1-83-Le.Ce(1)/LAD, dated 9th March, 1984 of the Local Administration Department.)

but has to pay property tax/house tax for the superstructure. It may be mentioned that if the Government land is encroached on, there is provision for collection of assessment and encroachment penalty under Government Rules. Similarly, it may be necessary to make provision for collection of licence fee and also encroachment penalty, if the lands belonging to local bodies or vested in local bodies are encroached. If the local bodies consider that the encroachment should be evicted, action should be taken to evict the encroachment. If, however, it is considered that the land is not immediately required by the local body and there is no harm in permitting the person to continue to occupy the land, then the local body should collect licence fee and encroachment penalty and then regularise it prospectively by giving licence. Otherwise, the encroachment may give rise to rights under adverse possession. Local bodies may therefore, frame necessary bye-laws so as to enable them to collect encroachment penalty and etc.

(iii) As soon as the assessment list is received from the Authorised Valuation Officer, the Commissioner should publish the assessment list in draft inviting objections from the public within 30 days from the date of publication of the assessment list. Simultaneously, the Commissioner should send individual notices in all cases in which any property/house is for the first time assessed or the assessment is increased, within 30 days from the date of service of the notice. (Form C in respect of Municipalities and Form B in respect of Panchayats).

(ii) When the assessment list has been completed, the Commissioner shall submit the same to the Authorised Valuation Officer. The Authorised Valuation Officer shall verify the assessment as done by the Commissioner. If necessary, by inspection of properties/houses concerned and return the list duly checked and corrected to the Commissioner within a period of two months.

(i) The Commissioner of the respective Municipality/Commune Panchayat should prepare the assessment list of property tax/house tax in the prescribed form (i.e., Form A and B in respect of Municipalities and Form A in respect of Commune Panchayats).

2. The procedure to be followed for the assessment of property tax/house tax is as follows:—

Act, in order to collect the house tax with effect from 1st April, 1979. Section 133 of the Municipalities Act and section 139 of the Panchayats Act provide that the assessment of every property/house in the municipal/commune panchayat area shall as far as practicable be done not less than once in five years and once done shall remain in force for five years. When consulted, Law Department have opined that revision of assessment once in five years is a must. Accordingly, the Municipalities and Commune Panchayats have taken action for assessment of Property Tax/House Tax for the quinquennial period from 1st April, 1984 to 31st March, 1989 and to publish the authenticated assessment list before 30th June, 1984.

3. The property tax is levied by the Municipalities at different rates on (i) buildings, (ii) lands which are not used for agricultural purposes i. e. vacant plots, and (iii) lands used for agricultural purposes. The house tax is levied by the Commune Panchayats only on houses. The Commissioners of the Municipality/Commune Panchayats have already been instructed to supply to all Authorised Valuation Officers, the relevant provisions of the Pondicherry Municipalities Act, 1973, Property Tax/Village and Commune Panchayats Act, 1973, Property Tax/House Tax rules, standing orders issued by the Government in the matter from time to time and the rate of property tax/house tax from 1st April, 1984.

(vii) The Commissioner should publish the assessment list before 30th June, 1984, as authenticated assessment list of property tax/house tax for the quinquennial period from 1st April, 1984 to 31st March, 1989.

(vi) The Authorised Valuation Officer shall investigate and dispose of the objections after allowing the objector an opportunity of being heard in person i. e., by sending notices (Form E in respect of Municipalities and Form D in respect of Panchayats) to all objectors and cause the result thereof to be noted in the Register of Objections in appropriate columns. Before any amendment is made, the reasons therefor should be recorded in the Register of Objections. After disposal of all objections, the Authorised Valuation Officers should return the Assessment list alongwith the Register of Objections to the Commissioners.

(v) After the period for lodging of objections is over, the Commissioner should forward the assessment list alongwith the Register of objections to the Authorised Valuation Officers.

(iv) All the objections received within the prescribed time should be entered in a Register of Objections (Form D in respect of Municipalities and Form C in respect of Panchayats) then and there by the Commissioners.

4. Section 123 (2) of the Pondicherry Municipalities Act, 1973 and rule 6 of the Pondicherry Village and Commune Panchayats (House Tax) Rules, 1978 deal with the yard stick to be followed for assessment of a property/house for property tax/house tax. As per these provisions, for the purpose of assessment of property tax/house tax, annual value of a property/house shall be deemed to be the gross annual rent at which the property/house may reasonably be expected to let from month to month or from year to year less a deduction of ten per cent of such annual rent and the said deduction shall be in lieu of all allowances for repairs or any other account whatsoever. In the case of any Government building or any building of a class not ordinarily let, the gross annual rent of which cannot, in the opinion of the Commissioner be estimated, the annual value of the house shall be deemed to be six per centum of the total estimated value of the building after deducting for depreciation a reasonable amount which shall in no case be less than ten per cent of such cost.

5. In Pondicherry Municipality, the following yardstick was followed for arriving the annual rental value:—

(i) Residential houses.—If leased out, the actual lease amount was taken. In the case of self occupied houses, licence was given to certain extent for arriving the notional rental value.

(ii) Cinema theatres.—The annual value was worked out on the capital value of the buildings.

(iii) Lodging houses.—15 days rent of all rooms in a month was taken into account for arriving the annual rental value.

(iv) Kalyanamandapam.—15 days rent in a month was taken into account for arriving the annual rental value.

It is understood that other Municipalities/Commune Panchayats also have followed the above yardstick.

6. A number of petitions from the weaker sections of the community and various organisations, Associations, Political parties, etc. were received by the Government stating that the assessment made by the local bodies is on the high side. Considering the objections, Government have advised all the Municipalities/Commune Panchayats to give exemption to the **self occupied properties/houses** to certain extent as indicated below :—

(i) any person owning and occupying in full a hut, the plinth area of which does not exceed 300 sq. ft. (27.87 sq. m) shall be exempted from payment of such amount of property tax/house tax as exceeds Re. 1 per annum.

(ii) any person owning and occupying in full a hut, the plinth area of which exceeds 300 sq. ft. (17.87 sq. m.) shall be exempted from payment of such amount of property tax/house tax as exceeds Rs. 5 per annum.

(iii) any person owning a house and occupying the same shall be exempted from payment of such amount of property tax/house tax as exceeds 150% of the tax levied for such property for the period from 1st April, 1979 to 31st March, 1984, provided that there has been no substantial alteration or addition to the property/house, since the assessment was last made.

7. In these circumstances, the Authorised Valuation Officers may follow the following guidelines in disposing of the objections :—

Rented huts/buildings.—The amount of lease shall be taken into account for arriving the annual rental value. In no case, the amount of property tax/house tax should be fixed per annum more than two months' rent.

Cinema Theatres, Lodging houses, Kalyanamandapams.—During the last assessment, there was no uniformity in fixing the rate of property tax/house tax. It is therefore decided to post a separate Authorised Valuation Officer for Pondicherry Municipality, Oulgaret Commune Panchayat and Karaikal

Municipality exclusively to deal with the Cinema Theatres. Lodging houses, Kalyanamandapams in order to achieve uniformity in fixing the tax.

8. It is noted that during the last assessment, the reasons for reducing the amount of tax was not indicated by the Authorised Valuation Officers and even in some cases, the amount of tax was reduced considerably without any valid grounds. To avoid such thing, the Authorised Valuation Officers are requested to indicate the reasons briefly in all cases in the Register of Objections. In all cases, where the tax is reduced by more than 10%, reasons should be recorded clearly. A list of cases in which tax has been reduced may be compiled and furnished to the Commissioners, so that there is no scope for alteration of any entry subsequently. Representatives of Commissioners may also be asked to be present particularly when the reduction proposed is substantial so that facts may be ascertained and statements made reconciled and verified.

[Letter No. F-29-6/84-Le.Ce(1)/LAD, dated 11th June, 1984 of Local Administration Department.]

37 (c)—Exemption of buildings belonging to the corporate bodies from the assessment of property—Clarification.

A doubt has been raised whether the buildings belonging to the corporate bodies of the Government, such as Housing Board, PIPDIC, etc. may be considered as properties of the Government of Pondicherry vested in the Union by virtue of the Pondicherry Administration Act, 1962 read with article 285 of the Constitution of India.

2. It is clarified that buildings belonging to corporate bodies such as PIPDIC, Housing Board, etc. cannot be considered as properties of the Government of Pondicherry and therefore the Municipalities/Commune Panchayats cannot exempt such buildings from the assessment of property tax/house tax.

[Memorandum No. F-29-16/84/Le.Ce(1)/LAD, dated 5th November, 1984 of Local Administration Department.]

37(d)—Assessment of Property—Vacation of Houses by the lessees—Reduction of tax—Clarification.

A doubt has been raised whether the property/house tax assessed for the quinquennial period from 1st April, 1984 to 31st March, 1989 by the Municipalities/Commune Panchayats can be reduced now in cases where the lessees vacated the buildings/houses. It is also learnt that some of the house owners have represented to the Municipalities/Commune Panchayats that the lessees have vacated the buildings and therefore property/house tax may be reduced to the level of tax imposed prior to 1st April, 1984. Since the house owners are not getting any rent for the buildings.

2. In this connection, it is pointed out that section 133 of the Pondicherry Municipalities Act, 1973 and section 139 of the Pondicherry Village and Commune Panchayats Act, 1973 provides that the assessment of every property/house in the Municipal/Panchayat area shall, as far as practicable, be done not less than once in five years and once done shall remain in force for five years. Further section 139 of the Pondicherry Municipalities Act, 1973 and rule 10 of the Pondicherry Village and Commune Panchayats (House Tax) Rules, 1978, deals with the grant of vacancy remission by the Commissioners of the Municipalities/Commune Panchayats. For claiming this remission, the person liable for the Property/House Tax or his agent has to deliver notice to the Commissioner that the Building is vacant and unlet or that the building will be vacant and unlet from specified date either in the Half-year in which notice is delivered or in the succeeding half-year. Therefore, it is the duty of the person liable to property/house tax for applying for remission and that remission has to be considered by the Commissioner only in respect of the particular half year for which the building is reported to be vacant and unlet. Further, the remission shall not exceed one half of the tax assessed. Thus, the question of reduction of property tax/house tax in such cases to the level of the tax imposed prior to 1st April, 1984 will not arise.

[Memorandum No. F.29-15/84/LeCe(1)/LAD dated 6th November, 1984 of Local Administration Department.]

37(e)—Transfer of registry in favour of claimants on production of Kalyanakaditham issued by the Town Kaziar.

In Memorandum No. 24096/77-D1/LAD, dated 20th February, 1978 of the Local Administration Department, a copy of the Memorandum/U. O. Note No. 15213/77-E, dated 26th December, 1977 of the Revenue Department wherein certain guidelines were issued on the above subject, was communicated for guidance.

2. In continuation of the said Memorandum a copy of the U. O. Note No. 4970/83-E, dated 27th April, 1983 of the Revenue Department wherein certain clarifications were issued, on the above subject is sent herewith for information and guidance.

(Memorandum No. 21968/D1/83/LAD, dated 9th May, 1983 of the Local Administration Department.)

In the U. O. Note No. 21968/D1/83/LAD, dated 9th April, 1983 from the Under Secretary to Government, Local Administration Department has sought for clarification as to whether Kalyanakaditham executed before the Town Kazi, Nagore may be accepted by the Commissioner, Karaikal Municipality, Karaikal.

2. The Kalyanakaditham was ordered to be acted upon for purposes of mutation without registration for the simple reason that it was not compulsory registrable. While it is so the place of execution of the Kalyanakaditham is not material and the Municipality can accept even the Kalyanakaditham executed outside the Union Territory for the purposes of mutation. If Local bodies have any doubt about the proper execution of the Kalyanakaditham, they may refer them to the Kazhi concerned to satisfy themselves about its proper execution.

(U. O. Note No. 4970/83-E, dated 27th April 1983 of the Revenue Department, Pondicherry)

37(6)(i)—Appointment of Authorised Valuation Officers.

In exercise of the powers conferred by section 122 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints the officers mentioned in column (2) of the table below to be the Authorised Valuation Officers for the purposes of the said Act, in respect of the municipal areas specified against each of them in column (3) of the said table.

TABLE

Sl. No.	Designation of officers	Name of the Municipality
(1)	(2)	(3)
1.	Senior Town Planner, Town and Country Planning Department, Pondicherry.	Pondicherry Municipality
2.	Executive Engineer, Public Works Department, Pondicherry.	Karaikal Municipality
3.	Deputy Tahsildar, Sub-Taluk Office, Mahe	Mahe Municipality
4.	Deputy Tahsildar, Sub-Taluk Office, Yanam.	Yanam Municipality

2. The notification issued in G. O. Ms. No. 160, dated 23rd May, 1979 of the Local Administration Department, Pondicherry is hereby superseded provided that such supersession shall not affect anything duly done or suffered thereunder.

(G. O. Ms. No. 2, dated 2nd January, 1981 of the LAD—Published in the Gazette No. 3, dated 20th January, 1981.)

In exercise of the powers conferred by section 122 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints the officers mentioned in column (2) of the Table below to be Authorised Valuation Officers for the purposes of the said Act, in respect of the municipal wards specified against each of them in column (3) of the said Table.

TABLE

Sl. No.	Designation of Officers	Number and name of the Municipal ward.	Name of the Municipality to which the ward relates.
(1)	(2)	(3)	(4)
1.	Director of Transport, Pondicherry.	1. Solainagar 2. Muthialpet (East) 3. Muthialpet (West)	Pondicherry Do. Do.
2.	General Manager, District Industries Centre, Pondicherry.	4. Debassynpeth 5. V. O. C. Nagar 6. Kurichikuppam	Do. Do. Do.
3.	Deputy Chief Electoral Officer, Pondicherry.	7. Parinalamudaliar thottam 8. Thiruvalluvar Nagar (S. C.) 9. Perumal Koil	Do. Do. Do.
4.	Director of Industries, Pondicherry.	10. Cassicade 11. Calve College 12. Radjabavan	Do. Do. Do.

5.	Officer on Special Duty, Directorate of Health and Family Welfare Services, Pondicherry.	13. Cathedral	Do.
		14. Kolathumedu	Do.
		15. Sinnacada	Do.
6.	Deputy Secretary to Government, General Administration Department, Pondicherry.	16. Hospice	Do.
		17. Periapalli	Do.
		18. Veeravally	Do.
7.	Deputy Secretary (Finance), Pondicherry.	19. Thirumudinagar	Do.
		20. Nethaji Nagar (S. C.)	Do.
		21. Vambakeerapalayam	Do.
8.	Deputy Secretary (Revenue), Pondicherry.	22. Vandrapet	Do.
		23. Pillaihotham	Do.
		24. Kuyavar Nagar-I	Do.
9.	Senior Town Planner, Town & Country Planning Department, Pondicherry.	25. Kuyavar Nagar-II	Do.
		26. Nellimanagar North	Do.
		27. Nellimanagar South	Do.
10.	Director of Accounts and Treasuries, Pondicherry.	28. Pudupalayam (S. C.)	Do.
		29. Orleampeth	Do.
		30. Mudaliarpet-I	Do.
11.	Deputy Secretary (Health), Pondicherry.	31. Mudaliarpet-II	Do.
		32. Keerapalayam	Do.
		33. Kompakkam	Do.
12.	Deputy Secretary (Development), Pondicherry.	34. Murungapakkam-I	Do.
		35. Murungapakkam-II	Do.
		36. Thengathittu	Do.

(1)	(2)	(3)	(4)
13.	Executive Engineer, Division-I, Buildings, Water Supply and Maintenance, Public Works Department, Karaikal.	1. Madagadi 2. Kirambuthottam 3. Madakoil 4. Kothukulam 5. Andoniarkoil	Karaikal Do. Do. Do. Do.
14.	Executive Engineer, Division-VI, Roads and Irrigation, Public Works Department, Karaikal.	6. Bazaar 7. Kadersultan Street 8. Water Tank (Thannirthotti) 9. Karaikal Ammaiarkoil 10. Maidinepally	Do. Do. Do. Do. Do.
15.	Executive Engineer, Electricity Department, Karaikal.	11. Valatheru 12. Dharmapuram 13. Ammankovilpathu 14. Koilpathu (S. C.) 15. Thalatheru	Do. Do. Do. Do. Do.
16.	Executive Engineer, Public Works Department, Mahe	1. Parakkal including Poozhi 2. Choodikotta including parts of Parakkal and Mattammal 3. Valavil including parts of Mattammal and Thayangady 4. Mundayil including parts of Thayangady and Mattammal 5. Manjakkal including parts of Puttalam and Mattammal 6. Chalakkara South including Cherukallayi village*	Mahe Do. Do. Do. Do. Do.

17. Branch Officer, Directorate of
Accounts and Treasuries,
Mahe.

7. Chalakkara North
8. Palloor West
9. Palloor South-East
10. Palloor North-East and
Pandakkal South
11. Pandakkal Middle and
North-West
12. Pandakkal North-East

Do.
Do.
Do.
Do.
Do.
Do.

18. Joint Commercial Tax Officer,
Commercial Taxes Department,
Yanam.

1. Mettakuru (S. C.)
2. Bus stand
3. Big Bazaar
4. Pillaraya
5. Parampeta (S. C.)

Yanam
Do.
Do.
Do.
Do.

19. Branch Officer, Directorate of
Accounts and Treasuries, Yanam

6. Gueirampota
7. Pydikondala
8. Pedapudi
9. Agrabaram
10. Kanakalapeta

Do.
Do.
Do.
Do.
Do.

2. The Notification issued in G. O. Ms. No. 2, dated 2nd January, 1981 of the Local Administration Department, Pondicherry is hereby superseded provided that supersession shall not affect anything duly done or suffered thereunder.

In exercise of the powers conferred by section 122 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints the Deputy Director of Agriculture (Extension), Agriculture Department, Karaikal to be the Authorised Valuation Officer for the purposes of the said Act, in respect of the areas of Karaikal Municipality specified in the Table below :—

TABLE

1. Keezhakasakudi
2. Keezhakasakudi Makuary
3. Keezhaodouthurai
4. Melaodouthurai
5. Accaravattam
6. Accaravattam Koilpathu
7. Karukkalacherry
8. Thakkalur
9. Keezhaputhamangalam
10. Uthirankudy

(G. O. Ms. No. 150, dated 22nd May, 1984 of Local Administration Department — Published in the Gazette No. 23, dated 5th June, 1984.)

In exercise of the powers conferred by section 122 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints the officers mentioned in column (2) of the Table below to be the Authorised

Valuation Officers for the purposes of the said Act, in respect of the municipal area specified against each of them in column (3) of the said Table.

TABLE

Sl. No.	Designation of Officer	Municipal area to which appointed
(1)	(2)	(3)
1.	Director of Prosecution, Law Department, Pondicherry	Whole of Pondicherry Municipality.
2.	Assistant Examiner, Local Fund Accounts, Pondicherry.	Whole of Karaikal Municipality.

2. The above officers shall exercise the powers conferred and perform the functions imposed upon the Authorised Valuation Officers by or under the said Act in respect of their respective municipal area concurrently with the officers appointed as Authorised Valuation Officers for the said municipal areas in the notification issued in the Local Administration Department's G. O. Ms. No. 114, dated 24th March, 1984.

(G. O. Ms. No. 163, dated 12th June, 1984 of the Local Administration Department—Published in the Gazette No. 29, dated 17th July, 1984.)

In exercise of the powers conferred by section 122 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby appoints the (i) Director of Agriculture, Pondicherry (ii) Labour Commissioner, Pondicherry, (iii) Deputy Labour Commissioner, Pondicherry and (iv) Joint Chief Inspector of Factories, Pondicherry to be the Authorised Valuation Officers for the purposes of the said

Act, in respect of whole of Pondicherry Municipality and issues the following amendment to the notification issued in G. O. Ms. No. 163, dated 12th June, 1984 of the Local Administration Department, Pondicherry, namely :—

AMENDMENT

In the Table under paragraph 1 of the said notification, after serial number 1 and the entries relating thereto the following serial numbers and the entries shall be inserted, namely :—

- | | |
|---|--|
| “ 1A. Director of Agriculture,
Pondicherry | Whole of Pondicherry
Municipality. |
| 1B. Labour Commissioner,
Pondicherry. | Whole of Pondicherry
Municipality. |
| 1C. Deputy Labour
Commissioner, | Whole of Pondicherry
Municipality. |
| 1D. Joint Chief Inspector of
Factories, Pondicherry. | Whole of Pondicherry
Municipality”. |

2. The above officers shall exercise the powers conferred and perform the functions imposed upon the Authorised Valuation Officers by or under the said Act in respect of their municipal area concurrently with the officers appointed as Authorised Valuation Officers for the said municipal areas in the notification issued in the Local Administration Department's G. O. Ms. No. 114, dated 24th March 1984.

(G. O. Ms. No. 186, dated 21st June 1984 of LAD—Published in the Gazette No. 29, dated 17th July 1984.)

37(f)(ii)—Grant of Honorarium to the Authorised Valuation Officers.

It has been decided to grant fees to the Authorised Valuation Officers at such rate and such other conditions as specified below :—

(i) Fees may be paid at the rate of Rs. 25 per 100 objections disposed off by the Authorised Valuation Officer subject to a maximum of Rs. 500 each.

(ii) The amount shall be debitable to the funds of the concerned Municipality/Commune Panchayat.

(iii) The Government Officers officiating as Authorised Valuation Officers should get the approval of the concerned Head of Department for acceptance of the fees and communicate to the concerned Municipality/Commune Panchayat for receiving the fees.

(iv) The Commissioners of the Municipalities/Commune Panchayats should get expenditure sanction from the Local Administration Department for payment of fees by submitting a detailed proposal to this Department.

(Memorandum No. 11916/D1/79/LAD, dated 17th July, 1980 of Local Administration Department.)

38—Tax Revenue and Non-Tax Revenue—Clarifications.

The hall-mark of any tax is that it would be exacted on the payer without any return or **quid-pro-quo**. Therefore, the items come within the above definition may be treated as "Tax Revenue" and all other items may be treated as "Non-Tax Revenue".

2. Accordingly, the items which may come within the definition of "Tax-Revenue" are indicated below for guidance.

Municipalities :

Property tax

Entertainments Tax and Show Tax

Octroi

Profession Tax

Tax on advertisement

Duty on Transfer of Properties

Duty on Toddy trees

Additional Tax on buildings and lands

Toll on animals and vehicles.

Commune Panchayats :

House Tax

Profession Tax

Entertainments Tax and Show Tax

Duty on Transfer of Properties

Duty on Toddy trees

Local Cess

Local Cess Surcharge

Surcharge on Cess on Sugarcane

Tax on agricultural land for a special purposes.

Tax on Fairs and Festivals

Tax on village produce sold in the village.

3. All other items such as Water tax, Licence fees, Bus stand parking fee, Income from fruit yielding trees, Lease of fishery rights, rents from stalls/shops, hire charges of vehicles, etc., which do not come within the purview of "Tax Revenue" may be treated as "Non-Tax Revenue".

(Memorandum No. 12228/D1/82/LAD, dated 18th April 1983 of Local Administration Department.)

30—Prescription of fees for "M" Notices.

The Registration Department is sending "M" notices to the Municipalities and Commune Panchayats, intimating transfer of house properties in respect of which registration is done in a registration office, so as to enable the Municipalities/Commune Panchayats concerned to effect transfer of registry of ownership of properties in the assessment list/book maintained by the local bodies. The Registration Department have pointed out that for sending the "M" notices to the local bodies, some amount towards departmental charges may be collected by the Government from all the local bodies. Therefore, the Registration Department have requested the Local Administration Department to prescribe fees for "M" notices.

2. After careful consideration of the matter in detail, the Lieutenant-Governor is pleased to prescribe fees for "M" notices sent by the Registration Department to the Municipalities/Commune Panchayats, as indicated below :—

	(per annum)
(i) Municipalities/Commune Panchayats having population upto 30,000	... Rs. 20
(ii) Municipalities/Commune Panchayats having population above 30,000 but less than 1,00,000	... Rs. 40
(iii) Municipalities/Commune Panchayats having population 1,00,000 and above	... Rs. 100

3. The Municipalities/Commune Panchayats shall remit the fees in the relevant head of account as may be communicated by the Registration Department.

(G. O. Ms. No. 101, dated 17th May, 1982 of Local Administration Department.)

40—Exemption of Stamp duty, Registration fee, search fees, etc. by the Revenue Department for the Municipalities.

In the Notification No. 13214/79/C.I, dated 16th November, 1981, No. 13214/79/C.II dated 16th November, 1981 and No. 13214/79-C.III, dated 16th November, 1981 issued by the Revenue Department, Pondicherry, the Government—

(i) remit the search fee and application fee payable under Articles 13 and 15 of the Table of Fees appended to the Pondicherry Registration Rules, 1969 for the grant of encumbrance certificate to be issued by the Registration Department in respect of the lands/properties to be donated for the common purpose of public use in favour of Municipalities/Commune Panchayats/Government Departments of the Union Territory of Pondicherry when applied by the donee.

(ii) exempts from payment of the fee leviable under Article 1 (a) and 1(1) of the Table of fees appended to the Pondicherry Registration Rules, 1969 on all the deeds of the donations transferring the lands/properties for the purpose of public use to be executed in favour of Municipalities/Commune Panchayats/Government Departments of the Union territory of Pondicherry in the Registration District of Pondicherry.

(iii) remits the stamp duty chargeable under the Indian Stamp Act, 1899 (Central Act II of 1899) in respect of all deeds of donation transferring the lands/properties for the

common purpose of public use to be executed in favour of Municipalities/Commune Panchayats/Government Departments of the Union territory of Pondicherry in the Registration District of Pondicherry.

2. This is for information.

(Note No. 34647/D1/81/LAD, dated 17th November, 1984 of Local Administration Department.)

41—The Pondicherry Municipalities (Grant of Licences and Permissions) (Amendment) Rules, 1981.

In exercise of the powers conferred by section 355 read with section 356 and section 440 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry, hereby makes the following rules to amend the Pondicherry Municipalities (Grant of Licences and Permissions) Rules, 1976, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Pondicherry Municipalities (Grant of Licences and Permissions) (Amendment Rules, 1981.

(2) They shall come into force from the date of their publication in the official gazette.

2. **Amendment of rule 7.**—In the Pondicherry Municipalities (Grant of Licences and Permissions) Rules, 1976 (hereinafter referred to as the principal Rules), in rule 7—

(i) in clause (b), after the words "Senior Town Planner", the words "or such other officer as may be authorised by him in this behalf" shall be inserted ; and

(ii) in clause (c), for the words "Director of Health and Family Planning Services" the words "Director of Health and Family Welfare Services or such other officer as may be authorised by him in this behalf" shall be substituted.

3. Amendment of rule 9.—In rule 9 of the principal rules, for the words "The Inspector of Factories or the Senior Town Planner or the Director of Health and Family Planning Services" wherever they occur, the words "The Senior Town Planner or the Director of Health and Family Welfare Services or as the case may be such other officer as may be authorised by them in this behalf or the Inspector of Factories" shall be substituted.

(G. O. Ms. No. 5, dated 2nd January, 1981 of Local Administration Department—Published in the Gazette No. 5, dated 3rd February, 1981.)

42.—The Pondicherry Municipalities (Licences for Projections, Licences for erection of Pandals and Lease of roadsides and street margins) (Amendment) Rules, 1981.

In exercise of the powers conferred by section 275 read with section 440 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules to amend the Pondicherry Municipalities (Licences for projections, licences for erection of pandals, and lease of roadsides and street margins) Rules, 1978, namely :—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipalities (Licences for projections, Licences for erection of pandals and lease of road-sides and street margins) (Amendment) Rules, 1981.

(2) They shall come into force from the date of their publication in the official gazette.

2. Insertion of new rule 17.—In the Pondicherry Municipalities (Licences for projections, licences for erection of pandals and lease of road-sides and street margins) Rules, 1978, after rule 16, the following rule shall be inserted, namely :—

"17. **Exemption from fees.**—The municipal council may if it is of the opinion that it is necessary and expedient so to do and with the previous approval of the Director, exempt any person or class of persons wholly or in part from payment of any fee leviable for grant of licences under these rules".

(G. O. Ms. No. 12, dated 23rd January 1981 of Local Administration Department—Published in the Gazette No. 7, dated 17th February, 1981.)

43.—Prescription of Uniform policy for licensing/leasing out of stalls/shops belonging to the Municipalities.

On a review of the procedure followed by the Municipalities/Commune Panchayats in the matter of leasing out their stalls/shops, it was noticed that there is no uniformity among the local bodies. Further the lease period of the stalls/shops is extended by the Municipalities/Commune Panchayats without following any uniform pattern.

2. Considering the matter in detail, necessity arose to prescribe a uniform policy by the Government. Accordingly, all the Municipalities/Commune Panchayats are hereby directed that they shall lease out their stalls/shops, etc., through public auction for a period of two years only. The lease period shall commence from 1st April of the year and the upset rent of the shops/stalls shall be got fixed by the Executive Engineer, Pondicherry Municipality or the Executive Engineer of the Local Administration Department.

3. In future, lease period of the stalls/shops shall not be renewed beyond two years. In cases of leases expired, urgent action may be taken to conduct auction immediately.

(Memorandum No. 5506/D1/84/LAD, dated 23rd December, 1982 of Local Administration Department.)

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On a review of the procedure followed by the Municipalities and Commune Panchayats in the matter of leasing out of their stalls/shops, it was noticed that there was no uniformity among the local bodies and in certain cases the lease period of the stalls/shops was entered by the Municipalities/Commune Panchayats without following any uniform pattern. Accordingly, in the Memorandum No. 5506/D1/82/LAD, dated 23rd December, 1982 instructions were issued that the Municipalities and Commune Panchayats should lease out their stalls/shops, etc. through public auction for a period of two years only commencing from 1st April of the year and the upset rent of such stalls/shops shall be got fixed by the Executive Engineer, Pondicherry Municipality or the Executive Engineer of the Local Administration Department. Instructions were also issued in the said Memorandum that in future, lease period should not be renewed beyond the auction period of two years.

2. When the Pondicherry Municipality took action for leasing out their stalls/shops during the month of March, 1983, as per the guidelines issued in the said Memorandum, the representatives of the Merchants Association have explained their difficulties in conducting their business. After reconsideration of the matter, a committee was set up by the Government in the G. O. Ms. No. 138, dated 25-4-1983 with the term of reference that the Committee may review the existing procedure and study the practice followed in Tamil Nadu and make recommendations for adoption of uniform policy by the Municipalities and Commune Panchayats in the matter. The Committee during its sitting held on 25th April, 1983 have after considering all aspects recommended that the lease amount of the stalls/shops belonging to the Municipalities/Commune Panchayats may be enhanced by not less than 15% for three years and that the lessees who do not agree for payment of enhanced amount may be evicted and such shops may be put on public auction.

3. In consideration of the recommendation of the Committee it was found that the decision of the Committee was based apparently, on a similar decision of Tamil Nadu where

the percentage of increase is instead of 15%, 30% or more. In the meanwhile, the Special Officer of Villianur Commune Panchayat has reached an agreement to enhance the rate of rent of the stalls/shops by 15% every year. In Karaikal Municipality also, similar agreement has already been arrived at to enhance the rate of rent by 10% for each year from 1984-85.

4. After consideration of the matter in detail, Government have decided to prescribe the following procedure in the matter of leasing out of stalls/shops by the Municipalities/Commune Panchayats :—

(i) The Municipalities/Commune Panchayats may not insist for an enhancement for 1983-84 over the 1982-83 rate of rent. If, however, the local bodies have been able to obtain an enhanced amount for 1983-84, then this would serve as the base level for 1984-85. Otherwise, the amount levied for 1982-83 would be the base level for three years period commencing from 1st April, 1984.

(ii) The shops/stalls shall be leased for a period of three years. Lease amount may be paid in not more than six instalments.

(iii) For each year, at least 10% enhancement may be sought over the base level, with the base level remaining unchanged during the three years period.

(iv) At the end of three years, the Municipality/Commune Panchayat may decide whether the percentage increase per year would be 10% or more.

(v) The base level shall change in every three years.

(vi) Auction would be resorted to, as per the usual procedure, only in those cases where the party defaults in payment of lease amount/rent. Auction would determine the base level for such cases and for all shops, stalls, etc. which are let out for the first time.

(vii) The above procedure shall not be applicable to the areas covered under the Lease and Rent Control Act.

(G. O. Ms. No. 197, dated 16th July, 1984 of Local Administration Department.)

The Pondicherry Buildings (Lease and Rent Control) Act, 1969 was extended to the following areas (vide notifications in No. GI-841-68, dated 31st July, 1969 and No. 5000/70/C, dated 12th October, 1972 of the Revenue Department, Pondicherry published in the Extra-Ordinary Gazette No. 88, dated 1st August, 1969 and No. 87, dated 17th October, 1972 respectively).

1. Pondicherry, Mudaliarpet, Ariankuppam and Oulgaret Communes of Pondicherry region.
2. Karaikal, Neravy and T. R. Pattinam Communes of Karaikal region.
3. Mahe Commune of Mahe region.

2. In view of the above position, the Government Order Ms. No. 197, dated 16th July, 1984 of the Local Administration Department subject will not be applicable to the above areas as stated in para 4 (vii) of the said Government Order. Separate orders in respect of those areas covered under the Pondicherry Buildings (Lease and Rent Control) Act, 1969 will be issued by this Department.

(Memorandum No. 5506/D1/82/LAD, dated 21st July, 1984 of Local Administration Department.)

In the G. O. Ms. No. 197, dated 16th July, 1984 of the Local Administration Department it has been mentioned that the procedure regarding leasing out of stalls/shops belonging to the Municipalities/Commune Panchayats prescribed therein will not be applicable to the areas covered under the Pondicherry Buildings (Lease and Rent Control) Act, 1969. Further, in the Memorandum No. 5506/D1/82/LAD, dated 21st July, 1984 of the Local Administration Department it was informed that separate orders in respect of those areas covered under the said Act, will be issued by this Department.

2. Accordingly, it has been decided that the Municipalities/Commune Panchayats, where the Pondicherry Buildings (Lease and Rent Control) Act, 1969 is in force, may go in for licence of their stalls/shops subject to the following terms and conditions :—

(i) The Municipalities/Commune Panchayats may not insist for an enhancement for 1983-84 over the 1982-83 rate of amount. If, however, the local bodies have been able to obtain an enhanced amount for 1983-84, then this would serve as the base level for 1984-85. Otherwise, the amount levied for 1982-83 would be the basis for the three years period commencing from 1st April, 1984.

(ii) The shops/stalls shall be licensed for a period of three years. Licence amount may be paid in not more than six instalments.

(iii) For each year, atleast 10% enhancement may be sought over the base level, with the base level remaining unchanged during the three years period.

(iv) At the end of three years, the Municipality/Commune Panchayats may decide whether the percentage increase per year would be 10% or more.

(v) The base level shall change every three years.

(vi) Auction would be resorted to as per the usual procedure only in those cases where the party defaults in payment of licence amount. Auction would determine the base level of the licence amount for such cases and for all shops/stalls, etc. which are licensed for the first time.

(vii) While auctioning of the shops/stalls and for executing agreements, the word "licence" only be used. Under no circumstances, the word "lease" or "rent" shall be used in any auction notice/agreement/demand notice or other documents/papers, etc.

(viii) The existing "lease" may be renewed, only in the form of "licence", and for which necessary fresh agreement incorporating all the required conditions, may be entered into between the local body and the licensee.

(Memorandum No. 5506/D1/82/LAD, dated 23rd August, 1984 of Local Administration Department.)

44. Issue of duplicate licence/Permission by the Municipalities—Clarifications.

In the letter No.17614/KM/A5-82, dated 23rd October, 1982, the Commissioner, Karaikal Municipality has stated that there is no specific provision in the Pondicherry Municipalities Act, 1973 and the rules made thereunder for issue of duplicate licence/permission, whenever original licence/permission was lost or accidentally destroyed by the parties. The Commissioner has therefore requested this Department to clarify whether duplicate licence/permission may be issued in such cases.

2. It is clarified that eventhough there is no specific provision either in the Pondicherry Monicipalities Act, 1973 or the rules made thereunder about the issue of duplicate licence/permission, there may be nothing wrong in issuing duplicate licence/permission by the Commissioner after collecting such fees as may be prescribed by the Municipal Council provided the Commissioner

satisfies the genuineness of the case. If it is further clarified that the matter is purely left to the discretion of the licensing authority.

(Memorandum No. 15256/D1/82/LAD, dated 31st January 1983 of Local Administration Department.)

(Memorandum No. 15256/D1/82/LAD, dated 31st January 1983 of

The Pondicherry Municipality in their letter No. 7/PM/RO/RI/84, dated 21st September, 1984 have sent a draft Model Form of Licensing Agreement for approval.

2. The model form of licensing agreement has been vetted by the Law Department and the same is enclosed herewith. While, vetting the model form the Law Department have offered the following views :—

“Since the licensing agreement is always advantageous to the Local Bodies in many ways, the same procedure of executing the licensing agreement may be adopted in auctioning of shops/stalls belonging to Local Bodies in this Territory, irrespective of the fact whether the Pondicherry, Buildings (Lease and Rent Control) Act is in force in their areas or not.”

3. All the Commissioners of the Municipalities/Commune Panchayats are therefore requested to take note of the advise of the Law Department while auctioning of the stalls/shops and to execute necessary agreements as advised. The model form of licensing agreement may be used by making necessary corrections wherever necessary, to suit their requirements.

LICENSING AGREEMENT

This deed of licensing agreement is executed on this the..... day of 19 , between the Municipal Council of Pondicherry Municipality constituted under the Pondicherry Municipalities Act, 1973 (Act No. 9 of 1973) hereinafter called the Licensor (which expression shall, wherever the context so

admits, mean and include its successors and assigns) of the First Part and Thiru/Tmt. son/daughter/wife of Thiru residing at and carrying on business as hereinafter called the Licensee (which expression, where the context so admits, shall mean and include his/her heirs, executors, administrators, legal representatives and permitted assignee) of the Second Part, and Thiru/Tmt. son/daughter/wife of Thiru residing at and carrying on business as hereinafter called the Surety (which expression, where the context so admits, shall mean and include his/her heirs, executors, administrators, legal representatives and permitted assignee) of the Third Part ;

WHEREAS the Licensor has erected stalls to be used as shops in the area known as situated at more fully described in the Schedule hereunder ;

WHEREAS the Licensor is willing to allow bonafide shop keepers to occupy the said stalls under the rules framed under the Pondicherry Municipalities Act, 1973 ;

WHEREAS an auction was held for allowing the privilege of using the schedule mentioned stall for a period of year(s) on the terms and conditions prescribed by the Licensor and under the said rules as amended from time to time ;

AND WHEREAS the Licensee is the highest bidder at the auction held on as aforesaid and offered to pay an amount of Rs. (Rupees.....only) per mensem as licensing fees and the Licensor has accepted the offer and has agreed to grant the licence for use of the schedule mentioned stall.

NOW THEREFORE it is hereby agreed between the parties herein that in pursuance of the foregoing premises and in consideration of payment of Rs. (Rupees only) per mensem a licence fee for the privilege of occupying

the stall more fully described in the Schedule, the Licensor grants unto the Licensee and authorises him/her to use the said stall for a period of year(s) commencing from as a stall/ shop for the purpose of carrying business of a dealer in or such other business or dealing in commodity or commodities as the Licensor may, on previous application in writing of the Licensee, deem fit to allow, which permission will not be unreasonably withheld, provided always that the Licensee shall be bound to quit the premises without any claim for compensation or damage within one week of the notice of renovation of this Licence by the Licensor in the event of breach of any of the terms and conditions of this licence or rule appertaining thereto or in the event of the licence arrears for a period of three months in respect of the licence fee payable as herein prescribed or when the Licensor (whose decision shall be final) deems it fit in the public interest to revoke the Licence or the Licensee or the Surety becoming insolvent.

2. The overall control and superintendence of the said stall shall remain vested in the Licensor whose officers shall at all reasonable hours be entitled to inspect the said stall about its bonafide user and about its state of repairs.

3. The Licensee shall not be entitled to allow any other person to occupy the premises in his stead or to use any part thereof. In the event of the death of the Licensee, prior to the expiry of the period fixed in the licence, the heirs, or the legal representatives of the Licensee shall not be entitled, unless otherwise decided by the Licensor to use the premises except that he/she shall be permitted to remove the goods, belongings or assets of the Licensee without injuring the stall within three weeks of such demise of the Licensee.

4. The licensee shall have no interest in the said stall nor shall be deemed to have any interest in the property.

5. The Licensee covenants with the Licensor as follows :—

(1) To pay a security deposit equal to three months licence fee on or before the tenth day of the month in which the licence is granted, the amount of security deposit being liable to be refunded three months after the expiry/revocation of the licence unless it is adjusted towards any money due to the licensor by the licensee.

(2) To pay the monthly licence fee on or before the tenth day of the succeeding month and be subject to all the rules concerning the Licence as contained in the rules for acquisition and transfer of immovable properties by municipal councils and to the bye-laws in force.

(3) To bear/pay and discharge all existing and future charges, assessment and outgoings payable in respect of the said stall, inclusive of any other sum that may from time to time be levied as such upon the stall.

(4) To keep the exterior and the interior of the stall and all additions thereto and the boundary walls and fences thereof and the rains soil and other pipes and sanitary and water apparatus and electric fittings and fixtures thereof in good and tenatable repair and condition.

(5) Not to make or permit to be made under any circumstances any alterations in or additions to the licensed buildings without the previous consent in writing of the licensor or its duly authorised officers provided always that if the licensee is permitted to make any alteration by the Licensor or its duly authorised officers, the Licensee shall not be entitled to any compensation therefor.

(6) To observe and fulfil the terms and conditions prescribed by existing rules and those which will be enforced from time to time.

(7) Not to assign to let or part with the possession of the licensed premises or any part thereof without first obtaining the written consent of the licensor or its authorised officers.

(8) To yield the licensed premises with all fixtures and additions thereto at the determination of licence in good and tenable repair and condition in accordance with the covenants herein contained.

(9) Not to change the nature of business/trade, etc. without the prior permission of the licensor.

(10) Not to keep the stall closed or use it as storage/warehouse/godown.

(11) To get the trade licence and Sales Tax registration only in the name of the licensee as otherwise it will be deemed as contravention to sub-clause No. (7) of para 5 and it will be construed that the stall has been let out and hence necessary action will be taken against the licensee to evict the licensee from the stall and the stall will be put to auction. Any amount due under this licence shall be liable to be recovered under the Pondicherry Revenue Recovery Act and Rules made thereunder and as provided in the Pondicherry Municipalities Act, 1973 and the rules and bye-laws made thereunder.

6. The Licensor covenants with the Licensee as follows :—

(1) The Licensee paying the licence fee hereby reserved and observing and performing the several covenants and stipulations herein on his part contained shall peaceably hold and enjoy the licensed premises during the said term subject to the stipulations in the licence :

(2) To carry out all repairs to main walls, roof and foundation due to fair reasonable wear and tear, the decision of the Executive Engineer concerned as to the necessity for such repairs being final.

7. On the expiry of the period fixed in the Licence or on the revocation thereof under the terms and conditions fixed in this licence or under the rules appertaining thereto or on non-user of the stall for a period of one month, the licensor may assume exclusive and absolute possession of the said stall and deal with it in such manner as it may deem fit. Any belongings of the Licensee found in such stall shall be liable to be auctioned unless claimed within one month of assumption of such absolute and sole possession by the Licensor. The Licensor shall be entitled to appropriate out of the proceeds of such sales, the monies due to the licensor from the licensee.

8. The surety covenants with the licensor to be held jointly and severally responsible along with the licensee for the due performance of the covenants on the part of the licensee. The Schedule above referred to. ALL THAT piece or parcel of the stall No. and containing on the whole by admeasurement (be the same more or less)

IN WITNESS WHEREOF

The common seal of the Municipal Council of Pondicherry, the Licensor has hereunto affixed and the Licensee and the surety/sureties have hereunto set their hands and seal the day, and year first above written.

1. Signed by the Commissioner for and on behalf of Pondicherry Municipal Council.

In the presence of

- 1.
- 2.

2. Signed by the Licensee.

In the presence of

- 1.
- 2.

3. Signed by the Surety/Sureties.

In the presence of

- 1.
- 2.

The common seal of the Municipal Council of Pondicherry was hereunto affixed in the presence of

(Memorandum No. F-34-23/84-LeCe(1)/LAD dated 17th November, 1984 of Local Administration Department.)

46.—The Pondicherry Municipalities (Cattle Pound) Rules, 1983.

In exercise of the powers conferred by sub-section (1) of section 440 read with sections 407, 410, 411 and 412 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) and all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Pondicherry Municipalities (Cattle Pounds) Rules, 1983.

(2) They shall come into force from the date of their publication in the official gazette.

2. Definition.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Pondicherry Municipalities Act, 1973 ;

(b) "Form" means a form appended to these rules ;

(c) "Pound-keeper" means a person appointed by the council as pound-keeper for the collection of cattle pound fees departmentally or in the case of leasing out the right of collection of cattle pound fees through public auction by the municipal council, the lessee duly authorised in this behalf ;

(d) "Schedule" means a schedule appended to these rules ;

(e) "Section" means a section of the Act.

3. Establishment and maintenance of cattle pounds.—The municipal council may establish such number of cattle pounds within the limit of its jurisdiction as may be considered necessary and maintain them either by appointing a person as pound-keeper for the collection of cattle pound fees departmentally or by leasing out the right of collection of cattle pound fees through public auction every year.

4. Registers and returns.—Every pound-keeper shall maintain the registers and returns prescribed under these rules and shall make entries therein promptly as and when the event necessitating such entries occurs :

Provided that a pound-keeper who is a lessee duly authorised by the municipal council for the collection of cattle pound fees shall not maintain Form-B, Form-C and Form-D.

5. Register of seizure and accounts of receipts and expenditure.—The pound-keeper shall maintain a register of seizure in Form-A. The pound-keeper appointed by the council for the collection of cattle pound fees departmentally shall maintain an account of cattle pound receipts and expenditure in Form-B.

6. Maintenance of account of advances.—Every pound-keeper appointed by the council for the collection of cattle pound fees departmentally, shall be given by the municipal council an advance not exceeding rupees two hundred to meet expenses chargeable under sub-section (2) of section 412. Such pound-keeper shall keep an account of such advances in a register in Form-C and such advances shall be adjusted yearly. When such pound-keeper hands over charge of his office to a successor, he and his successor, shall jointly report to the Commissioner about their having respectively delivered over and received charge of the money received as an advance.

7. **Pound fees.**—(1) The pound fees chargeable under sub-section (1) of section 412 for each head of cattle shall be as prescribed in Schedule-I appended to these rules.

(2) The pound-keeper shall exhibit the pound fee chargeable under section 412 in a conspicuous part of the pound.

8. **Levy of pound fees and charging of other expenses.**—(1) For every cattle impounded, the pound-keeper shall,—

(a) levy pound fee at the rate for the time being prescribed in the Schedule-I ; and

(b) charge expenses at the rates fixed by the municipal council under sub-section (2) of section 412.

(2) A receipt for every payment of the pound fee and the expenses chargeable under section 412 shall be given by the pound-keeper. For this purpose, every pound-keeper appointed by the council for the collection of cattle pound fees departmentally shall be given a receipt book in such form as may be determined by the municipal council with pages machine numbered serially and bearing the seal and signature of the Commissioner on each page and containing foils and counter-foils of blank receipt. In the case of a pound-keeper, who is a lessee duly authorised by the municipal council for the collection of cattle pound fees, the receipt book shall be got printed at his own cost in such form as may be determined by the municipal council with pages machine numbered serially and such receipt book shall not be sealed and signed by the Commissioner.

9. **Remittance of pound fees by the pound-keeper appointed by the council.**—All pound fees collected by the pound-keeper appointed by the council for the collection of cattle pound fees departmentally, shall be remitted to the Commissioner within twenty-four hours with a memorandum in duplicate in Form-D showing the amount so remitted. The Commissioner after crediting the amount received shall return the original of the memorandum duly receipted to the pound-keeper and retain the duplicate with him as record for payment.

10. Procedure of cattle is not claimed within ten days.—If within ten days after any cattle has been impounded, no person appearing to be the owner of such cattle or his agent claims the cattle or any person so appearing claims the cattle, but refused or fails to pay the pound fee and the expenses chargeable under section 412, the pound-keeper shall, as soon as the period is over, report the fact to the Commissioner in Form-E.

11. Notice of auction sale.—(1) The Commissioner on receipt of a report from the pound-keeper under rule 10 shall cause a notice in Form-F to be put up on the municipal notice board and on a conspicuous part of the pound and also at conspicuous places in the town in which the pound is situated, stating—

- (a) the number and description of the cattle ;
- (b) the place where it was seized ;
- (c) the place where it was impounded ;
- (d) the date, time and place of the auction sale to be held and the conditions subject to which it shall be held.

(2) The Commissioner shall also give such additional publicity by beat of drum in the town or any other mode of publication as he may consider necessary.

12. Holding of auction and disposal of sale proceeds.—(1) The auction sale shall be held on the date and at the time and place specified in the notice under rule 11. At the auction sale, the Commissioner shall fix the upset price for sale, such price being not less than the minimum amount which the owner of the cattle is liable to pay for getting the cattle released. If the bid in the auction is less than the upset price so fixed, the Commissioner may dispose of the cattle in the manner laid down in rule 15.

(2) The pound fee and the expenses chargeable under section 412 shall be deducted from the proceeds of the auction sale and the amount so deducted shall be paid to the pound-

keeper in case the pound-keeper is a lessee duly authorised by the municipal council for the collection of cattle pound fees and in other cases the amount shall be credited to the municipal fund. The surplus amount shall be disposed of in the manner laid down in sub-section (4) of section 411.

13. Auction sale when not to be held.—If at any time before the auction sale begins, any person appearing to the owner of the cattle or his agent pays to the Commissioner the pound fee and the expenses chargeable under section 412 and the amount to be deposited by way of security under sub-section (1) of section 410 in the case of collection of cattle pound fees departmentally by the municipal council in respect of such cattle, the auction sale shall not be held and the cattle shall be delivered over to him. The pound fees and other expenses chargeable under section 412 paid by the person to the Commissioner shall be refunded to the pound-keeper in case the pound-keeper is a lessee duly authorised by the municipal council for the collection of cattle pound fees.

14. Register of Cattle received for auction.—The Commissioner shall keep a register in Form-G in respect of cases of cattle received by the pound-keeper for holding auction under section 411.

15. Disposal of unsold cattle.—If the cattle is not sold at auction under sub-section (1) or sub-section (2) of section 411, the Commissioner, may dispose it of by negotiation to the best advantage of the municipal council. Any amount realised by way of such disposal shall be set off against the pound fees and the expenses chargeable under section 412, and such amount shall be refunded to the pound-keeper in case the pound-keeper is a lessee authorised by the municipal council for the collection of cattle pound fees. The difference between the full amount so chargeable and the actual amount so received shall be written off as irrecoverable in the manner laid down in section 187 in the case of collection of cattle pound fees departmentally by the municipal council.

16. Disposal of dead cattle in the pounds.—(1) If the cattle dies after it is impounded and is not claimed by the owner, it shall be disposed of in such manner as the Commissioner may consider to be advantageous to the municipal council in the cases of cattle impounded departmentally by the pound-keeper appointed by the municipal council, or as the lessee duly authorised by the municipal council may consider advantageous for him in respect of cases of cattle impounded by him as the case may be :

Provided that the surplus remaining after deducting the pound fee and the expenses chargeable under section 412 shall be remitted to the Commissioner in case the cattle pound fees collected by the lessee authorised by the municipal council.

(2) In the case of collection of cattle pound fees departmentally by the municipal council, the pound fee and the expenses chargeable under section 412 shall be deducted from any amount received by such disposal and remitted to the municipal fund.

(3) The surplus amount, if any, shall be disposed of in the manner laid down in sub-section (4) of section 411 :

Provided that if the proceeds from the disposal are less than the amount of pound fee and expenses chargeable under section 412, the deficit in the amount due on account of the said fee and expenses shall be written off as irrecoverable in the manner laid down in section 187, in the case of collection of cattle pound fees departmentally.

17. Declaration of ownership of and security deposit for impounded cattle.—(1) (a) In the case of collection of cattle pound fees departmentally, every pound-keeper appointed by the Commissioner shall before releasing any impounded cattle require :—

(i) the owner of such cattle or his agent to make a declaration of ownership of such cattle in Form-H, and

(ii) such owner or his agent to deposit by way of security for each head of cattle specified in column 1 of schedule-II and amount specified in column 2 of said schedule.

(b) Every such pound-keeper appointed by the council for the collection of cattle pound fees departmentally who shall be provided with the receipt book by the municipal council shall on payment of the security deposit give a receipt to the owner or his agent in token of having received the deposit for the cattle released by him.

(c) If any cattle belonging to a person who has paid a security deposit under this sub-rule is impounded within a period of six months from the date on which the deposit is made, and if the seizure is not adjudged as illegal, half the amount of deposit shall stand forfeited to the municipal council, and for any such subsequent seizure within the said period of six months, the remaining amount shall stand forfeited to the municipal council. No cattle shall be released unless the owner makes good any part of the deposit forfeited under this sub-rule.

(d) The security deposit paid by any person for the impounded cattle shall be refunded to that person after six months from the date on which the security deposit is made, if the amount of security deposit is not forfeited as above.

(2) (a) In the case of collection of cattle pound fees by the lessee authorised by the municipal council, security deposit shall not be collected by such lessee from the owner of the cattle or his agent for releasing any impounded cattle.

(b) Form-H and Schedule-II shall not be applicable in the case of collection of cattle pound fees by the lessee authorised by the municipal council.

18. Inspection of registers and accounts.—The Commissioner or any other officer duly authorised by him in this behalf shall inspect the registers and the accounts maintained by the pound-keeper and shall also check the cash balance with him at least once in every three months and shall sign in token of such inspection.

19. **Repeal.**—The Jondicherry Municipalities (Cattle Pound) Rules, 1979 are hereby repealed provided that such repeal shall not affect anything duly done or suffered thereunder.

FORM—A

(See rule 5)

Register of cattle seized and impounded

Serial No.	Name and residence of the person who seized the cattle— Date of receipt (Hour/date/month and year)	The place where it was seized	Signature or thumb-impression of the seizer or the person who brings the cattle to the pound	Number of cattle
(1)	(2)	(3)	(4)	(5)

Kind	Description of cattle				Name of the owner and his place of residence, if known
	Age	Value	Height	Special mark and colour	
(6)	(7)	(8)	(9)	(10)	(11)

Date of return of cattle to the owner and signature or thumb-impression of recipient	Pound fee	Amount of expenses chargeable under section 412(2)	Total of columns 13 and 14	Receipt No by which amount received
(12)	(13)	(14)	(15)	(16)

Date of report to the Commissioner under rule 9	Date of sending cattle for sale	Signature of the pound-keeper
(17)	(18)	(19)

FORM—B
(See rule 5)

Amount of cattle pound receipts and expenditure of *for the year 19*

Dr.			Cr.		
Date	Details	Amount	Date	Details	Amount
Day Month			Day Month		(8)
(1) (2)	(3)	(4)	(5) (6)	(7)	(8)

Rs. P.

Pound fee on account of cattle registered No. Expenses chargeable under section 412 (2) of cattle registered No.

Rs. P.

By payment of self on account of expenses chargeable under section 412(2) of cattle registered No. On payment of advance (as the case may be)

Balance ..

Balance ..

Note : (1) All collection made in the shape of pound fees and expenses chargeable under section 412(2) shall be carefully entered by the pound-keeper every day in this register as the transactions occur

(2) The pound-keeper will be held personally responsible for omissions or mistakes in the accounts.

FORM—C
(See rule 6)
Form of register of advances

Dr.		Cr.	
Date	Details	Date	Details
Day Month	(3)	Day Month	(7)
(1) (2)	(4)	(5) (6)	(8)
	Rs. P.		Rs. P.
	The amount of advance received this day from municipal council under its order No date...		By amount paid on account of expenses chargeable under section 412(2) of cattle registered No.
	Balance ..		Balance ..
	The amount received from Thiru [on account of expenses chargeable under section 412(2) of cattle registered No.]..		By amount paid on account of expenses chargeable under section 412(2) of cattle registered No.
	Balance ..		Balance ..

FORM—D

(See rule 9)

Form of remittance report to be made by the pound-keeper

Date	Register No.	Amount of pound fee
(1)	(2)	(3)

Signature of Pound-keeper.

NB. :—This report should be prepared in duplicate. The Commissioner should return one copy endorsing on it the receipt of this amount and should return the other copy in his office for his record.

FORM—E

(See rule 10)

Report to be sent by the pound-keeper to the Commissioner

Sl. No.	Register No. name of the person who seized the cattle, the place where the cattle were seized and the date and hour when impounded	Description of cattle					Special marks and colour
		Kind	Age	Value	Height		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
Pound fee	Expenses chargeable under section 412 (2) incurred by the pound-keeper				Remarks		
(8)	(9)				(10)		

FORM—F

(See rule 11)

Notice is hereby given that cattle described below and seized at have been sent on to the cattle pound of the Municipality and that they have been detained there, for a period exceeding ten days. Any person having claim to the aforesaid cattle is hereby required to appear before the pound-keeper of the said town to establish his claim and get his cattle released on payment of pound fees and expenses chargeable under section 412 and on deposit by way of security under sub-section (1) of section 410 in respect of the said cattle. In the event of failure of any such person to appear and claim the said cattle within seven days next after the date of this notice, the cattle will be sold by public auction and the pound fees and other expenses shall be deducted from the sale proceeds and the surplus amount if any, shall be disposed of according to sub-section (4) of section 411.

Description of cattle

Commissioner,
..... Municipality.

FORM—G

(See rule 14)

Register of cases of cattle received by the pound-keeper for auction under section 411

Sl. No.	Name of pound from which received	Register No. of the cattle pound, name of the person who seized, the place where they were seized, the date and hour when they were impounded.	Description of cattle				
			Kind	Age	Value	Height	Special marks and colour
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
(9)	Date of issuing notice						
(10)	Signature or mark of the person receiving cattle after establishing his claim.						
(11)	Name of the purchaser and his signature in token of his having received the cattle.						
(12)	Date of sale and amount of sale proceeding.						
(13)	At what rate and for what period excess is paid to the pound-keeper on account of feeding charges etc. and signature of recipient.						
(14)	Amount of pound fee.						
(15)	Surplus sale proceeds to be refunded to the owner.						

FORM—H

(See rule 17)

**Declaration of ownership of the impounded cattle and to deposit
the amount by way of security**

To

The Pound-keeper,

I, do hereby declare that the following
impounded cattle belong to me/Thiru I hereby
deposit the sum of Rs. by way of security in respect of
the said impounded cattle. I further declare that if any cattle
belonging to me/Thiru or impounded within a
period of six months from this day and if the seizure is not
adjudged illegal, for the first seizure one-half amount of deposit
shall stand forfeited to the municipal council and for subsequent
seizure remaining half-amount of deposit.

(1)

(2)

(3)

Date :

(Signature/thumb-impression of owner
of the impounded cattle or his agent).

SCHEDULE—I

(See rule 7)

Cattle	Pound fee per head of cattle per day
	Rs.P.
(i) Elephant, Camel or Buffalo	... 2.50
(ii) Horse, Mare, Gelding, Pony, Colt, Filly, Mule, Bull, Bullock, Cow or Heifer	.. 2.00
(iii) Calf, Ass	.. 1.50
(iv) Ram, Ewe, Sheep, Lamb, Goat or Kit	.. 1.00

SCHEDULE—II

(See rule 17)

Cattle	Amount of Security deposit per head of cattle
	Rs.P.
(i) Elephant, Camel or Buffalo	8.00
(ii) Horse, Mare, Gelding, Pony, Colt, Filly, Mule, Bull, Bullock, Cow or Heifer	6.00
(iii) Calf, Ass	5.00
(iv) Ram, Ewe, Sheep, Lamb, Goat or Kit	3.00

(G. O. Ms. No. 245, dated 27th December, 1983 of LAD—Published in the Extra-ordinary Gazette No. 31, dated 31st December 1983.)

47.—The Pondicherry Municipalities (Powers and Procedure for execution of works and for purchase of stores) Rules, 1983.

In exercise of the powers conferred by section 198 read with section 440 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Pondicherry Municipalities (Powers and Procedure for execution of Works and for Purchase of Stores) Rules, 1983.

(2) They shall come into force with effect from the date of their publication in the official gazette.

2. **Financial powers of the municipal councils and the commissioners.**—(1) The municipal council and the commissioner, as the case may be, shall exercise the financial powers to the

extent specified respectively in Schedule I and Schedule II appended to these rules, subject to availability of funds in the relevant head of account of the budget of the year.

(2) When there is no provision in the relevant head of account in the budget, the municipal council or the commissioner, as the case may be, shall not exercise these powers in anticipation of funds, or of transfer of funds from one head to another or otherwise, unless the prior approval of the Director is obtained. The exercise of the financial powers shall further be subject to the provisions of the Act and to the special or general orders, if any, as may be issued by the Government or the Director from time to time.

(3) The commissioner shall obtain prior approval of the Director for incurring any expenditure in respect of items not included in Schedule I or Schedule II, or for incurring any expenditure in excess of the limit of powers specified under the said schedules. No expenditure shall be incurred in anticipation of the authority competent to sanction the expenditure.

3. Technical powers of authorities.—(1) The Engineering Officers of the municipalities and the Engineering Cell in the Local Administration Department, may exercise the technical powers to the extent of the limit specified in Schedule III.

(2) The technical powers exceeding the limit specified in Schedule III shall be exercised by the Superintending Engineer of the Public Works Department, Pondicherry.

4. Procedure for the execution of works and for the purchase of stores.—The procedure for execution of works including works sanctioned by the Government under the grant or loan and other schemes entrusted to the municipal council for execution and for purchase of stores shall be as prescribed respectively in Schedule IV and Schedule V appended to these rules.

5. Repeal.—The Pondicherry Municipalities (Powers and Procedure for the Execution of Works and for the Purchase of Stores) Rules, 1980 are hereby repealed provided that such repeal shall not affect anything duly done or suffered thereunder.

SCHEDULE—I

(See rule 2)

Financial powers of the Municipal Councils

Sl. No.	Description of items	Financial powers of the Municipal Council					
		Pondicherry Municipal Council	Karaikal Municipal Council	Mahe and Yanam Municipal Councils	(3)	(4)	(5)
1	Motor-cycle: (a) Repairs	Full powers if the repairs are carried out in Municipal Automobile Workshop/ Government Automobile Workshop.	(i) Full powers if the repairs are carried out in Municipal Automobile Workshop / Government Automobile Workshop.	(i) Full powers if the repairs are carried out in Municipal Automobile Workshop / Government Automobile Workshop.	(ii) Rs. 150 in each case subject to a maximum of Rs. 500 per annum if carried out outside.	(ii) Rs. 150 in each case subject to a maximum of Rs. 500 per annum if carried out outside.	(ii) Rs. 150 in each case subject to a maximum of Rs. 500 per annum if carried out outside.
	(b) Cost of petrol and oil.	Rs. 400 per vehicle per mensem.	Rs. 400 per vehicle per mensem.	Rs. 400 per vehicle per mensem.	Rs. 400 per vehicle per mensem.	Rs. 400 per vehicle per mensem.	Rs. 400 per vehicle per mensem.

(1)	(2)	(3)	(4)	(5)
2	Jeep, car, lorry, tractor, van, road roller and the like.	(i) Full powers, if the repairs are carried out in Government Automobile/Municipal Workshop.	(i) Full powers, if the repairs are carried out in Government Automobile/Municipal Workshop.	(i) Full powers, if the repairs are carried out in Government Automobile/Municipal Workshop.
	(a) Repairs	(ii) Rs. 1,000 at a time for each vehicle if repairs are carried out in a private workshop subject to a maximum of Rs. 4,000 per annum per vehicle.	(ii) Rs. 500 at a time, for each vehicle subject to a maximum of Rs. 2,000 per annum per vehicle, if the repairs are carried out in a private workshop.	(ii) Rs. 500 at a time, for each vehicle subject to a maximum of Rs. 2,000 per annum per vehicle, if the repairs are carried out in private workshop.
	(b) Purchase of spare parts.	Rs. 50,000 per annum, but the reserve limit of stock should not exceed Rs. 25,000.	Rs. 5,000 per annum, but the reserve limit of stock should not exceed Rs. 2,500.	Rs. 5,000 per annum, but the reserve limit of stock should not exceed Rs. 2,500.
	(c) Cost of petrol/diesel oil and other lubricants in respect of lorry tractor, road roller and other vehicles used for sanitary purposes.	Rs. 900 per mensem for each vehicle.	Rs. 700 per mensem for each vehicle.	Rs. 350 per mensem for each vehicle.

(d) Cost of oil/diesel/
petrol and other
lubricants in res-
pect of other
vehicles.

(i) Petrol vehicle	Rs. 600 per mensem per vehicle	Rs. 600 per mensem per vehicle	Rs. 400 per mensem per vehicle
(ii) Diesel vehicle	Rs. 500 per mensem per vehicle.	Rs. 200 per mensem per vehicle.	Rs. 200 per mensem per vehicle.
3 Printing and binding	(i) Full powers for printing and binding through Government Press.	(i) Full powers for printing and binding through Government Press.	(i) Full powers for printing and binding through Government Press.
	(ii) Rs. 2,000 per annum for printing and binding in private press.	(ii) Rs. 1,000 per annum for printing and binding in private press.	(ii) Rs. 1,000 per annum for printing and binding in private press.
4 Books and publications.	Rs. 2,000 per annum	Rs. 500 per annum	Rs. 250 per annum
5 Purchase of stationery.	Rs. 10,000 per annum	Rs. 5,000 per annum	Rs. 2,000 per annum
6 Typewriter / Duplicate purchase and repairs	Full powers	Full powers	Full powers
7 Fixtures and furniture			
(i) Repairs	Full powers	Full powers	Full powers
(ii) Purchase	Rs. 5,000 per annum	Rs. 2,000 per annum	Rs. 2,000 per annum

(1)	(2)	(3)	(4)	(5)
8	Legal charge (except appeal cases and cases filed directly before the High Court)	Full powers subject to the engagement of advocate at the rates payable to Government Pleader/ Public Prosecutor.	Full powers subject to the engagement of advocate at the Government rates payable to Government Pleader/ Pleadar/Public Prosecutor.	Full powers subject to the engagement of advocate at the rates payable to Government Pleader/ Public Prosecutor.
9	Execution of civil works	Upto Rs. 50,000 per work	Upto Rs. 30,000 per work	Upto Rs. 30,000 per work
10	Purchase of stores in connection with the execution of civil works and purchase of stores for other purposes.	Upto Rs. 25,000 at a time for non-recurring and Rs. 10,000 per annum for recurring expenditure in respect of items for which no different limits have been laid down in this schedule.	Upto Rs. 15,000 at a time for non-recurring and Rs. 10,000 per annum for recurring expenditure in respect of items for which no different limits have been laid down in this schedule.	Upto Rs. 15,000 at a time for non-recurring and Rs. 10,000 per annum for recurring expenditure in respect of items for which no different limits have been laid down in this schedule.
11	Reparing of motors and motor pumpsets of overhead tanks water supply system and oil engines.	Full powers	Full powers	Full powers
12	Cement, bitumen etc., purchased at control rates through public sector undertakings or against release orders/ permits issued by the	Full powers	Full powers	Full powers

- authorities such as the Director of Civil Supplies.
- 13 Oil engines-cost of petrol/diesel/oil and other lubricants Rs. 1,200 per annum per engine. Rs. 1,200 per annum per engine.
- 14 Advertisement charges for publication of notice of tenders in the newspapers. Rs. 10,000 per annum. Rs. 5,000 per annum. Rs. 5,000 per annum.
- 15 Disposal of obsolete/unserviceable articles. Upto Rs. 20,000 (Book value) per annum. Upto Rs. 5,000 (Book value) per annum. Upto Rs. 5,000 (Book value) per annum.
- 16 Bicycle Purchase Full powers if purchased through Director General of Supplies and Disposals. Full powers if purchased through Director General of Supplies and Disposals.
- 17 Supply of liveries Full powers subject to the scales and rates prescribed by the Government. Full powers subject to the scales and rates prescribed by the Government.
- 18 Payment of remuneration to dog catchers. Full powers subject to the rates prescribed by the Government. Full powers subject to the rates prescribed by the Government.
- 19 Drawal of advance:
 (1) Celebration of Independence Day and Republic Day. Full powers subject to the ceiling prescribed by the Government. Full powers subject to the ceiling prescribed by the Government.

(1)	(2)	(3)	(4)	(5)
(2)	Payment of pension and secours.	Full powers	Full powers	Full powers
(3)	Payment of insurance charges to vehicles	Full powers	Full powers	Full powers
(4)	Purchase of postage stamps	Full powers	Full powers	Full powers

SCHEDULE II

(See rule 2)

Financial powers of the Commissioners of the Municipalities

Sl. No. (1)	Description of items (2)	Extent of powers (3)
1	Bicycles—(i) Hiring of vehicles (ii) Repairs	Full powers. Rs. 120 per annum for each cycle.
2	Freight charges excluding demurrage charges	Full powers.
3	Purchase of rubber stamps and office seal	Full powers.
4	Electricity and water charges	Full powers.

- 5 Postage and Telegram Full powers.
- 6 Trunk-call (excluding no delay call) and telephone charges. Full powers.
- 7 Light refreshment charges:
- (i) Council meeting Not exceeding Rs. 2 per head per day of meeting.
 - (ii) Other meeting Not exceeding Re. 1 per head per day of meeting.
- 8 Other petty contingent and miscellaneous expenditure.
- (i) Rs. 100 at a time for each item for which no different limits have been laid down in this schedule, for the Commissioner, Pondicherry Municipality.
 - (ii) Rs. 50 at a time for each item for which no different limits have been laid down in this schedule, for the Commissioner, Karaikal Municipality,
 - (iii) Rs. 25 at a time for each item for which no different limits have been laid down in this schedule, for the Commissioner, Mahe and Yanam Municipalities.
- 9 Payment of land tax Full powers.

(1)	(2)	(3)
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- | | | |
|----|--|--------------|
| 10 | Payment of insurance charges in respect of vehicles. | Full powers. |
| 11 | Payment of charges in respect of professional services rendered by the Government departments. | Full powers. |

Explanations:

(a) "Contingent expenditure" means all incidental and other expenditure including expenditure on stores which is incurred for the management of an office, for the working of technical establishment such as a laboratory, workshop, industrial installation, store, depot and the like but does not include any expenditure which has been specifically classified as falling under some other head of expenditure such as works and tools and plants; and

(b) "Miscellaneous expenditure" means all expenditure other than expenditure falling under the category of pay and allowances of municipal servants, leave salary, pension, contingencies, grants-in-aid contributions, works, stock, tools and plants, and the like.

SCHEDULE—III

(See rule 3)

Powers of the Engineering Officers

Sl. No.	Description of items	Extent of powers	
		Officers in the grade of Executive Engineer	Officers in the grade of Assistant Engineer
(1)	(2)	(3)	(4)
1	Accord of technical sanction to detailed estimate	(i) Rs. 1,50,000 for ordinary division, i.e., where no Assistant Surveyor of Works is provided.	Rs. 15,000
		(ii) Rs. 3,00,000 for strength division, i.e., where Assistant Surveyor of Works is provided.	

(1)	(2)	(3)	(4)
2	Accord of sanction to extra/substituted items.	Rs. 25,000 in respect of scheduled and agreement items In respect of other items, 25% of the contract value subject to a ceiling of Rs. 2,500 beyond this, sanction of the Superintending Engineer would be necessary.	Items of the value of Rs. 500 or 5% of the contract amount whichever is less in respect of contract accepted by them. Where rates cannot be derived either from agreement or the standard schedule of rates, approval of Executive Engineer to the fixation of rates for such items should be obtained. Assistant Engineer have no powers to sanction extra items in respect of contracts accepted by higher authorities.
3	Award of additional quantities against abnormally high/low rated items variations being more than 25% above or below the schedule of rates duly enhanced to the extent of cost index which will be approved by Chief Engineer concerned from time to time.	Rs. 10,000	Rs. 1,000

SCHEDULE—IV

(See rule 4)

Procedure for execution of works

(a) **Preparation of estimates and plans.**—1. Plans and estimates for municipal works shall be preferred :—

(i) in municipalities where there is a Municipal Engineer, by or under the supervision of the Municipal Engineer ; and

(ii) in municipalities where there is no Municipal Engineer, by or under the supervision of the highest engineering subordinate incharge of municipal works.

(b) **Technical sanction.**—(i) Powers of various technical authorities are indicated in Schedule III—

(ii) in municipalities where there is no Assistant Engineer the technical sanction will be accorded by the Assistant Engineer in the Public Works Department, who has jurisdiction over the area upto the limit of his powers to accord technical sanction ;

(iii) in municipalities where there is no Executive Engineer, the technical sanction will be accorded by the Executive Engineer of Pondicherry Municipality upto his powers of technical sanction provided that if there is no Executive Engineer also in Pondicherry Municipality, technical sanction will be accorded by the Executive Engineer in the Engineering Cell of the Local Administration Department upto the limit of his powers to accord technical sanction.

(c) **Preparation of tender schedules and notice for inviting tenders.**—The tender schedules and notice for inviting tenders shall be prepared in such manner as may be directed by the Government/Director. If the technical authority approving the

plans and estimates certifies at the time of according technical sanction that the tender schedule and notice for inviting tenders shall be approved by him also, the approval of that authority shall be obtained.

(d) Procedure for the invitation and disposal of tenders.—

1. The Commissioner shall invite tenders for every contract for the execution of work, the estimated cost of which exceeds Rs. 5,000. The Commissioner shall call for quotations for works, the estimated cost of which is Rs. 5,000 or below.

Explanation.—The terms 'tender' and 'quotation' shall have the same meaning as in the General Financial Rules (Revised and Enlarged), 1963, in force in the Government.

2. The Municipal Council shall accept tenders on the advice of the following technical authorities :—

(a) Upto Rs. 15,000 on the advice of the Assistant Engineer ;

(b) Above Rs. 15,000 and upto Rs. 1,50,000 on the advice of the Executive Engineer, if the division does not have an Assistant Surveyor of Works and upto Rs. 3,00,000 if the division has an Assistant Surveyor of Works ;

(c) Above Rs. 1,50,000 or as the case may be Rs. 3,00,000 upto Rs. 22.5 lakhs on the advice of the Superintending Engineer, Public Works Department.

Note : Where a contract committee exists as provided under section 85 of the Act, the contract committee is the competent authority to accept quotations, if the cost of work does not exceed Rs. 1,000.

3. The Municipal Council may accept single tender on the advice of the following Technical Officers, namely :—

(a) Upto Rs. 23,000 on the advice of the Executive Engineer.

(b) Above Rs. 23,000 and upto Rs. 7.5 lakhs on the advice of the Superintending Engineer, Public Works Department.

4. The Municipal Council may award any work on nomination basis, in cases of emergency and in cases where there was no response for the invitation of tenders/quotations, on the advice of the following technical authorities, namely :—

(i) Upto Rs. 3,000 on the advice of the Assistant Engineer;

(ii) Above Rs. 3,000 and upto Rs. 30,000 on the advice of the Executive Engineer ;

(iii) Above Rs. 30,000 and upto Rs. 75,000 on the advice of the Superintending Engineer, Public Works Department.

5. In the selection of tenders, the Municipal Council shall pay due regard to the advice given by the technical authorities. The financial status of the tenderers, their capacity, the security offered by them and the record of their execution of any works previously done shall be taken into consideration. Where the capacity to do the work and integrity of the tenderer are not known, such tenders need not necessarily be rejected. In such cases, extra security of 5 to 10 per cent. of the estimated value shall be taken if the Municipal Council considers it necessary.

6. (1) Tenders shall be invited by the Commissioner in sealed covers in the most open and public manner possible.

(a) in all cases by notice in the language or the languages of the region pasted in the Municipal Office and such other places as the Commissioner may deem fit ; and

(b) when the cost is above Rs. 25,000 but below Rs. 1,00,000 by advertisement in at least one newspaper having circulation in the region and when the cost exceeds Rs. 1,00,000 by advertisement in one vernacular newspaper and one English newspaper having circulation in the region.

(2) Every notice and advertisement published by the Commissioner shall state, *inter alia*—

(i) when and where the contract documents may be inspected and the blank forms of tenders can be obtained ;

(ii) the charge payable for a set of forms and other tender documents. ;

(iii) the precise form of tendering, that is whether it should be at a specified percentage below or above the estimate rates or whether definite rate should be quoted for each item of work included in the schedule ;

(iv) when and to whom tenders are to be submitted.

Note : A minimum period of at least 15 days from the date of publication of the notice at the municipal office or of the first advertisement as the case may be, in a newspaper, shall be allowed for submission of tenders. If the fifteenth day happens to be a holiday the tenders received on the next working day shall be treated as having been received in time. Percentage rate tender should be adopted for works costing Rs. 1,00,000 and below and item rate tender should be adopted for works costing above Rs. 1,00,000.

(v) when and where they are to be opened ;

(vi) the amount of earnest money which should accompany the tender and the amount and nature of security required in case the tender is accepted :

Provided that the earnest money shall be two and a half percent of the sanctioned estimate, unless the Government relax the limit in special circumstances ;

(vii) the fact that the Municipal Council is competent to accept the tender ;

(viii) that the Municipal Council reserves its right to reject any or all of the tenders received without assigning any reason ;

(ix) that a tenderer, who withdraws his tender without valid reasons to be decided by the Municipal Council shall be liable to have his subsequent tender summarily rejected ; and

(x) that the earnest money remitted by a tenderer shall be forfeited to the municipal funds, in case the tenderer on intimation of the acceptance of the tender, fails to deposit the requisite security and enter into required agreement.

(3) Quotations should be invited by the Commissioner in sealed covers in the most open and public manner possible for works, the cost of which does not exceed Rs. 5,000. In such cases not less than 3 quotations should be obtained.

7. Tender shall be opened by the Commissioner at the time and place specified in the tender notice in the presence of such tenderers or their authorised agents as may be present. On opening the tenders, the Commissioner shall invariably date and initial not only the corrections in schedule of quantities, schedule of materials to be issued, specifications and other essential parts of the contract documents but also date and initial all the pages of the schedule of the quantities irrespective of the fact whether they contain corrections, over-writings, etc. or not. If in the tender there are corrections unattested by the tenderer, a note of such corrections shall be made on the tender itself when it is opened. The Commissioner shall keep a personal note of the total number of covers received and the total number of tenders opened by him in a register and verify with the number shown in the comparative statement of tenders. The tenders shall then be handed over to the Municipal Engineer, if there is a Municipal Engineer, who will tabulate and scrutinise the tender and send them to the Commissioner for placing the same before the Municipal Council with his recommendation and the advice of the competent technical authorities, for consideration and approval. If there is no Municipal Engineer, the Commissioner shall tabulate and scrutinise the tenders with the help of the engineering staff available.

8. The lowest tender should ordinarily be accepted. If it is considered undesirable to accept the lowest tender by the Municipal Council, the next lower tender may be accepted only on the advice of the technical authority, who is next higher to the authority competent to accord technical sanction for the work. Adequate grounds for rejecting the lowest tender and for accepting the next lower tender shall be recorded in writing. They should be kept confidential and, however, be made available for audit if so desired.

9. Tenders from the contractors registered with the Public Works Department or Municipalities or Commune Panchayats if any shall be considered. Tender schedules may be sold to unregistered contractors also.

10. In no case, shall a tender be accepted at rates other than the rates specified in that tender. If, however, the Municipal Council considers that the rates for certain items, in an otherwise lowest tender, which is under consideration, are pitched too high, the Municipal Council may authorise the Commisniener or any technical officer to negotiate with the tenderer and secure reasonable rates for these items.

11. There shall be no avoidable delay in the disposal of tenders after they are opened. Ordinarily they shall be disposed off within a week from the date of opening by the Municipal Council and in no case shall the period exceed one month. In cases in which negotiations are started, the period may be extended by another month.

12. If none of the tender is acceptable to the Municipal Council, fresh tenders may be invited rejecting all the tenders previously received and the reasons for rejecting them shall be recorded in writing and made available to audit.

13. In cases where tenders are not received, although they were invited, fresh tenders should be invited again, and if tenders are not received even then, quotations should be invited. The

procedure to be followed after the receipt of quotations should as far as possible, be the same as that laid down for the disposal of tenders.

14. Notwithstanding anything contained in the foregoing paragraphs the Municipal Council may authorise the Commissioner or any technical officer, to negotiate with the tenderers in order to entrust the work to the most suitable tenderer having regard to all the local conditions and accept an offer at a rate lower than that specified in the tender with the concurrence of the authority who is empowered to accord technical sanction to the estimate for the work.

Note : When the negotiations are resorted to, the authorised officer shall first negotiate with the lowest tenderer. Only in the event of his refusal to reduce the rates to the extent desirable by the Municipal Council, negotiations shall be had with the next tenderer.

(e) **Issue of work order.**—The Commissioner shall issue work order to the successful tenderer within seven days from the date of acceptance of the tender by the Municipal Council, in such forms as may be specified by the Director. Necessary agreement in such form as may be specified by the Director may be entered into between the contractor and the Municipal Council. The period of completion of the work shall be reckoned after 15 days from the date of issue of work order. If the acceptance of tender is not communicated to the contractor within ninety days from the date of opening of the tender, the tenderer has every right to cancel his tender and claim refund of earnest money deposit.

(f) **Measurement and check measurement.**—The Executive Engineer and Assistant Engineers in the Engineering Cell in the Local Administration Department, the Municipal Engineer in the grade of Executive Engineer, the Municipal Engineer in the grade of Assistant Engineer and the Executive Engineer and the Assistant Engineer of the Municipality shall exercise the powers of measurements and the check measurement of works to the

extent of such technical powers as enjoyed by the Executive Engineer and Assistant Engineer, as the case may be, in the Public Works Department.

(g) **Extension of time limit, levy of penalty and cancellation of contract.**—The Municipal Council shall consult the technical authority competent to accord technical sanction of the work, before extending the time limit of any contract or imposing any penalty for non-fulfilment of contract or cancelling the contract.

(h) **Issue of executive instructions.**—The Director may issue executive instructions regarding the maintenance of measurement book and other registers and forms, mode of preparation of work bill, supply bill, etc., the registration of contractors and refund of earnest money deposit.

SCHEDULE—V

(See rule 4)

1. **Procedure for purchase of stores.**—In all cases where the cost of the purchase of materials, goods, etc. is less than Rs. 5,000 open tenders may be dispensed with, but at least three quotations must be called for and the lowest shall be accepted. If for any reason lowest quotation is not accepted by Municipal Council the reasons should be recorded in writing for the acceptance of the next lower tender.

2. Tenders shall be opened by the Commissioner at the time and place specified in the notice inviting tenders in the presence of such of the tenderers or their authorised agents, as may be present. On opening the tenders, the Commissioner shall invariably date and initial not only the corrections in the schedule of quantities, schedule of materials to be used if any specifications and other essential parts of the contract document, but also date and initial all the pages of the schedule of quantities irrespective of the fact whether they contain corrections, over-writings, etc. or not. If in the tender, there are corrections, unattested by the tenderer, a note of such corrections shall be

made on the tender itself when it is opened. The Commissioner shall keep a personal note of the total number of covers received and total number of tenders opened by him in a register and verify with the number shown in the comparative statement of tenders. The Commissioner shall then scrutinise and tabulate the tenders and submit with his recommendations to the Municipal Council for consideration and approval.

3. The lowest tender should ordinarily be accepted. Where it is considered undesirable to accept the lowest tender by the Municipal Council, the next lower tender should be accepted by the Municipal Council after recording reasons in writing. Adequate grounds for rejecting the lowest tender and for accepting the next lower tender shall be recorded in writing. They should be kept confidential and however be made available for audit, if so desired.

Note : Where a tender is in respect of more than one article, for example, stationery articles, the comparative prices can be considered either individually for each article or conjointly for all the articles or for specified groups of articles, as long as the lowest tender is accepted, provided that the intention of the Municipal Council to accept tenders or to select the lowest tender in any of these ways is made clear in the tender notice. If the tender notice is considered conjointly for all the articles or for groups of articles the cost of the probable requirements in respect of all articles or of all articles in each group, as the case may be, shall be worked out with reference to the rates given in each tender and the lowest tender will be that according to which the total cost of the probable requirements of all the articles proposed to be taken together works out to be least.

4. In selecting a tender, the financial status of tenderers, their capacity, the security offered by them and the record of their execution of any contracts previously entered into, shall be taken into consideration. Other things being equal, the lowest tender shall be accepted.

5. Where the capacity for supply and the integrity of a tenderer are not known, his tender need not necessarily be refused. In such case, extra security of five to ten per cent. of the estimated value shall be taken if the Municipal Council considers it necessary.

6. Notwithstanding anything contained in foregoing paragraphs, the Municipal Council may refer the matter if it so deem fit to the Director and accept the tender recommended by the Director.

7. In no case shall a tender be accepted at the rates other than those specified in the tender. If, however, the Municipal Council considers that the rates for certain items in an otherwise lowest tender, which is under consideration, are pitched too high, it may negotiate with the tenderer and secure reasonable rates for those items and then accept the tender with the rates agreed to, by negotiation.

8. There shall be no avoidable delay in the disposal of tenders after they are opened. Ordinarily they shall be disposed off within a week from the date of acceptance. In cases in which negotiations are started, the period may be extended by another month.

9. In case the tenders received are not accepted and in case where no tenders are received fresh tenders should be invited again and if tenders are not received even then, quotations should be invited. The procedure to be followed after the receipt of quotations shall, as far as possible be the same as that laid down for the disposal of tenders.

10. Notwithstanding anything contained in the aforesaid paragraphs, the Municipal Council may authorise the Commissioner or any other officer to negotiate with the tenderers in order to entrust the supply of articles, etc. to the most suitable tenderer having regard to all the local conditions and accept an offer at a rate lower than that specified in the tender.

Note : When negotiations are resorted to, the authorised officer shall first negotiate with the lowest tenderer. Only in the event of his refusal to reduce the rates to the extent desirable by the Municipal Council, negotiations may be made with the next tenderer.

11. (1) In selecting tenders for electrical and mechanical plants and equipment, the tendered price shall not be the only factor to be considered. Particular attention shall be paid to efficiency, running cost, durability of materials, reliability of guarantees, necessity for repair and attention, saving in spare parts due to standardization, purpose in view and technical qualification and financial standing of the tenderer.

(2) In case it is found difficult to select a tender in view of technical intricacies involved, the Director of Public Works Department may be requested to offer his opinion in case of mechanical plant and equipment while in case of electrical equipment, the Superintending Engineer of Electricity Department may be consulted. Other concerned heads of departments of Government may also be consulted, wherever necessary.

12. (1) Quotations/tenders shall be invited by the Commissioner on behalf of the Municipal Council in sealed covers in the most open and public manner possible,—

(a) in all cases, by a notice in the language or languages of the region pasted at the municipal office and such other places, as the Commissioner may deem fit ; and

(b) when the cost exceeds Rs. 25,000, by advertisement in at least one newspaper having circulation in the region.

(2) Every notice and advertisement published by the Commissioner shall state, *inter alia*,—

(i) the conditions under which and the officer from whom a copy of the schedule of quantities of the various kinds of articles can be had if they cannot be mentioned in detail in the notice or advertisement ;

(ii) the precise form of tendering, that is whether the comparative value of the tender will be examined with reference to each article mentioned in the schedule of quantities or for all articles conjointly or for a group of articles ;

(iii) when and where tenders are to be submitted ;

Note : A minimum period of at least fifteen days, from the date of publication of the notice at the municipal office or of the first advertisement, as the case may be, in a newspaper, shall be allowed for the submission of tenders. If the fifteenth day happens to be a holiday, the tenders received on the next working day shall be treated as having been received in time.

(iv) when and where they are to be opened ;

(v) the amount of earnest money which should accompany the tender and the amount and nature of security required in case the tender is accepted ;

Provided that the earnest money deposit shall, in no case, be less than two and a half per cent of the sanctioned estimate, unless the Director relaxes this limit in special circumstances ;

(vi) the fact that the Municipal Council is competent to accept the tender ;

(vii) that the Municipal Council reserves the right to reject any or all of the tenders received without assigning any reasons ;

(viii) that the tenderer, who withdraws his tender without valid reasons (to be decided by the municipal council) shall be liable to have his subsequent tender summarily rejected ; and

(ix) that the earnest money remitted by a tenderer shall be forfeited to the municipal funds in case the tenderer on intimation of the acceptance of the tender fails to deposit the requisite security and enter into the required agreement.

(3) (i) It is not necessary to obtain quotations for the purchase of stores upto the value of Rs. 100 at a time, provided it is certified by the Commissioner that the rate does not exceed the market rates.

(ii) Quotations may be called for from at least 3 dealers for the purchase of stores upto and inclusive of Rs. 5,000 at a time.

(iii) Limited tender system may be adopted for purchase of stores, the value of which exceeds Rs. 5,000 but not exceeding Rs. 25,000. In such cases copies of notice should be sent to the prominent dealers and copies of notice should also be affixed in important places, such as municipality, market, etc.

13. The above procedure shall not apply to,—

(i) the purchase of stores through co-operative stores authorised by the Registrar of Co-operative Societies ;

(ii) the purchase of stores or articles or materials through the Government Departments and public sector undertakings ;

(iii) the purchase of articles from the metal and timber works and factories run by the Government ;

(iv) the purchase of controlled articles at controlled rates through a permit or release order issued on orders of the Government or their agents ;

(v) the purchase of articles manufactured by training-cum-production centres of the Government ;

(vi) the purchase of articles manufactured by convicts in jails ; and

(vii) the purchase of petrol, diesel, kerosene oil, grease, engine oil and other lubricants from standard firms or their authorised agents.

14. The Municipal Council with the previous sanction of the Director may dispense with tenders in respect of the following or similar classes of cases, namely :—

(i) purchase of materials or goods which are patented or are manufactured and sold solely by particular firms or their authorised agents ; and

(ii) standard materials or goods the prices of which are liable to constant fluctuation due to the unsettled conditions of the market.

Note : The classes of cases mentioned in this para are only illustrative and not exhaustive.

15. Earnest money deposit and security deposit should be collected and agreement should be entered into when quotations/tenders are called for before orders are placed for supplies, as follows, namely :—

(a) For purchase of material/stores required for civil works, such as bricks, road metals. etc., and tools and plants required for civil works, such as tar boilers, mixtures and the like,—

(i) when the purchase is upto Rs. 5,000, it is not necessary to obtain earnest money deposit/security deposit nor is it necessary to enter into agreement ; and

(ii) when the purchase is for an amount exceeding Rs. 5,000, earnest money deposit/security may be collected but it is not necessary to enter into agreement ;

(b) For purchase of materials/stores required for office, such as furniture, etc., spare parts required for workshop, stores required for sanitary wing and the like,—

(i) it is not necessary to obtain earnest money deposit/security deposit or enter into agreement for purchase at one time ; and

(ii) if, however, the purchase is a running contract, that is, the supply is spread over during the year, for instance, supply of firewood for the entire year, and the value of purchase during the entire period of contract exceeds Rs. 25,000 an agreement should be entered into between the municipal council and the contractor.

(G. O. Ms. No. 28, dated 31st January, 1983 of Local Administration Department—Published in the Extraordinary Gazette No. 3, dated 22nd February, 1983.)

48.—Communication of sanction of the Secretary (LA) and Director (LA) by the Deputy Directors.

1. Rule 39 of the General Financial Rules provides that all financial sanctions and orders issued by a competent authority shall be communicated to the Audit Officer and/or the Accounts Officer, as the case may be, in accordance with such procedure as may be prescribed by general or special orders. Further, in Memorandum No. 23-1/81/F3, dated 1st June, 1982 of the Finance Department it is clarified that financial sanctions issued by Secretaries to Government/Heads of Departments of this Union Territory (other than sanctions issued under the powers of Lieutenant-Governor, Chief Secretary, and Secretary, Legislative Assembly, who are the Heads of Departments under Delegation of Financial Powers Rules, 1978) should invariably be under their own signature and they cannot authorise any Gazetted Officer under them to sign or convey the sanction on their behalf.

2. Even though rule 39 of the General Financial Rules may not be applicable in so far as sanctions issued by the Secretary to Government, and Director, Local Administration Department, operating the funds of the Municipalities/Commune Panchayats,

the following guidelines are prescribed in the matter of communication of sanctions to audit by the Local Administration Department.

(a) Rule 39 of the General Financial Rules and the Memorandum No. 23-1/81/F3, dated 1st June, 1982 of the Finance Department, Pondicherry shall be considered while issuing any sanction by the Secretary to Government or Director in the Local Administration Department operating the Government budget allocated to the Local Administration Department.

(b) In so far as sanctions issued, operating the funds of the Municipalities/Commune Panchayats such sanctions may be communicated by any one of the officers in the Local Administration Department, viz. Deputy Director (Municipal Administration), Deputy Director (Rural Development), Deputy Director (Local Administration) and Election Officer, after obtaining the approval of the Secretary to Government, Local Administration Department or the Director, Local Administration Department, as the case may be.

(G. O. Ms. No. 123, dated 30th March, 1983 of LAD)

49.—Opening ceremony of buildings, culverts, etc., of the Municipalities—Enhancement of ceiling of expenditure.

In the Government Order No. 50/71/LAD., dated 30th April, 1971 of the Local Administration Department, Government have fixed a ceiling for the incurring of expenditure on the opening ceremony of the buildings, etc. of the municipalities and commune panchayats.

2. Government have felt that the ceiling of expenditure so fixed some years ago is rather low in the present context of price levels and therefore the Government have decided to revise the same with immediate effect.

3. Accordingly, the Government have fixed the ceiling for the incurring of expenditure on the opening ceremony of buildings, culverts, etc. of the Municipalities and Commune Panchayats as indicated below :—

(i) Pondicherry Municipality	... Rs. 1,000 for each function.
(ii) Karaikal/Mahe/Yanam Municipalities	... Rs. 500 for each function.
(iii) All Commune Panchayats	... Rs. 300 for each function.

4. This order is also applicable for incurring expenditure towards the functions arranged for laying foundation stones of buildings, culverts, etc.

5. The ceiling prescribed above includes all charges, such as tablet, printing and distribution of invitation cards, erection of temporary pandals, loud speaker, lighting arrangement, light refreshment, etc.

(G. O. Ms. No. 170, dated 16th June, 1983 of LAD.)

50.—Purchase of postage stamps—Simplification of procedure.

At present, the Commissioners of the Municipalities and Commune Panchayats are approaching this Department frequently for getting sanction of the Director (Local Administration) for the drawal of amount in advance towards purchase of postage stamps, even though the Commissioners are vested with full powers to incur expenditure towards "Postage and Telegram".

2. In order to simplify the procedure and to avoid getting sanction of the Director (Local Administration) every time, the Commissioners of the Municipalities/Commune Panchayats are requested to intimate to this Department their requirements of postage stamps for a full year. After examining their requirements, this Department will sanction advance for a full year. The Commissioners may present the advance bill every month to Local Fund Accounts Unit for the amount not exceeding one twelfth of the advance sanctioned for the full year, subject to the rendering of the amounts within a month from the date of drawal of advance.

3. This Memorandum is issued after consultation with the Pay and Accounts Officer, Pondicherry.

(Memorandum No. 1724/D1/82/LAD, date 17th May, 1982 of Local Administration Department.)

51.—Communication of resolution of the Council or the proceedings/orders of the Special Officer to audit.

As per the Pondicherry Municipalities Act, 1973 and the Pondicherry Village and Commune Panchayats Act, 1973 and the rules made thereunder, the Municipal Council/Commune Panchayat Councils pass resolutions and the proceedings of the Council are being signed by the President of the meeting. In the absence of the Council, the Special Officer, who is exercising the powers and functions of the Council is signing the proceedings/orders, in all matters.

2. A doubt has however arisen as to whether the bills may be submitted to the Local Fund Accounts by the Commissioners of the Municipalities and Commune Panchayats alongwith the true extract of the resolution of the Council (in the absence of the council with the true extract of the proceedings/orders of the Special Officer), or whether the bills may be submitted alongwith the sanction order issued by the Commissioner, based on the resolution/proceedings/orders, as followed in Government Departments.

3. After careful examination of the matter and in consultation with the Local Fund Examiner, it has been decided that the Commissioners of the Municipalities and Commune Panchayats may hereafter and with immediate effect submit the bills to the Local Fund Accounts, alongwith with the true extract of the resolutions of the Council and in the absence of the Council, with the true extract of the proceedings/orders of the Special Officer.

4. No expenditure sanction need be issued by the Commissioners as is being followed in Government.

(Memorandum No. 12039/D1/80/LAD, dated 24th October, 1980 of Local Administration Department.)

52.—Celebration of national festivals—Enhancement of ceiling of expenditure.

In the Government Order No. 50/71/LAD, dated 30th April, 1971 of the Local Administration Department, Government have fixed a ceiling for the incurring of expenditure for celebration of National Festivals by the Municipalities and Commune Panchayats.

2. Government have felt that the ceiling of expenditure fixed some years ago in respect of Mahe and Yanam Municipalities and Commune Panchayats alone towards the celebration of National Festivals is rather low in the present context of price levels and the Government have hence decided upon its upward revision with immediate effect.

3. Accordingly and after careful examination of the matter in detail, the Lieutenant-Governor, Pondicherry is pleased to enhance the limit from Rs. 100 to Rs. 300 (for each occasion) for the celebration of National Festivals (*viz.* Independence Day and Republic Day) in respect of Mahe and Yanam Municipalities and all Commune Panchayats.

(G. O. Ms. No. 299, dated 11th November, 1980 of LAD.)

In the Government Order No. 50/71/LAD, dated 30th April, 1981 of the Local Administration Department, Government have fixed a ceiling for the incurring of expenditure on celebration of National Festivals by the Municipalities and Commune Panchayats.

2. Government have felt that the ceiling of expenditure fixed some years ago in respect of Pondicherry and Karaikal Municipalities, towards the celebration of National Festivals is rather low in the present context of price levels and the Government have therefore decided upon its upward revision with immediate effect.

3. Accordingly and after careful examination of the matter in detail, the Government is pleased to enhance the monetary limit for the celebration of National Festivals in respect of Pondicherry and Karaikal Municipality as indicated below :—

- (i) Pondicherry Municipality — Rs. 3,000 for both the functions of Republic Day and Independence Day instead of Rs. 1,000 for Republic Day and Rs. 500 for Independence Day.
- (ii) Karaikal Municipality — Rs. 2,000 for both the functions of Republic Day and Independence Day instead of Rs. 500 for each occasion.

(G. O. Ms. No. 105, dated 5th August, 1981 of LAD.)

53.—Registration of contractors—Guidelines.

As per the procedure for execution of civil works by the Commune Panchayats vide the Memorandum No. 11799/D1/83/LAD., dated 3rd February, 1984, only contractors who are registered with the Public Works Department, Pondicherry can participate in tenders of the Commune Panchayats. It is proposed to maintain a register of contractors who are usually participating in tenders in the various Commune Panchayats. The

Commissioners are requested to furnish the list of such contractors in the enclosed proforma. They are also requested to verify the original registrations of the contractors and also send copies of the same for record in this office. These particulars may be furnished latest by 5th August, 1984.

Recently, Government have issued orders to the effect that from 1st July, 1984, only those contractors who have got their names registered/re-registered in Public Works Department, Pondicherry can participate in the tenders (*vide* Memorandum No. 9774/PW/DIR/OS/AI/84, dated 31st May, 1984). Copies of this Memorandum have already been sent to all the Commissioners of Commune Panchayats in Endt. No. F.1-117/84-Estt (1)/LAD., dated 3rd July, 1984.

Whenever tender schedules are sold to the contractors, it should be ascertained that the schedules are sold only to the registered contractors according to their eligibility to tender (classification). They should also verify the Income Tax Clearance Certificate produced by the contractors or the agents. An attested copy of Income Tax Clearance Certificate should invariably be enclosed by the tenderer in each tender.

If any contractor has registered outside the Union Territory of Pondicherry, he should get himself re-registered with the Public Works Department, Pondicherry to render himself eligible for participation in the tenders of Commune Panchayats.

As and when new contractors come for participation in tenders, their eligibility should be thoroughly verified by examining the original registration, and the particulars thereof should be communicated to this office for making entry in the register of contractors.

Un-registered contractors who are already executing works in respect of Commune Panchayats may be allowed to complete the works. They may be informed that they would not be

allowed to participate in future tenders unless they got themselves registered as eligible contractors in the Public Works Department, Pondicherry.

PROFORMA

Sl. No.	Name of contractor and address	Class	Reference to Registration/Registration in the Public Works Department, Pondicherry.
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(Circular No. 131-4/84/EC/LAD, dated 27-7-1984 of LAD.)

54.—Preparation of estimates and NIT, opening of tenders, work order and drawal of agreement, etc.—Guidelines.

A gist of advice given of the Executive Engineer, Engineering Cell, Local Administration Department, Pondicherry to the Commissioners of Commune Panchayats during the monthly meeting held on 8th August, 1983 regarding preparation of estimates, NITs, etc. is given below for the guidance of the Commissioners of Commune Panchayats, and the Assistant Engineers and the Junior Engineers associated with the works of the Commune Panchayats.

Preparation of estimates:

Large number of estimates are received from the Commissioners of Commune Panchayats seeking technical approval every year. But only a small fraction these technically approved estimates are executed. For instance, the Villianur Commune Panchayat had obtained technical approval for 204 estimates during 1981-82, whereas tenders were floated for a more

25 works during the same year. This not only increase the work-load in the Engineering Cell unnecessarily, but also results in unproductive utilisation of man power.

Before submitting an estimate for technical sanction, it should be ensured that funds are available and that the work could be executed within reasonable time, preferably during the same financial year. The report accompanying the estimate should contain the following particulars:—

1. Necessity per taking up the work.
2. Availability of funds and the source and head of Account.
3. Technical feasibility.
4. Mode of execution (Departmental/by call of tenders.....)

Prevailing approved schedule of rates should be adopted. Wherever local rates are adopted, it should be done after calling of quotations from reputed dealers/suppliers.

The estimate should be in complete shape, i.e. it should contain necessary design, data, plans, etc. This will avoid unnecessary returning of the estimates and calling for the missing particulars.

Preparation of NIT:

Many Commune Panchayats do not send NITs in the prescribed forms. NITs not received in the prescribed forms are returned resulting in delay.

Columns in the first page are left unfilled. Some time the first page as well as the schedule of works are not authenticated by the Commissioner.

Departmental issue of materials and the issue rates are not clearly indicated. For small works, it would be better not to specify Departmental issue of materials.

Opening of tenders:

It is understood that some Commune Panchayats do not keep tender boxes. The tender boxes should be closed by a seal at the appointed hour. Opening of the tender box and the tenders should be done at the appointed time in the presence of those tenderers who desire to be present. In the case of percentage tender, the percentage quoted by the tenderer should be recorded by the officer opening the tenders on the tender itself both in words and figures and attest the same. Corrections and over-writings made by the tenderer should be attested by the officer opening the tender.

Tenders should be submitted to the technical authority for advice within reasonable time. There are instances, where the Commissioners have caused inordinate delay in submitting the tenders. When advised to conduct negotiation with the tenderers, it should be done at the earliest possible time.

Work order and drawal of agreement:

After deciding the tenders, work orders should be issued immediately and agreements should be prepared without fail. Many cases have come to notice, where agreements have not been prepared. It will not be possible to take any action on the contractor, if he fails to do the work or causes delay etc. in the absence of agreement.

E. O. T.—Hindrance Register :

Hindrance Register should be neatly maintained for each work with up-to-date entries. The Commissioner should be vigilant and get the work completed within the stipulated time. The contract should not be allowed to lapse. Even if the contractor does not submit application for EOT, the Commissioner should keep it extended after getting necessary advice from the technical authority. Each work should be pursued by issuing notices to the contractor if necessary. Levy of compensation should be recommended wherever required.

Completion report :

As soon as a work is completed, completion report should be submitted.

**(Circular No. 25/EE/EC/LAD/DB/83-84, dated 29th August, 1983
of Local Administration Department.)**

55.—DIS/SIS/EIS Execution—Guidelines.

A number of proposals have been received from the local bodies for approval of deviations in the contract viz., new items of works, substituted items and variation in quantities of items. These proposals have been received after the execution of the works. Local bodies urge that approval may be given so that contractors who have executed the works may be paid. In most of the cases, it is stated that the Executive Engineer/Assistant Engineer during the course of inspection has asked the contractor to execute deviations and in a number of cases deviation is brought to notice of Commissioners/Special Officers, belatedly. According to provisions of CPWD, an Executive Engineer is strictly prohibited from making or permitting any deviations from any sanctioned design in the course of execution. In case of estimates prepared by the executive authorities themselves, there should be hardly any deviation. The practice of changing specifications/designs after tenders have been called for and work entrusted to a contractor is not a healthy one and is likely to criticism which is sometimes not easy to meet. It may be mentioned that scope for deviated items will be limited, had the estimate been prepared by the concerned technical officers carefully and after personal inspection of the site and also the work executed without unnecessary loss of time after preparation of estimate. Any proposal for approval of deviation should be fully justified and it should be explained clearly as to why these deviations could not be anticipated at the time plan and estimate were originally prepared.

2. There may, however, be rare occasions when during the course of execution, it may be necessary to undertake deviations from the approved specifications/estimates. There is provision in Clause-12 of Form-7 and 8 which enables the engineer-in-charge to make any alterations in/omissions from, additions or substitutions for the original specifications, drawings, designs and instructions that may appear to him necessary, and the contractor shall carry out the work in accordance with the instructions that may be given to him in writing signed by the engineer incharge. In local bodies, it is the Commissioner who executes the agreements for and on behalf of the local bodies viz., Municipal Council/Commune Panchayat Councils. Hence, any authorisation to make alterations/deviations, etc. should be given only by the Commissioner to the contractor, in writing. The Clause contains provisions regarding the rates at which such additions, alteration or substituted work should be worked out. Clause 12(a) of the agreement provides the circumstances in which the contractor may claim revision of the rates and the further action to be taken on his claim. The provisions of these Clauses will have to be taken note of carefully and the terms and conditions under which alterations and substituted items should be executed, should be settled well in advance and in writing and approval of the competent authority should be obtained before any commitment is made to the contractor. It bears mention that if any commitment is made on behalf of the council without obtaining technical approval and financial approval of the competent authorities and if it results in any loss/unnecessary liability for the local body, Government will have no other alternative but to proceed against the officers for recovery of the loss sustained by the local body. Executive Engineer/Assistant Engineer concerned should advise the Commissioner/Special Officer in regard to the procedure to be followed and document to be prepared and signed, so that there is no scope for dispute between the contractor and the local body at any time in regard to deviated items, quantity, rates, issue of material rate and etc.

3. Attention is invited to the provisions of the Pondicherry Municipalities (Powers and Procedure for execution of civil

works and purchase of Stores) Rules, 1983 and the Pondicherry Commune Panchayats (Powers and Procedure for the execution of civil works and purchase of stores) Rules, 1983. Commune Panchayat Councils have financial powers for execution of civil works upto Rs. 30,000 per work. Financial powers of the Pondicherry Municipality and Karaikal, Mahe and Yanam Municipalities in this respect are Rs. 50,000 per work and Rs. 30,000 per week respectively. Executive Engineer has power for accord of technical sanction to extra/substituted items of work upto Rs. 25,000 in respect of schedule and agreement items and in respect of other items 25% of the contract value subject to ceiling of Rs. 2,500. Beyond this amount, technical sanction of the Superintending Engineer is necessary. There is further limit in regard to award of additional quantities against abnormally high/low rated items. It is, however, necessary to note that the engineering officers have been delegated with technical powers in Schedule-3 vide Rule-3 of the Pondicherry Commune Panchayats Powers and Procedure for execution of civil works and purchase of stores) Rules, 1983 and technical officers have not been delegated with powers for issue of financial sanction. It may also be mentioned that if design/specifications and etc. were approved originally by design wing of Public Works Department, approval of that authority should be obtained for making any deviation.

4. It may, therefore, be clear that before any commitment is made for deviated items and the contractor is asked to execute any deviated item of work, approval of the competent authority for technical sanction and approval of the competent authority viz., Municipal Council/Panchayat Council/Special Officers/Director (Local Administration)/Government for expenditure sanction should be obtained. The terms and conditions, rates, issue of material if any, rate and etc. should be settled well in advance and approval of the competent authority (both technical and financial) should be obtained in advance before the contractor is asked in writing to undertake any deviation from the terms of the contract. When approval is sought for in such cases, self-contained proposal should be submitted, such

as (i) the circumstances in which these deviations could not be anticipated at the time of preparation of the estimate/at the time tenders were called for (ii) whether or not the deviated items cannot be executed by calling for separate tenders departmentally and also (iii) how the balance of advantage lies in sanctioning deviation and in entrusting the work to the original contractor.

5. It may be mentioned that the scheme of open tender is evolved for execution of civil works so as to ensure that there is adequate competition from eligible persons and fair play. Resort to deviated items should be restricted to the barest minimum. Otherwise, it will result in the negation of the scheme of selection of a contractor on the basis of open tender and competition from among all eligible contractors. There should be no room for complaint that, had tenders been called for, for the revised plan and estimate, a competitive tender from an eligible contractor would have been received.

(Circular No. 114/25/83/Eng. Cell (A1)/LAD, dated 12th November, 1983 of Local Administration Department.)

The importance of adhering to the specified procedure for execution of civil works in the Commune Panchayats need not be stressed. The Assistant Engineers working in the Engineering Cell are fully aware of their duties and responsibilities.

The Engineering Cell which comprises engineers deputed from the Public Works Department, is essentially an advisory body, which is supposed to render necessary technical assistance to the Commune Panchayats. There is therefore no scope for the Engineers in the Cell to exercise certain powers, which they otherwise enjoy in the Public Works Department. In the Commune Panchayats the executing authority is the Commissioner, who is delegated to execute the works on behalf of the Commune Panchayat Council. Therefore, the calling of tenders, issue of work orders, signing of agreements, issue of

notices to the contractors (including Show Cause Notice and Final Notice), extension of time, imposing of fine, intimation to the contractor for executing deviations, substituted items, and extra items, etc. are the sole responsibilities of the Commissioner. However, the Commissioner has to obtain necessary technical clearance and advice from the Engineering Cell for the discharge of any of the above functions. Further, he should obtain necessary approval for financial commitments, wherever required.

A number of instances pertaining to Bahour Commune Panchayat have come to notice, wherein deviations, extra items and substituted items have been executed, without obtaining prior permission from the competent technical authority and without approval from the technical and financial authorities. On query, the Commissioner has simply repudiated his responsibility for these lapses by stating that the deviations had been executed as per the oral instructions of the engineers and that such deviations have been recorded and check-measured by the engineers. The Assistant Engineer, when enquired, has stated that he had not issued any such instructions. The Special Officer has been requested to conduct a detailed enquiry into these cases and to fix responsibility.

The Assistant Engineers are hereby instructed to exercise more care while inspecting and check-measuring the works. They should desist from issuing any instructions whatsoever directly to the contractor for doing any deviation, extra item and/or substituted item. This has to be done by the Commissioner in writing. While supervising the works, the Assistant Engineer should satisfy himself that the items being executed are as per the approved plan and estimate, or as per the approved DIS, SIS or EIS as the case may be. Similarly, while check-measuring the works, he should not check-measure those items, if any, which have not been contemplated in the approved estimate, or for which approval for DIS, SIS and/or EIS has not been obtained from the technical and financial authorities.

If any deviations, extra items or substituted items are felt necessary, the Assistant Engineer should advise the Commissioner in writing to obtain prior permission from the competent authority for preparing the DIS, EIS or SIS. Only after obtaining the prior permission, the DIS, EIS or SIS should be prepared by the Junior Engineer enclosing a copy of the prior permission (or quoting the reference). Thereupon, the Commissioner should forward the DIS, SIS or EIS to the Executive Engineer through the Assistant Engineer for technical approval. Then approval of the competent financial authority has to be obtained by the Commissioner. Only then, the deviations, extra item and/or substituted items should be executed.

The receipt of this Memorandum may please be acknowledged.

(Memorandum No. 1-7/84/EE/EC/LAD, dated 19th November, 1984 of Local Administration Department.)

56.—Maintenance of water supply system—Guidelines.

One of most important and essential duties of each Commune Panchayat is provision of protected drinking water supply. It is needless to say that due attention and care on the part of the Commune Panchayat are necessary for uninterrupted supply of drinking water and this could be ensured by proper maintenance of the system in systematic manner. Routine check up of the water supply systems, rectification of defects in the initial stage itself, advance stocking of essential spares and standby pumps and motors are a few of those elements which constitute preventive maintenance, avoiding major breakdowns.

It is observed that a number of water supply systems do not have proper records about the salient features of the borewells, over head tank or pressure tank, pumpsets, details of repairs, etc. Whenever, water supply systems are taken over from the Public Works Department, the Commissioner should personally see that all the particulars and details of the systems are furnished by the handing over officer in complete shape and that the

performance of the system conforms to these particulars, apart from satisfying himself that there are no flaws, defects or deficiencies in the system. They should also get prior approval of the Director, Local Administration Department, for taking over any system.

Maintenance of History Sheet for each system is of paramount importance and this has been insisted upon by the Director, Local Administration Department during his recent inspection of the Commune Panchayats. The Commissioners of Commune Panchayats are advised to open a Register of History Sheets for the water supply systems maintained by them. A proforma for this purpose has been evolved and the same is appended herewith. The Commissioners are requested to open the Register forthwith and bring it up-to-date within a month from now and submit a compliance report.

As regards operation of the water supply systems and maintenance of log book, guidelines and proforma log sheet have already been sent to the Commissioners vide No. 20/AE/EC/LAD/80-81, dated 12th January, 1981, and No. 25/EE/EC/LAD/82-83, dated 16th November, 1982.

ANNEXURE

Proforma for History Sheet for water supply system

I. General :

1. Name of the system :
2. Location :
3. Names of villages and population covered :
4. A brief description of the system :
(Here give the type of source i.e. open well or borewell, type of pump, whether there is Over Head Tank or pressure tank or direct pumping, number of public taps and number of house connections, normal hours of supply, number of filling per day, etc.)

5. Month and Year of Commissioning :
6. Department from which the system had been taken over :
7. Name and designation of officers who have handed over and taken over :
8. Reference :
9. Month and Year of taking over :
10. Total cost :

II. Source :

1. Open well or bore well :
2. Month and year of Construction :
3. Cost :
4. Diameter (inner) :
5. Depth :
6. Details of casing and slotted pipes (if bore-well) .
7. Static water level :
8. Yield :
9. Pumping water level :
10. Draw-down . :

III. Pumpset :

1. Type :
2. Month and Year of purchase :
3. Cost :

A. Primemover :

1. Type of Motor :
2. Horse Power :
3. Voltage Frequency :
4. Type of starter :
5. Make of starter :

B. Pump :

1. Type of pump :
2. Make :
3. Capacity :
4. Suction Head :
5. Delivery Head :

C. Other Accessories :

- 1.
- 2.
- 3.

IV. Over Head Tank/Pressure Tank :

1. Type of Over Head Tank :
2. Capacity :
3. Staging height :

Pipeline grid and stand posts.

(A neat sketch showing the pipe line grid with length, dia. of pipes (G. I., C. I. or P. V. C.) standposts, streets, location of pumping station, etc. may be drawn and posted.)

1. Lengths of pipelines of different diameters :

2. No. of public taps in Non-Harijan habitation :
3. No. of public taps in Harijan habitation :
4. Total No. of public taps :

Details of maintenance and repair works :

Date	Details of works	Name of agency which has executed the work	Cost	Remarks
(1)	(2)	(3)	(4)	(5)

(Circular No. 25/EE/EC/LAD/83-84, dated 19th August, 1983 of Local Administration Department.)

Drinking water is one of the vital items needed for day to day living. It is one of the paramount responsibilities of the Commissioners to ensure uninterrupted supply of protected drinking water to the public and, apparently, this calls for proper upkeep and maintenance of all water supply systems in their respective Communes.

This office has been issuing, time to time, instructions as to proper maintenance and upkeep of water supply systems. Nevertheless complaints on water supply breakdown are still being received daily, in large numbers. Personal inspection and the Technical reports received, reveal that improper maintenance of pumping system in a negligent manner is the basic cause of almost all break downs so far recorded. During inspection it was noticed that, in certain pumping houses, the motors are being operated by urchins or even old women which practice is highly-deplorable.

The operator in-charge of the pumping house should be strictly instructed to meticulously follow the instructions as to the operational procedures and proper upkeep and maintenance of the systems. Routine check up of the installations and periodical inspection of the supply systems would contribute to perfect maintenance of the water supply system and uninterrupted water supply. On the other hand, costly and sophisticated installation such as submersible motor turbine pumps, etc., could be saved from damages and thereby to heavy expenditure on 'repairs' could considerably be reduced and funds saved.

Minor defects, if let unattended to, might develop into major defects resulting into damages to the pumping and electrical installations warranting heavy expenditure and public sufferings. If the operators scrupulously follow the operational procedures and exercise utmost care, it would help preventing the costly motors and electrical installation and from other after effects such as depriving the villagers of drinking water, waste of funds, waste of time and energy etc.

It is therefore reiterated, once again, that the Commissioners should see that the water supply systems in their respective areas, are properly maintained and, the operators concerned are discharging their duties with a sense of full responsibility and much more care. It is also be ensured that the installation systems viz., motor pump and electrical installation are subjected to routine checkup periodical inspection for any technical and functional flaws.

The Commissioners are also requested to procure and keep in store a stock of engineering stores, tools and plants that might be needed for the immediate restoration of water supplies. A complete list of such store will be drawn up and communicated after carrying out an inspection of present stock of such stores available with each Commissioner.

In order to facilitate the Commissioners concerned, a comprehensive note on the procedure of operation, upkeep and maintenance of water supply systems including electrical installations are appended herewith for guidance and necessary action :—

The operators concerned are directly responsible to the day to day proper functioning of the pumping station. The switching on/switching off of the motors are attended to personally by the operator himself. On no account any boys or any other unauthorised persons allowed to operate the motors. Routine check up of the installations should be carried out so as to keep the pumping system in good working condition and also, to avert breakdown and as well, save the motors from premature wear and tear.

1. ELECTRICAL INSTALLATION

Panel Board : (a) Indicator lamp.—Before switching on the motor the 3 pilot lamps in the switch board must be switched on to ensure flow of electricity in all the three phases. If there is no supply even in any single line, the motor should not be switched on. Therefore any fused bulb of the pilot or indicator lamps should be immediately replaced with good one.

(b) Main Switch.—The contact knob of the main switch should be kept in good condition, free from dust, rust etc. It should be cleaned properly.

The fuse-carriers, provided inside the main switch should be checked up to ensure they are in good condition and only fuse-wires of correct and corresponding Amp-Strength should be used. This should be done only by the Electricians.

The 5 Amp-fuse carriers, switches, indicator-lamp holders etc., always should be kept intact.

(c) *Volt Meter*.—This is one of the safety measures provided in the system. If the volt meter is not in working condition it should be setright forthwith. After switching on the indicator lamps, the volt meter must be verified for full supply of 440 volts electricity. If the meter shows less than 380 volts then the metor should not be switched on.

(d) *Ammeter*.—Energy strains being suffered by a motor could be ascertained from the Ammeter. If the Ammeter is not functioning, there is every chance of the Motor Coil getting damaged. Hence the Ammeter should always be kept in working condition. While the motor and pump is in operation the Ampere meter should be studied to show the required Amps. i.c. at 1.5 Amp/H. P. An allowance of 0.5 Amp. either (+) or (—) is admissible. If the Amp-meter shows a fluctutation beyond this admissible margin, then the motor should be instantly stopped and the fact be reported to the authorities concerened for necessary action,

(e) *Starter*.—In the pumping station of this region, generally, there are two types of starters in use viz., (i) Direct on line and (ii) Stardelta .

To check up the starter for its yood working condition, it should be tested so before connecting the starters with the motors. In cases of 'oil-immersed' starter the oil level should always be maintained at correct level. Besides, if the density of the oil in found thick or the oil is blackened in colour or otherwise not upto the standard, then the oil is to be drained out completely and fresh oil is filled in.

(f) *Connecting cable*.—The connecting cable of the motor and starter are also to be kept in good condition and be frequently inspected for any damages, leakage, nakedness and any other flaw alike.

II. PUMP-SETS

There are 4 types of pumps under use viz., (i) Submersible (ii) Turbine, (iii) Jets, and (iv) Centrifugal/Ejecto.

If a new pumpset is to be erected, first or all the motor is to be tested trial run but without coupling the pump. Any defect, if traced out at this stage, should be rectified forthwith before the pump is coupled with. In the case of systems that are already functioning the following precautionary measure are to be adopted.

1. *Centrifugal pumpsets*.—We have got in this type couple, monoblock/Jet. Normally this type is free from problem, except for 'Air-locking'. But this also could be eliminated by keeping the footvalve/check valve in good condition and water tight. Also, water column should be maintained in the delivery of the system else, priming should be done i. e., water is to be filled in the pump and the air-lock should be released, before switching on the pump-sets. Besides, the bearings of these pumpsets (pump and motor) should be periodically greased, say, at least once in a fortnight.

2. *Turbine*.—This type of pumpset will have the motor at the ground level and the bowl unit at the bottom i. e., inside the borewell. The motor should be lubricated at least once in a fortnight otherwise the bearings will get unnecessarily damaged. The clutch on the top of the motor should be maintained intact.

The line shaft of the turbine pump is connected by the rubber bearings at 5' and 10' intervals as the case may be. These rubber bearings should be dampened before starting the system. For this, a priming tanker provided should be made use of or the water column of the discharge pipe should be preserved for this purpose. In any case, if the rubber bearings are not dampened before putting the system into operation, it will result into the rubber bearing sticking onto the stainless steel shaft and cut it later.

It should also equally be ensured that no sand particles come along with water, otherwise the sand particles would damage bowel unit, rubber unit etc. In such case of damages, the entire unit has to be completely dismantled and the bore developed.

3. *Ejecto*.—This is the improved pattern of centrifugal system. In this type the pressure gauge is provided to indicate the pumping of water to the over head tank. The pressure gauge is therefore to be maintained perfectly. The air-lock is a feature, occurring quite often in this type, can be removed from the pump-chamber itself.

The pulleys mounted on motor and pump should be kept aligned in a straight line. If there is a deviation, then the bearings will get damaged. The 'V' Belts provided should also be checked and, if found damaged, should be replaced with good one. The fan provided at the rear of the motor for cooling purpose should be kept in good working condition. On no account this cooling fan should be removed except for repairing.

The bearings of the motor should be lubricated by applying grease once in a fortnight. Especially, in case of pumps, there are three bearings which are to be greased twice or thrice a day, about 3 cups of grease at a time. Otherwise the enormous heat developed in this type of pumpset will damage all the bearings.

4. *Submersible*.—This type of pumpset requires minimum maintenance such as oiling and greasing. But the coil of the motor is very sensitive type and hence much care should be attached to run the system. The cable should be kept free from possible damages. The pumpset will get damaged instantaneously if there is voltage drop or if there is no supply in all the 3 phases. Hence the volt-meter and indicator lamps are very important. It is also a must that a single phase preventer should be provided invariably in all systems

where this type of pumpsets are functioning. Wherever a single phase preventer is provided, it should be ensured that it is in good working condition.

In general, during operation and maintenance works of all type it should be ensured that the connected power load and the capacity of the starter correlate with the Horse Power of the Motor.

If any abnormal sound is heard either from the motor or the pump, the motor should be switched off immediately and the matter should be reported to the authority concerned.

The packing gland and packing thread must be checked up frequently. Before switching off the motor after completion of pumping, the wheel-valve provided in the in-let line (to the tank) must be closed so as to avoid water hammering directly over the motor and pump in case of submersible motors.

Lubricating the pump shafts by periodical greasing should be carried out regularly say once in a week.

Precautionary measures should be taken to ensure that no water is dripping over the motor in case of Turbine/Centrifugal Motors.

III. Maintenance of History Sheets and Log Books

It is observed that most of the water supply systems do not have proper records as to details of borewells, over head tank/pressure tanks, pumpsets, etc., including details of repairs carried out. Maintenance of History sheet is necessarily important and this has been insisted upon by the Director, Local Administration. A proforma of History sheet has been drawn and already communicated to the Commissioners during August 1983 *vide* Circular No. 25/EE/EC/LAD/83-84, dated 19-8-1983. The Commissioners are therefore requested to open Registers of History sheets and keep it posted, regularly,

with up-to-date particulars as this taking over of water supply system with complete details and other particulars of repairs, maintenance, installation of stand by motors.

It is also equally important to maintain Log Books for each pumping station, which will alone indicate the time of starting of pumping, time of halting, hours of pumping, date of greasing, changing of oil etc.

The proforma of the Log sheet was communicated *vide* letter No. 25/EE/EC/LAD/82-83, dated 16—11—1982.

In case of any doubt in the maintenance of operational procedure the concerned staff may approach the Engineering Cell, for necessary guidance/clarification, as being done now.

(Circular No. 130/84/F5/AE/LAD/A1, dated 14-3-84 of LAD)

Certain points pertaining to the Engineering Cell figured in the meeting (Minutes of the meeting of the Commissioners held on 19—9—1984). The following need special attention:—

Preventive maintenance of water supply systems.—
Whenever the Flying Squad is free from attending to the breakdowns, the Squad is sent for routine check-up of pumping stations from the angle of preventive maintenance. This may be streamlined. The routine check-ups may be programmed, so that each and every pumping station comes under routine check-up within a reasonable period. A register may be maintained exclusively for the routine check-ups that are carried out.

A few incidents of falling of submersible motor pumps into the borewells have been reported. As a safety measure, it is usual to keep the pumpset suspended by a G. I. wire rope, in addition to the support rendered by the delivery pipeline. All the Commissioners had been advised to provide this safety measure to all the submersible pumpsets. The Commissioners are once again advised to ensure this to every submersible

pumpset. The job of attaching the wire rope to the pumpset would be carried out by the Squad as and when request for the same is received from the Commissioners.

The Squad may be instructed by the Assistant Engineer (N) to insist on providing the wire-rope support to the pumpset whenever they notice the absence of this safety measure while attending to the break-downs, or routine check-ups. If the Commissioner does not arrange to provide the safety wire, the fact may be intimated to the Special Officer.

Works Register—Review report on progress of works relating to the grants-in-aid released to the Commune Panchayats in 1983-84 and 1984-85 may be put up by the Assistant Surveyor of Works every month. It is noticed that the submission of this report is now held up since the entries in the Works Registers have not been brought up-to-date. Entries should be made then and there, as and when sanctions, approval of NIT., etc. are given. This back-log may be cleared immediately and the report may be submitted regularly by the Assistant Surveyor of Works.

(Circular No. 137-6/84/EC/LAD, dated 18-10-1984 of LAD.)

General instance have come to the notice where the submersible pumpsets lowered in the tube-wells have fallen inside for one reason or other, causing undue delay in restoration of the water supply system and leading to possible lose of pumpset.

2. In order to prevent such mishap, it is advised in consultation with the Agriculture Department that whenever a submersible pump is lowered, 3" wire rope is to be tied to the motor and brought upto the ground level and finally they are to be fixed in the pipe clamps which held the submersible pump. Even during operation of lowering or lifting the pump, the wire ropes are supposed to be pegged to the ground so that case of any mishap the motor pumpset would not fell inside the tube-well.

3. The Commissioner of all the Commune Panchayats are hereby requested to follow the above instructions strictly.

(Memorandum No. F. 138-4/84/LAD/CP-2, dated 1-3-1984 of LAD.)

57.—Determination of contracts—Procedure for termination of contract.

1. Local Bodies execute civil works from out of their own funds and also from Loans/Grants released by various Departments of the Government. The procedure to be followed for calling for tenders, execution of agreement and etc., has been specified in order No. 11799/D1/83/LAD, dated 16th March, 1984 in respect of Commune Panchayats. The Municipalities follow the procedure prescribed for Public Works Department and tenders are called for and agreements executed as in Public Works Department.

2. A review of the works executed by Local Bodies has disclosed that grants/loans released a number of years back have not been utilised. Work has been awarded in several cases, but the work has not been completed. It is, therefore, considered necessary to lay down the procedure to be followed in such cases.

3. Once the work has been awarded, in favour of a contractor, effort should be made to complete the work through the same contractor. If this is done, there will not be unnecessary work and complications such as issue of show cause notice, determination, measurement of the part work done by the contractor in the presence of the contractor, arbitration, civil cases and etc. The tender form/agreement contains a specific condition to the effect that the progress of work should be in proportion to the time allowed under the contract. If, the progress of work is not in proportion, the Local Body can call for explanation from the contractor and the contractor may be asked to pay compensation. There is also provision in the agreement form for grant of extension of time with or without

compensation payable by the contractor depending upon the fact whether hindrance may be attributed to the contractor or the local body and etc.

4. There may be exceptional circumstances where it is not possible to execute the work through the contractor to whom the work has been awarded. There is a clause in the agreement form which specifies that the time is the essence of contract. In several cases where the work order was issued a long back, the time limit specified for completion of the work by the contractor has expired. A doubt therefore arises, whether the contract still subsists or not, whether the extension can be given only a application of the contractor or whether the contract may be extended *sue moto* and if the *sue moto* extension is given whether it is binding or not on the contractor.

5. The matter has been examined in consultaton with the Law Department. The Law Department have clarified that it is a misconception that the time will be the essence of the contract, by nearly putting the time as of essence in the agreement. Law Department have further stated that this question come before the Supreme Court in M/s. Hind Construction Contractors vs the State of Maharashtra. An extract of the judgment of the Supreme Court is furnished in the Annexure. Law Department have further clarified that in the face of covenants in the agreements for grant of extension of time and also for levy of compensation, etc. time even though stated to be the essence of the contract in the agreement is not legally the essence of the contract. Hence, by more efflux of time the contract does not come to an end or cannot be terminated for delay.

6. In the light of the above, the following clarifications are issued :—

(1) A contract which has been entered into between local body and a contractor, whether or not it is mentioned that time is essence of the contract, will subsist till the work is completed, if there is provision in the contract for grant of extension of time and for levy of compensation and etc.

local body simply by efflux of time on the ground that the period has expired.

(2) The contract in such cases cannot be terminated by the

(3) The contractor commit also claim that he does not have liability to execute the work on the ground that the period mentioned in the contract has expired.

(4) In the circumstances, there is no need for *sue moto* extension of any contract.

(5) The local body should endeavour to complete the work through the same contractor. If, however, it is found that the contractor will not complete the work, the local body should issue a notice to the contractor specifying the date within which he should complete the work and inform him that this time will be of the essence of the contract and no further extension of time would be granted. If the contractor fails to complete the work within the time so granted, the contract shall automatically determine and the contractor should be held liable for the consequences thereof. This department will issue orders separately for amending clause (2) and for insertion of clause 5A in agreements to be entered into, in future. This procedure may be followed for determination of contracts by efflux of time, after clause 5A has been inserted in (future) agreements.

(6) In all the contracts which have been already entered into the local body may specify a date within which the work should be completed and inform the contractor that no further time will be granted. If, however, the contractor does not complete the work within the specified time, a show cause notice may be issued and the explanation of the contractor should be obtained. The explanation should be examined on merits and a personal leaving should be given to the contractor and then only action should be taken to terminate the contract.

(7) In both cases falling under sub-paragraphs (5) and (6) above after the determination of the contract, the part work done by the contractors should be measured in his presence. Forms, etc. which have been prescribed in the order referred to above may be followed for issue of show cause notice, etc.

7. As already stated, every effort should be made to complete the work through the contractor to whom the work has been awarded. The main reason as to why the work is not completed, is an account of physical inability viz., lack of experience, financial difficulties, inadequacy of material and etc. of the contractor to complete the work. It has been found that works have been awarded to the contractor which are practically beyond the capacity of the contractor to complete the work. It is for this purpose classes of contractors have been prescribed and particulars are obtained from the contractors in regard to number of work on hand, when they tender for work. If it is ensured at the time of awarding of work that the contractor is capable of executing work, there will be very little scope for difficulties to arise at a later date. Similarly, local bodies should also keep a watch on the execution and progress of work and ensure that the progress is proportionate to the period allowed for completion. It is requested that the local bodies may kindly ensure that correct procedure is followed in future.

8. The receipt of the circular may kindly be acknowledged.

ANNEXURE

**Extract of the judgment of the Supreme Court in
M/s. Hind Construction Contractors Vs. the State
of Maharashtra (AIR SC. 720)**

"Where in a contract between a State Government and a Contractor for construction of an aqueduct across a river within the stipulated period of 12 months, power was conferred upon the Executive Engineer to grant extension of time for completion of work on reasonable grounds and further provision was

made for levying and recovering penalty/compensation from the contractor at specified rates for the unfinished work after the expiry of the fixed date, such provision would exclude the inference that time was intended to be of the essence of the contract. The rescission of such a contract on the part of the State Government without fixing any further period making time the essence and directing the contractor to complete the work within such period, was clearly illegal and wrongful and, thereby, the State Government committed a breach of the contract with the result that the security deposit of the contractor could not be forfeited."

(Circular No. F. 114—4/84/LeCe(1)/LAD, dated 21st November, 1984 of Local Administration Department)

58.—Approval for design (structural) along with technical approval for plan and detailed estimates.

It has come to the notice of Government that while according approval/sanction to the estimates for Civil works undertaken by the Municipality/Commune Panchayats, the concerned technical authorities have given clearance only for the estimates and not for the design (for structural design) which forms part of the estimates. Consequently, various difficulties, arise during the course of execution of the works. There have been occasions, where the Executive Engineer have prepared designs for RCC after work orders have been issued. This has resulted in revision of estimates, need for revised technical sanction, preparation of DIS and etc. and unnecessary delay and complications. Technical sanction is a guarantee that the building is structurally sound.

2. According to the CPWD Manual "the estimates in respect of residential buildings should be sanctioned after the plans and designs both architectural and structural, which should be mostly according to the type designs, have been prepared in detail. Same would apply in case of medium sized non-residential buildings of the single or double storeyed types, the estimate cost of which including the services is Rs. 5.00 lakhs

or below. In case of large sized multi-storeyed structures, detailed estimate should be got prepared and technically sanctioned only after all the building and architectural working drawings ($\frac{1}{8}$ " , $\frac{1}{2}$ " and 1" scale drawings) are finalised. This is important since in the absence of such drawings, no estimate can be so accurately prepared either in respect of the quantities or in respect of the correct descriptions of items and adoption of appropriate rates. As regards structural drawings, it is emphasised that sanctions should be given on the basis of accurate designs and finalized sizes of all structural members so that during actual execution quantities of the work do not alter significantly".

3. In order to avoid such incidents in future, the competent technical authorities are requested to ensure that estimates are prepared together with appropriate designs for RCC work and technical sanction is accorded for estimates after taking into account the requirement of steel. The execution of works should also be carried out strictly according to the approved estimates and design.

4. The Commissioners of all Municipalities/Commune Panchayats are requested to see that the estimates sent to the Engineering Cell are accompanied with required design for RCC and the same should be got approved by the competent technical authorities. On no account, tenders should be called for, or works awarded to the Contractors, unless the estimates together with RCC design have been approved by the technical authorities who are competent to accord technical sanction for the work.

(Circular Memorandum No. 116(1)/84-(GIA)/LAD, dated 13th July, 1984 of Local Administration Department)

59.—Admission of bills without the countesignature of Assistant Engineer/Executive Engineer—Clarification.

The Commissioner, Mahe Municipality has brought to the notice of this Department that the Branch Officer, Directorate of Accounts & Treasuries, Mahe has informed the Mahe Municipality that the work bills of Mahe Municipality will not be passed for payment since the Assistant Engineer, PWD has questioned the propriety of admitting the work bills without the countersignature of the Assistant Engineer/Executive Engineer of Public Works Department, Mahe.

2. In this connection, it is pointed out that the procedure followed by the Municipalities/Commune Panchayats in the matter of execution of civil works and passing of work bills is different from the procedure followed in PWD. The Local Fund Accounts, Pondicherry has stated as under :

“As far as work bills are concerned the claims are made only on the strength of the technical sanction of the Assistant Engineer/Executive Engineer. The verification of the execution of the work is done in the form of check measurement which is recorded in the measurement book. Necessary certificates are also furnished in the bills under the signature of the Assistant Engineer/Executive Engineer. As such, the countersignature of the Assistant Engineer/Executive Engineer in the bill is not considered necessary as it will be superfluous.”

3. It is clarified that in so far as local bodies are concerned, the work bills need not be countersigned by the Assistant Engineer/Executive Engineer.

[Memorandum No. F-114-5/84-LeCe(1)/LAD, dated 18th October 1984 of Local Administration Department.]

60.—Purchase of Stores required for Civil Works—Guidelines.

1. Attention is invited to the provisions of Pondicherry Commune Panchayats (Powers and Procedure for the execution of works and for the purchase of stores) Rules, 1983 and the Pondicherry Municipalities (Powers and Procedure for the execution of works and for purchase of stores) Rules, 1983.

2. Municipal Council, Pondicherry and Municipal Councils, Karaikal, Mahe and Yanam have powers to issue expenditure sanction upto Rs. 50,000 per work and Rs. 30,000 per work respectively in respect of execution of civil works. Municipal Councils have powers for purchase of stores in connection with the Civil Works and purchase of Stores for other purposes upto Rs. 25,000 at a time for non-recurring and Rs. 10,000 per annum for recurring (in respect of items for which no different limits have been laid down) and Rs. 15,000 at a time for non-recurring and Rs. 10,000 per annum for recurring expenditure (in respect of items for which no different limits have been laid down) respectively.

3. Commune Panchayat Councils have powers upto Rs. 30,000 per work for executions of civil works. Commune Panchayat Councils have powers upto Rs. 15,000 at a time for non-recurring and Rs. 10,000 per annum for recurring expenditure (in respect of items for which no different limits have been laid down) in regard to purchase of stores in connection with the execution of civil works and purchase of stores for other purposes.

4. In case purchase of stores in connection with the execution of civil works is involved, the value of the stores should naturally find a place in the estimate for work. The estimate for the civil work would include several items including cost of stores. Action can be taken for purchase of stores required for civil works only after the estimate for the entire work has been technically sanctioned by technical authorities and expenditure sanction for the entire work (including purchase

of stores involved in execution of civil works) has been accorded by the administrative authority competent to issue expenditure sanction viz., Council or Director as the case may be. It is not permissible to resort to purchase of stores for any civil work unless these items find a place in the estimate and it has received technical and financial sanction from competent authorities.

5. Attention is invited to Rule 15 in Schedule—V of the Rules referred to. The procedure to be followed (a) for purchase of stores required in connection with execution of civil works and (b) for the purchase material required for office has been indicated. When the purchase of stores (such as gravel, metal, bitumen, etc.) is made in connection with the execution of civil works, the procedure that should be followed for the execution of civil works should be followed for the execution of civil works should be followed for purchase as well such as preparation of estimate, making entries in measurement book, measurement, check-measurement and etc.

6. It is a basic rule that purchases should be made in the most economic manner in accordance with the definite requirements of the public service. Purchase orders should not be split up to avoid necessity for obtaining financial sanction of the higher authority required with reference to total amount of the orders or to avoid necessity for following procedure prescribed for purchase of stores with reference to total quantity of requirement.

7. An instance have come to the notice of the Government where material required for a civil work appears to have been purchased without adopting the normal procedure. Special Officers and all Commissioners of local bodies are requested to ensure that :

(1) Purchase of Stores is not resorted to unless the item finds a place in the estimate for the entire work and the estimate has received technical and financial sanction from competent authorities.

(2) Estimate for a single work is not split up to avoid necessity for obtaining the sanction of the higher authority.

(3) The procedure for the execution of civil works is followed in regard to the purchase of stores also required for civil work such as making entries in the measurement books, measurement, check-measurement and etc.

(4) Purchase is not split up to avoid the necessity for either obtaining the sanction of the higher authority and or to avoid the necessity for following the procedure prescribed for purchase with reference to the total requirements for various works.

8. The receipt of the circular may kindly be acknowledged within three days from the date of receipt.

(Memorandum No. 6756/D1/83/LAD/1, dated 6th August, 1983 of Local Administration Department.)

61.—Direct purchase of spare parts for various types of vehicles from the authorised dealers—List

In supersession of this Department's G. O. Ms. No. 37/81-LAD/B1, dated 17th March, 1981, approval of Government is hereby accorded for the purchase of spare parts for various types of vehicles of the Pondicherry Municipality direct from all the authorised dealers mentioned in the Annexure to this order so as to make them available in the Pondicherry Municipal workshop in order to repair and for replacement of spare parts to the vehicles in time subject to the following conditions :—

(i) The spare parts covered by rate/running contract should be purchased through rate contract only ;

(ii) Local purchase of spare-parts should be resorted to if the value of the same does not exceed Rs. 2,000 at a time and Rs. 15,000 in aggregate in one year ; and

(iii) The purchase should not exceed the financial powers and the reserve limit of stock as laid down in G. O. Ms. No. 205, dated 20th August 1980.

ANNEXURE

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|---------------------|----|--|
| I. Ambassador Car | 1. | M/s. M. O. Hasan Kuthose
Maricar, Pondicherry. |
| | 2. | „ Khivaraj Motors,
150, Mount Road,
Madras-2. |
| | 3. | „ Kasi & Sethu, Kumbakonam. |
| | 4. | „ Popular Automobile, Madras. |
| | 5. | „ Kasi & Sethu, Cuddalore. |
| | 6. | „ Popular Automobile,
Earnakulam & Coimbatore. |
| II. Standard Motors | 1. | „ Aurubindo Ashram Auto Care,
Pondicherry. |
| | 2. | „ Ellar Agencies, Imperial Road
Cuddalore. |
| III. Jeeps | 1. | „ Manoranjan Ganguli & Sons,
Pondicherry. |
| | 2. | „ India Garage, Madras. |
| | 3. | „ T. V. S., Madras. |
| | 4. | „ T. V. S., Madurai. |
| | 5. | „ T. V. S., Tiruchi. |
| | 6. | „ Popular Automobiles,
Ernakulam, and Coimbatore. |
| IV. Bedford Trucks | 1. | „ Popular Automobiles, Madras. |
| | 2. | „ M. O. Hasan Kuthoos Maricar,
Pondicherry. |
| | 3. | „ Khivaraj Motors,
Mount Road, Madras. |

		4.	M/s. Kasi & Sethu, Kumbakonam
		5.	„ Popular Automobiles, Ernakulam & Coimbatore.
V.	Tempo vehicles	1.	„ Khivaraj Automobiles, Madras.
VI.	Fargo/Premier Trucks	1.	„ Manorajan Ganguli and Sons, Pondicherry.
		2.	„ T. V. S., Madras, Selem, Coimbatore, Trichy and Madurai.
		3.	„ Popular Automobiles, Ernakulam and Coimbatore.
VII.	Micofuel Injection Pump	1.	„ Diamond Engineering Company.
VIII.	Tata Benz Trucks	1.	„ V.S.T. Motors, Cuddalore and Madras.
IX.	Royal Enfield Motor Cycle	1.	„ Susila Auto Agencies, Pondicherry,
		2.	„ Madras Motor Pvt. Limited, Madras.
X.	P. 6, P.4, and P. 3 Engine Spares	1.	„ Simpson and Company, Trichy.
XI.	Perking	1.	„ Popular Automobiles, Coimbatore.
XII.	Tata/Benz Spares	1.	„ V. S. T. Motors (Branch Office) No. 1, Nehru Nagar, Kamaraj Salai, Pondicherry-11.
XIII.	Tempo Rang of vehicle	1.	„ India Garage (Branch Office) No.1, Nehru Nagar, Kamaraj Salai, Pondicherry-11.
XIV.	Standard 20 Vehicles Spares	1.	„ Union Co., Motors Pvt. Ltd. No. 134, Mount Road, Madras-9.

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|---------------------------|--|
| XV. International Tractor | 1. M/s. M. O. Hasan Kutheos Maricar Pvt. Limited, Muthialpet, Pondicherry. |
| | 2. „ Tractors spares Corporation Bombay. |
| XVI. Eicher | 1. „ Ganges Tractors, Pondicherry. |
| XVII. Massey Fergusan | 1. „ Manorajan Ganguli and Sons, Pondicherry. |
| XVIII. Hindustan Tractors | 1. „ Ganges Tractors, Pondicherry. |
| XIX. Power Tiller | 1. „ India Garage, Cuddalore, Madras, Pondicherry. |
| | 2. „ Ganges Tractors, Pondicherry. |

(G. O. Ms. No. 64/82/LAD/B1, dated 23rd March, 1982 of LAD.)

ORDER

The following addendum shall be made in the annexure to the G. O. Ms. No. 64/82/LAD/B1, dated 23rd March 1982 of the Local Administration Department.

ADDENDUM

The Tamil Nadu Agro Industries Corporation Limited (A Government of Tamil Nadu Undertaking) may be added as one of the dealers against items XV to XIX in the annexure to the Government order read above.

(G. O. Ms. No. 166, dated 14th June, 1983 of Local Administration Department.)

62.—Construction of side drains—Guidelines

The Commissioners of Commune Panchayats are requested to see that, whenever proposals for construction of side drains are sent, the following conditions are fulfilled :—

1. The drains in a particular locality or colony should be planned on a comprehensive basis. Piecemeal proposals for part of a locality or colony should not be prepared.
2. The drains should have final disposal facility.
3. All the internal roads should have been fully laid, before drains are proposed.
4. At least 80% of the buildings should have been constructed in the area where side drains are proposed.
5. The reports accompanying the proposal should contain the information about the fulfilment of the above conditions.

(U. O. Note Memorandum No. 25/EE/EC/LAD/83-84, dated 4th August, 1983 of Local Administration Department.)

63.—Grants-in-aids—Rules.

The question of framing rules to regulate the sanctioning of grant-in-aid to municipalities for undertaking various development works has been under consideration of the Government in consultation with the Government of India as required under rule 12(a) of the Delegation of the Financial Power Rules, 1958. The Government of India were pleased to accord their approval to the draft rules framed by this Administration in this behalf vide letter No. 11011/1/71-LSG, dated the 24th April, 1973 of Ministry of Works & Housing, New Delhi. A copy of the rules as approved by the Government of India is appended as annexure to this Government Order sanctioning of grant-in-aid to the municipalities will be subject to the provisions of these rules.

2. This issues with the concurrence of the Finance Department vide their U. O. No. 16458/78/F3. dated 6th August, 1973.

ANNEXURE

Rules to regulate the payment of grant-in-aid to Municipal Committees in the Union territory of Pondicherry and other matters connected therewith.

Preamble

In the context of the Government policy to promote democratic decentralisation and enlargement of the functions of the local bodies the responsibilities of municipal committees in the Union territory of Pondicherry to cater to the growing social needs of urban and rural population have increased many fold and these have acquired new dimensions in the wake of large scale developmental activities generated through the five year plans. As a result of this, the municipal committees are encountering a good deal of difficulties to discharge even their primary functions in view of their slender resources. In the circumstances, there is no other alternative for the Government but to render financial assistance to municipal committees by way of grant-in-aid in such field of activities as are required to be supplemented by Governmental Intervention so as to enable the municipalities to be capable of undertaking and discharging the responsibility for further progressive and systematic development of the services and works and other facilities. In order to facilitate the expeditious sanction of grant-in-aid to municipal committees which will enable them to a greater extent to improve their effectiveness, expand their activity and enhance their utility, the principles governing the object for which grant may be sanctioned, the procedure for making application for the grant-in-aid the condition attached to the grant and the obligations imposed on municipal committees for due observance and other ancillary matters connected therewith are set out in details in the following rules.

Definition :

Unless there be something repugnant to the subject or context the terms mentioned below will have the meaning assigned against each in the following paragraphs :

1. Competent authority means.—

(a) in relation to administrative approval, the municipal committees. The power of the municipal committee to accord administrative approval to work are, however, subject to the limitations imposed under article 46 read with article 47 of the municipal decree, dated 12th March, 1880.

(b) in relation to technical sanctions, the authorities specified in schedule I appended to these rules.

2. 'Administrative approval' means the formal acceptance by the municipal committee of the necessity of works proposed through resolution, duly approved by the Government as required under article 47 of the aforesaid decree.

3. 'Technical sanction' means the sanction of the competent authorities to the detailed plans and estimates of the municipal works after the administrative approval has been received which will ensure that the proposals are structurally and technically sound and the data and calculation in the estimates are correct.

4. 'Original works' means new construction whether of entirely new or of additions and alterations to existing works and purchases except as hereinafter provided and also all works whether of additions and alterations of repairs to bring into use newly purchased or previously abandoned building required for bringing them into use.

In relation to building :

(a) When a portion of an existing structure is to be replaced or remodelled whether or not the change involves any dismantlement and the cost of the change represent a genuine increase

in the value of the property, the work of replacement or remodelling as the cost may be should be classed as original works.

(b) When a portion of an existing structure is to be dismantled for the reason that it is structurally unsound and it is to be replaced by work which is not in material essentials, the same is the work dismantled, the mixed work shall be treated as original work.

(c) When an entire structure is reconstructed owing to the occurrence of fire, flood, earth-quake, abnormal storm or other calamities or owing to wear-tear, the work should be treated as an original work.

In relation to road works :

1. Where an existing portion of a road, road bridge, causeway, embankment, ferry approach, protective or draining work in connection with the road or a cross drainage work is to be replaced or remodelled (whether or not the change involves any dismantlement) and the change results in improving the strength and stability of the structure, the work of the replacement or remodelling as the case may be should be classed as original work.

(i) The following items of works should also be classed as original works :

(a) Widening the formation or metalled with of a road, cutting back a hill side to improve vision at curves.

(b) Improvements of alignments or gradients or change of grade in roads or approaches of bridges and causeways.

(c) Construction or reconstruction or remodelling of bridges culverts, causeways, embankments, ferry approaches, protective or draining works in connection with a road except when the cost of the work does not exceed Rs. 500.

(d) Providing improved surfacing of : (1) surface dressing, (2) asphaltic concrete, (3) premixed asphalt macadam, (4) bitumen grout, (5) bitumen semigrout, (6) premixed corpets, (7) cement concrete and (8) cement macadam.

(e) Metalling of unmetalled roads.

(f) Special repairs to roads due to improper maintenance for a series of years or to any special heavy traffic moving on the road owing to extra-ordinary circumstances.

In relation to drainage and water supply works :

When a portion of an existing water supply and drainage structure is to be replaced or remodelled in order to improve the facilities available and the improvements result in augmenting the water supply and drainage capacity or the change results in improving the strength and stability of the structure the work should be classed as original work.

(ii) The following items of works should also be classed as original works :—

(a) Construction of draw well and tanks and reservoirs, tube wells with pumping units, distribution system with supply taps.

(b) Construction of gutters and side drains.

5. 'Other works' means the works which do not fall under the definition of the 'Original works' and also include repairs and maintenance.

6. 'Government' means the Administrator of the Union territory of Pondicherry as appointed under article 239 of the Constitution of India.

Rule 1 :

Object for which grant-in-aid may be made. Grant to the municipal committees may be made for the following purpose :—

(i) Road works in the commune, which include construction, alteration, improvement of public streets, bridges, subways, culverts, causeways, side drains and the like.

(ii) Water supply, which include provision of new pipelines construction of overhead tank, etc.

(iii) Drainage, pavement of street, construction of urinals and latrines, etc.

(iv) Local Development works, which include construction of slaughter houses, dhobikana, washing places, drinking water stand post, wells, public paths, parks, parking places vehicle stands, sports centres and play grounds.

(v) Buildings such as Town Hall, rest house, etc.

(vi) Primary education.

(vii) Health and sanitary scheme.

(viii) Any other items of original work as may be approved by the Government.

Rule 2 :

Quantum of aid.—The quantum of aid payable to municipal committees shall be 100% of the estimated cost of works as technically approved by competent authorities for which grant is sought for.

Provided that—

the Government may reduce the percentage of grant if it is satisfied in relation to a particular Municipal Committee that its financial position admits of such reduction.

Rule 3

Procedure for making applications for grant-in-aid :

1. Any municipal committee desiring to obtain grant-in-aid for any of the purposes indicated in Rule 1, shall make an application for payment of grant-in-aid to the Inspector of Municipal Councils and Local Boards. Such application shall be made only in form 'A' appended to these rules and shall necessarily contain the following particulars :

- (a) The purpose for which the grant-in-aid is required.
- (b) A declaration to the effect that the work involved is duly authorised by the municipal committee through resolution.
- (c) Detailed plan and estimate of the cost of the entire work as it is proposed to carry out from the grant-in-aid funds.
- (d) The amount of aid applied for.
- (e) The period within which the work is to be completed.
- (f) An undertaking to the effect that the municipal committee have accepted the conditions laid down in these rules.

Rule 4

Procedure for sanctioning grant-in-aid :

(a) On receipt of an application for payment of grant-in-aid the Inspector of Municipal Councils and Local Boards shall cause such enquiry as he thinks fit to be made into the statements contained in the application and into the utility of the purpose for which the grant-in-aid is applied for and forward the application alongwith his recommendation to the Government.

(b) If it appears to the Government that the original works contemplated to execute under grant-in-aid scheme can very well be charged on the consolidated fund of the municipal committee on account of its financial stability or for any other reasons to be recorded in writing, it shall reject the application.

(c) If it appears to the Government that the financial assistance is urgently needed for any one of the purposes indicated in rule 1 above, it shall be competent after further enquiry, if any, as it thinks fit to make to accord sanction for grant-in-aid with a due regard to the principles enunciated in the G. F. R. 1963 as amended from time to time in respect of grant-in-aid subject to the conditions hereinafter provided and such further special conditions as may be imposed subsequently.

Rule 5

Mode of payment of Grant-in-aid :

Amount of grant-in-aid may be paid in one or more than one instalment at the discretion of the sanctioning authorities. This is however, subject to the terms laid down in the following paragraphs :

(a) In so far as original works sponsored by the municipal committees, the execution of which are entrusted to the Public Works Department, which are likely to spread over a period of years, only so much of the amount of grant should be paid during the financial year as is likely to be expended during the year and with reference to the successive phases of execution of work.

(b) In so far as original works sponsored by the municipal committees, the execution of which are entrusted to the Public Works Department, which are likely to be completed within the financial year, the entire amount shall be placed at the disposal of the municipal committee.

(c) In case the original works sponsored by the municipal committees, are to be executed through their own agencies, the entire amount shall be placed at the disposal of the municipal committees in one instalment.

In all such cases the following formalities are required to be observed scrupulously by the municipal committee.

(1) When a municipal committee proposes to carry out on original work by obtaining grant-in-aid from Government for the entire estimated cost of the scheme or for any part thereof, it must first ensure that all the preliminaries regarding the preparation of plans, estimates, phasing programme have been completed. Only then it must apply to the Government for the sanction of grant-in-aid.

(2) Details of the phased programme in which the contemplated work is proposed to be executed, amount required for each of the phase of the execution and time schedule should be furnished. The authorities who prepare the estimates and plans should indicate the successive stages of execution and the amount evolved therein.

Rule 6

Conditions of the grant :

(1) The amount of grant-in-aid should be utilised only for the purpose for which it is granted. Any portion of the amount which is not ultimately required for expenditure upon the object shall be duly surrendered to the Government.

(2) The Government or any other officer duly authorised in this behalf shall have the right of inspections and calling for plans and estimates in respect of any scheme for which the grants-in-aid is given. It shall also reserve the right to have the accounts of the recipient municipal committee audited by the authorities duly specified for the purpose, if and when occasion demands for certaining and securing that the amount of the

aid is duly applied to the purpose for which it has been sanctioned and that the unexpected balance of the grant-in-aid amount is not employed otherwise than in accordance with these rules.

(3) The accounts of municipal committees receiving grant-in-aid under these rules will be open to test check by the Accountant-General, Madras at his discretion or by any officer authorised by him in this behalf.

(4) The amount of grant-in-aid is to be utilised within a period of one year from the date of receipt of sanction of grant-in-aid; except in case where time limit exceeding one year has been fixed by the sanctioning authority with reference to the successive stages of the implementation of the schemes :

Provided that the Government may extend the period if considered necessary in suitable cases.

(5) The scheme for which the grant-in-aid has been sanctioned should be implemented as per the plans and estimates approved by the Government and under the supervision of the concerned technical department of the Government if a specific direction is given by the Government in this regard. The municipal committee shall have no right to alter the plan and estimate of a work for which grant-in-aid has been sanctioned without the prior approval of the Government.

(6) The municipal committee shall submit a quarterly report to the sanctioning authority who shall scrutinise then to check whether there has been any variation or unauthorised deviation of funds.

(7) The municipal committee should execute the work for which grant-in-aid has been obtained through Public Works Department or through approved contractors of Public Works Department or other approved agency.

(8) In all cases of original works, the municipal committee should apply direct to the Assistant Engineer, Municipal Works for the completion certificate in form 'B' annexed to these rules which he should furnish stating that after actual inspection and measurement of the work or portion of the work for which the grant was made has been duly completed according to the plans and estimates approved by the Government, within three months from the date of completion of the work.

(9) No grant will be paid to the municipal committee concerned in case the completion or utilisation certificate, as the case may be, is not furnished within the aforesaid period, unless the delay is satisfactorily explained by the municipal committee.

(10) A completion certificate on the basis of the certificate received from the municipal committee will be furnished by the sanctioning authority to the Pay and Accounts Officer, Pondicherry to the effect that the grant-in-aid has been utilised for the purpose for which it was sanctioned by the Government for a particular financial year.

(11) In case of default by a municipal committee in performing any duty imposed upon it under these conditions, the Government may fix a period for the performance of that duty and should it not be performed within the period so fixed, it shall appoint a person to perform it and may direct that the expenses thereof shall be paid by the municipal committee as fixed.

(12) The Government reserves the right to order refund of the entire amount or a portion of the amount of grant-in-aid sanctioned to a municipal committee if any serious breach of terms of grants is noticed on the part of the municipal committee and in that case penal interest at the rate of 6% will be charged on such sums as may be ordered to be refunded.

(13) Every municipal committee shall maintain a register of grant-in-aid in form 'D' appended to these Rules of permanent and semi-permanent assets acquired wholly or mainly out of grants.

(14) In addition to the above conditions, the principles laid down in rules 148 to 151 of the G.F.R. 1963 and the instructions issued by the Government of India in the Ministry of Finance from time to time shall invariably ; apply to all cases of grant-in-aid.

(15) The orders contained in Central Public Works Account Code and General Financial Rules regarding calling of tenders of execution of works, etc. shall *mutatis mutandis* apply for the municipal works as well.

(16) The municipal committee receiving grant-in-aid shall submit an annual performance-cum-achievement report on the progress and implementation of various schemes executed with grant-in-aid sanctioned by Government. The report shall be submitted to reach the sanctioning authority by 15th April every year.

SCHEDULE I

[See Definition (i) (b)]

Authorities competent to accord technical sanction :

- | | |
|---|---|
| (1) For original works costing Rs. 5,000 and below | Assistant Engineer,
Public Works Department. |
| (2) For original works costing Rs. 1,00,000 and below | Executive Engineer,
Public works Department. |
| (3) For original works costing more than Rs. 1,00,000 | Director,
Public Works Department. |

FORM 'A'

(See Rule 3)

Application for Grant-in-aid

1. Name of Municipality :
2. Purpose for which grant-in-aid is required: (i) Road work (ii) Water supply (iii) Drainage etc. (iv) Local Development Works (v) Building works (vi) Primary education :
3. Amount of grant-in-aid applied for :
4. Total estimated cost of the work/scheme :
5. Please state whether the administrative approval has been obtained :
6. If so, please state whether a copy of the resolution of the Municipal Committee is attached with the application :
7. Please state whether technical approval to the detailed plan and estimate of works has been obtained :
8. If so, please state whether duly approved plan and estimate of the work are enclosed herewith :
9. Please state whether the work is to be executed by the Public Works Department or by the Municipal Committee through their own agencies :
10. The period within which the work is to be completed and when it is proposed to complete the work by different stages, the amount of each instalment :

11. Please state whether the works for which assistance is sought for could not be undertaken from Municipal funds :
12. Outstanding liability :

Certified that the Municipal Committee by way of resolution No. dated have agreed to abide by all the conditions laid down in the rules and instructions issued from time to time by the Government.

Signature.

FORM 'B'

[See Rule 6 (8)]

Certified that the work (name of work) for which (name of municipality) received Grant-in-aid amounting Rs. during the year has been completed strictly according to the approved estimates and plan at a total cost of Rs. The estimated cost of the work was Rs.

Assistant Engineer (Municipal Works) Public Works Department,
Pondicherry/Karaikal.

FORM 'C'

[See Rule 6 (9)]

Certified that the work/scheme

(Name of work) for which

(Name of Municipality) received Grant-in-aid amounting to

Rs. during the year has been

completed strictly according to the approved estimates and plan,
duly utilised in accordance with the terms and conditions of the

grant at a total cost Rs. The estimated cost of

the work/scheme was

Assistant Engineer (Municipal Works),

Public Works Department,

Pondicherry/Karaikal.

FORM—D

[See rule 6 (13)]

ASSETS ACQUIRED WHOLLY OR SUBSTANTIALLY OUT OF GOVERNMENT GRANTS

Register maintained by grantee institutions.

Name of sanctioning authority

Sl. No. (1)	Name of grantee institution (2)	No. and date of sanction (3)	Amount of the sanctioned grant (4)
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Brief purpose of the grant (5)	Whether any condition regarding the right of ownership of Government in the property or other assets required out of the grant was incorporated in the grant-in-aid sanction (6)	Particulars of assets actually created or acquired (7)
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Value of the assets as on... (8)	Purpose for which utilised at present (9)	Encumbered or not (10)	Reasons if encumbered (11)
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Disposed of or not (12)	Reasons and authority, if any for disposal (13)	Amount realised on disposal (14)	Remarks (15)
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In the G. O. Ms. No. 87/LAD/73, dated 15th September, 1973 a copy of the rules for sanctioning grant-in-aid to Municipalities as approved by the Government of India was communicated.

Consequent on the enforcement of Pondicherry Municipalities Act, 1973, and the Pondicherry Village and Commune Panchayats Act, 1973 with effect from 26th January, 1974, a need has arisen to amend certain terms appearing in the grant-in-aid rules to suit to the requirements of the new set up in the local bodies after the enforcement of the above acts.

Accordingly the terms appearing in the grant-in-aid rules under column (1) below may be substituted by the terms under column (2) below :

For the words appearing in the Grant-in-aid rules.

(1)	<i>Read</i> (2)
(i) Municipality, Commune	(i) Municipality, Commune Panchayat.
(ii) Municipal Committee.	(ii) Municipal Council/ Commune Panchayat Council.
(iii) Article 46, Article 47 of the Municipal Decree dated the 12th March, 1880.	(iii) The provisions of the Pondicherry Municipalities Act 1973 and the Pondicherry Village and Commune Panchayats Act, 1973.
(iv) Inspector of Municipal councils and local boards	(iv) Director of Rural Development.

Approval of the Government of India to the Amendments made above has been accorded vide Government of India, Ministry of Works and Housing, New Delhi letter No. 11023/2/75-LSG, dated 3rd March, 1975.

This issued with the concurrence of the Finance Department, vide their U. O. No. 8891/F4/75, dated 9th April, 1975.

(G. O. Ms. No. 90/74-75/LAD, dated 21st April, 1975 of LAD.)

In the G. O. Ms. No. 87/LAD/73. dated 15th September, 1973 a copy of the rules for sanctioning grant-in-aid to local bodies, as approved by the Government of India, was communicated.

Consequent on the appointment of engineering personnel of the cadre of Executive Engineer, Assistant Engineer, Junior Engineer, in the local bodies by transfer from Public Works Department, it is considered necessary to amend the grant-in-aid rules suitably so as to include those officers also in the said rules enabling them to accord technical sanction for Municipal and Commune Panchayat Works.

Accordingly the terms appearing in Schedule 1 of the grant-in-aid rules mentioned under column (2) below may be substituted by the terms under column (3) below :

Value of work	For the words appearing in the grant-in-aid rules	To read as
1) For original works costing Rs. 5,000 and below	Assistant Engineer, Public Works Department	Assistant Engineer P. W. D./P. W. D. officers of the same rank working in local bodies.
2) For original works costing Rs. 1,00,000 and below	Executive Engineer, Public Works Department	Executive Engineer, P. W. D./P. W. D. officers of the same rank working in local bodies.
3) For original works costing more than Rs. 1,00,000	Director, Public Works Department	Director, Public Works Department.

The approval of the Government of India to the amendment made above has been accorded vide Government of India, Ministry of Works and Housing letter No. 11023/16/76/LSG, dated 2nd August, 1976.

This issues with the concurrence of the Finance Department vide their U. O. No. 21359/76/F4, dated 8th September, 1976.

(G. O. Ms. No. 262/LAD, dated 10th September, 1976 of LAD.)

64.—Preauditing of Bills of the Municipalities by the Local Fund Examiner and issue of cheques.

Whereas certain provisions of the Pondicherry Municipalities Act, 1973 (9 of 1973) have come into force in this territory from 26th January, 1974.

Whereas under sub-section (2) of section 194 of the said Act, cheques against the Municipal fund shall be signed by the Commissioner or by some person duly authorised in this behalf by him ;

Whereas the Pay and Accounts Officer, Pondicherry has pointed out the difficulty in issuing cheques from his office against the municipal fund in view of the provisions of sub-section (2) of section 194 of the said Act ;

Whereas it is impossible at this juncture to suddenly switch-over to the pattern of issuing cheques and introducing the system of post-audit in these institutions in the absence of adequate qualified staff ;

Whereas non-issue of cheques as was done prior to the coming into force of this Act will create difficulties in the implementation and giving effect to the provisions of this Act ;

And whereas it appears to the Government to be necessary for the purpose of removing the above difficulties that the Pay and Accounts Officer, Pondicherry and Assistant Pay and Accounts Officer, Karaikal should continue to issue cheques to the Municipalities of Pondicherry and Karaikal, Mahe and Yanam respectively against the municipal funds following the same procedure as was obtaining prior to 26th January, 1974 ;

Now, therefore, in exercise of the powers conferred by section 512 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) the Lieutenant-Governor, Pondicherry hereby orders that the Pay and Accounts Officer, Pondicherry and the Assistant Pay and Accounts Officer, Karaikal shall continue to

issue cheques to the Municipalities at Pondicherry and Karaikal, Mahe and Yanam respectively against the municipal funds following the same pre-audit procedure as was obtaining during the period prior to 26th January, 1974, until further orders.

This shall be deemed to have come into force from 26th January, 1974.

(G. O. Ms. No. 122/74-LAD, dated 17th May, 1974 of LAD—
Published in the Gazette No. 22, dated 28th May, 1974.)

65.—Opening of accounts in banks and investment of moneys in Fixed Deposit and Short term Deposit.

At present, all the moneys of the Municipal and Commune Panchayat Councils are kept in Government Treasuries. This Administration considered that in case these moneys are kept in any of the Nationalised Banks, the Municipal and Commune Panchayat Councils may earn a little more income by way of interest and can also avail of other banking facilities.

2. After careful examination of matter, the Lieutenant-Governor, Pondicherry is hereby pleased to authorise all the Municipal and Commune Panchayat Councils in the Union territory of Pondicherry to open Savings Bank Accounts and Deposit Accounts with various Nationalised Banks giving preference as far as possible to State Bank of India, and to transfer the entire moneys kept in Government Treasuries to such accounts subject to the following conditions :—

(i) The Savings Bank Accounts and Deposit Accounts shall be in the name of the concerned Municipal/Commune Panchayat Council but they shall be operated by the Assistant Pay and Accounts Officer of this Administration in-charge of the pre-audit of the Municipality/Commune Panchayat.

(ii) The bank accounts may be opened in a Bank other than the one in which the Municipality/Commune Panchayat have accounts already in respect of provident fund accounts of their employees. This is only to avoid misclassification in accounts.

(iii) In case any Municipality or Commune Panchayat feels it necessary to invest in the fixed deposit in any Nationalised Bank, any amount not required for immediate use, it shall obtain the prior approval of the Government.

(iv) The pre-audit system shall continue to prevail in respect of the accounts of all Municipalities and Commune Panchayats.

(G. O. Ms. No. 304, dated 24th December, 1977 of the LAD.)

In the G. O. Ms. No. 304, dated 24th December, 1977 of the Local Administration Department the Commissioners of all Municipalities and Commune Panchayats were instructed to open savings bank accounts and deposits accounts with various Nationalised Banks. In the G. O. Ms. No. 183, dated 28th June, 1978 of the Local Administration Department, further instructions were issued authorising the Municipal/Commune Panchayat Councils to have three Savings Bank Accounts in three different Nationalised Banks, i.e. one for keeping the G. P. F. Account, the second exclusively for the own resources of the Municipal/Commune Panchayat Councils and third the Grants-in-aid and loans only. In the G. O. Ms. No. 1263, dated 19th October, 1978 of the Local Administration Department, Government ordered that all the Municipal/Commune Panchayat Councils shall invest 50% of the total cash balance in Co-operative Banks and the remaining 50% in the Nationalised Banks.

2. The very aim for which it was decided to keep the accounts in three different banks, was to avoid the utilisation of various funds for purposes other than the purposes for which

they are intended which will constitute a serious financial impropriety. Therefore, after careful re-examination of the whole issue, Government issues the following revised orders :—

“All the Municipal/Commune Panchayat Councils shall strictly follow the system of keeping various accounts such as (i) Provident Fund, (ii) Own resources of the local bodies, (iii) Grants-in-aid and loans in three separate banks. For this purpose, Local Bodies shall choose compulsorily two Nationalised Banks and one co-operative Bank”.

3. This order issues in supersession of the G. O. Ms. No. 263, dated 19th October, 1978 of the Local Administration Department and has immediate effect.

(G. O. Ms. No. 147, dated 16th April, 1979 of the LAD.)

In the G. O. Ms. No. 304, dated 24th December, 1977 of the Local Administration Department, the Government have authorised all the Municipal and Commune Panchayat Councils to invest their surplus fund in the form of Fixed Deposits in any Nationalised Banks. Further, in the G. O. Ms. No. 147, dated 16th April, 1979 of the Local Administration Department, Government have issued orders to the effect that all the Municipal/Commune Panchayat Councils may open Savings Bank accounts in three separate banks, i.e. two in Nationalised banks and one in Co-operative Banks for different three categories viz., (i) Provident Fund, (ii) Own resources of the local bodies and (iii) Grants-in-aid and loans.

2. Now, the Scheduled banks in Pondicherry have requested the Government to consider the Scheduled Banks also on par with the Nationalised Banks for the purpose of opening Savings Bank accounts and for depositing the surplus funds in Fixed Deposits by the local bodies.

3. After careful consideration of the matter in detail, the Government is pleased to decide that the Municipal/Commune Panchayat Councils may open Savings Bank accounts and invest their surplus funds in the form of Fixed Deposits in any Scheduled Banks also, as in the case of Nationalised Banks.

(G. O. Ms. No. 6, dated 8th January, 1982 of the LAD.)

It has been brought to the notice of this Administration that consequent on the directives issued by the Reserve Bank of India, all the Nationalised Banks, Scheduled Banks and Co-operative Banks in this Territory have stopped the payment of interest on the Savings Bank accounts maintained by the Municipalities and Commune Panchayats in those Banks.

2. After careful consideration of the matter in detail, the Lieutenant-Governor, Pondicherry is pleased to decide that all the Municipal Councils and Commune Panchayat Councils may invest their moneys kept in the savings bank accounts, in Term Deposit/Fixed Deposit by themselves, without the approval of the Government, for a period not exceeding three months at a time, subject to the following conditions :—

(i) The Municipal/Commune Panchayat Councils shall invest the moneys in Term Deposit/Fixed Deposit only in the bank in which savings bank account is maintained.

(ii) The Municipal/Commune Panchayat Councils shall get the prior approval of the Government for investing the moneys in Term Deposit/Fixed Deposit in the bank other than the bank in which savings bank account is maintained or for investing the moneys in Term Deposit/Fixed Deposit for a period over and above three months.

(iii) The Municipal/Commune Panchayat Councils shall keep sufficient amount in the savings bank account for meeting the day to day transactions of the Municipalities/Commune Panchayats and for disbursement of salaries to the employees and pension and secours to the retired employees.

(G. O. Ms. No. 188, dated 22nd October, 1982 of the LAD.)

In para 2 of the G. O. Ms. No. 188, dated 22nd October, 1982 of the Local Administration Department, for the words "three months", the words "ninety one days" shall be substituted.

(G. O. Ms. No. 9, dated 7th January, 1983 of the LAD.)

66.—Notification withdrawing bus plying roads and other important roads from the control of municipal councils and placing them under the control of Public Works Department.

In exercise of the powers conferred by sub-section (2) of section 75 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), the Lieutenant-Governor, Pondicherry hereby directs that the streets specified in the Table below shall be withdrawn from the control of the Municipal Councils noted against each and be placed under the control of the Public Works Department with immediate effect.

TABLE

Name of street		Name of Municipal Council to which it relates	
(1)		(2)	
1.	R.C. 1 Boulevard road	..	Pondicherry
2.	R.C. 2 Cuddalore road	..	Do.
3.	R.C. 3 Villianur road	..	Do.
4.	R.C. 4 Valudavour	..	Do.

(1)	(2)
5. R.C. 5 Mahatma Gandhi road	Do.
6. R.C. 14 Mill road	Do.
7. R.C. 17 Murungapakkam	Do.
8. R.C. 24 Lawspet road	Do.
9. Ambur Salai connecting R.C. 1 North Boulevard and south Boulevard	Do.
10. Mission Street connecting R.C. 1 North Boulevard and R. C. 3 Lal Bahadur Street	Do.
11. Thomas Aroul road in between Jawaharlal Nehru Street and Poreyar road (Karaikal town)	Karaikal
12. Main Calicut-Cannanore	Mahe
13. Kallayee-Pandakkal road I & II	Do.
14. Peral-Chokly road	Do.
15. Moolakhadovou Copalam road	Do.
16. Vayalam-Pandakkal road	Do.

(G. O. Ms. No. 193, dated 2nd November, 1974 of the LAD.,
Published in the Extraordinary Gazette No. 144, dated 7-11-1984)

In exercise of the powers conferred by sub-section (2) of section 75 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973) the Lieutenant-Governor, Pondicherry hereby directs that the roads/streets specified in the Table below shall be withdrawn from the control of the Municipal Councils noted against each and be placed under the control of the Public Works Department with immediate effect.

TABLE

Sl. No.	Name of the road/street	Name of the Municipal Council to which it relates
(1)	(2)	(3)
1.	R.C. 8 Puliaasalai road	Pondicherry Municipality
2.	R.C. 14-bis Barathy Mill road	Do.
3.	R. C. 15, Karamanikuppam road	Do.
4.	R.C. No. 23, Vaithikuppam road	Do.

(1)	(2)	(3)
5.	Beach road	Karaikal Municipality
6.	Lemaire road	Do.
7.	Karaikalmedu road	Do.
8.	Boulevard road	Mahe Municipality
9.	Jail road	Do.
10.	Railway station road	Do.
11.	Government house road	Do.
12.	Draksharma road	Yanam Municipality
13.	Bac road	Do.
14.	Thiagaraja road	Do.
15.	Jail road	Do.
16.	Vishnalayam road	Do.
17.	Cemetery road	Do.
18.	Mettacur road	Do.
19.	Rue dechar (unsurfaced)	Do.
20.	Ferry road	Do.

(G. O. Ms. No. 32, dated 3rd February, 1978 of the LAD.,
Published in the Extraordinary Gazette No. 26, dated 14-2-1978.)

67.—The Pondicherry Municipalities (Control, regulation and use of vehicles and Motor cycles) Rules, 1984.

In exercise of the powers conferred by sub-section (1) of section 440 of the Pondicherry Municipalities Act, 1973 (No. 9 of 1973), and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Pondicherry Municipalities (Control, regulation and use of the vehicles and Motor Cycles) Rules, 1984.

(2) They shall come into force with effect from the date of their publication in the official gazette.

2. **Definitions.**—In these rules, unless the context otherwise requires—

(a) 'Annexure' means the annexures appended to these rules ;

(b) 'Motor Cycle' means the motor cycle, scooter and other two-wheeled motor vehicles within the meaning of the Motor Vehicles Act, 1939 ;

(c) 'Vehicle' means the motor vehicles within the meaning of the Motor Vehicles Act, 1939, but other than two-wheeled motor vehicles specified in clause (b) of this rule.

3. **Control of vehicles and responsibilities of controlling officers.**—(1) All the vehicles in a Municipality shall be under the administrative control of the Commissioner, who shall act as a Controlling Officer in respect of the vehicles.

(2) The controlling officer shall be responsible for the proper use, care and maintenance of the vehicles and for regulating its journeys generally in accordance with these rules.

(3) The controlling officer shall maintain—

(a) a log book in the form prescribed in Annexure 1 ;

(b) a record of repairs and replacements indicating the cost and the dates on which carried out and of spare parts ;

(c) a register showing cost of petrol/diesel, etc. consumed and all incidental receipts and expenditure ;

(d) an inventory of the equipments.

4. Responsibilities of the Drawing and Disbursing Officer.—

(1) The drawing and disbursing officer of a Municipality shall record the following certificates on the contingent bills in support of the expenditure on consumption of petrol/diesel :—

(a) Certified that the quantity of petrol/diesel purchased has been entered in the Log Books of respective vehicles ;

(b) Certified that necessary recoveries under sub-rule (6) and sub-rule (7) of rule 6 have been made/or are being made from the parties concerned using the vehicle for non-duty journey.

(2) The drawing and disbursing officer shall also—

(a) personally check the inventory of equipments every month and arrange to recover any loss arising out of negligence or fault from the persons concerned ;

(b) have the vehicle tested every six months for fitness for journeys and place a report on record ;

(c) report half-yearly to the municipal council the expenditure incurred on the maintenance of the vehicles ;

(d) personally responsible for the proper and prompt recovery of charges recoverable for the use of vehicle and their credit to the municipal fund ; and

(e) hand over the vehicle to his successor, on transfer from his post, complete with all spare parts, wheels, tyres, tools, etc. and mention the fact in his charge report.

5. Use of vehicle for official purposes.—(1) The vehicles may be engaged on **bona fide** official duty within the municipality.

(2) Journeys performed in vehicle on the following occasions shall be treated as official—

(a) Journeys performed by non-officials who are asked to attend the official meeting in public interest, and who, after the meeting is over, have to be dropped at their respective places of business/residence.

(b) Journeys performed when officers have to be picked up from their residences or dropped back in cases, when they are required to attend meetings (a) during the normal working hours, if the meetings have been convened at places outside their normal places of work, and (b) outside the normal working hours.

(c) Journeys performed in cases of emergency, when an officer, on being suddenly taken ill or on meeting with an accident, is removed from his office either to a hospital or to his residence. The officer concerned shall place on record a certificate indicating the circumstances necessitating such journeys. Such a certificate should be countersigned by the controlling officer.

(3) Vehicles may be used by member of non-Gazetted staff also for **bona fide** official purposes with the prior approval of the controlling officer.

(4) Vehicles shall not be used for official journeys outside the Municipality for which Travelling Allowance is admissible except on the written sanction of the Director, Local Administration Department, Pondicherry.

(5) No daily allowance or allowance for incidental expenses shall be admissible to a Municipal servant performing local journeys on official duty within the Municipal area in a vehicle provided to him free of charge :

Provided that where a vehicle is used for journeys exceeding 8 kilometres on official duty within the Municipal area the officer will be entitled to draw an allowance for incidental expenses as per Travelling Allowance Rules in force.

6. Use of vehicle for non-duty purposes.—(1) The vehicles may be permitted to be used on on-duty journeys to a limited extent by the controlling officers provided official requirements are not interfered within any way.

(2) The following classes of journeys on non-duty purposes are permissible—

(a) occasional journeys performed by officers from their residence to office and vice-versa :

(b) urgent visit to hospitals.

(3) The use of vehicle is not permissible for journey to places of entertainments, public amusements, parties and pleasure trips, etc.

(4) The controlling officer in consultation with the Director, Local Administration Department, may decide whether a particular journey shall be treated as private or official.

(5) Duty journey shall have preference over non-duty journeys.

(6) For the use of vehicle on non-duty journeys, charges at the rate as may be prescribed by the Director, Local Administration Department, from time to time, shall be recovered for the distance covered by the vehicle from the time it leaves office/garage till it returns to office/garage.

Note : The charges recoverable will be for complete kilometres, fractions of a kilometre being rounded off to the next higher integer. The charges, so calculated will be rounded off to the nearest multiple of five paise.

(7) Normally, vehicles shall not be used outside the normal hours of duty of the drivers save on exceptional/occasional e.g., when officers are required to be dropped at their residences after attending meeting. Detention charges at the rate of rupees two per hour will, however, be leviable if a vehicle is detained for a non-duty purpose irrespective of the detention of the vehicle being within or outside the normal working hours of the vehicles. The period of detention shall be noted by the officer concerned in column (6) of the Log Book in Annexure I and the detention charges shall be recoverable on the basis thereof. Fraction of an hour will be charged on the basis of actual period. The detention charges recovered shall be indicated separately in column (8) of the Summary of Log Book in Annexure 2 in addition to the charges recoverable on kilometre basis.

(8) A Municipal servant in receipt of conveyance allowance shall not normally use a vehicle for journeys within the Municipal area. If, however, he is permitted by the controlling officer to use a vehicle for journeys within his jurisdiction, recoveries shall be made from the officer at the rates laid down in sub-rule (6) and sub-rule (7) of this rule. If the journey is beyond 16 kilometres from the usual place of duty, the officer will be allowed daily allowance and/or kilometre allowance admissible under the Travelling Allowance rules in force subject to the following deductions being made therefrom :—

(i) Full charges for the use of vehicle calculated under sub-rule (6) and sub-rule (7) of this rule.

(ii) Deduction of $\frac{1}{30}$ th of the monthly rate of his conveyance allowance.

(9) An officer, proceeding on tour in a vehicle with the approval of the authority specified in sub-rule (4) of rule 5, shall not take his family members with him unless permitted to do so in exceptional cases by such authority. In such cases, the officer concerned shall pay for the use of the vehicle at the rates prescribed in sub-rule (6) and sub-rule (7) of this rule.

(10) Vehicles shall not be allowed to be used by officers on leave.

7. Maintenance of log book for vehicles.—(1) Entries in log books shall be made in ink.

(2) Officers using vehicles shall note in the log book in their own handwriting the kilometre at the start and at the completion of their trips after verifying the kilometre and give sufficient particulars to indicate that the journeys were on official business.

(3) In the case of controlling officers,, the entries in the log book may be made and signed by their personal assistance on behalf of the controlling officers. The controlling officers shall, however, be responsible for the certificates regarding the purpose of the journeys performed which shall be noted by the personal assistants in consultation with them. If there is no personal assistant, the entries in the log book shall be made by the controlling officer himself.

(4) The officers inspecting the Municipality shall scrutinise the log books to ensure that there is no misuse and that all officers who used the vehicles have made the necessary entries. A certificate to this effect shall be recorded in the log book, by the officer so inspecting the Municipality.

(5) The log book in respect of each vehicle shall be closed at the end of the month and a summary prepared in the log book showing details of duty and non-duty journeys during the month as in the form prescribed in Annexure-2.

(6) The log books may be preserved for a period of five years reckoned from the date of last entry in them or one year after their examination in Local Fund Audit whichever is earlier, provided, however, that no log book becoming due for destruction after the stipulated period, should be destroyed until the settlement of all audit objections relating to any entry therein.

8. Fixing of name plates in vehicles.—(1) Vehicles should carry prominently plate in front and at the rear indicative of the fact that they are vehicles of a specified Municipality.

(2) The plates both in the front and rear should be of the same size as the usual plate carrying the registration number.

(3) The plates should bear the name of the Municipality.

(4) The letters on the plates shall be of reasonable size and readable from a distance.

(5) The plates shall be fixed on the left hand side of the front bumper and on the right hand side of the rear bumper.

9. Control, regulation and use of Motor Cycle.—(1) Each Motor Cycle shall be under the administrative control of the Commissioner who shall act as the Controlling Officer.

(2) The Drawing and Disbursing Officer shall be responsible for its proper use, care and maintenance of motor cycle and for maintenance of the following documents :—

(a) a log book of each motor cycle showing particulars of the journeys performed in the form prescribed in Annexure 3 ;

(b) a record of repairs and replacements indicating the cost and dates on which they are carried out and of spare parts ;

(c) A register showing the cost of petrol, etc. consumed and all incidental expenditure ; and

(d) an inventory of equipments.

(3) The Drawing and Disbursing Officer shall personally check the inventory of equipments every month and arrange to recover any loss arising out of negligence or fault from the persons responsible. He shall also have each motor cycle tested at least once in every six months for fitness for journeys and

place a report on record. The motor cycle should be sent for servicing once in every one thousand and six hundred kilometre or once in every two months whichever is earlier. Oil should also be changed after every one thousand and six hundred kilometres. The controlling officer should report half-yearly to the Municipal Council the expenditure incurred on the maintenance of each motor cycle.

(4) The Drawing and Disbursing Officer should record the following certificate on the contingent bills in support of the expenditure on the consumption of petrol :—

“Certified that the quantity of petrol purchased has been entered in the log book of the respective motor cycle”.

(5) The motor cycles should be used ordinarily only for **bona fide** official duty within the Municipal area. Where it becomes necessary to take the motor cycles outside the Municipal area, prior orders of the Director, Local Administration shall be obtained. In no case, motor cycles should be permitted to be used for non-duty journeys.

(6) Entries in the log books should be made in ink. The officers operating the motor cycles shall note in the log book in their own handwriting the kilometre at the start and at the completion of their trips after verifying the kilometre and give sufficient particulars to indicate that the journeys were on official business. The officers inspecting the Municipal office shall scrutinise each log book to ensure that there is no misuse and that it is complete in all respects and record in the log book a certificate to this effect.

(7) The entries in the log book shall be totalled and a summary prepared every month in the form prescribed in Annexure 4 so as to show the average kilometre covered per litre. The log book shall be preserved for a period of five years

reckoned from the date of last entry in it or one year after its examination in local audit whichever is earlier, provided, however that no log book, becoming due for destruction after the stipulated period shall be destroyed before all audit objections relating to any entry therein are settled finally.

(8) Each motor cycle shall carry prominently a plate at the rear indicating the name of the Municipality to which it belongs.

10. General.—(1) The controlling officers shall ensure that the entries in the log books are made by the officers using the vehicles or motor cycles, on the same day of journey.

(2) The Controlling Officer shall not allow the vehicles or motor cycles to be used without a speedometer, in working condition.

ANNEXURE—1

[(See rule 3 (3)]

LOGBOOK

Name of the Municipality:—

Vehicle No.

Date	Time		Kilo- metre reading	Kilo- metres covered	Period of detention included in Col. 2 & 3 (for non- duty journeys only)	Name and Designa- tion of officer using the vehicle
	From	To				
(1)	(2)	(3)	(4)	(5)	(6)	(7)

PETROL ACCOUNT

Date	Kilometre reading	Petrol/Diesel drawn (in litres)	Initial of officer in-charge of Vehicles
Places visited	Purpose of jour- ney if official full details	Signature of officer using vehi- cle his remarks, if any	No. of hours after normal duty hours or on sundays and closed holidays
(8)	(9)	(10)	Initials of Officers in-charge of vehicles his remarks if any (12)

ANNEXURE-2

[(See rule 7 (5))]

SUMMARY OF LOG BOOK

For the month of

Sl. No.	Number of Vehicle	Kilometres covered for		Total	Time spent for non-duty journeys	
		Duty	non-duty		Within normal duty hours	Outside normal duty hours or on sundays and closed holidays
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Amount due for non-duty journeys including detention charges if any	Details of bills and amount realised (by cash/cheque)	Particulars of credit to Municipal account (Receipt No. and date)	Total quantity of Petrol/diesel consumed (in litres)	Reading of Kilometre ----- On 1st day On last day	Average kilometres per litre (Col.5-11)	Remarks
(8)	(9)	(10)	(11)	(12)	(14)	(15)

ANNEXURE—3

[See rule 9 (2)]

LOG BOOK

Name of the Municipality :
Motor cycle No.

Kilometre reading
Petrol drawn
(in litres)
Initials of officer
in-charge of the
vehicle

Date	Time		Kilometre reading	Kilometres covered	Names of the officer using the motor cycle	Places visited	Full details of the purpose of journey	Signature of the officer using motor cycle	Remarks
	From	To							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

ANNEXURE-4

[See rule 9 (7)]

SUMMARY OF LOG BOOK

Sl. No.	Name of the motor cycle	Reading of kilometres on		Kilometres covered	Total quantity of petrol used (Litres)	Average kilometre per litre
(1)	(2)	1st day (3)	Last day (4)	(5)	(6)	(7)

(G. O. Ms. No. 288, dated 9th November 1984 of the LAD)

68.—Transfer of Minor Irrigation functions to the Municipal Councils.

The main sources of irrigation water in the Union territory of Pondicherry are from the tanks and channels receiving supply of water from the tail end of the river flowing in the neighbouring State of Tamil Nadu. Besides, Oussoudu lake and Bahour tank, there are other tanks and spring ponds under the control of the Public Works Department. Both under minor and major irrigation programmes, the Public Works Department is generally charged with the responsibility to secure restoration of breached or abandoned tanks, raising full tank level of tanks to make good the lost capacity either in full or part, reforming the bunds to standards and repairs to sluices, rejuvenating defunct springs, channels or flood channels taking off from rivers by removing silt and strengthening of banks, etc. In respect of other minor irrigation works which are purely of local importance, execution of irrigation works, improvement and maintenance of field bothies and distribution channels is entrusted to a particular institution called "Agricultural Syndicates or Caisse Communes" which owe their existence to the days of French regime dating as far back as 1859. Since these institutions, though it is an association of ryots for maintenance of irrigation channels and feeding channels, etc. based on the co-operative principles became ineffective due to lack of finance and unequal supply among the fields consequent on the ineffective working of the Agricultural Syndicates. Earlier attempts of the Administration to improve the efficiency and effectiveness of such institutions by bringing about a scheme of matching assistance and other administrative measures proved abortive and the Government have come to the conclusion that it is necessary in public interest either to remove the organisational deficiencies from which the Agricultural Syndicates suffer or to do away with them by way of entrustment of such minor irrigation functions to other popular institutions like panchayats or co-operative societies.

2. In the context of implementation of the Pondicherry Village and Commune Panchayats Act, 1973, Government consider it necessary as part of the policy underlying the entrustment of agricultural development work to panchayat raj institutions as embodied in the said Act that the commune panchayat councils should be empowered to take up : (a) the protection and maintenance of irrigation work that are hitherto maintained by Syndicate Agricole/Caisse Commune, (b) the management of turns of such irrigation and (c) the regulation of distribution of water from such irrigation work to fields depending on it, more particularly in view of enabling statutory provisions contained in section 96 of the said Act regarding the transfer of irrigation work.

3. Government have accordingly decided that such minor irrigation functions which were hitherto attended to by the Agricultural Syndicates/Caisse Communes should be transferred to the commune panchayat councils deemed to have been constituted under the Pondicherry Village and Commune Panchayats Act, 1973, and not to the village panchayats. All such minor irrigation works which are under the control of the Agricultural Syndicates/Caisse Communes shall vest with the commune panchayat council concerned. The Government have, however, no objection to the commune panchayat councils entrusting to the village panchayats under section 84(2) of the Act, the execution of maintenance work, the management of turns of irrigation and the regulation of the distribution of water from such irrigation work, if the ayacutdars of the irrigation source, request in writing that such entrustment should be effected and if the village panchayat concerned agrees by a resolution passed by it at a meeting specially convened for the purpose to take over the said functions and to abide by the conditions upon which the irrigation source has been transferred to the commune panchayat councils.

4. The terms and conditions subject to which the functions in respect of village irrigation works specified in sub-section (1)

of section 96 of the Pondicherry Village and Commune Panchayats Act, 1973 may be transferred to commune panchayat councils shall be as follows :—

(1) **Transfer of minor irrigation works.**—(i) The transfer to any commune panchayat council shall be restricted to minor irrigation works in charge of the Agricultural Syndicates/Caisse Communes, which are situated within such commune panchayat. The whole of the income derived from the fishery and usufructs rights of the Agricultural Syndicates/Caisse Commune in such works shall be credited to the commune panchayat council fund.

(ii) The commune panchayat council shall, with effect from the date from which functions in respect of any village irrigation work are transferred to it, make its own arrangements for the discharge thereof and shall if necessary, employ its own staff. In the exercise of such functions, the commune panchayat council shall also have general control over the nirgantis or any other staff, if any, employed by the Agricultural Syndicate/Caisse Communes. The Commissioner of commune panchayat shall, however, retain the power of appointment, punishment, dismissal and payment of salary or other allowances to the nirgantis or any other staff connected therewith.

(iii) The commune panchayat council shall have power to regulate the manner and order in which the lands in the village under the irrigation work shall be irrigated, the time at which the supply of water shall commence, the period during which the supply of water shall continue and the total quantity of water to be supplied subject to the prior approval of the Executive Engineer/Assistant Engineer of Public Works Department. But the commune panchayat council shall so exercise its power of regulation as not to interfere with any established or customary right to preferential or proportional supply. The commune panchayat council shall be responsible as a body to decide on all details regarding the regulation of turns of irrigation. The actual operation of the shutters of the channels

shall be the responsibility of the village officer so appointed, subject to the general control of the commune panchayat council.

(iv) The commune panchayat council shall not empower any committee appointed by it under section 64 of the Pondicherry Village and Commune Panchayats Act, 1973, for the efficient performance of its duties and functions under section 96 of the said Act, to regulate the turns of irrigation.

(v) The commune panchayat council shall not effect any alteration in the structures of the irrigation work or interfere with the standard and specification laid down in the Public Works Department records, in respect of such work or raise, lower or extend the weirs or calingulas, or make any material alterations in or interfere with the headwork, if any, of the channels.

(vi) The commune panchayat council shall be responsible for keeping watch over the bund of such irrigation work during the rainy season.

(vii) The commune panchayat council shall make good, any damage to the sluices, weirs, calingulas, channels, headworks bund or other works forming part of or connected with the irrigation work resulting from its misfeasance or non-feasance, the decision of the Director of Rural Development in consultation of Public Works Department as to whether any particular item of damage was the result of any misfeasance or non-feasance on the part of the commune panchayat council, being final.

(viii) The commune panchayat council shall not excavate earth at any time for any purpose within thirty feet of either toe of the bund of the irrigation work.

(ix) Any function in respect of a village irrigation work transferred to a commune panchayat council may, at any time, be resumed, without assigning any reason, by the Government or the authority to whom powers may be delegated under section 211 of the Pondicherry Village and Commune Panchayats Act, 1973.

(x) The maintenance of all irrigation works transferred to the commune panchayat council shall be under the control and supervision of the commune panchayat engineer (commune engineer or supervisor, as the case may be) and shall be subject to inspection by the Director of Rural Development and or officials of the Public Works Department.

(2) **List of minor irrigation works.**—The engineers or supervisors or overseers of commune panchayat shall maintain a complete list of minor irrigation works within their respective jurisdiction. It shall be in Form I appended to these orders. It shall be brought up-to-date annually by including in it new works brought under the control of the commune panchayats. When a work passes out of the control of a commune panchayat council it shall be recorded in the remarks column of the list. This list will serve as an index to the standing ledger of minor irrigation work in Form II appended to these orders.

(3) **Standing ledger of minor irrigation works.**—A standing ledger of work showing each source on which money is spent, the amount of expenditure sanctioned and other details pertaining to the maintenance of works connected with such work shall be maintained by the commune panchayat council in Form II appended to these orders. The overseer or commune engineer shall specifically indicate in the specification report the nature of the repairs carried out previously and the expenditure incurred therefor with reference to the particulars recorded in the said standing ledger. As soon as estimates are sanctioned, columns 1 to 3 of the ledger shall be filled up. The other columns shall be filled up each year after the particulars regarding the amount actually spent in the year become available.

(4) **Maintenance and repairs to works.**—It shall be the duty of the commune panchayat council to keep all minor irrigation works under its control in a reasonably efficient condition. All works necessary for the purpose which are not executed as kudimaramat works shall be executed by the commune panchayat council under the technical guidance of the officers of the Public Works Department and Local Administration Department. The maintenance of the minor irrigation works by the commune panchayat councils will chiefly consist of the repairs of masonry work, earth work and the reconstruction of damaged works. The commune panchayat council shall not effect any alteration in the sluices of the irrigation work or interfere with the standard specifications laid down in the Public Works Department records in respect of such works, or raise, lower or extend the weirs or calingulas or make any material alterations in or interfere with the headworks, of the channels surplus course except with the previous sanction of the Executive Engineer concerned of Public Works Department. In all other cases, the prior sanction of the Director of Public Works Department shall be obtained. In all cases where such repairs are considered necessary, full explanation of the new works showing their need and their productive value shall be given in the reports accompanying the estimates. Estimates for repairs to works particularly to works which have seriously deteriorated or for the restoration of works damaged by floods shall be sanctioned taking into consideration the capital and productive value.

(5) **Contribution.**—When scrutinising the estimate for improvements to or repair of any minor irrigation work, the commune panchayat council shall take into consideration the possibility of demanding contributions from the ryots concerned towards the cost of these improvements or repairs and shall decide whether any portion of the cost of any or all of the contemplated improvements or repairs have to be recovered or not from the ayacutdars. It is left to the discretion of the commune panchayat council to demand such contribution if the cost of an estimate in any particular case is really so excessive

as to render it undesirable or unnecessary in the circumstances of the case. With a view to enabling the commune panchayat council to determine the contribution, such particulars as are relevant for a decision shall be given in the report accompanying the estimates by the commune engineer or supervisor or overseer in-charge of commune panchayat works. If the commune panchayat council decides that a contribution may reasonably be demanded it shall fix the amount on the basis of the detailed report and call on the ayacutdars to deposit the amount in advance or to execute an agreement that they shall pay it within a certain time or in such instalments as may be fixed by the commune panchayat council, or in the form of labour or materials or both. Every commune panchayat council shall divide the local area within its jurisdiction into such number of circles (not exceeding five) as may be necessary for carrying out the repairs and maintenance of minor irrigation works of a circle in a year so as to cover all circles in a definite cycle of years.

(6) **Estimates and allotments.**—The commune panchayat council shall decide in time, the number and names of works to be taken up for execution in a financial year subject to the availability of resources from the commune panchayat fund. The commune panchayat overseer or commune engineer, as the case may be, shall prepare necessary estimates for such works and send them to the competent authorities for technical sanction based on the amounts of estimates. The competent technical authority after such sanction shall send the estimates to the commune panchayat council for its administrative sanction. A certificate to the effect that the provisions made in the estimates are absolutely necessary for the proper maintenance of the work shall be appended to the estimates. To enable the commune panchayat council to control the execution of the works effectively it shall obtain monthly reports in Form III appended to these orders from the commune engineers or overseers concerned who shall send the same to the commune

panchayat concerned with copy to the Assistant Engineer concerned of Public Works Department and review the progress. The authorities competent to accord administrative and technical sanction shall be as shown below :—

THE TABLE

Serial number and nature of estimates	Administrative sanction	By whom to be technically sanctioned
(1)	(2)	(3)
1. Estimates for repairs or works up to Rs. 2,000	Commune Panchayat Council	Commune Engineer or Supervisor.
2. Estimates for repairs or original works costing more than Rs. 2,000 but not more than Rs. 5,000	Do.	Assistant Engineer concerned of P.W.D./L.A.D.
3. Estimates for repairs or original works costing more than Rs. 5,000 but not more than Rs. 1,00,000.	Do.	Executive Engineer concerned.
4. Estimates for repairs or original works costing more than Rs. 1,00,000	Do.	Director, P.W.D.

Every commune panchayat council shall settle for each financial year not later than the 1st December of the preceding year a programme of works to be taken up in the year and the order of their urgency and shall allot funds to works in the order settled. A copy of the programme of works and of subsequent changes, if any, made, shall be furnished to the Director of Rural Development, Assistant Engineer concerned and Executive Engineer of Public Works Department as soon as possible.

(7) **Execution of works.**—All works shall be attended to by the commune engineer assisted by overseer or supervisor or overseer of commune panchayat. The commune engineer shall be responsible for the proper supervision of all such works within the commune panchayat jurisdiction. Works not requiring technical skill and costing Rs. 1,000 and less may be let on contract to ayacutdars by the commune panchayat commissioner. In other cases, the works shall be entrusted to contractors in accordance with the procedure prescribed for other commune panchayat works, and the payment for the work done shall be made in accordance with the procedure laid down for other commune panchayat works.

(8) **Conservancy of minor irrigation works.**—(i) When by reason of neglect of owners of private tanks to keep them in repair, there is reason to apprehend risk of damage to any minor irrigation work in-charge of the commune panchayat council, the commune engineer concerned or the commissioner of the commune panchayat council shall bring it to the notice of the Director of Rural Development and Director of Public Works Department for appropriate action.

(ii) The bunds of channels and other works of minor irrigation shall be carefully inspected by the officers aforesaid and they shall make adequate arrangements for repairs of holes or other trifling damages, if any, according to established custom.

(iii) When heavy rain falls, the officers specified in sub-para (i) shall secure the services of the last grade servants of the village establishment and the panchayat establishment to watch the bunds of tanks and other works of minor irrigation and immediately report any appearance of danger.

(iv) When a breach appears likely to happen the villagers shall be summoned by the officers specified in sub-para (i) and employed in adopting the usual means for preventing it.

(v) When a breach has actually occurred, the villagers shall at once be employed by the officers aforesaid in forming a ring bund, to save the cultivation and other structures if any.

(vi) When earth is taken from valuable land for repair of breaches in channel or tank embankments compensation shall be given to the owners concerned, the amount being determined by the commune panchayat council in accordance with the usual procedure followed by it.

(9) Temporary dams on calingulas of tanks and other minor irrigation works.—(i) It shall be the duty of the commune panchayat council to see that the placing of bunds on or in front of surplus weirs the crests of which are at full tank level is strictly prohibited, but the temporary dams may be raised on the calingulas of tanks or other minor irrigation works when the crest of the calingulas is below the full tank level :

Provided that the materials used for stuffing the space between the dam stones of calingulas shall be such as may be readily removed or washed away by the rush of water in case of danger to the dam and in no case the height of the bund so provided should exceed the crest of the dam stones.

(ii) The temporary dam shall be partially or wholly removed as circumstances require when the water rises to such a level as to indicate danger of overflow to the tank.

(iii) All calingulas shall be cleared at least once a year to prevent the stuffing between the dam stones becoming hardened to such an extent as not to admit of being readily removed or washed away by the rush of water.

(iv) In the case of works adjoining public roads and lines of railways, all calingulas shall be cleared at least a fortnight before the usual date of setting in of the periodical rains.

(v) No encroachment on tank bunds by the holders of lands lying under them shall be allowed.

(10) **Duties of the village officials appointed by the commune panchayat.**—(i) The bunds should be carefully inspected, and holes or other trifling damages repaired according to established customs.

(ii) When heavy rain falls, the above village officials must be ordered to watch the bunds and immediately report any appearance of danger.

(iii) The village officers must inspect the bunds as often as possible.

(iv) When a breach appears likely to happen, the village coolies must be summoned and employed in adopting the usual means for preventing it.

(v) In the case of tanks in the charge of officers of the Public Works Department, notice of danger must be sent in good time to the nearest officer or sub-ordinate of that department.

(vi) When a breach has actually occurred, the village coolies should be at once employed in forming a ring bund to save the cultivation.

(vii) When earth is taken from valuable land for the repair of breaches in river and channel embankments, compensation should be given, the amount being determined by the commissioner of commune panchayat.

(11) **Removal of prickly-pear on channel bunds.**—Where clearance of prickly-pear from irrigation works is necessary, the commune panchayat commissioner should decide in the first instance whether the whole cost should fall upon the ryots, or whether, in view of the amount of clearance to be done, the whole or a portion of the work should be done at the cost of commune panchayat council. If clearance or partial clearance is to be done by the ryots, the commissioner should call on them to do the work and, if they fail to do it, the work should

be done at the cost of commune panchayat council which cost, together with any additional penalty should be recovered by the commissioner from the ryots concerned. In cases where it is considered convenient to carry out clearance by departmental agency, there is no objection to the ryots being given the option of contributing money in lieu of personal labour. When once the initial removal has been effected at the cost of commune panchayat council, all subsequent clearance must be carried out by the ryots themselves at their own cost; and ordinarily they may reasonably be required to clear bunds and distribution channels overgrown with prickly-pear before any expenditure is incurred by commune panchayat in repairing or deepening them.

(12) **Planting on the margin of the waterspread.**—Trees such as the Acacia, Arabica and grasses used for thatching, as well as the grass known as "Tandan Kuttai" in Tamil and used as food for buffaloes and milch cows, may be planted along the outer edge of the water spread of tanks either by the inhabitants of the village, on permission previously obtained or by the commune panchayat commissioner subject to the prior approval of the Executive Engineer/Assistant Engineer of Public Works Department. The land should not be assinged, and the revenue realised from the trees and grasses should be credited to commune panchayat fund.

(13) **Kudimaramat.**—(i) Section 96 (2) of the Pondicherry Village and Commune Panchayats Act, 1973, makes it possible for the panchayats or commune panchayat council to take over customary obligations; to provide free labour for certain types of irrigation work, discharge it and meet the cost by levying a statutory fee for the purpose. Government directs that the commune panchayats council should assume responsibility for executing kudimaramat and for discharging their obligation periodically in order to keep irrigation work in good condition. A memorandum of instructions for ensuring the systematic performance of Kudimaramat works by the ryots is appended to these orders.

(ii) In order to prevent the customary obligation lapsing by disuse, a record should be maintained by the commune panchayat commissioner specifying the existence of customary obligation and its precise nature in respect of each source or work in which it existed. The particulars in respect of each source or work should be collected and entered in the following two registers, namely :—

(a) the kudimaramat register for the commune panchayat with a page for each village ; and

(b) register showing fees recovered under the panchayat Act and its disposal.

(iii) It shall be the responsibility of the commune panchayat commissioner to secure labour from the ryots of the local area concerned for the purposes of carrying out the following items of kudimaramat works, namely :—

(a) to fill up gullies or other inequalities caused by rain or the treading of cattle, etc. upon the bunds of channels ;

(b) to check the growth on bunds of channels of prickly-pear or other similar rank and pernicious weed ;

(c) to clear away such underwood from the bunds of tanks and other works as may be considered by the Executive Engineer, Assistant Engineer concerned or Commune Engineer to be injurious to the safety of such tanks and works ;

(d) to clear out the deposits from tank, sluices and from channels so as to afford a sufficient opening for the supply of water to flow to the fields after obtaining prior approval of Executive Engineer/Assistant Engineer of Public Works Department ;

(e) to clear and repair the earth work of petty and branch channels and clear away the accumulations in all channels issuing from tanks which obstruct the flow of water to the fields ;

(f) to keep in order the supply channel of tanks or other works to such an extent as is sanctioned by local custom ;

(g) to watch the bunds of all tanks and other works during rainy weather, to turf the parts acted on by waves, which appear leaky, to open and close the calingulas and generally to perform minor duties of such nature in order to prevent breaches and other accidents subject to the prior approval of the Executive Engineer/Assistant Engineer of Public Works Department ;

(h) to construct ring dams at breaches and where necessary to strengthen the bunds of tanks and other works during the season of cultivation and to preserve the works of irrigation in which the commune panchayat council has a common interest from those small injuries which if unchecked may lead to serious loss and expense subject to the prior approval of Public Works Department.

(iv) The slit clearance work on channels shall be done under the direct control of the commune panchayat council without letting the work on contract.

(v) It shall be the duty of the commune panchayat council to decide the season in which kudimaramat work should be taken up during a year.

(vi) The commune panchayat council shall also prepare at least a month before the proposed execution of the kudimaramat work, the approximate cost of such work during a year so that the ryots contribution could be collected.

(14) (i) The commune panchayat council may levy an annual fee from all registered holders of lands served by any irrigation work transferred to it for protection and maintenance at such rate per acre as the Director of Rural Development may, from time to time, determine, in consultation with the Director of Public Works Department.

The fee shall be levied at one flate per acre in the case of wet and dry lands irrigated from the irrigation work concerned, by direct flow, and at one half of such rate in the case of wet and dry lands irrigated from such work, by baling.

Explanation.—The fee shall be in addition to the wet or dry assessment and the water rate, if any, chargeable on the land.

(ii) The fee shall be collected by the commune panchayat council through the commissioner or any other person duly authorised by him, and shall be administered and expended by the commune panchayat council under the general or special orders of the Director of Rural Development or any other officer duly authorised by him this behalf.

(iii) The fee shall, on demand, be payable by the registered holder or any of the joint registered holders as the case may be, and if not paid, may be recovered from such holders, as if it were an arrear of panchayat revenue.

(iv) The proceeds of the fee shall be constituted into a separate fund and shall be spent at the discretion of the commune panchayat council on the maintenance or repair of the irrigation work concerned and shall not be utilised for any other purpose.

(v) Proper accounts shall be maintained by the commune panchayat council for the transactions relating to the fund and the accounts audited by the appointed by Government under sub-section (1) of section 192 of the Pondicherry Village and Commune Panchayats Act, 1973.

(vi) The commune panchayat council shall at all times allow the officers of the Public Works and Local Administration Department of the Government to inspect the irrigation work and all or any other works connected therewith.

(vii) The commune panchayat council shall at all times allow facilities to any contractor who may be employed by the Public Works Department of the Government to effect any repairs to the irrigation work or other works connected therewith.

(15) With effect on and from the date of transfer of minor irrigation works for protection and maintenance and execution of "Kudimaramat" to commune panchayat council (hereinafter called as crucial date) and subject to any general or special order which the Government may make in this behalf from time to time, the following consequences shall ensue :—

(a) Every Agricultural Syndicate/Caisse commune which was in existence before the crucial date shall be deemed to be succeeded by the concerned commune panchayat council having jurisdiction in respect of the area covered by such Agricultural Syndicate or Caisse commune.

(b) All property, movable and immovable, situated, within the local area of a concerned commune panchayat council (and all interest whatever nature and kind in such property) which vested in the corresponding Agricultural Syndicate/Caisse Commune, immediately before the crucial date and which were being used immediately before such crucial date for the performance of any of the functions or duties which are required to be performed by the commune panchayat council under the provisions of the Pondicherry Village and Commune Panchayats Act, 1973, shall be deemed to be transferred to and shall vest, without further assurances in such commune panchayat council subject to all limitations, conditions and rights or interest of any person, body or authority in force or subsisting immediately before the crucial date.

(c) All property, movable and immovable, wherever situated (and all interests of whatsoever nature and kind in such property) which vested in an existing Agricultural Syndicate or Caisse Commune immediately before the crucial date and which was being used by it for a function which on and from such crucial date is not required to be performed by the commune panchayat council concerned under these orders shall be deemed to be transferred to and shall vest, without further assurances, in the Government, subject to all limitations, conditions and rights or interests of any person, body or authority in force or subsisting immediately before crucial date.

(d) All right, liabilities and obligations of an existing Agricultural Syndicate or Caisse Commune (including those arising under an agreement or contract) shall be deemed to be the rights, liabilities and obligations of the corresponding commune panchayat council or the Government, according as the function or duty out of which such rights, liabilities and obligations have arisen, is required to be performed from the crucial date by such commune panchayat council or the Government, as the case may be.

(e) All sums due to an Agricultural Syndicate or Caisse Commune, whether on account of any tax or otherwise shall be recovered by the Commune Panchayat Council or the Government, according as the duty or function out of which such sum due is required to be performed on and from the crucial date by the commune panchayat council or the Government, as the case may be, and the commune panchayat council or the Government, as the case may be, shall be competent to take any measure or institute any proceedings, which it would have been open to existing Agricultural Syndicate or Caisse Commune or any authority thereof to that effect before the crucial date.

(f) The fund and liabilities (other than those specified in the aforesaid clauses) of an existing Agricultural Syndicate or Caisse Commune shall be deemed to be the fund and liabilities of the concerned commune panchayat council.

(g) All contracts made with and all instruments executed on behalf of an existing Agricultural Syndicate or Caisse Commune shall be deemed to have been made or executed on behalf of the concerned commune panchayat council or the Government according as the duty and function as a result of which such contract was made or the instrument executed is required on and from the crucial date to be performed by the commune panchayat council or the Government, as the case may be, and shall be performed accordingly.

(h) All proceedings and matters pending before any authority functioning under the arrets regulating the Agricultural Syndicates or Caisse Communes immediately before the crucial date shall be deemed to be transferred to the corresponding authority under the Pondicherry Village and Commune Panchayats Act, 1973, competent to entertain and dispose of such proceedings or matters.

(i) In all suits and legal proceedings pending on the crucial date in or to which an existing Agricultural Syndicate or Caisse Commune was a party, the concerned commune panchayat council or the Government as the case may be, shall be deemed to have been substituted therefor.

(j) Any appointment, notification, notice, tax, order, scheme, licence, permission, rule, bye-law, regulation, or form held, made, issued, imposed or granted by or in respect of an Agricultural Syndicate or Caisse Commune in force in the area of such Agricultural Syndicate or Caisse Commune and in force immediately before the crucial date shall in so far as it is not inconsistent with the provisions of the Pondicherry Village and Commune Panchayats Act, 1973, and orders issued thereunder continue to be in force until superseded by an authority competent so to do.

(k) All budget estimates, assessments, assessment lists, valuations, measurements and divisions made by or in respect of an existing Agricultural Syndicate or Caisse Commune in force immediately before the crucial date shall in so far as it is not inconsistent with the provisions of these orders, be deemed to have been made by or in respect of the concerned commune panchayat council.

(l) Any reference in any law or in any instrument to any of the provisions of the "Arretes or Decree" regulating Agricultural Syndicate or Caisse Commune shall unless a different intention appears, be construed as a reference to the corresponding provisions of the said Act and the orders made thereunder.

(m) Any reference in any law or in any instrument to the Agricultural Syndicate or Caisse Commune or to any functionary not in existence shall be construed as a reference to the corresponding provisions of the act or functionary in existence in the Union territory of Pondicherry provided that if any question arise as to who such corresponding functionary, is or if there is no such corresponding functionary, the Government shall decide as to who such functionary will be and the decision shall be final.

5. Government hereby directs the Director of Public Works Department to issue suitable instructions to the existing Agricultural Syndicate or Caisse Commune to ensure smooth switch over to the new system of control of minor irrigation works, etc. The Commissioners of the respective commune panchayats, are hereby directed to take over from the Agricultural Syndicates/ Caisse Communes or from the revenue official/Public Works Department official concerned all records, assessment lists, demand rolls together with the statement showing demand, cash and balance as on 1-4-1975.

6. As regards Agricultural Syndicate/Caisse Commune in Municipal area, the minor irrigation functions hitherto attended to by them shall devolve on the respective Municipal Councils. The transfer is also subject to the same terms and conditions as are applicable to commune panchayats.

7. These orders shall be effective from 1-4-1975.

FORM—I

List of minor irrigation sources/works in
 commune panchayat in region.

Number and name of Village Panchayat	Name of source/ work	Ayacut	Reference to revenue or P.W.D. records		Standing ledger		Remarks
			Name of minor basin	No.	Volume	Page	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Note :—

- (i) This list will form an index to the standing ledger.
- (ii) the villages should be arranged alphabetically within the commune panchayat.
- (iii) Railway affecting sources should be marked with an asterisk against the name of source in column (2).

FORM—II

Standing ledger of minor irrigation sources/work, name of village panchayat where the sources lie (S. Number).

Region

Commune Panchayat

(Name)

Name of source/Work

class, capacity and

nature of sources/Work.

Name of minor basin and the Survey No.

Total.

Irrigable ayacut, and assessment

Year of sanction of estimate	Number and date of Sanction of estimate and its nature i.e. original works or repairs and maintenance	Brief description of nature of repair	Amount of estimate and year in which funds were actually allotted	Amount actually spent in			Remarks
				year	year	year	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Instruction : This ledger will form a permanent record of maintenance or restoration of irrigation works in each commune panchayat under the control of the commune panchayat council and give a connected history of the repairs done to each work.

As soon as the estimate is sanctioned for repairs, improvement or restoration of any source/work, necessary entries should be made in this ledger and corresponding entry of volume and page should be made in columns (6) and (7) of the list of minor irrigation source/work (Form No. I). One page should be allotted to each source/work and entries relating to each estimate should be made in a separate line. Sufficient space should be left below each entry for recording subsequent modifications. The amounts of supplemental estimates should be entered below those of the original estimate. In the case of revised estimates the necessary particulars should be entered after scoring out the entries relating to the original estimates superseded. A brief description of the nature of work (Viz. "Provision of new sluice" earth work, etc.) should be given in column (3). Where as a result of repairs the irrigable capacity is permanently increased then the information given against "Total irrigable ayacut and assessment" should be revised. The revised ayacut figures should not be estimated ones but actuals. The year of revision should be given in brackets thus, 140 acres (1950). The symbol (O) or (R) should be used for original works and repairs in filling up in column (2).

Estimates involving new sluices or alterations in the existing sluices of irrigation works, etc., should also be entered in the register. In column 8, technical details of the change made may be entered.

FORM—III

Progress of execution of works in the commune panchayat.

Serial number and name of the village	Name of the source/work	Number and date and amount of sanctioned estimate	Description of work, original work or maintenance and repairs and nature of repairs	Description of the progress of work or executed	Details of work outstanding execution	Remarks (Reasons for slow progress, etc.)
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Memorandum of instructions for ensuring the systematic performance of kudimaramat works by the ryots.

In order to ensure that kudimaramat is regularly done by the ryots year by year, the following specific instructions are issued.

(1) In the ordinary course of his duties the commissioner or any other officer duly authorised by him should inspect all irrigation works whether major or minor, within his range. While doing so, he should ascertain by personal inspection whether during the past year kudimaramat has been neglected in respect of any irrigation work, which he inspects, make a note of each case of neglect and report the cases in his fortnightly diary specifying what item of kudimaramat has been left undone in respect of each work. Similarly any officer of Government who during his tours of inspection finds that an item of kudimaramat work has been neglected should bring it to the notice of the commune panchayat commissioner. On receipt of the commissioner's diary or a communication from any other officer of Government, information regarding neglect of kudimaramat should be posted in columns (1), (2) and (4) of the special registers for kudimaramat prescribed for the purpose.

(2) When information is received from any other source, i. e., from a ryot or village officer, that some item of kudimaramat has to be done in a village, columns (1) and (2) should similarly be filled up and the commissioner or any other officer duly authorised by him called upon to inspect and report whether this information is correct, and whether action should be taken to enforce the performance of the work by the ryots. The date of the commissioner's reply and his conclusions, viz., that the work was necessary or unnecessary, should be entered in column (3). If the Commissioner reports that the work is unnecessary, no further action is necessary, but an entry to that effect should be made in column (4).

(3) If, however, the commissioner's reports that the work is necessary, or, if from the commissioner's diary or from a communication from any other officer of Government it is found that any item of kudimaramat has been neglected, an entry should be made in the personal register and a file opened, and the current number of that file should be noted in column (5) of the kudimaramat register. If the work to be done relates to a minor irrigation work, the commissioner should proceed directly to take action for the enforcement of the provisions of section 96 of the Pondicherry Village and Commune Panchayats Act, 1973. If the work to be done relates to an irrigation work in charge of the Public Works Department, the commune panchayat commissioner should report to the Public Works Department. Column (6) of the kudimaramat register will then be filled up. If the Public Works Department intimate that the work should be done by ryots the commissioner should take necessary action under sub-section (2) of section 96 of the Pondicherry Village and Commune Panchayats Act, 1973.

(4) When the commissioner receives an intimation from the village official appointed by him that the work has been done, column (7) will be filled up. In cases where the ryots themselves do the work, column (8) will be blank, but in other cases the date of the recovery of the full amount of the contribution together with the number and date of the disposal finally closing the case should be noted in column (8). The disposal should be numbered in the "Retain" series and retained permanently.

(5) When an irrigation work is first inspected and it is reported that no kudimaramat work is necessary in respect of it, entries will be made in columns 1, 2, 3 and 4 and not in columns 5 to 8. If subsequent reports also show that no such work is necessary now new entry need be made, but additional entry in column 4 should show the date of the report. When a subsequent report shows that kudimaramat repair is necessary a new entry will be made in column 1.

(6) The register should be written up in as many section as there are panchayat villages. One or more sheets will be allotted to each village, new sheets being added when necessary.

(7) The special register will thus serve as a complete record of the progress of kudmaramat work in the commune panchayat, and the Director and Executive Engineer concerned of Public Works Department by examining the register can see whether this work is being done systematically or not. It should not be destroyed, but retained permanently in the commune panchayat office.

(8) A copy of the instructions should be pasted on the front page of the register.

**Kudimaramat Register for Minor Irrigation
Works—Commune Panchayat—Region**

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Name of source/works	By whom reported and date of report	Date and purport of commissioner's necessary reply, viz., work—unnecessary	Nature of kudimaramat work necessary, viz., removal of prickly-pear, silt clearance, etc., if not necessary, it should be so noted	Number and date of corresponding entry in the current register with details of action taken	Number and date of order to village officials	Disposal, viz., work done by ryots, or done by commune panchayat council or done by Government	If the work was done by Government, when money was received
Village							

(G. O. Ms. No. 89, dated 31st March, 1975 of LAD—Published in the Extra-ordinary Gazette No. 58, dated 23rd June, 1975.)

69.—Issue of House rent allowance certificate to Government servants drawing more than Rs. 900 by Commissioners of the Municipalities.

1. As per G. O. Ms. No. 98, dated 8th August, 1975 of the Revenue Department is at present issuing House Rent Certificates to the Government servants drawing more than Rs. 900 per month so as to enable them to claim H. R. A. as per the recommendations of the Third Pay Commission.

2. As per the said G. O., the Sub-Collector/Deputy Collector (Revenue) of the Revenue Department, having jurisdiction over the areas, is the competent authority to issue such certificate until such time the taxation provisions of the Pondicherry Municipalities Act, 1973 and the Pondicherry Village and Commune Panchayats Act, 1973 are brought into force.

3. The taxation provisions of the aforesaid Acts have been brought into force with effect from 1st August, 1976 and the Revenue Department have also transferred all the documents relating to House tax to the concerned Commissioners of the Municipalities/Commune Panchayats. Besides, the Municipal/Commune Panchayat Councils have imposed property/house tax under the said Acts and the Commissioners have started the work of assessment of the said tax on the basis of annual rental value of the buildings in accordance with the procedure laid down under the Pondicherry Municipalities Act, 1973 and the Pondicherry Village and Commune Panchayats Act, 1973 and the rules made thereunder.

4. In the circumstances, it has been decided that the Commissioners of the respective Municipalities/Commune Panchayats having jurisdiction over the area, shall henceforth issue such certificates after following the prescribed procedure under the Municipal/Commune Panchayat Acts and the rules made thereunder.

5. This order issues with the concurrence of the Revenue Department and the Finance Department.

(G. O. Ms. No. 295, dated 25th November, 1978 of the LAD.)

In the G. O. Ms. No. 295, dated 25th November, 1978 of the Local Administration Department, Government have transferred the subject relating to the issue of house rent allowance certificate to Government servants drawing pay more than Rs. 900 per month from the Revenue Department to the local bodies. As per the said G. O., the Commissioners of the Municipalities and Commune Panchayats are issuing the certificate after following the prescribed procedure under the Municipal/Commune Panchayat Acts and the rules made thereunder.

2. The matter has been re-examined by this Department in consultation with the Public Works Department and the Finance Department in the light of the representation received from the Government officers. After careful consideration of the matter, it has been decided that the Commissioner of the Municipalities and Commune Panchayats having jurisdiction over the area shall issue the rental certificate based on the certificate issued by the Public Works Department Officers to the concerned Government Officer.

3. This order will take immediate effect and all the applications pending for disposal shall be disposed of according to these instructions.

(G. O. Ms. No. 140, dated 22nd April, 1980 of the LAD.)

In the G. O. Ms. No. 140, dated 22nd April, 1980 of the Local Administration Department, orders have been issued by the Government to the effect that the Commissioners of the Municipalities and Commune Panchayats having jurisdiction over the area shall issue the rental valuation certificate to the Government servants drawing pay more than Rs. 900 based on the certificate issued by the Public Works Department to the concerned Government officer, for the purpose of claiming house rent allowance.

2. A doubt has been raised as to whether similar certificate may be issued to persons working in private institutions also following the procedure contemplated in the G. O. read above.

3. After careful examination of the matter in detail, it has been decided that the Commissioners of the Municipalities and Commune Panchayats shall issue similar rental valuation certificate, straightaway, to the persons working in private institutions, by adopting the procedure followed by Public Works Department in the matter of assessment of rental valuation.

(G. O. Ms. No. 158, dated 23rd May, 1983 of the LAD.)

70.—Office Procedure—System of opening files.

There is no uniform policy for the opening of files in the local bodies. In some local bodies, the system followed before 1974 is continued. In some local bodies, the number assigned to the current forms the basis for the number of the file. Register of files opened is not kept. On account of these reasons, local bodies find it extremely difficult to locate previous papers, to trace files and also to maintain quality in the disposal. Time is wasted on searching for the old files and this contributes considerably towards delay. In the circumstances, it has been decided that uniform procedure should be followed for the opening of files in all the local bodies.

2. The following instructions are issued in this connection for adoption by all the local bodies :

(i) Each subject will be assigned a permanent number. For example, if the subject "Eestablishment" is assigned No. 1, this will be applicable not only for the current year, but also for the subsequent years. Similarly, if No.7 is assigned to N. R. E. P., this will be followed for the current year and all subsequent years. All files under "Estt." opened during this year and in subsequent years should be under No. 1. Similarly, all files opened under N. R. E. P. during the current year and in subsequent years will be under No. 7.

(ii) The Commissioner should finalise the list of subjects and assign a number for each subject and communicate it to all sections. He should also indicate the number and subjects allocated for each section. If it is found later that files have to be opened under a new subject for which number has not been assigned in the list, the concerned section should obtain the approval of the Commissioner for assigning a new number for the new subject. For this purpose, an official in Establishment section should maintain a list of subjects and major heads (numbers) assigned for each. For example, if there are 100 subjects at present and numbers have been assigned from 1 to 100, the list should be maintained by the designated official in the Establishment section. If a new subject, say "Exhibition on 20 Point Programme" has come up, and files have to be opened under this subject, the concerned section should apply to the Commissioner for assigning a number. No. 101 will be assigned in this case viz., "101—Exhibition on 20-Point Programme" and an office order should be issued by the Commissioner, indicating the number and subject and the section to which the number and subject have been assigned. In the list of major heads maintained by the designated official of the Establishment section, "101—Exhibition on 20-Point Programme" should also be included so that there is no possibility that number 101 is assigned for any other subject later.

(iii) Under each major head, minor heads should be opened each year. Minor heads will not however, be permanent and it is relevant only for the concerned year. For example, F1-9/84 may bear the subject "Establishment—Creation of post of Junior Engineer in the local body". But in 1985 F1-9/85 may bear the subject "Establishment—Sanction of Special Pay to Mr. 'X' for acting as Cashier". Each section should maintain a list of files opened under each subject assigned to it during each year.

(iv) The year, abbreviation of the section and Unit Number should be indicated in the file. For example, abbreviation for Establishment may be "Estt". If there are three officials in the Establishment section, then the units will bear

the number (i), (ii) and (iii). If a file bears the No. F1-9/84-Estt. (iii)/PM, each of the component will stand for the following :

1—for the major subject "Establishment" ;

9—for the minor head opened under Establishment ;
84—for the year in which the file was opened ;

Est.—for the Establishment Section ;

(iii)—for the unit which has been assigned the subject and which is dealing with the file ;

PM—for Pondicherry Municipality.

(v) The year should be indicated clearly and it should not be changed. For example, F1-9/84-Est.(iii)/PM may bear one subject and F1-9/85 Estt. (iii)/PM may bear another subject. Till such time the matter contained in F1-9/84-Estt.(iii)/PM is taken to logical conclusion and the file is closed, the same number should be followed, even if the file is current in subsequent years. For example, if a letter is issued from the file in the year 1985, the number of the letter will continue to be F1-9/84-Estt. (iii)/PM.

(vi) There should not be a separate head for Parliament question or Assembly question. If the Assembly question relates to Water Supply, the file should be opened under the major head assigned for water supply.

3. Each local body should prepare a list of major heads. However, a tentative list of Major heads has been prepared and enclosed. Each local body may adopt it with suitable modifications to amplify the list for various matters dealt with by them, or to delete subjects not dealt with by the local body. It should be ensured that the subject on each file is precise and specific. It should not be vague as "Civil works". The subject should be specific as "Grant from Local Administration—Civil Works—Remetalling the Perumal Koil Road from M. G. Road to Bharathi

Road" or "Establishment—Creation of a post of Junior Engineer for Mudaliarpeta section" or "Provision of Water supply—Representation from Mr. 'X' and others of Sedharapeta for improvement of Water Supply in Sedharapeta". It should be ensured that all papers relating to the subject are kept in the file. On the other hand, papers which do not relate to the subject should not be kept in the file. A perusal of the subject given for the file should clearly indicate the subject matter of papers available in the file. On docket sheet, reference to previous references and later references should be given invariably to trace the previous papers. Part files should not be opened unless it is unavoidable, and the files should be amalgamated at the earliest opportunity.

4. Each section should endeavour to maintain stock file for each subject. The stock files should contain copies of the instructions issued on the subject. Even copies of important notes should be kept in the file. For example, all orders issued on House Building Advance should be kept in a Stock File "Stock File—Grant of House Building Advance". File Number should not be assigned for Stock Files. This file should not be closed, but should be kept with the section for reference for dealing with matters relating to House Building Advance. If the stock files are maintained properly and systematically, it will enable the officials and Officers to deal with matters expeditiously and also strictly according to orders of the local body/ Government on the subject.

5. Routine is the foundation of the Administration. If the routine is followed scrupulously, it would be possible to improve the quality of work and to avoid delay. It would also be possible to have consistency in the approach towards similar cases and it will be possible to avoid criticism from members of public.

6. Copies of office orders issued in the Local Administration Department are enclosed for guidance of the Commissioners.

7. It is requested that orders may be issued by the Commissioners immediately and in any case not later than the 31st March, 1984. The new procedure should be introduced positively, effective from 1—4—84. Copies of orders issued may kindly be endorsed to the Directorate of Local Administration Department. Officers in the Local Administration Department may be consulted for removal of any doubts.

FILE INDEX SYSTEM FOR LOCAL BODIES :

Sl. No.	Subject—Main Heads	Number allotted for the Main Head/ Subject
(1)	(2)	(3)
1.	Establishment matters	... 1
2.	Personal Files	... 2
3.	Maintenance of Buildings	... 3
4.	Purchase and Maintenance of Vehicles	... 4
5.	Purchase of Stores (Office stores)	... 5
6.	Allotment of quarters	... 6
7.	General Provident Fund	... 7
8.	House Building Advance	... 8
9.	Recruitment Rules	... 9
10.	Departmental examinations	... 10
11.	Budget	... 11
12.	Audit paras, Inspection reports and DCB (including reconciliation)	... 12
13.	Civic elections	... 13
14.	Registration of Births and Deaths-Vital Statistics	... 14
15.	Policy matters relating to taxes and fees	... 15
16.	House tax	... 16
17.	Entertainment Tax	... 17
18.	Professional Tax	... 18

(1)	(2)	(3)
19.	Octroi	... 19
20.	Leasing of usufructs rights	... 20
21.	Equalisation Fund	... 21
22.	Other Taxes and Fees	... 22
23.	Street lights	... 23
24.	Water Supply	... 24
25.	Civil Works—Policy matter	... 25
26.	Grants-in-Aid from Govt.—Buildings	... 26
27.	Grants-in-Aid from Govt.—Roads	... 27
28.	Grants-in-Aid from Govt.—Water Supply	... 28
29.	Grants-in-Aid from Govt.—Other Works	... 29
30.	Cement purchase/distribution	... 30
31.	Civil Works—Purchase of other materials such as Pipelines, etc	... 31
32.	Civil Works—Own funds—Buildings—Roads and etc.	... 32
33.	National Rural Employment Programme	... 33
34.	Loans for remunerative works	... 34
35.	Loans for conversion of dry latrines and payment of subsidy	... 35
36.	Eviction of encroachment	... 36
37.	Acquisition and transfer of immovable properties	... 37
38.	Kudimaramath works	... 38
39.	Drought Relief works	... 39
40.	Flood Relief works	... 40
41.	Farm Forestry/Social Forestry	... 41
42.	Issue of licences	... 42
43.	Low cost sanitation programme	... 43

COPY OF OFFICE ORDER :

Under the existing orders No. 15513/A1/LAD/83, dated 1st November 1983 of Local Administration Department, files are assigned numbers on the basis of numbers assigned to the current in the receipt register. Under this system numbers are not assigned consecutively for each subject. Unless the files are closed, sent to records and index is prepared, it is difficult to trace out files.

2. It is therefore proposed to assign a permanent major head for each subject. All files under one major head will be opened only under the number. For example, the subject "Establishment matters relating to Local Administration Department including Engineering Cell and Vital Statistical Cell" will be assigned the number-1. All files opened under the subject will bear the major head number-1. It may therefore, be possible to locate all the files opened under the subject in any year even if index has not been prepared. An illustration is given below :

F1-7/83-Estt.(LAD) indicates the major head. The subject of the file may be "Local Administration Department—Creation of post of Superintendent". This file opened in 1983 will be closed only after the issue has been taken to logical conclusion. Similarly, F1-7/84-Estt. (LAD) may bear the subject "Local Administration Department—Estt.—Grant of Cycle Allowance to Thiru "X". The files opened each year relating to establishment matter of Local Administration Department will contain the major head number (viz. No. 1) and file will be opened from No. 1 every year for minor heads, consecutively. The year will indicate the years in which the file was opened.

3. The following instructions are issued in this connection :

1. Number assigned for each subject is given in Annexure. Approval of the Director should be obtained before assigning any number to a new subject in future.

2. The file should be opened for every calendar year.

3. The number of the file should be indicated in the column provided against the current, in the Personal Register.

4. It should be ensured that all papers relating to the subject matter are in one file. Similarly, more than one file should not be opened for the same issue. After final orders have been issued, the file should be closed and sent to records. Previous references and latter references should be indicated on the docket.

5. The heading/subject should be precise and should not be vague. It should be possible to understand clearly the issue dealt with in the file from the heading or subject. It should not be too vague so that any paper may be added to the file.

6. Before a new file is opened, approval of the section head should be obtained.

7. Part file should be opened only if it becomes inescapable. At the earliest opportunity, the part files should be amalgamated with the main file and pages (both in correspondence and note file) should be re-numbered. Cross referring should be done scrupulously.

8. Parliament question/Assembly question, etc. relating to a subject should be dealt with under the relevant subject. For example, if there is a Parliament question or Assembly question relating to establishment matter relating to Local Administration Department, the file should be opened under the Major head 1 as F.1 /8 /Estt/LAD.

4. Major heads assigned for various subjects are indicated in the Annexure. These numbers for major heads are permanent for each subject for all years. Files may be opened for each issue under the Major head every year and the minor head will not be constant.

5. These orders will take effect from 1st November, 1983.

6. A register of files should be kept for each section.

ANNEXURE

Sl. No.	Subject—Main Head	Number allotted for the Main Head/ Subject
(1)	(2)	(3)
1.	Establishment matters relating to Local Administration Department including Engineering Cell and Vital Statistical Cell ...	1
2.	Deputation of officers for various training ...	2
3.	To be assigned later ...	
4.	Purchase of stores for Local Administration Department ...	4
5.	Staff Cars and Jeeps ...	5
6.	Establishment matters relating to Fire Services ...	6
7.	Purchase of stores for Fire Services ...	7
8.	Fire Services—Construction of quarters including acquisition and allotment of quarters ...	8
9.	Budget (including reconciliation) relating to Local Administration Department ...	9
10.	Budget (including reconciliation) relating to Fire Services ...	10
11.	Recruitment rules and recruitment relating to posts in Local Administration Department including Commissioners ...	11
12.	Conduct of departmental examinations for commissioners and staff of Local Bodies ...	12
13.	To be assigned later ...	
14.	Recruitment rules and recruitment relating to posts in Municipalities ...	14
15.	Recruitment rules and recruitment relating to posts in Commune Panchayats ...	15
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(1)	(2)	(3)
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19.	Grants for Minor Civic Improvements for Municipalities ...	19
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24.	Loans for conversion of dry latrines into sanitary latrines and payment of subsidy ...	24
25.	Equalisation Fund ...	25
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27.	Vehicle tax ...	27
28.	Conduct of Elections for Local Bodies ...	28
29.	Property tax/House tax—Policy matters ...	29
30.	Entertainment tax—Policy matters ...	30
31.	Professional tax—Policy matters ...	31
32.	Advertisement tax—Policy matters ...	32
33.	Octroi—Policy matters ...	33
34.	Other taxes, fees and general matters relating to other taxes and fees—Policy matters ...	34
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36.	Pondicherry Municipality—Establishment matters ...	36
37.	Pondicherry Municipality—Taxation—Collection of taxes and other dues ...	37

(1)	(2)	(3)
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42.	Karaikal Municipality—Execution of civil works (excluding water supply) ...	42
43.	Karaikal Municipality—Street lights and water supply ...	43
44.	Karaikal Municipality—Other matters ...	44
45.	Mahe Municipality—Establishment matters ...	45
46.	Mahe Municipality—Execution of civil works (excluding water supply) ...	46
47.	Mahe Municipality—Street lights and drinking Water supply ...	47
48.	Mahe Municipality—Other matters ...	48
49.	Yanam Municipality—Establishment matters ...	49
50.	Yanam Municipality—Execution of civil works (excluding water supply) ...	50
51.	Yanam Municipality—Street lights and drinking water supply ...	51
52.	Yanam Municipality—Other matters ...	52
53.	Oulgaret Commune Panchayat—Acquisition and transfer of immovable properties ...	53
54.	Oulgaret Commune Panchayat—Establishment matters ...	54
55.	Oulgaret Commune Panchayat—Taxation and collection of taxes, fees and other dues ...	55

(1)	(2)	(3)
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(1)	(2)	(3)
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(1)	(2)	(3)
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(1)	(2)	(3)
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(1)	(2)	(3)
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(1)	(2)	(3)
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134.	Registration of Births and Deaths rules	134
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In continuation of the Office Order No.15513/A1/LAD/83, dated 1st January, 1983, the Main Heads assigned to various subjects therein have been allotted to the sections concerned as detailed below :

Section	Abbreviation for the section	Main heads allotted
(1)	(2)	(3)
Establishment Section	Est.	1, 2, 11 and 137
Accounts Section	Accts.	4, 5 and 9
Fire Service Section	F.S.	6 to 8, 10 and 16
Legislation Cell	Le.Ce.	12 and 28 to 34
Municipal Section	M.A.	14, 35 to 52 and 99 to 102
Commune Panchayat Section	C.P.	15, 53 to 98, 103 to 113 and 136
Grants in aid section	G.I.A.	17 to 27
Engineering Cell	Eng. Cell	114 to 133
Statistical Cell	V.S.	134 and 135

2. The section heads concerned should maintain a register of files. Approval of the Director should be obtained for assigning number to a new subject and also for allocating the subject or the number to a section. If there are any subjects dealt within any section, which does not find a place in the office order dated 1st January, 1983, this should be immediately brought to the notice of Deputy Director (M. A) or Establishment section for assigning number for the subject.

3. If one or more sections happen to maintain files under a particular main head, entries relating to the files opened should be made in the file register of the section to which the main head has been allotted. They should also maintain register separately for such files.

(e. g.) The main head No. 9 relating to Budget (including reconciliation) is allotted to Accounts Section. But whenever the grants in aid section which also deals with the reconciliation relating to the grants/loans wants to open files, that section may do so by making the entries in the register maintained in the Accounts Section. Grants-in-aid section may also maintain a separate register for such files for their reference.

4. If it is considered necessary, the Unit number may also be indicated in the file number. For example, if there are 3 dealing Assistants in Establishment section, the Units may be assigned the numbers 1, 2 and 3. (Unit numbers may be assigned by section heads). A file opened by unit 2 may bear the number as F-11-9/83-Estt.(2)/LAD. Similarly, a file opened by the Assistant who is assigned unit 4 in Engineering Cell, may bear the No. F.114-7/83-Eng. Cell (4)/LAD.

(Circular No. F.153-1/84/Le.Ce.(1)/LAD, dated 16th March, 1984 of LAD.)

71.—Distribution of various certificate issued by the Municipalities.

Consequent on the implementation of the Registration of Births and Deaths Act, 1969 in the Union territory of Pondicherry with effect from 1st March, 1979, a doubt has been raised by the Commissioners of the Municipalities and Commune Panchayats whether certain certificates issued by them so far from the ex-French regime under the French Civil Code and other Decrees/Arretes may continue to be issued by them.

2. The matter has been examined by this Department, in consultation with the Law Department, Revenue Department, Finance Department and Pay and Accounts Office in detail. After careful consideration of the matter and with the concurrence of these Departments the following procedure is fixed in the matter of issue of various certificates issued by the Commissioners of the Municipalities and Commune Panchayats :

(i) Certificat de Vie :—

This certificate may be discontinued by the Municipalities and Commune Panchayats. In future, the certificate may be issued by the following persons and the Treasury shall accept such certificate for effecting payment to the ex-French pensioners.

- (a) A person exercising the powers of a Magistrate under the Criminal Procedure Code ;
- (b) A Registrar or Sub-Registrar appointed under the Indian Registration Act ;
- (c) A Gazetted Government Servant ;
- (d) A Police Officer not below the rank of Sub-Inspector or Police in-charge of a Police Station ;
- (e) A Post Master, a Departmental Sub-Post Master or an Inspector of Post Offices ;
- (f) A class I Officer of the Reserve Bank of India ; an Officer (including Grade II Officer) of the State Bank of India or of its subsidiary ;
- (g) A Pensioned Officer who, before retirement exercised the powers of a Magistrate ;
- (h) A Justice of Peace ;
- (i) A Block Development Officer, Munsif, Tahsildar or Naib Tahsildar ;
- (j) A Head of a Village Panchayat, Gram Panchayat, Gaon Panchayat or an Executive Committee of a Village.

(ii) Certificat de Vie Procuration :

This certificate may be discontinued by the Municipalities and Commune Panchayats. In future, any Gazetted Officer may issue this certificate and the Treasury shall accept such certificate issued by the Gazetted Officers for effecting payment to the ex-French pensioners. Regarding pensioners residing outside India, they may with the permission of the Reserve Bank of India, draw their pension in India through a duly authorised agent possessing a legally valid power of attorney, who must produce a life certificate on each occasion, unless the duly authorised agent has executed an indemnity bond to refund over payments in which case they have to produce the life certificate at least once a year.

(iii) Certificat de charge de Famille ou de Soutien de Famille :

This certificate may continue to be issued by the Municipalities and Commune Panchayats until further instructions from the Government.

(iv) Certificat D' Indigence :

This certificate may be discontinued by the Municipalities and Commune Panchayats since already the Tahsildar/Deputy Tahsildar of Taluk/Sub-Taluk Offices are issuing this kind of certificate in the form of 'Income Certificate'.

(v) Certificat D' Identite :

This certificate may be discontinued by the Municipalities and Commune Panchayats. Whenever any person approaches for such certificate the person may be advised to get such certificate from the competent Court.

(vi) Certificat De Celibat :

This certificate may continue to be issued by the Municipalities and Commune Panchayats until further instructions from the Government.

**(vii) Certificat de Non-divorce et de Non-separation corps, and
(viii) Certificat De Non-marriage :**

These certificates may continue to be issued by the Municipalities and Commune Panchayats.

(ix) and (x) Certificat D' Election de Domicile et de Non-Commul :

These certificates may be discontinued by the Municipalities and Commune Panchayats. In future, these certificates shall be issued by the Tahsildar/Deputy Tahsildar of Taluk/Sub-Taluk offices only and such certificates shall be accepted by the Treasury office.

(xi) Certificat D' Heredite :

This certificate may be discontinued by the Municipalities and Commune Panchayats as such certificate is being issued in the Courts. However, payment of any arrears of pension up to the date of death of the pensioner may be disbursed to his heirs without any heredity certificate up to Rs. 500 except when there is bonafide doubt about the legal heirs. In case the amount exceeds Rs. 500 court only is competent to issue such certificate.

(xii), (xiii), (xiv) and (xv) Certificat de Monogamie, Certificat de Bigamie, Certificat de Polygamie and Certificat Negatif :

These certificate shall continue to be issued by the Municipalities and Commune Panchayats until further instructions from the Government.

(G. O. Ms. No. 153, dated 9th November, 1981 of LAD.)

72.—Proposals for change in the names of villages, towns and railway stations.

I am directed to say that of late several requests have been received from the State Governments for changing the names of Villages, etc. The question has been examined in detail by the Government of India and they consider that changes in the

names of villages, towns, etc. should be discouraged as far as possible ; that no change should be agreed to unless there were compelling reasons to justify it, and that all proposals should be referred to the Government of India in the Ministry of Home Affairs before any change is made.

It is essential that there should be a uniform procedure in the matter of changing the names of the places and that the State Governments should keep in view the following broad principles when making proposals for changes in the names of villages, towns, etc. to the Government of India :—

- (i) Unless there is some very special reason, it is not desirable to change a name which people have got used to.
- (ii) Names of villages, etc. having a historical connection should not be changed as far as possible.
- (iii) A change should not be made merely on grounds of local patriotism or for linguistic reasons, e.g. villages, etc. should not be renamed after national leaders merely to show respect to them or for satisfying local sentiment in the matters of language, etc.
- (iv) In selecting new names, care should be taken to see that there is no villages or towns, etc. of the same in the State and neighbourhood which might lead to confusion.
- (v) While recommending any change the State Government should furnish detailed reasons for proposing a change in the name and also for selecting the new names.

3. Notwithstanding what has been stated in para 2 above, it may be eminently desirable that where an ancient place has fallen into decay and with that the old place name has also disappeared, the ancient name should be restored. To cite an

instance, a village now called "Gandhawal" in the old Dowas State near Ujjain has been built on the ruins of an ancient town populous and flourishing in the times of Vikramaditya, and is mentioned in the ancient scriptures and other books as "Gandharvapuri". The present name "Gandhawal" is obviously a corruption of Gandharvapuri. The Government of Madhya Pradesh in whose territory the village is now situated, may consider the propriety of restoring the ancient name.

4. The proposals of the Government of Madras/Madhya Pradesh/Bombay, *vide* their

Letter No. 20954-A/5-1 dated the 7th November, 1952.

511-378/XXVII dated the 22nd November, 1952.

D. O. 1053/8912-B dated the 3rd July 1953.

regarding change in the names of certain villages, etc. in that state, have been considered by the Government of India in the light of the principles set out above and I am directed to reply as follows :-

- * (1) Madras—As the changes proposed are in respects of Taluks etc. Which will fall in the new Andhra State, the recommendations should come from the Andhra State Government.
- ** (2) Madhya Pradesh—The inscription at Gunji contains the words 'Bhaqavato Usubhatithi' "Usubatithi" cannot have a sanskrit equivalent as "Rishabha Tirtha"—"Rishi" will be "Isi". While in the inscription it is "Usubha" "Rishabha Tirtha" as an equivalent for "Ushubhatithi" is therefore not clear.
- *** (3) Bombay

* for Madras only.

** for Madhya Pradesh only.

*** for Bombay only.

VILLAGE

Present name (1)	Proposed name (2)	Option of the Government of India (3)
i) Khirade pargane Yawal	Dhanaji Nagar	No; as it goes against principle No. (ii)
ii) Budthal	Ambeपुरा	Reasons for the proposed name should be furnished to the Govt. of India and also whether there is any other villages of this name.
iii) Shinganwadi (Hamlet District and Jalgewaki Village).	Ramanad	No; as it goes against principle No. (iii).
iv) Peint Mahal & Chandor.	Peth and Chandwad	No; as this would lead to similar requests from all over India and goes against principle No. (iii).
v) Dondawadi	Yadawadi	Reasons for selecting the new name should be first furnished to the Government of India.

**(Letter No. 130/53-Public, dated 11th September, 1953 of the
Ministry of Home Affairs, New Delhi.)**

73.—Procedure for disposal of obsolete, surplus or unserviceable stores belonging to the Municipality, waste paper, News paper, Magazines, etc.

The Government direct that the following procedures should be followed for the disposal of these items :—

- (i) In all cases where stores are proposed to be declared as obsolete, surplus or unserviceable, the Commissioner of Municipality/Commune Panchayat should address this Department giving full particulars and enclosing survey report in Form 'A' (enclosed) for obtaining sanction in the name of Lieutenant-Governor for their condemnation and disposal.
- (ii) In all cases where public auction is necessary the Commissioner of Municipality/Commune Panchayat will take necessary action to conduct the auction after giving wide publicity ;

- (iii) At the time of public auction, the Commissioner should invariably attend the auction and record the final bids. The Commissioner should also be present when articles so sold are released and handed over to the successful tenderer or contractor, etc. as the case may be especially when it involves processing like weighing, counting, etc.
- (iv) The sale proceeds should be credited to Municipal/ Commune Panchayat account then and there under the Appropriate Receipt Head. Sale Account in Form 'B' (enclosed) should be prepared ; and
- (v) The sale account should be signed by the Commissioner.

2. With regard to the disposal of newspapers, magazines, waste papers like office sweepings, the following procedure should be followed :—

- (i) Commissioner should call for tenders for disposal of such papers and award the contract to the highest tenderer ;
- (ii) The contract should be generally for a period of one year ;
- (iii) The contract must fix the rates at which newspapers, other types of magazines and office sweepings and waste paper would be lifted ;
- (iv) The Commissioner should supervise the weighing before the articles are handed over to the contractor ; and
- (v) A sale account should be prepared in form 'B' (enclosed) and the amount will be credited to appropriate receipt head of the Municipality/Commune Panchayat.

"FORM—'A'"
 (Report of survey of stores)

(1) Item No.	(2) Particulars of stores	(3) Quantity/Weight or Nos.	(4) Book value/Original purchase price	(5) Date of purchase	(6) Remarks by the officer in charge explaining the cause of the article becoming unserviceable	(7) Mode of disposal (sale, public auction or otherwise)	(8) Remarks

Signature :
 Designation :
 Date :

"FORM 'B' "
Sale Account

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Item No.	Particulars of stores	Quantity/ Weight	Name & full address of purchaser	Highest bid accepted	Highest bid rejected	Earnest money realised on the spot	Challan No. & date on which the complete amount is realised and credited into treasury	Whether articles were actually handed over on spot If not the actual date of handing over the article with quantities	Auctioneer's commission and acknowledged payments	Remarks

Signature :
Designation :
Date :

(G. O. Ms. No. 165/75/LAD/BA, dated 27th August 1975 of LAD.)

In G. O. Ms. No. 165/75/LAD/B1, dated, 27th August, 1975 of the Local Administration Department, Government have prescribed detailed procedure for the disposal of obsolete, surplus or unserviceable stores, etc. belonging to the Municipal Council/Commune Panchayat Council by the Commissioners of the Municipality/Commune Panchayat. As per the condition (i) of the said G. O., the Commissioners of the Municipality/Commune Panchayat have to prepare survey report in Form-A giving full particulars about the stores/articles and to submit the proposal to the Government for its approval.

2. It had been now considered necessary that another Officer from the Government may be accepted with the Commissioner in assuming the obsolete, surplus, unserviceable articles/stores, etc. for the preparation of Survey Report by the Commissioners.

3. After careful consideration of the matter, the Lieutenant-Governor is pleased to appoint the following Officers, co-opt with the Commissioner of the Municipality/Commune Panchayats mentioned against them while preparing the Survey Report of the obsolete, surplus, unserviceable articles/stores, etc. in Form 'A' specified in the G. O. read above.

Sl. No.	Designation of the Officers	Commissioners of the Municipality/Commune Panchayat
(1)	(2)	(2)
1.	Commissioner. H.R.I., L.A.D.	Pondicherry Municipality
2.	Assistant Director (Admn.), L.A.D.	All Commune Panchayats in Pondicherry region.
3.	Regional Panchayat Officer, Karaikal	Karaikal Municipality and Commune Panchayats in Karalkal region.
4.	Deputy Tahsildar, Mahe/Yanam	Municipality, Mahe/Yanam.

(G. O. Ms. No. 274/79/LAD, dated 19-12-1979 of the LAD.)

In the G. O. Ms. No. 274/79/LAD, dated 19th December, 1979 of the Local Administration Department, in para 3. against Sl. No. 3, under column 'Designation of the Officers' the words appearing as "Regional Panchayat Officer, Karaikal", may be deleted and its place "Block Development Officer, Karaikal" may be inserted.

(G. O. Ms. No. 166, dated 10th September, 1982 of LAD.)

74.—Constitution of Committee for selection of best run Municipality.

In order to encourage the commune panchayats and to provide them an incentive to better performance in all respects, the Lieutenant-Governor, Pondicherry is pleased to purchase two rolling shields at the cost of Rs. 2,000 (Rupees two thousand only) each, during the current financial year for awarding the same to the best-run commune panchayat in Pondicherry region and Karaikal region one each for each region) every year.

2. In order to select, on merits, the best-run commune panchayat in each region for every year, the Lieutenant-Governor, Pondicherry is also pleased to constitute a committee consisting of the following members :

- (i) Director, Local Administration—Chairman
- (ii) Thiru N. Manimaran, M. L. A.—Member
- (iii) Thiru N. V. Ramalingam, M. L. A.—Member
- (iv) Deputy Director (Rural Development), Local Administration—Member-Secretary.

3. The committee shall, in addition to the yardstick prescribed by the committee, also consider the following aspects for selecting the best-run commune panchayat in each region every year.

(a) Provision of civil amenities such as provision of street lighting, water supply, laying of durable roads, construction of side drains, parks, play grounds, community hall, etc., provision of community listening sets, etc.

- (b) Sanitary upkeep and maintenance of the streets.
- (c) Progress of development works carried out from their own funds and or grants and loans from the Government.
- (d) Collection of revenue.
- (e) Execution of resolution(s) passed by the council.
- (f) Proper maintenance of accounts and other records and registers.
- (g) Proper maintenance of the premises of the commune panchayat office and other commune panchayat buildings including 'marriage hall'.
- (h) Proper maintenance of motor vehicles/tractors, and
- (i) Disposal of night soil, rubbish and filth.

**(G. O. Ms. No. 297, dated 10th November, 1980 of LAD—
Published in the Gazette No. 48, dated 25-11-1980.)**

In this department's G. O. Ms. No. 297, dated 10-11-1980 the Government have constituted a Committee for selection of best run Commune Panchayat in each region and to award rolling shield (one each for Pondicherry region and Karaikal region).

2. Now, the Government have decided to select best run Municipality also and to award rolling shield every year. Accordingly, the Government have decided that the Committee shall select every year one Municipality out of the four Municipalities and one Commune Panchayat out of eleven Commune Panchayats, as best run Municipality and Commune Panchayat, and the Government shall award rolling shield one each to the selected Municipality/Commune Panchayat.

**(G. O. Ms. No. 19, dated 2nd February, 1982 of LAD—Published
in the Gazette No. 11, dated 16-3-1982.)**

75.—Payment of Municipal Pension—Transfer of subject from treasuries and sub-treasuries to local bodies.

Hitherto, the payment of Municipal and Commune Panchayat pensions were made by the Treasury and Sub-Treasury Office in Pondicherry region. The request of the Pay and Accounts Officer to transfer the subject of pension payment was considered by the Department and it was proposed to transfer the subjects to the local bodies after imparting necessary training on pension payments to certain officers/employees of the local bodies at the treasury and sub-treasury offices. Accordingly, necessary training was imparted during the period from 30th November, 1976 to 4th December, 1976.

2. Now, it has been decided to transfer the pension payments to the Pondicherry Municipality and 6 other Commune Panchayats in Pondicherry region with effect from 1st January, 1977. The concerned Commissioners are therefore directed to take over all the connected records, documents, etc. from the concerned treasuries immediately. Consequently, the Commissioners are requested to send proposals indicating the amount actually required per month towards pension payments and the head of account to which the amount has to be debited so that necessary sanction can be issued by this Department for drawal of such amounts in advance every month for effecting pension payments regularly subject to the following conditions :

(i) The amount of advance should be adjusted within a month by presenting detailed bills to the Pay and Accounts Officer/Assistant Pay and Accounts Officer concerned soon after completion of pension payments ;

(ii) Subsequent advance should not be drawn unless the previous advance drawn is regularised.

3. The Local Fund Examiner, Pondicherry has now reported that in Karaikal region the amounts for pension payments are drawn through regular pay bill forms which is against the orders of the Comptroller and Auditor-General. As the pension

payments has to be effected by drawing advance, the Commissioners of Municipalities and Commune Panchayats in Karaikal, Mahe and Yanam regions should follow the procedure specified above.

4. The action taken by the Commissioner should be reported immediately.

(Memorandum No. 10807/76/D1/LAD, dated 24-12-1976 of LAD.)

76.—Sale proceeds of materials—Collections of Sales Tax.

A copy of the letter No. PAO/LFA-II/80-81/480, dated 8th January, 1981 received from the Assistant Examiner, Local Fund Accounts, Pondicherry on the above subject is communicated for information and necessary action.

2. A compliance report to this effect may be sent to this Department before the end of this month under intimation to the Local Fund Accounts, Pondicherry.

(Copy of the letter No. PAO/LFA-II/80-81/480, dated 8-1-1981 of the Local Fund Accounts, Pondicherry.)

It was noticed during the audit of the accounts of the Local Bodies that whenever sale of materials belonging to the Local Bodies takes place, the Sales Tax is levied under the Pondicherry Government Sales Tax Rules and the entire amount of the sale including Sales Tax is remitted in the Bank in which the accounts of the local body concerned are maintained. This is not correct.

I, therefore, request that suitable instructions may be issued to all local bodies to review all such cases of sales for which sales tax has been levied and credited to the local bodies and take immediate action to remit the amount into Government account by presenting a bill to the Assistant Examiner, Local Fund Accounts/Assistant Pay and Accounts Officer, Karaikal/Branch Officer, Mahe/Yanam as the case may be, after obtaining orders of the Director, Local Administration Department, for the withdrawal of the amount.

In future, for each and every sale for which Sales Tax is levied, the local bodies may prepare two chalangans; one for the amount to be remitted in the Bank as under its own funds and the another for remitting the amount of Sales Tax into State Bank of India under the head of account "040—Sales Tax".

Necessary instructions may be issued in this regard to all local bodies to adopt the above procedure for the collection and remittance of sales tax on the sale of the materials.

(Memorandum No. 490/D1/81/LAD, dated 10-2-1981 of LAD.)

77.—Waival of belated payment of surcharge on electricity dues.

In exercise of the powers conferred by section 51-A of the Indian Electricity Act, 1910 (Central Act 9 of 1910), read with the Government of India, Ministry of Home Affairs Notification dated 10th June, 1966 and condition No.25 of rules and conditions of supply and tariff of Electricity in Pondicherry, the Lieutenant-Governor, Pondicherry has been pleased to orders that notwithstanding anything contained in any other Notification or order issued by the Government, the surcharge leviable on the belated payment of bills for current consumption charges shall be deemed to be always not payable by the Municipalities and Commune Panchayats in the Union Territory of Pondicherry.

(G. O. Ms. No. 58/84-EL, dated 14-12-1984 of the Electricity Department, Pondicherry.)

78.—Provision of street lights in new areas/colonies—Instructions.

It may be recalled that the matter of giving power supply to new localities was discussed at Raj Nivas on 2nd March, 1984. In as much as street light is a basic amenity to be made available to the Public by Government, it has been decided that power supply may be given in respect of New Street Lights in

new colonies as and when they spring up. However, conversion of ordinary lights into tube lights is not to be allowed in view of the present position of arrears of Current Consumption Charge by Local Bodies.

2. The Superintending Engineer, Electricity Department, is requested to take note of the above decision for guidance/necessary action.

(Memorandum No.7-214/83-EL, dated 8-3-1984 of the Electricity Department.)

Attention is invited to the U. O. Note/Memorandum No. 21750/83/C6/LAD, dated 13th December, 1983 regarding provision of additional street lights in various places.

2. It was decided in the meeting that the issue whether additional street lights may be provided pending clearance of arrears may be referred to Government for a decision.

3. Electricity Secretariat who has asked to intimate to Local Administration Department the decision taken by the Government in the matter, has informed now that it has been decided by the Government that power supply may be given in respect of new street lights in new colonies as and when they spring up as street light is a basic amenity to be made available to public by the Government. A copy of the Memorandum No. 7-224/83/EL, dated 8-3-1984 is enclosed.

4. All Commissioners are requested to report whether in pursuance of the decision communicated by the Government in the Electricity Department, Electricity Department has extended power supply to all the street lights in new areas. In case, there are any areas in which power supply has not been given as yet, the Commissioners are requested to furnish particulars as such as areas, number of street lights requested, number and date of communication addressed to the Electricity Department for provision of street lights and etc. so as to enable this department to pursue the matter with the Electricity Department for provision of civic amenity to the areas.

5. Immediate reply is requested.

**(Circular No. 21750/83-84/LeCe.(3)/LAD, dated 8th October, 1984
of Local Administration Department.)**

Sub : Electricity—Street lights—Provision of street lights pending clearance of arrears of current consumption charges new street lights in new colony—Whether this will include colonies which has already come up and extension—regarding.

Ref : U. O. Note No. 2081/PM/EL/84, dated 16-11-1984 from the Superintending Engineer (Elec), Pondicherry.

A reference is invited to the U. O. Note cited on the subject mentioned above.

The Superintending Engineer (Electricity) is informed that the street lights may be provided to colonies which sprang up before and after 8th March, 1984.

**(Memorandum No. 7-214/83-EL, dated 1-1-1985 of the Electricity
Department, Pondicherry.)**

79. The Registration of Births and Deaths Act, 1969

The Registration of Births and Deaths Act, 1969 (Central Act No. 18 of 1969) published in the *Gazette of India*, Extraordinary Part II, Section 1. No. 3, dated 2nd June 1969 is hereby republished for general information.

MINISTRY OF LAW

Legislative Department

2nd June, 1969.

New Delhi, the _____
Jyaistha 12, 1891 (Saka).

The following Act of Parliament received the assent of the Vice-President acting as President on the 31st May, 1969 and is hereby published for general information :

THE REGISTRATION OF BIRTHS AND DEATHS
ACT, 1969 (No. 18 of 1969).

(31st May, 1969)

An Act to provide for the regulation of registration of births and deaths and for matters connected therewith.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows :

CHAPTER I—PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Registration of Births and Deaths Act, 1969.

(2) It extends to the whole of India.

(3) It shall come into force in a State on such date as the Central Government may, by notification in the Official Gazette, appoint :

Provided that different dates may be appointed for different parts of a State.

2. Definitions and interpretation.—(1) In this Act, unless the context otherwise requires.

(a) "birth" means live-birth or still birth ;

(b) "death" means the permanent disappearance of all evidence of life at any time after live-birth has taken place ;

(c) "foetal death" means absence of all evidence of life prior to the complete expulsion or extraction from its mother of a product of conception irrespective of the duration of pregnancy ;

(d) "live birth" means the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life; and each product of such birth is considered live-birth ;

(e) "prescribed" means prescribed by rules made under this Act ;

(f) "State Government" in relation to a Union Territory means the Administrator thereof ;

(g) "still birth" means foetal death where a product of conception has attained at least the prescribed period of gestation.

(2) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any in force in that area.

CHAPTER-II—REGISTRATION ESTABLISHMENT

3. **Registrar-General of India.**—(1) The Central Government may, by notification in the Official Gazette, appoint a person to be known as the Registrar-General, India.

(2) The Central Government may also appoint such other officer with such designations as it thinks fit for the purpose of discharge, under the superintendence and direction of the Registrar-General, such functions of the Registrar-General under this Act as may, from time to time, authorise them to discharge.

(3) The Registrar-General may issue general directions regarding registration of births and deaths in the territories to which this Act extends, and shall take steps to co-ordinate and unify the activities of Chief Registrars in the matter of registration of births and deaths and submit to the Central Government an annual report on the working of this Act in the said territories.

4. Chief Registrar.—(1) The State Government may, by notification in the Official Gazette, appoint a Chief Registrar for the State.

(2) The State Government may also appoint such other Officers with such designations as it thinks fit for the purpose of discharging, under the superintendence, and directions of the Chief Registrar, such of this functions as he may, from time to time, authorise them to discharge.

(3) The Chief Registrar shall be the chief executive authority in the State for carrying into execution the provisions of this Act and the rules and orders made thereunder subject to the directions, if any given by the State Government.

(4) The Chief Registrar shall take steps, by the issue of suitable instructions or otherwise, to co-ordinate, unify and supervise the work of registration in the State for securing an efficient system of registration and shall prepare and submit to the State Government, in such manner and at such intervals as may be prescribed, a report on the working of this Act in the State along with the statistical report referred to in subsection (2) of section 19.

5. Registration divisions.—The State Government may, by notification in the Official Gazette, divide the territory within the State into such registration divisions as it may think fit and prescribe different rules for different registration divisions.

6. District Registrar.—(1) The State Government may appoint a District Registrar for each revenue district and such number of Additional District Registrars as it thinks fit who shall, subject to the general control and direction of the District Registrar, discharge such functions of the District Registrar as the District Registrar may, from time to time authorise them to discharge.

(2) The District Registrar shall superintend, subject to the direction of the Chief Registrar, the registration of births and deaths in the district and shall be responsible for carrying

into execution in the district the provisions of this Act and the orders of the Chief Registrar issued from time to time for the purposes of this Act.

7. Registrars.—(1) The State Government may appoint a Registrar for each local area comprising the area within the jurisdiction of a municipality, panchayat or other local authority or any other area or a combination of any two or more of them :

Provided that the State Government may appoint in the case of a municipality panchayat or other local authority, any officer or other employee thereof as a Registrar.

(2) Every Registrar shall, without fee or reward, enter in the register maintained for the purpose all information given to him under section 8 or section 9 and shall also take steps to inform himself carefully of every birth and of every death which takes place in his jurisdiction and to ascertain and register the particulars, required to be registered.

(3) Every Registrar shall have an office in the local area for which he is appointed.

(4) Every Registrar shall attend his office for the purpose of registering births and deaths on such days and at such hours as the Chief Registrar may direct and shall cause to be placed in some conspicuous place on or near the outer door of the office of the Registrar a board bearing, in the local language, his name with the addition of Registrar of Births and Deaths for the local area for which he is appointed, and the days and hours of his attendance.

(5) The Registrar, may, with the prior approval of the Chief Registrar, appoint Sub-Registrars and assign to them any or all of his powers and duties in relation to specified areas within his jurisdiction.

CHAPTER-III— REGISTRATION OF BIRTHS AND DEATHS

8. **Persons required to register births and deaths.**—(1) It shall be the duty of the persons specified below to give or cause to be given, either orally or in writing, according to the best of their knowledge and belief, within such time as may be prescribed, information to the Registrar of the several particulars required to be entered in the forms prescribed by the State Government under sub-section (1) of section 16,—

(a) in respect of births and deaths in a house, whether residential or non-residential, not being any place referred to in clauses (b) to (e) the head of the house or in case more than one household live in the house, the head of the household, the head being the person, who is so recognised by the house or the household, and if he is not present in the house at any time during the period within which the birth or death has to be reported, the nearest relative of the head present in the house, and in the absence of any such person, the oldest adult male person present therein during the said period ;

(b) in respect of births and deaths in a hospital, health centre, maternity or nursing home or other like institution, the medical officer in-charge or any person authorised by him in this behalf ;

(c) in respect of births and deaths in a Jail, the Jailor in-charge ;

(d) in respect of births and deaths in a choultry, chattram, hostel, dharmasala, boarding-house, lodging-house, tavern, arrack, toddy shop or place of public resort, the person in-charge thereof ;

(e) in respect of any new-born child or dead body found deserted in public place, the headman or other corresponding officer of the village in the case of a village and the officer in-charge of the local police station elsewhere :

Provided that any person who finds such child or dead body, or in whose charge such child or dead body may be placed, shall notify such fact to the headman or officer aforesaid :

(f) in any other place, such person as may be prescribed.

(2) Notwithstanding anything contained in sub-section (1), the State Government, having regard to the conditions obtaining in a registration division, may by order require that for such period as may be specified in the order, any person specified by the State Government by designation in this behalf, shall give or cause to be given information regarding births and deaths in a house referred to in clause (a) of sub-section (1) instead of the persons specified in that clause.

9. Special provision regarding births and deaths in a plantation.—In the case of births and deaths in a plantation, the superintendent of the plantation shall give or cause to be given to the Registrar the information referred to in section 8 :

Provided that the persons referred to in clauses (a) to (f) of sub-section (1) of section 8 shall furnish the necessary particulars to the superintendent of the plantation.

Explanation.—In this section, the expression, "Plantation" means any land not less than four hectares in extent which is being prepared for the production of, or actually produces tea, coffee, pepper, rubber, cardamon, cinchona or such other products as the State Government may, by notification in the Official Gazette, specify and the expression "superintendent of the plantation" means the person having the charge or supervision of the labourers and work in the plantation, whether called a manager, superintendent or by any other name.

Duty of certain persons to notify births and deaths and to certify cause of death

10. (1) It shall be the duty of—

(i) the midwife or any other medical or health attendant at a birth or death,

(ii) the keeper or any owner of a place set apart for the disposal of dead bodies or any person required by a local authority to be present at such place, or

(iii) any other person whom the State Government may specify in this behalf by his designation, to notify every birth or death or both at which he or she attended or was present, or which occurred in such areas as may be prescribed, to the Registrar within such time in such manner as may be prescribed.

(2) In any area, the State Government, having regard to the facilities available therein in this behalf, may require that a certificate as to the cause of death shall be obtained by the Registrar from such person and in such form as may be prescribed.

(3) Where the State Government has required under subsection (2) that a certificate as to the cause of death shall be obtained in the event of the death by any person who during his last illness was attended by a medical practitioner, the medical practitioner shall, after the death of that person, forthwith, issue without charging any fee, to the person required under this Act to give information concerning the death, a certificate in the prescribed form stating to the best of his knowledge and belief the cause of death and the certificate shall be received and delivered by such person to the Registrar at the time of given information concerning the death as required by this Act.

11. Informant to sign the register.—Every person who has orally given to the Registrar any information required under this Act shall write in the register maintained in this behalf, his name, description and place of abode, and, if he cannot write, shall put his thumb mark in the register against his name, description and place of abode, the particulars being in such a case entered by the Registrar.

12. Extracts of registration entries to be given to informant.—The Registrar shall as soon as the Registration of a birth or death has been completed, give, free of charge, to the person who gives information under section 8 or section 9 an extract of the prescribed particulars under his hand from the register relating to such birth or death.

13. Delayed registration of births and deaths.—(1) Any birth or death of which information is given to the Registrar after the expiry of the period specified therefor, but within thirty days of its occurrence, shall be registered on payment of such late fee as may be prescribed.

(2) Any birth or death of which delayed information is given to the Registrar after thirty days but within one year of its occurrence shall be registered only with the written permission of the prescribed authority and on payment of the prescribed fee and the production of an affidavit made before a notary public or any other officer authorised in this behalf of the State Government.

(3) Any birth or death which has not been registered within one year of its occurrence, shall be registered only on an order made by a magistrate of the first class or a Presidency Magistrate after verifying the correctness of the birth or death and on payment of the prescribed fee.

(4) The provisions of this section shall be without prejudice to any action that may be taken against a person for failure on his part to register any such birth or death within the time specified therefor and any such birth or death may be registered during the pendency of any such action.

14. Registration of name of Child.—Where the birth of any child has been registered without a name, the parent or guardian of such child shall within the prescribed period give information regarding the name of the child to the Registrar either orally or in writing and thereupon the Registrar shall enter such name in the register and initial and date the entry.

15. Correction or cancellation of entry in the register of birth and deaths.—If it is proved to the satisfaction of the Registrar that any entry of a birth or death in any register kept by him under this Act is erroneous in form or substance, or has been fraudulently or improperly made, he may, subject to such rules as may be made by the State Government with respect to the conditions on which and the circumstances in which such entries may be corrected or cancelled, correct the error or cancel the entry by suitable entry in the margin without any alteration of the original entry, and shall sign the marginal entry and add thereto the date of the correction or cancellation.

CHAPTER—IV MAINTENANCE OF RECORDS AND STATISTICS

16. Registrars to keep registers in the prescribed form.—

(1) Every Registrar shall keep in the prescribed form a register of births and deaths for the registration area or any part thereof in relation to which he exercises jurisdiction.

(2) The Chief Registrar shall cause to be printed and supplied a sufficient number of register books for making entries of births and deaths according to such forms and instructions as may, from time to time, be prescribed; and a copy of such forms in the local language shall be pasted in some conspicuous place on or near the outer door of the office of every Registrar.

17. Search of births and deaths registers.—(1) Subject to any rules made in this behalf by the State Government including rules relating to the payment of fees and postal charges, any person may,—

(a) cause a search to be made by the Registrar for any entry in a register of births and deaths; and

(b) obtain an extract from such register relating to any birth or death :

Provided that no extract relating to any death, issued to any person, shall disclose the particulars regarding the cause of death as entered in the register.

(2) All extracts given under this section shall be certified by the Registrar or any other officer authorised by the State Government to give such extracts as provided in section 76 of the Indian Evidence Act, 1872 (1 of 1872) and shall be admissible in evidence for the purpose of proving the birth or death to which the entry relates.

18. Inspection of registration offices.—The registration offices shall be inspected and the registers kept therein shall be examined in such manner and by such authority as may be specified by the District Registrar.

19. Registrars to send periodical returns to the Chief Registrar for compilation.—(1) Every Registrar shall send to the Chief Registrar or to any officer specified by him at such intervals and in such form as may be prescribed, a return regarding the entries of births and deaths in the register kept by such Registrar.

(2) The Chief Registrar shall cause the information in the returns furnished by the Registrars to be compiled and shall publish for the information of the public a statistical report on the registered births and deaths during the year at such intervals and in such form as may be prescribed.

CHAPTER—V MISCELLANEOUS

20. Special provision as to registration of births and deaths of citizens outside India.—(1) The Registrar-General shall, subject to such rules as may be made by the Central Government, in this behalf, cause to be registered information as to births and deaths of citizens of India outside India received by him under the rules relating to the registration of such citizens at Indian Consulates made under the Citizenship Act, 1955 (57 of 1955) and every such registration shall also be deemed to have been duly made under this Act.

(2) In the case of any child born outside India in respect of whom information has not been received as provided in subsection (1), if the parents of the child return to India with a view to settling therein, they may, at any time within sixty days from the date of the arrival of the child in India, get the birth of the child registered under this Act in the same manner as if the child was born in India and the provisions of section 13 shall apply to the birth of such child after the expiry of the period of sixty days aforesaid.

21. Power of registrar to obtain information regarding birth or death.—The Registrar may either orally or in writing require any person to furnish any information within his knowledge in connection with a birth or death in the locality within which such person resides and that person shall be bound to comply with such requisition.

22. Power to give directions.—The Central Government may give such directions to any State Government as may appear to be necessary for carrying into execution in the State any of the provisions of this Act or of any rule or order made thereunder.

23. Penalties.—(1) Any person who—

(a) fails without reasonable cause to give any information which it is duty to give under any of the provisions of sections 8 and 9; or

(b) gives or causes to be given, for the purpose of being inserted in any register of births and deaths, any information which he knows or believes to be false regarding any of the particulars required to be known and registered ; or

(c) refuses to write his name, description and place of abode or to put his thumb mark in the register as required by section 11, shall be punishable with fine which may extend to fifty rupees.

(2) Any Registrar or Sub-Registrar who neglects or refuses, without reasonable cause, to register any birth and death occurring in his jurisdiction or to submit any returns as required by sub-section (1) of section 19 shall be punishable with fine which may extend to fifty rupees.

(3) Any medical practitioner who neglects or refuses to issue a certificate under sub-section (3) of section 10 and any person who neglects or refuses to deliver such certificate shall be punishable with fine which may extend to fifty rupees.

(4) Any person who, without reasonable cause, contravenes any provision of this Act for the contravention of which no penalty is provided for in this section shall be punishable with fine which may extend to ten rupees.

(5) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), an offence under this section shall be tried summarily by a Magistrate.

24. Power to compound offences.—(1) Subject to such conditions as may be prescribed, any officer authorised by the Chief Registrar by a general or special order in this behalf may, either before or after the institution of criminal proceedings under this Act, accept from the person who has committed or is reasonably suspected of having committed an offence under this Act, by way of composition of such offence a sum of money not exceeding fifty rupees.

(2) On payment of such sum of money such person shall be discharged and no further proceedings shall be taken against him in respect of such offence.

25. Sanction for prosecution.—No prosecution for an offence punishable under this Act shall be instituted except by an officer authorised by the Chief Registrar by general or special order in this behalf.

26. Registrars and Sub-Registrars to be deemed public servants.—All Registrars and Sub-Registrars shall, while acting or purporting to act in pursuance of the provisions of this act or any rule or order made thereunder, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

27. Delegation of Powers.—The State Government may, by notification in the official gazette, direct that any power exercisable by it under this Act (except the power to make rules under section 30) or the rules made thereunder shall, subject to such conditions, if any, as may be specified in the direction, be exercisable also by such officer or authority subordinate to the State Government as may be specified in the direction.

28. Protection of action taken in good faith.—(1) No suit, prosecution or other legal proceeding shall lie against the Government, the Registrar-General, any Registrar, or any person exercising any power or performing any duty under this Act for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

(2) No suit, or other legal proceeding shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

29. Act not to be in derogation of Act 6 of 1886.—Nothing in this Act shall be construed to be derogation of the provisions of the Births, Deaths and Marriages Registration Act, 1886.

30. **Power to make rules.**—(1) The State Government may with the approval of the Central Government, by notification in the official gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing provision, such rules may provide for—

(a) the forms of registers of births and deaths required to be kept under this Act;

(b) the period within which and the form and the manner in which information should be given to the Registrar under section 8 ;

(c) the period within which and the manner in which births and deaths shall be notified under sub-section (1) of section 10;

(d) the person from whom and the form in which a certificate as to cause of death shall be obtained ;

(e) the particulars of which extract may be given under section 12;

(f) the authority which may grant permission for registration of a birth or death under sub-section (2) of section 13 ;

(g) the fees payable for registration made under section 13 ;

(h) the submission of reports by the Chief Registrar under sub-section (4) of section 4;

(i) the search of birth and death registers and the fees payable for such search and for the grant of extracts from the registers ;

(j) the forms in which and the intervals at which the returns and the statistical report under section 19 shall be furnished and published;

(k) the custody, production and transfer of the registers and other records kept by Registrars;

(l) the correction of errors and the cancellation of entries in the register of births and deaths ;

(m) any other matter which has to be, or may be prescribed.

31. Repeal and savings.—(1) Subject to the provisions of section 29, as from the coming into force of this Act in any State or part thereof, so much of any law in force therein as relates to the matters covered by this Act shall stand repealed in such State or part, as the case may be.

(2) Notwithstanding such repeal, anything done or any action taken (including any instruction or direction issued, any regulation or rule or order made) under any such law, shall, in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the provisions aforesaid, as if they were in force when such thing was done or such action was taken, and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

32. Power to remove difficulty.—If any difficulty arises in giving effect in a State to the provisions of this Act in their application to any area, of the State Government, may, with the approval of the Central Government, by order make such provisions or give such directions not inconsistent with the provisions of this Act as appears to the State Government to be necessary or expedient for removing the difficulty :

Provided that no order shall be made under this section in relation to any area in a State after the expiration of two years from the date on which this Act comes into force in that area.

80.—The Pondicherry Registration of Births and Deaths Rules, 1978.

In exercise of the powers conferred by section 30 of the Registration of Births and Deaths Act, 1969 (Central Act No. 18 of 1969) and with the prior approval of the Government of India, the Administrator of Pondicherry, hereby makes the following rules, namely :—

1. Short title, extent and commencement.—(1) These rules may be called the Pondicherry Registration of Births and Deaths Rules, 1978.

(2) They shall extend to the whole of the Union territory of Pondicherry.

(3) They shall come into force on such date, as the Government may, by notification, appoint.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Registration of Births and Deaths Act, 1969 ;

(b) "Form" means the Form annexed to these rules ;

(c) "section" means any section of the Registration of Births and Deaths Act, 1969 ;

(d) "Special District Registrar" means an Officer of the Judicial Department specified as such by the Government.

3. Period of gestation under clause (g) of sub-section (1) of section 2.—The period of gestation for the purposes of clause (g) of sub-section (1) of section 2 shall be twenty-eight weeks.

4. Submission of report under sub-section (4) of section 4.—

The Chief Registrar shall, before the end of each year submit to Government a report on the working of the Act, as provided in sub-section (4) of section 4 alongwith the statistical report as provided in sub-section (2) of section 19, for the preceding year. He shall publish the statistical report before the end of the year giving tables as in form No. 16.

5. Registrar's Office arrangements during his absence under section 7.—(1) The office of the Registrar may be in the Registrar's place of business or such other place as may be designated by him for the purpose. The Registrar shall exhibit in some conspicuous place on or near the outer door of his office, his name, and the days and the hours during which he will attend to the registration of births and deaths.

(2) If for any reason, the Registrar is absent during the hours referred to in sub-rule (1), he shall authorise another person to receive information on births and deaths, on his behalf. But all entries in the register should invariably be signed by the Registrar.

(3) In case the Registrar is unable to attend to his duties for three days or more on account of illness or other urgent cause, he shall report the fact to the Chief Registrar, who will make temporary arrangements for the performance of the duties of the Registrar, and any person thus temporarily appointed shall have all the powers and perform all the duties of a Registrar appointed under section 7.

6. Form etc. for giving information of births and deaths under sections 8 and 9.—(1) The information required to be given to the Registrar under section 8 or section 9, as the case may be, shall, if given in writing, be in Form Nos. 2, 3 and 4 for the registration of a birth, still birth and death respectively, and if given orally, mention the several particulars in the relevant Form.

(2) The information referred to in sub-rule (1) shall be given both in rural and urban areas,—

(i) within ten days from the date of birth or still birth ;
and

(ii) within seven days in the case of death.

7. Birth or death in a vehicle.—(1) In respect of a birth or death in a moving vehicle the person in-charge of the vehicle shall give or cause to be given the information under sub-section (1) of section 8 at the first place of halt.

Explanation.—For the purpose of this rule, the term “vehicle” means conveyance of any kind used on land, air or water and includes an air-craft, a boat, a ship, a railway carriage, a motor car, a motor-cycle, a cart, a tonga and a rickshaw.

(2) In the case of deaths not falling under clauses (a) to (e) of sub-section (1) of section 8, in which an inquest is held, the officer who conducts the inquest shall give or cause to be given the information under sub-section (1) of section 8.

8. Form for notifying information under sub-section (1) of section 10.—(1) Any person bound to give information concerning the birth or death shall do so by making and delivering to the registrar a report in writing of the particulars required to be registered as in Form 5 or Form 6 or Form 7 within a period as per sub-rule (2) of rule 6 and sign the register.

(2) Every entry of birth or death, immediately after it is made in the register, shall be read out to the informant and the Registrar shall make a note in the register of his having complied with such requirement.

9. Form of certificate under sub-section (3) of section 10.—In the event of death other than in a hospital or other institution of any person who, during his or her last illness, was attended by a Registered Medical Practitioner, the Practitioner

shall forthwith, issue, without charging any fee, to the person required to give information under the Act, a certificate in Form No. 8 stating to the best of his knowledge and belief, the cause of death and the said certificate shall also be delivered to the Registrar, at the time of giving the information to the Registrar, as required by the Act.

10. Extract of Registration entries to be given under section 12.—The extract of the entry in the register which is required to be given by the Registrar under sections 12 and 17 shall be in Form No. 9, or Form No. 10, relating to birth or death, as the case may be.

11. Authority for delayed registration and fee payable therefor under section 13.—(1) Any birth or death, of which information is given to the Registrar after the expiry of the period specified in rule 5 by within thirty days of its occurrence, shall be registered on payment of a late fee of rupees five.

(2) Any birth or death, of which information is given to the Registrar after 30 days but within one year of its occurrence, shall be registered only with the written permission of the officer prescribed in this behalf and on payment of a late fee of rupees ten.

(3) Any birth or death, which has not been registered within one year of its occurrence, shall be registered only on an order of a Magistrate of the First Class or a Presidency Magistrate and on payment of a late fee of rupees fifteen.

12. Period for the purpose of section 14.—Where the birth of a child has been registered without a name, the parent or guardian of such child shall within 30 days of the date of birth give information regarding the name of the child to the Registrar either orally or in writing and thereupon the Registrar shall enter such name in the register and initial and date the entry :

Provided that if such information is not given within the said period of 30 days, the defaulting parent or guardian would become liable to penalty as provided under section 23.

13. Correction or cancellation of entry in the register of births and deaths under section 15.—(1) Any clerical error or any omission of any particular in any entry relating to a birth or death already registered in the register of births and deaths or any error in any entry relating to the cause of death in the register of death, shall be corrected by the Registrar only under the orders of a Magistrate of the First Class.

(2) An order under this rule shall not be made unless the Magistrate is satisfied, after making such enquiry as he may consider necessary, that the original entry is inaccurate.

(3) A copy of such order shall also be sent to Special District Registrar by the Magistrate passing the order, for making the correction in the duplicate register in his possession, in case the order is passed after the expiry of the calendar year of registration.

(4) All corrections under sub-rule (1) shall be made by drawing a line through the original entry (but not so as to render it illegible) and making the new entry on the margin.

(5) All corrections under sub-rule (1) shall be initialled and dated by the Registrar. In the case of duplicate copy of register, if already passed on to the Special District Registrar, corrections under sub-rule (1) shall be got initialled and dated by the Special District Registrar having custody of the register.

14. Form of register under section 16.—(1) The register of births and deaths to be kept by the Registrar under section 16 shall be in duplicate and in three parts, in Form No.11, Form No. 12, Form No. 13 for births, still births and deaths respectively and shall be in the form of books showing on the front page the registration district and the registration sub-district to which the registers relate and containing a certificate from the Special District Registrar as to the number of pages of entry spaces in the form. The register shall be signed on the first and the last page and initialled on each page by the Special District Registrar. In each part of the register, the events shall be numbered serially for each calendar year.

(2) A new register shall be opened on the 1st of January, each year, and all events registerable under sections 8, 9 and 13, regardless of the date of occurrence of the event, shall be entered in it.

(3) No entry shall be interpolated between two serial numbers.

15. Fees payable under section 17.—The fee payable for a certificate of birth or death or any other extract from the register of births and deaths other than an extract as provided in section 12, shall be Re. 1 if it relates to an entry recorded in the register of a single year and additional fee of Re. 1 shall be paid for search to be made in the register of every additional year.

16. Inspection of registration offices under section 18.—(1) The registers shall be open to inspection by officials as are authorised by Government.

(2) The registers and records shall be examined and checked in such a manner and at such intervals as may be directed by the Chief Registrar.

17. Interval and form of periodical returns under section 19 (1).—(1) Every Registrar shall send to the Chief Registrar or the Officer specified by him in this behalf in Form No. 14, a weekly return of births and deaths within 4 days of the expiry of the week to which the information relates and in Form No. 15, a monthly return of births and deaths by the end of the month following the month to which the information relates.

(2) The officer so specified shall forward all such returns to the Chief Registrar immediately.

18. Registers and other records.—(1) The register of births and deaths shall be a record of permanent importance and shall not be destroyed.

(2) All information received by the Registrar under sections 8 and 9 and the certificate as to the cause of death furnished under sub-section (3) of section 10 of the Act shall form an integral part of the register of births and deaths and shall not be destroyed.

(3) The original register shall be transferred to the Special District Registrar within 30 days from the close of the calendar year to which it relates for permanent keeping. The Special District Registrar before filing them in his office shall verify the register, draw a report of such verification, copy of which shall be sent to the Chief Registrar and take whatever action he deems fit under the Act.

19. Conditions for compounding offences under section 23.— Any offence punishable under section 23, may, either before or after institution of prosecution, be compounded by an officer authorised by the Chief Registrar by a general or special order in this behalf, on payment of such sum not exceeding Rs. 50 for offences under sub-section (1) and sub-section (3) of section 23, Rs. 25 for offences under sub-section (2) of section 23, and Rs. 10 for offences under sub-section (4) of section 23, as he may think fit. On payment by the offender of such sum, any proceedings in any criminal court which may have been instituted against the offender in respect of the offence, shall be withdrawn, and the composition will be deemed to amount to an acquittal and no fresh criminal proceeding shall be taken against him in respect of that offence.

20. All fees payable under the Act may be paid in cash or by money-order or postal order.

21. The registers of births and deaths hitherto maintained under the repealed law, shall be kept under the custody of the Registrar appointed under the Act.

FORM No. 2

(See rule 6)

LIVE BIRTH REPORT

Serial No.

Registration Unit/Village /Town / Municipality — Taluk/Tehsil/
Block/Thana/District

1. Date of birth.
2. Sex-Male/Female.
3. Name of Child.
4. Place of birth.*
5. Permanent residential address.
6. Father's—
 - (i) Name.
 - (ii) Literacy.
 - (iii) Occupation.
 - (iv) Nationality.
 - (v) Religion.
7. Mother's—
 - (i) Name.
 - (ii) Literacy.
 - (iii) Occupation.
 - (iv) Nationality.
 - (v) Religion.
8. Age of mother in completed years at confinement.
9. Order of birth.
(Number of live births
including the birth registered)

10. Type of attention at delivery. @

11. Informant's

(i) Name.

(ii) Address

Date :

Signature or left thumb mark of
the informant.

*If the delivery took place in hospital or any other institution write "Hospital" or "Institution" giving its name, otherwise give full postal address of the place of birth.

@If the delivery was conducted in a hospital or maternity home, write the name of institution, otherwise mention whether it was conducted by a qualified or unqualified mid-wife and give her name.

- Note :**
1. In the case of illegitimate birth the word "illegitimate" should be entered in the remarks column, and no person's name should be entered as that of the father unless there is a joint request of the mother and the person, knowing himself to be father of the child.
 2. In the case of multiple births make separate entry for each and a reference in the remarks column.
 3. If the person is a non-worker, insert the word 'Nil' in the column for occupation.

FORM No. 3

(See rule 6)

STILL BIRTH REPORT

Serial No.

Registration Unit/Village / Town / Municipality — Taluk/Tehsil
Block/Thana/District

1. Date of birth.
2. Sex-Male/Female.

3. Place of birth.*
4. Permanent residential address of parent.
5. Father's—
 - (i) Name.
 - (ii) Literacy.
 - (iii) Occupation.
 - (iv) Nationality.
 - (v) Religion.
6. Mother's—
 - (i) Name.
 - (ii) Literacy.
 - (iii) Occupation.
 - (iv) Nationality.
 - (v) Religion.
7. Age of mother in completed years at confinement.
8. Type of attention at delivery@
9. Informant's—
 - (i) Name.
 - (ii) Address.

Date :

Signature or left thumb mark of
the informant.

*If delivery took place in hospital or any other institution, write "Hospital" or "Institution" giving its name, otherwise give full postal address of the place of birth.

@If the delivery was conducted in a hospital or maternity home, write the name of institution, otherwise mention whether it was conducted by a qualified or unqualified mid-wife and give her name.

- Note :**
1. In the case of illegitimate birth the word "illegitimate" should be entered in the remarks column, and no person's name should be entered as that of the father unless there is a joint request of the mother and the person, acknowledging himself to be father of the child.
 2. In the case of multiple births make separate entry for each and a reference in the remarks column.
 3. If the person is a non-worker, insert the word "Nil" in the column for occupation.

FORM No. 4

(See rule 6)

DEATH REPORT

Serial No.

Registration Unit / Village / Town / Municipality — Taluk /
Tehsil/Block/Thana/District

1. Date of death.
2. Full name of the deceased.
3. Name of the father/husband.
4. Place of death.
5. Age.
6. Sex-Male/Female:
7. Martial status.
8. Occupation.
9. Religion.
10. Nationality.
11. Permanent residential address.@
12. Cause of death.*
13. Whether medically certified.
14. Kind of medical attention received if any.

15. Informant's—

- (i) Name.
- (ii) Address.

Date :

Signature or left thumb mark of
the informant.

@The address of the parent in the case of a child, husband/
late husband in the case of married women/widow and of the
deceased if independent, is to be given in this column.

*Where the cause of death is medically certified, the cause
marked (✓) in the medical certificate Form No. 8 is to be
entered here.

- Note :** 1. If the deceased was over 1 year of age, give age in
completed years. If the deceased was under 1 year of
age give age in completed months and if below 1 month
give age in completed number of days and if below one
day in hours.
2. If the person is non-worker, insert the word 'NIL' in
the column for occupation.

FORM No. 5

(See Rule-8)

NOTIFICATION FORM FOR A BIRTH

Date of birth (1)	Sex of the child (2)	Place of birth (with full address) (3)	Name and local address of parent. (4)
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Signature of the person notifying
Name and designation.

Date:—

(For the use of Registration Office)

- (a) Whether registered or not.
- (b) If 'Yes'
 - (i) Annual serial number in the register.
 - (ii) Date of registration.
- 'No'
 - (i) Date of issuing the notice (See section 21).
 - (ii) Date of registration.
 - (iii) Date of prosecution.

FORM No. 6

(See rule 8)

NOTIFICATION FORM FOR A STILL BIRTH

Date of still birth	Sex of the child	Place of still birth (with full address)	Name and local address of parent
(1)	(2)	(3)	(4)

Signature of the person notifying.
Name and designation.
Date :

(For the use of Registration Office)

- (a) Whether registered or not.
- (b) If 'Yes' (i) Annual serial number in the register.
(ii) Date of registration.
- 'No' (i) Date of issuing the notice (See section 21)
(ii) Date of registration.
(iii) Date of prosecution.

FORM No. 7

(See rule 8)

NOTIFICATION FORM FOR A DEATH

Name and address of the deceased*	Sex	Age of death	Date of death	Place of death with full address
(1)	(2)	(3)	(4)	(5)

Signature of the person notifying.
Name and designation.
Date :

(For the use of Registration Office)

- (a) Whether registered or not.
- (b) If 'Yes' (i) Annual serial number in the register.
(ii) Date of registration.
- 'No' (i) Date of issuing the notice (See section 21).
(ii) Date of registration.
(iii) Date of prosecution.

* In the case of a child without a name, the name of parent may be given.

FORM No. 8

(See rule 9)

MEDICAL CERTIFICATE OF DEATH

Name of Deceased

Date of Death

I hereby certify that I attended deceased from.....to.....
and last saw him on

I

Disease or condition directly leading to death.

(This does not mean the mode of dying, e.g. heart failure, asthenia, etc. It means the disease, injury, or complication which caused death).

Antecedent Causes Morbid conditions, if any, giving rise to the above cause stating the underlying condition last.

* Cause of death

(a) Approximate due to (or as a consequence of) interval between on set and death.

(b) due to (or as a consequence of)

II

Other Signification Conditions Contributing to the death, but not related to the disease or condition causing it.

(c)

If deceased was a female

Was the death associated with

Pregnancy..... was there a delivery.....

If death was due to external causes (violence fill in also the following:—

Accident, suicide or homicide?

Date of injury.. How did injury occur?.....

Signed by Designation

M.B.B.S. R.M.P., etc.

Registration No.

Address Date

* Out of (a), (b) and (c) etc. underlying cause of death may be marked (✓) by the Medical Practitioner.

FORM No. 9

(See Rule—10)

Government of

Department of

Issued under section 12-

Certificate of Birth----- of the Registration of

Issued under section 17

Births & Deaths Act, 1969.

This is to certify that the following information has been taken from the original record of Birth which is in the register for

..... of Tehsil of District.....
(Local area)

of State

Name

Sex

Date of birth

Registration No.

Place of birth

Date of Registration

Name of father/mother....

Signature of issuing authority

Seal

Date

FORM—No. 10

(See Rule 10)

Government of

Department of

Issued under section 12

Certificate of Death* ----- of the Registration of

Issued under section 17

Births and Deaths Act, 1969.

This is to certify that the following information has been taken from the original record of death which is in the register for of Tehsil of District of (Local area)

of State.....
 Name
 Sex
 Date of death Registration No.
 Place of death Date of Registration
 Name of father/mother/husband
 Signature of issuing authority
 Seal
 Date

* Note : In the case of death, no disclosure shall be made of particulars regarding the cause of death as entered in the Register.

See proviso to section 17 (1)

FORM No. 11

(See Rule 14)

REGISTER OF BIRTHS AND DEATHS

Part I—Live Births

Year

Taluk/Tehsil/Thana District

Registration unit/Village/Town/Municipality

Serial Number	Date of			Name	Place of birth*	Permanent residential address of parent	Name	Father's			
	Registration	Birth	Sex					Literacy	Occupation	Nationality	Religion
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

Mother's					Age of mother in completed year at confinement	Order of birth i. e. No. of live births including birth registered
Name	Literacy	Occupation	Nationality	Religion		
(13)	(14)	(15)	(16)	(17)	(18)	(19)
Type of attention at delivery @	Informant's		Signature or left thumb mark of the informant if the information is given orally	Signature of the Registrar/ Sub-Registrar	Remarks.	
(20)	Name	Address				(23)

* If the delivery took place in hospital or any other institution, write 'Hospital' or 'Institution' giving its name otherwise give full postal address of the place of birth.

@ If the delivery was conducted in a hospital or maternity home, write the name of institution other-wise mention whether it was conducted by a qualified or un-qualified mid-wife and give her name.

- Note:
- (1) In the case of illegitimate birth the word 'illegitimate' should be entered in the remarks column and no person name should be entered as that of the father unless there is a joint request of the mother and the person acknowledging himself to be father of the child.
 - (2) In the case of multiple births, make separate entry for each and a reference in the remarks column.
 - (3) If the person is non-worker, insert the word 'Nil' in the column for occupation.

FORM No. 12
(See rule 14)
REGISTER OF BIRTHS AND DEATHS
Part II—Still Birth

Year.....

Registration unit/Village/Town/Municipality.....

Taluk/Tehsil/Block/Thana District.....

Sl. No.	Date of		Sex	Place of birth*	Permanent residential address of parent				
(1)	Regis- tration	Birth	(4)	(5)	(6)				
			Father's	Mother's					
Name	Literacy	Occu- pation	Nationa- lity	Religion	Name	Lite- racy	Occu- pation	Natio- nality	Reli- gion
(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
<u>Informant's</u>									
Age of mother in completed years at con- finement.	Type of atten- tion of delivery		Name	Address	Signature or left thumb mark of the informant (if the informa- tion is given orally.	Signature of the Registrar/ Sub-Registrar		Remarks	
(17)	(18)		(19)	(20)	(21)	(22)		(23)	

* If the delivery took place in hospital or any other institution, write 'Hospital' or 'institution' giving its name otherwise give full postal address of the place of birth.

@ If the delivery was conducted in a hospital or maternity home, write the name of institution otherwise mention whether it was conducted by a qualified or un-qualified mid-wife and give her name.

- Note
1. In the case of illegitimate birth the word 'illegitimate' should be entered in the remarks column and no person's name should be entered as that of the father unless there is a joint request of the mother and the person acknowledging himself to be father of the child.
 2. In the case of multiple births make separate entry for each and a reference in the remarks column.
 3. If the person is a non-worker, insert 'Nil' in the column for occupation.

FORM No. 13
(See rule 14)

REGISTER OF BIRTHS AND DEATHS

Part III—Deaths

Year.....

Taluk/Tehsil/Block-Thana.....

District.....

Registration unit/Village/Town/Municipality.....

Date of		Deceased's					
(1) Sl. No.	(2) Registration	(3) Death	(4) Name	(5) Name of father/husband	(6) Place of death	(7) Age	(8) Sex
		Deceased's					
		(9) Marital Status	(10) Occupation	(11) Religion	(12) Nationality	(13) Permanent residential address@	(14) Cause of death
Informant's							
(15) Whether medically certified or not	(16) Kind of medical attention received if any	(17) Name	(18) Address	(19) Signature or left thumb mark of the informant if the information be given orally	(20) Signature of the Registrar/Sub-Registrar	(21) Remarks	

@ The address of the parent in case of a child, husband/late husband in case of married women/widow and of the deceased if independent are to be given in this column.

- Note: 1. If the cause of death is not medically certified ascertain the case from the list of important causes of death.
 2. If the deceased was over 1 year of age, give age in completed years. If the deceased was under 1 year of age, give age in completed months and if below 1 month, give age in completed number of days and if below one day, in hours.
 3. If the person is a non-worker, insert the word 'Nil' in the column for occupation.

FORM No. 14

(See rule 17)

Weekly return of births and deaths in..... town for the week ending.....

Registra- tion Units		Latest Census Population		Live Birth			Deaths			Rates	
Total	Covered	Total	Covered	P	M	F	P	M	F	Birth rates	Death rates
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

Deaths from

Cholera	Small Pox	Plague	Fever	Dysentery & Diarrhoea	Respiratory Diseases	Deliveries and complications of pregnancy i. e. maternal deaths	Other cases	Infant deaths	
(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)

Note: Still births are not to be included in the live births or deaths.

FORM No. 15

(See rule 17)

Vital Statistics for the month of
 year in Municipality/Cantonment of
 Part-A-Live births registered by sex, type of attention at delivery
 and still births by sex.

Registra- tion Unit		Latest census Population		Live Births			Type of attention at delivery					Still Birth		
Total	Covered	Total	Covered	Persons	Males	Females	Institutional	Physical, nurse and trained mid-wife	Untrained mid-wife	Others	Persons	Males	Females	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	

FORM No. 15

Vital Statistics for the month of Year.....
 in the Municipality/Cantonment of.....

Part-B-Live Births by age of Mother and Birth Order.

BIRTH ORDER

Age of.....

month	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	Over 10	Not Kno- wn.	Total live births.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)

All ages
 Below 15
 15—19
 20—24
 25—29
 30—34
 35—39
 40—44
 45 & over
 Not Known

Total live
 Births

FORM No. 15

Vital Statistics for the month.....Year.....
in Municipality/Cantonment of.....

Part-C—Live Births by sex, religion, literacy and occupation of parents.

Birth Order	Father													
	Religion							Literacy						
	Hindu	Muslim	Christians	Sikhs	Buddhists	Jains	Others	Graduate & above	Higher Secondary, Matriculation or equivalent examination.	Middle School	Other literates	Illiterates	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	
M														
F														
P														
1														
2														
Over														
10														
Not known.														

FORM No. 15

Father		Mother	
Occupation		Literacy	
Occupation		Occupation	
Cultivators*			
(15)-(23)	Non-workers (24)	Graduate and above. (25)	Higher secondary Matriculation or equivalent examination. (26)
		Middle school (27)	Other literates. (28)
		Illiterates (29)	Total (30)
		Cultivators (31)-(39)	Non-workers (40)

M.

F.

P.

1.

2.

Over

10

Not
Known

* (1) Cultivators (2) Agricultural labourers (3) Professional technical and related workers (4) Administration, Executive and Managerial workers (5) Clerical workers (6) Sale workers (7) Service workers (8) Farmers, fisherman hunters, loggers etc., and Related workers (9) Production and other related workers, Transport Equipment operators and labourers.

FORM No. 15

Vital Statistics for the month of.....
in Municipality/Cantonment of.....

Part-C (1)—Live Births by sex, religion, literacy of Father

		Religion and Literacy	
		Hindus	Muslims
Birth Order			
(1)	Graduate & above		
(2)	Higher Secondary, Matriculation or equivalent examination		
(3)	Middle school		
(4)	Other literates		
(5)	Illiterates		
(6)	Total		
(7)			
(8)	Graduate & above		
(9)	Higher Secondary Matriculation or equivalent examination		
(10)	Middle school		
(11)	Other literates		
(12)	Illiterates		
(13)	Total		

Total

M

F

P

FORM No. 15

Vital Statistics for the month.....Year.....in Municipality/
Cantonment of.....

Part D—Deaths registered by type of certifier, type of attention at death, religion, marital status and occupation.

Registra- Latest census Total deaths Kind of medical attention on
tion units population

Total (1)	Covered (2)	Total (3)	Covered (4)	Total (5)	No. of medi cally certified (6)	Others (7)	Institutional (8)	Qualified medical practitioner (Allopathy) (9)	Qualified medical practitioner (other systems) (10)	Others (11)
--------------	----------------	--------------	----------------	--------------	---------------------------------------	---------------	----------------------	--	--	----------------

M

F

P

Religion								Marital status			Occupation	
Hindus (12)	Muslims (13)	Christians (14)	Sikh (15)	Buddhists (16)	Jains (17)	Others (18)	Never married (19)	Currently married (20)	Widowed (21)	Separated or divorced (22)	Cultivators* (23-31)	Non-workers (32)

* (23) Cultivators (24) Agricultural labourers (25) Professional, Technical and Related Workers (26) Administration, Executive and Managerial Workers (27) Clerical workers (28) Sale workers (29) Service workers (30) Farmers, Fishermen, Hunters, Loggers etc., and Related workers (31) Production and other Related workers, Transport Equipment Operators and Labourers.

FORM No. 15

Vital statistics for the month _____ Year _____ in
Municipality / Cantonment of _____

Part E—Causes of death by age and sex

Code number (1)	Cause of death* (2)	Sex (3)	Total (4)	Age Group												
				Below 24 hours (5)	1-7 days (6)	7 days below 1 month (7)	1-3 months (8)	3-6 months (9)	6-9 months (10)	9 months 1 year (11)	1-4 years (12)					
	M															
	F															
				Age Group												
	5-9 years (13)	10-14 years (14)	15-19 years (15)	20-24 years (16)	25-29 years (17)	30-34 years (18)	35-39 years (19)	40-44 years (20)	45-49 years (21)	50-54 years (22)	55-59 years (23)	60-64 years (24)	65-69 years (25)	70-74 years (26)	75 and above (27)	

*The list of causes of Death would be as prescribed by the Registrar General, India.

FORM No. 15

Vital statistics for the month _____ Year _____ in
Municipality/Cantonment of _____

Part E (1)—Causes of death by age and sex (Medically certified cases.)

		Age Group												
(1)	Code number													
(2)	Cause of death*													
(3)	Sex													
(4)	Total													
(5)	Below 24 hours													
(6)	1-7 days													
(7)	7-28 days													
(8)	28 days to 3 months													
(9)	3-6 months													
(10)	6-9 months													
(11)	9 months to 1 year													
(12)	1-4 years													
(13)	5-9 years													
(14)	10-14 years													
(15)	15-19 years													
(16)	20-24 years													
(17)	25-29 years													
(18)	30-34 years													
(19)	35-39 years													
(20)	40-44 years													
(21)	45-49 years													
(22)	50-54 years													
(23)	55-59 years													
(24)	60-64 years													
(25)	65-69 years													
(26)	70-74 years													
(27)	75+													

*According to international 'A' list.

FORM No. 15

Vital Statistics for the month _____ year

_____ in Municipality/Cantonment of _____

Part F—Infant deaths by age, sex and religion.

Religion	Total		Age					
			Below 24 hours		1—7 days		7—28 days	
	M	F	M	F	M	F	M	F
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Hindu

Muslim

Christian

Sikh

Buddhist

Jain

Others

Age							
28 days—3 months		3—6 months		6—9 months		9 months—1 year	
M	F	M	F	M	F	M	F
(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

FORM No. 16

(See rule 4)

TABLE 1 (a) :—Census population (to the nearest thousands) of districts.

Sl. No.	District	Total population	Rural		Urban		Population not under registration*				Population of towns each with population 30,000 and over.	
							Rural		Urban			
			Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1	A	19										
		19										
2	B	19										
		19										
3	C	19										
		19										
Total												

* If the registration extends to the whole of the State/Union Territory columns 8, 9, 10 and 11 need not be filled.

FORM No. 16

TABLE 1 (b) :—Census population (to the nearest thousand) of Districts by religion

Sl. No.	District	Rural				Urban			
		Hindu	Muslim	Christian	Others	Hindu	Muslim	Christian	Others
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	A	19							
		19							
2	B	19							
		19							
3	C	19							
		19							

Note : Population of any special religion cultural or social group selected will also be shown separately.

FORM No. 16

TABLE 1 (c) Returns not received

Sl. No.	District	No. of monthly returns due		No. of monthly returns not received	
		Rural (3)	Urban (4)	Rural (5)	Urban (6)
1.	A				
2.	B				
3.	C				
4.	D				
5.	E				

FORM No. 16

TABLE 2 (a)—Key Vital Statistics by District for the Year....

Sl. No.	District	Mid-year estimated population	Total live births	Total deaths	Infant deaths.	Maternal deaths.	Still births		
							Males (8)	Females (9)	Total (10)
1.	A								
2.	B								
3.	C								
4.	D								
5.	E								

FORM No. 16

TABLE 2 (b)—Vital Rates by District

Sl. No.	District	Live Birth Rate*				Death Rate*				Infant Death Rate*			
		(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
1.	A												
2.	B												
3.	C												
4.	D												
5.	E												

* The rates for four consecutive years (the 'current' year and three preceding years) should be given.

FORM No. 16

TABLE 2 (c)—Key Vital Statistics of individual towns each with population.....and over as of the last census

Sl. No.	Town	Mid year estimated population	Total live births	Total deaths	Infant deaths	Marital deaths	Still births		
							Males	Females	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	A								
2.	B								
3.	C								
4.	D								
5.	E								

FORM No. 16

TABLE-3 (d)—Vital Rates of individual Towns

Sl. No.	Town	Live Birth Rate*			Death Rate*			Infant Death Rate*						
		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
1.	A													
2.	B													
3.	C													
4.	D													
5.	E													

* The rates for four consecutive years (the 'current' year and three preceding years) should be given.

FORM No. 16

TABLE 3 (a) Live births by sex and month by Rural/Urban.

Month	Live births.									
	Total			Rural			Urban			
	M	F	P	M	F	P	M	F	P	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
January										
February										
March										
April										
May										
June										
July										
August										
September										
October										
November										
December										
Yearly Total..										

TABLE 3 (b) Live Births by the type of attention at delivery.

Month	Total births	Rural				Urban including towns with population less than				Town with population and over			
		Domiciliary.				Domiciliary.				Domiciliary.			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
January		Institutional.	Physician, nurse, and trained mid-wife.	Untrained mid-wife.	Others.	Institutional.	Physician nurse and trained mid-wife.	Untrained mid-wife.	Others.	Institutional.	Physician, nurse and trained mid-wife.	Untrained mid-wife.	Others.
February													
March													
April													
May													
June													
July													
August													
September													
October													
November													
December													
Yearly Total..													

NOTE : Some States may find it more convenient to show only yearly Totals, and not month by month.

FORM No. 16

Table 4—Live births by sex and religion

Sl. No.	District	Total births	Hindu			Muslim			Christian			Others		
			Male	Female	Person	Male	Female	Person	Male	Female	Person	Male	Female	Person
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)

A. Rural

Urban

Total

2. B. Rural

Urban

Total

FORM No. 16

Table 5 (a)—Live births according to their birth order by religion and father's literacy group for individual towns.

Town	Hindu					Muslims				Christian				
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
	Last census population	Graduate and above	Higher Secondary, Matriculation or equivalent examination	Rest	Total	Graduate and above	Higher Secondary, Matriculation or equivalent examination	Rest	Total	Graduate and above	Higher Secondary, Matriculation or equivalent examination	Rest	Total	
	Others					Total births								
(15)	Graduate and above	Higher Secondary, Matriculation or equivalent examination	Rest	Total	(19)	Graduate and above	Higher Secondary, Matriculation or equivalent examination	Rest	Total	(21)	(22)	(23)		
														1
														2
														3
														4
														5
														6
														7
														8
														9
														Over 10
														Not stated.

NOTE : Total figures for "all towns" will also be shown.

FORM No. 16

TABLE 5 (a)—(i) Live births according to their birth order by the occupation of the father and mother's literacy group for individual towns.

		Father's occupation											
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
		Town	Last census population	Cultivators	Agricultural labourers	Professional, technical and related workers	Administration, Executive and managerial workers	Clerical workers	Sale workers	Service workers	Farmers, Fishermen, Hunters, Loggers, etc., and related workers	Production and other Related workers, Transport equipment operators and Labourer	Non-workers
		Mother's literacy group											
(13)	(14)	(15)	(16)										(17)
Graduate and above	Higher Secondary, Matriculation or equivalent examination	Rest	Total										Birth order
													1
													2
													3
													4
													5
													6
													7
													8
													9
													Over 10
													Not stated.

FORM No. 16

Table 5 (b) Live births by age of mother and order of birth for individual towns

Age of mother	Total birth	Birth order											
		1	2	3	4	5	6	7	8	9	Over 10	Not stated	
Below 15 years													
15-19 years													
20-24 years													
25-29 years													
30-34 years													
35-39 years													
40-44 years													
45-49 years													
50 and over													

Note : No. of birth, for which information is not given.....
 Total figures for all towns will also be shown

FORM No. 16

Table 6—Deaths by sex and age

	Total			Rural			Urban		
	Male	Female	Person	Male	Female	Person	Male	Female	Person
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Below 1 year									
1-4									
5-14									
15-24									
25-44									
45-64									
65-74									
75 and over									

FORM No. 16

TABLE 7—Deaths by Month and Sex by Rural/Urban

Months.	Total Deaths			Rural			Urban		
	M	F	P	M	F	P	M	F	P
January									
February									
March									
April									
May									
June									
July									
August									
September									

Additional Tables Under Table 7

There is provision for tabulation of deaths by month and Rural/Urban for three diseases viz. Cholera, Small pox and plague only. We need such data for some more diseases like dysentery and diarrhoea, respiratory diseases, accidents and injuries, fevers etc. and therefore there is need for having additional Tables 7 (d), 7 (e), 7 (f) etc. on the same lines as 7 (a), 7 (b), and 7 (c).

FORM No. 16

TABLE 7 (a) Deaths from Cholera by Month

Month	Total	Rural	Urban
(1)	(2)	(3)	(4)
January			
February			

FORM No. 16

TABLE 7 (b) Deaths from Small pox by month.

Month	Total	Rural	Urban
(1)	(2)	(3)	(4)
January			
February			

FORM No. 16

TABLE 7 (c)—Deaths from Plague by month

Month	Deaths		
	Total	Rural	Urban
(1)	(2)	(3)	(4)
January			
February			

FORM No. 16

TABLE 8—Total Deaths in each district by sex and religion.

Sl. No.	District	Total	Hindu		Muslim			Christian			Others			
			M	F	P	M	F	P	M	F	P	M	F	P
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)

NOTE: Any special religious, cultural or social group will also be shown as Sub-group under 'other'

FORM No. 16

TABLE 9 (a)-Distribution of deaths in a district by cause

Sl. No.	District	Total Deaths		Cholera		Small pox		Plague etc.	
		M	F	M	F	M	F	M	F
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	Rural								
	Urban								
	Total								

FORM No. 16

TABLE 9 (b)-Distribution of deaths in the State by medically certified cause, age and sex

Cause	Total	Below 1 year		1-4 years.		5-14 years.		15-24 years.		25-44 years.		45-64 years.		65 and over	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rural														
	Urban														

FORM No. 16

TABLE 9 (c)-Death from specified diseases* in towns each with population.....and over as of the last census.

Sl. No.	Town	Total Deaths	Specified diseases
(1)	(2)	(3)	(4)

*The list of specified diseases would be enumerated by Registrar General, India.

FORM No. 16

TABLE 10—Infant deaths in district by sex and religion by Rural/Urban.

Sl. No.	District	Total	Hindu			Muslim			Christian			Others		
			M	F	P	M	F	P	M	F	P	M	F	P
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
1.	A	R												
		U												
2.	B.	R												
		U												
3.	C.	R												
		U												

NOTE: Any special religious, culture or social group will also be shown as a sub-group under "Others"

FORM No. 16

TABLE 11—Infant Deaths in the State by sex and age.

Age	Rural		Urban		Total	
	M	F	M	F	M	F
	(2)	(3)	(4)	(5)	(6)	(7)
(1)						
Below 24 hours						
1—7 days						
7 days to below 1 month.						
1 month to below 3 months.						
3 months to below 6 months.						
6 months to below 12 months.						

FORM No. 16

TABLE 11 (a): Infant Deaths by months and sex
and by Rural/Urban

Month (1)	Rural			Urban			Total		
	M	F	P	M	F	P	M	F	P
	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
January									
February									
March									
April									
May									
June									
July									
August									
.....									
.....									
.....									
.....									
Total									

FORM No. 16

TABLE 12 (a): Small Pox, Tetanus Deaths by age.

Sector (1)	Name of Disease (2)	Below 1 Year		1-4 Years		5-9 Years		10-14 Years	
		M	F	M	F	M	F	M	F
		(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Total	Small Pox. Tetanus.								
(a) Rural	Small Pox. Tetanus.								
(b) Urban	Total Small Pox. Tetanus.								
(b) Urban excluding town with population..... and over.	Small Pox. Tetanus								

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
(b2)	Towns with population								
	and over								
	Small pox.								
	Tetanus.								

FORM No. 16

TABLE 12 (b)

Similar data for certain specified diseases by age may be shown for urban areas or only for towns with population.....and over as may finally be decided by the Registrar General, India. Instances, of the type of such diseases are Tetanus, Diphtheria, Whooping cough, Polio, Pulmonary Tuberculosis etc.

FORM No. 16

TABLE 13: Maternal deaths in the State by age at death.

Age at death	Total	Rural	Urban excluding towns with population	Town with Population
(1)	(2)	(3)	and over	and over
(1)	(2)	(3)	(4)	(5)
Below 15				
15-19				
20-24				
25-29				
30-34				
35-39				
40-44				
45-49				
50 and above.				
Age not stated.				
All ages.				

(G.O.Ms. No. 234 dated 22-8-1978 of LAD. Published in the Extra-Ordinary Gazette No. 24 dated 14-2-1979.

81. Notifications/Guidelines/Instructions issued under the Births and Deaths Act/Rules.

In exercise of the powers conferred by sub-rule (3) of rule 1 of the Pondicherry Registration of Births and Deaths Rules, 1978, the Lieutenant-Governor, Pondicherry, hereby appoints the first day of March, 1979 as the date on which the said Rules shall come into force in the whole of the Union Territory of Pondicherry.

(G. O. Ms. No. 12, dated 30-1-1979 of LAD.)

A copy of the notification issued by the Central Government under sub-section (3) of section 1 of the Registration of Births and Deaths Act, 1969 appointing the first day of March 1979 as the date of enforcement of the said Act in the whole of the Union Territory of Pondicherry is hereby republished for general information.

**(Letter No. 2709/179/D1/LAD, dated 30-1-1979 of the LAD—
Published in the Extra-Ordinary Gazette No. 27, dated 16-2-79.)**

**Copy of the letter No. 1-1(Enf.)/72 dated 23-12-1978 of the
Ministry of Home Affairs, New Delhi**

In exercise of the powers conferred by sub-section (3) of section 1 of the Registration of Births and Deaths Act, 1969 (18 of 1969), the Central Government hereby appoints the first day of March, 1979 as the date on which the said Act shall come into force in the whole of the Union Territory of Pondicherry.

In exercise of the powers conferred by sub-rule (3) of rule of the Pondicherry Registration of Births and Deaths Rules, 1978, the Lieutenant-Governor, Pondicherry hereby appoints the first day of March, 1979 as the date on which the said Rules shall come into force in the whole of the Union Territory of Pondicherry.

**(G. O. Ms. No. 12, dated 30-1-1979 of the LAD, Published in the
Extra-Ordinary Gazette No. 27, dated 16-2-1979.)**

In exercise of the powers conferred by sub-section (1) of section 4 of the Registration of Births and Deaths Act, 1969 (Central Act No. 18 of 1969), the Lieutenant-Governor, Pondicherry hereby appoints the Director of Rural Development, Pondicherry to exercise the powers conferred on and discharge the functions imposed upon the Chief Registrar under the said Act.

(G. O. Ms. No. 38, dated 22-2-1979 of the LAD.)

In exercise of the powers conferred by sub-section (1) of section 6 of the Registration of Births and Deaths Act, 1969 (Central Act 18 of 1969), the Lieutenant-Governor, Pondicherry hereby appoints the Deputy Director (Municipal Administration) in the Local Administration Department, Pondicherry as District Registrar for Pondicherry revenue district to exercise the powers conferred on and discharge the functions imposed upon the District Registrar under the said Act.

(G. O. Ms. No. 39, dated 22-2-1979 of the LAD.)

In exercise of the powers conferred by clause (d) of rule 2 of the Pondicherry Registration of Births and Deaths Rules, 1978, the Lieutenant-Governor, Pondicherry hereby appoints the Officers of the Judicial Department specified in column (2) of the Table below as Special District Registrars to exercise the powers conferred on and discharge the functions imposed upon the Special District Registrar under the said rules in respect of the areas mentioned against each under column (3) of the said Table.

TABLE

S. No.	Designation	Area
1.	The Special Officer, Judicial Department, Pondicherry.	Pondicherry region
2.	The Sub-ordinate Judge, Karaikal.	Karaikal region.
3.	The District Munsiff, Mahe.	Mahe region.
4.	The District Munsiff, Yanam.	Yanam region.

(G. O. Ms. No. 40, dated 22-2-1979 of the LAD)

In exercise of the powers conferred by sub-section (1) of section 7 of the Registration of Births and Deaths Act, 1969 (Central Act No. 18 of 1969), the Lieutenant-Governor, Pondicherry hereby appoints the officers specified in column 2 of the Table below as Registrars to exercise the powers conferred on and discharge the functions imposed upon the Registrars under the said Act in respect of the area mentioned against each under column (3) of the said Table.

TABLE

Sl. No.	Designation	Area
(1)	(2)	(3)
1.	Revenue Officer-I, Pondicherry Municipality.	Pondicherry Municipality
2.	Commissioner, Karaikal Municipality.	Karaikal Municipality
3.	Commissioner, Mahe Municipality.	Mahe Municipality
4.	Commissioner, Yanam Municipality.	Yanam Municipality
5.	Commissioner, Oulgaret Commune Panchayat.	All Panchayat Villages in Oulgaret Commune Panchayat.
6.	Commissioner, Villianur Commune Panchayat.	All Panchayat Villages in the Villianur Commune Panchayat.
7.	Commissioner, Mannadipet Commune Panchayat.	All Panchayat Villages in the Mannadipet Commune Panchayat.
8.	Commissioner, Bahour Commune Panchayat.	All Panchayat Villages in the Bahour Commune Panchayat.
9.	Commissioner, Nettapakkam Commune Panchayat.	All Panchayat Villages in the Nettapakkam Commune Panchayat.

(1)	(2)	(3)
10.	Commissioner, Ariankuppam Commune Panchayat.	All Panchayat Villages in the Ariankuppam Commune Panchayat.
11.	Commissioner, T. R. Pattinam Commune Panchayat.	All Panchayat Villages in the T. R. Pattinam Commune Panchayat.
12.	Commissioner, Thrunallar Commune Panchayat.	All Panchayat Villages in the Thrunallar Commune Panchayat.
13.	Commissioner, Neravy Commune Panchayat.	All Panchayat Villages in the Neravy Commune Panchayat.
14.	Commissioner, Nedungadu Commune Panchayat.	All Panchayat Villages in the Nedungadu Commune Panchayat.
15.	Commissioner, Kottucherry Commune Panchayat.	All Panchayat Villages in the Kottucherry Commune Panchayat.

(G. O. Ms. No. 41, dated 22-2-1979 of the LAD.)

In pursuance of sub-rule (2) of rule 11 of the Pondicherry Registration of Births and Deaths Rules, 1978, the Lieutenant-Governor, Pondicherry, hereby specifies the officers mentioned in column (2) of the rule 11 of the said rules in respect of the areas mentioned against each under column (3) of the said Table.

TABLE

Sl. No. (1)	Designation of the Officer (2)	Area (3)
1.	Deputy Director (Municipal Administration) Local Administration Department, Pondicherry.	Pondicherry Region
2.	Administrator, Karaikal	Karaikal Region
3.	Administrator, Mahe	Mahe Region
4.	Administrator, Yanam	Yanam Region

(G. O. Ms. No. 157, dated 17-5-1979 of the LAD.)

A kind reference is invited to section 14 of the Registration of Births and Deaths Act, 1969 which provides that where the birth of any child has been registered without a name, the parent or guardian of such child shall within the prescribed period give information the name of the child to the Registrar either orally or in writing and thereupon the Registrar shall enter such name in the register and initial and date the entry. In rule 12, of the Pondicherry Registration of Births and Deaths Rules, 1978, Government have prescribed the period as 30 days.

2. It is brought to the notice of this Department that in some cases, parents are giving the name of the child after 30 days and therefore a doubt has been raised by some of the Registrars whether such cases may be accepted by them and necessary entries may be made in the register of births.

3. The matter has been examined by this Department in detail in consultation with the Law Department and it is clarified that absence of the name of the child in the register, if not filled up beyond the prescribed period of 30 days may be construed as a "omission" in the register of births and the Registrar may act according to sub-rule (1) of Rule 13 of the Registration of Births and Deaths Rules, 1978. In other words, whenever any person approached for registering the name of the child under section 14 of the Act, after the prescribed period of 30 days, he may be advised to get the orders of the Magistrate of the First Class for registering the name of the child under that section.

(Memorandum No. 12211/F/LAD/81, dated 8-7-1981 of LAD.)

A copy of the letter D.O. No. 29-1/81-VS(NLTP), dated 11th March, 1981, received from the Registrar-General, India is enclosed herewith since Government of India have proposed to give awards even to the registration units the Registrars are requested to organise the registration work in such manner as to ensure better registration. It may be noted that apart from keeping the records in perfect order, it is equally essential to

see that the monthly returns are despatched very promptly i.e., before the 10th of every month. Needless to say the expedition shown in the despatch of these returns would form one of the favourable factors for the grant of award.

The Registrars are, therefore, request to make an all out efforts for efficient performance of the vital statistic registration work and full conformity to the provisions of the Births and Deaths Act, 1969 and the Pondicherry Registration of Births and Deaths Rules.

(Circular/Memorandum No. 4924/81/F/LAD, dated 22-6-1981 of LAD)

Copy of the D. O. No. 29-1/81-VS(NLTP), dated 11-3-1981 of Deputy Registrar-General, India.

The Centre has been considering for some time past a proposal for instituting awards to States/Union Territories for good registration areas based on their performance in registration of vital events. The proposal has now been agreed to by the Planning Commission and has the following essential features.

The Country would be divided in to six zones, each zone comprising of contiguous States/Union Territories. In each zone, a State, and in each state 10-20% of the districts, and in each district a Municipality and two rural registration units would be awarded annually. The selection of the State/District/Municipality/Rural registration units is based on a set of criteria being evolved. These criteria would primarily relate to the extent of completeness in registration, but, nevertheless, would also relate to performance in other registration activities, such as, medical certification of cause of death, training of registration functionaries, regular flow of data, timely publication of annual report, extent of publicity campaign, etc. The criteria for each level for award would obviously vary and would take into consideration the nature of work and responsibility of the registration authorities. The award would be in the form of trophies or such other things as could provide

incentive and create a spirit of competition among the registration authorities for better registration. The recipient of the award would not be the individual but the institution (the institution being either the office of the Chief Registrar/District Registrar or the office of the municipality or the registration centre).

I shall be grateful if you could favour me with your views on the scope of the proposal particularly the criteria to be adopted. This would greatly help us in finalising the procedure of award. Meanwhile, I also request that the contents of this proposal may be brought to the notice of all the registration authorities in your state. This would help them to organise their work at different levels towards better registration for entering into the competition for award.

With a view to streamlining the system of registration of Births and Deaths, it has been recommended in the Third Conference of the Chief Registrars that the area of jurisdiction of the Registration Units should be well demarcated and notified. Hence, a board showing the national map of the area under the jurisdiction of the Registrar should be prepared and displayed prominently.

2. Further each registration office should also have an identification board indicating the name of Registration Office, Working Hours, etc. displayed prominently near the outer door of the office of Registrar.

3. The Commissioners of Municipalities/Commune Panchayats are, therefore, requested to take necessary action immediately on the lines indicated above.

(Circular/Memorandum No. 9995/81/F/LAD, dated 2-7-81 of LAD)

In pursuance of section 24 of the Registration of Births and Deaths Act, 1969, the Chief Registrar, Pondicherry, hereby specifies the Director, Local Administration Department, Pondicherry as the authorised officer for the whole of the Union Territory of Pondicherry for compounding the offences committed under the said Act.

(G. O. Ms. No. 15127/79-F/LAD, dated 12-8-1981 of LAD.)

In pursuance of section 25 of the Registration of Births and Deaths Act, 1969, the Chief Registrar, Pondicherry hereby specifies the officers mentioned in column (2) of the Table below as the Authorised Officers for the purpose of the said section in respect of the areas mentioned against each under column (3) of the said Table :

TABLE

Sl. No. (1)	Designation of the Officer (2)	Area (3)
1.	Commissioner, Pondicherry Municipality	Pondicherry Municipal Area.
2.	Administrator, Karaikal	Karaikal Municipal Area.
3.	Administrator, Mahe	Mahe Municipal Area.
4.	Administrator, Yanam	Yanam Municipal Area.
5.	Deputy Director, Local Administration Department.	All Commune Panchayat areas in Pondicherry and Karaikal Regions.

(G. O. Ms. No. 15127/79-F/LAD, datel 12-8-1981 of LAD.)

It has been decided to print the Birth and Death Certificates in two languages i.e., English and Tamil/Malayalam/Telugu, but the entries in these certificates should uniformly be in one language i.e., English or French according to the entries in the Original Records.

The Registrars of Births and Deaths in the Municipalities and Commune Panchayats are, therefore, instructed to get the diglot forms printed as per the enclosed specimen copy within the provision of their budget. The Tamil version may be suitably translated in Malayalam and Telugu by the Registrars of Births and Deaths in Mahe and Yanam respectively.

These instructions should be complied with immediately after the bilingual forms are got ready. Action taken in the matter should be intimated to this Department along with a set of 6 copies of the diglot form actually printed, as per the specimen.

Receipt of this Circular may be acknowledged.

(Memorandum No. 6825/79-F/LAD, dated 18-6-1982 of LAD.)

... .. MUNICIPALITY/COMMUNE PANCHAYAT

... .. நகராட்சி/கொம்பூன் பஞ்சாயத்து

B. D. No.

பி. இ. எண்.

Certificate of Birth issued under Section 12/Section 17 of the Registration of Births and Deaths Act, 1969.

1969-ஆம் ஆண்டு பிறப்பு, இறப்பு சட்டத்தின் 12 மற்றும் 17-ஆவது பிரிவின்படி பிறப்பு சான்றிதழ் வழங்கப்படுகிறது.

This is to certify that the following information has been taken from the original record of birth which is in the register for Municipality/Commune Panchayat of the Union Territory of Pondicherry.

இதனடியில் கண்ட தகவல்கள் புதுவை மாநில நகராட்சி/கொம்பூன் பஞ்சாயத்து வட்ட பதிவேட்டில் காணப்படும் பிறப்பு மூல பதிவேட்டிலிருந்து எடுக்கப்பட்டது என்று உறுதியளிக்கப்படுகிறது.

1. Name :
பெயர்
2. Sex :
இனம்
3. Date of birth :
பிறந்த தேதி
4. Place of birth :
பிறந்த இடம்
5. Registration No.
பதிவு எண்.
6. Date of Registration :
பதிவுத் தேதி
7. Name of father :
தந்தையின் பெயர்
8. Name of mother :
தாயார் பெயர்

Seal :

முத்திரை

Date :

தேதி

Signature of the issuing authority.

வழங்கும் அதிகாரியின் ஒப்பம்

... .. MUNICIPALITY/COMMUNE PANCHAYAT
... .. நகராட்சி/கொம்பூன் பஞ்சாயத்து

B & D No. :

பி. இ. எண்.

Certificate of Death issued under section 12/section 17 of the Registration of Births and Deaths Act, 1969.

1969-ஆம் ஆண்டு பிறப்பு, இறப்பு சட்டத்தின் 12 மற்றும் 17-ஆவது பிரிவின்படி இந்த இறப்பு சான்றிதழ் வழங்கப்படுகிறது.

This is to certify that the following information has been taken from the original record of Death which is in the register for Municipality/Commune Panchayat of the Union Territory of Pondicherry.

இதனடியில் கண்ட தகவல்கள் புதுவை மாநில நகராட்சி/கொம்பூன் பஞ்சாயத்து வட்ட பதிவேட்டில் காணப்படும் இறப்பு மூல பதிவேட்டிலிருந்து எடுக்கப்பட்டது என்று உறுதியளிக்கப்படுகிறது.

1. Name :
பெயர்
2. Sex :
இனம்
3. Date of death :
இறந்த தேதி
4. Place of death :
இறந்த இடம்
5. Registration No. :
பதிவு எண்
6. Date of Registration :
பதிவான தேதி
7. Name of father/mother/husband :
தந்தை/தாயார்/கணவன் பெயர்

Seal :
முத்திரை

Signature of the issuing authority.
வழங்கும் அதிகாரியின் ஒப்பம்

Date :
தேதி

Attention of the Registrars of Births and Deaths is invited to the Circular/Memorandum of even No. 9504/81/F/LAD, dated 8th July, 1981 of Local Administration Department, Government of Pondicherry wherein the instructions for effecting delayed registration of events not pertaining to the year of reporting have been communicated. Additional detailed instructions on this subject are given in the annexure enclosed. All Registrars are, therefore, requested to study these instructions carefully and observe them strictly with effect from 1-6-1983.

Receipt of this circular/memorandum may be acknowledged.

(Circular/Memorandum No. 9504/81/F/LAD, dated 9-5-83 of LAD)

ANNEXURE

Instructions for Recording Delayed Registration of Events not pertaining to the year of Reporting

The system of delayed registration of events not pertaining to the year of reporting was discussed in the Third Conference of Chief Registrars of Births and Deaths. It was considered that the system should provide for such events being easily distinguished from those pertaining to the year of reporting and should also permit easy retrieval of information. Therefore, it has been recommended that the events not pertaining to the year of reporting may be registered in the current register, as at present but with addition of 'D' before the serial numbers of registration such events.

2. Further, the Registrar will also make necessary entries in the relevant register of the year of occurrence in a separate section specially provided for this purpose at the end of the register, and also enter in the remarks column as follows "The event has been registered in the register of the year.....".

3. The Registrar will also furnish the full particulars of such 'D' events to the Special District Registrar who would then make necessary entries in a separate section of the relevant duplicate register of the year of occurrence of these events.

4. All such 'D' events should not be included in the monthly vital statistics returns sent by the Registrars.

Example-I: For example, if a birth which has taken place on 15-6-82 is reported to Registrar on 10-4-83 (with permission of the Prescribed Officer and late fee of Rs. 10) then the Registrar will make necessary entries in the birth register of 1983 and add 'D' against the serial number of this entry. Then he will also make an entry in the Birth Register of 1982 in a separate section consisting of 10 or 15 pages specially provided at the end of the register for entering such 'D' events, and in the remarks column of this entry will write (This birth has been registered in the Birth register of 1983 against serial No....). This will enable the Registrar to trace the year in which the event has been registered when the party applies for the birth certificate giving only the date of birth which is usually remembered and not the date of registration.

Example-II: If a birth which has taken place on 28-12-82, is reported to the Registrar on 2-1-83 i.e., within the prescribed time limit of 10 days, then the Registrar will make necessary entry in the birth register of 1983 and he will not mark 'D' against the serial number of this event because the event has been reported within the prescribed time limit of 10 days although the year of occurrence and year of reporting are different.

Example-III: If a birth which has taken place on 10-1-83, is reported to the Registrar on 29-4-83, the Registrar will make necessary entry in the birth register of 1983 and he will not mark 'D' against the serial number of this event because the year of occurrence of the event and year of reporting are the same and eventhough the event has been reported after the prescribed time limit.

N. B.: If in a Register of births or deaths the last serial number in a particular month is 62 including 2 'D' events, then the total number of events for that month is only 60 (62—2=60). In other words, 'D' events should be excluded while preparing the monthly vital statistics returns.

(Circular/Memorandum No. 9504/81/F/LAD, dated LAD)

Approval is accorded for the issue of marriage certificates in bilingual forms, that is, English and Tamil in Pondicherry and Karaikal regions, English and Malayalam in Mahe region and English and Telugu in Yanam region for the sake of convenience of the public. The Commissioners of Municipalities and Commune Panchayats are therefore requested to get the diglot form printed as per the enclosed specimen by translating the Tamil versions into Malayalam and Telugu suitably and to issue these certificates in the new bilingual forms as soon as they are got printed. The entries in the certificates should invariably be only in French as per the entries in the registers.

Action taken in the matter may be intimated alongwith a set of new forms printed.

Receipt of this circular/memorandum may be acknowledged.

MUNICIPALITY/COMMUNE PANCHAYAT

.. நகராட்சி/கொம்யூன் பஞ்சாயத்து

MARRIAGE CERTIFICATE

தீருமணச் சான்றிதழ்

Name of the bridegroom :

மணமகன் பெயர்

Age :

வயது

Place and date of birth :

பிறந்த இடம், தேதி

Domicile :

இருப்பிடம்

Profession :

தொழில்

Father's name :

தகப்பனார் பெயர்

Mother's name :

தாயார் பெயர்

Name of the bride :

மணமகள் பெயர்

Age :

வயது

Place and date of birth :

பிறந்த இடம், தேதி

Domicile :

இருப்பிடம்

Profession :

தொழில்

Father's name :

தகப்பனார் பெயர்

Mother's name :

தாயார் பெயர்

Place and date of celebration of marriage :

திருமணம் நடந்த இடம், தேதி

Date of Registration of marriage :

திருமணம் பதிவு செய்யப்பட்ட தேதி

Fee :

dated

கட்டணம்

19.....ம் ஆண்டு.....ம்.....உ

REGISTRAR.

N.B. : Original proceeding recorded in French.

(Circular/Memorandum No. 14381/82/F/LAD, dated 28-10-83 of LAD)

