

In Chapter XIII of Part of the said Criminal Rules of Practice and Circular Orders, 1958, after rule 300, the following rule shall be inserted, namely:

“300-A : Security from Ministerial servants and testing of the same as to its sufficiency:- Under the instructions issued in paragraph 8 of Memorandum No.16, Public (Separation) Department, dated 4<sup>th</sup> February, 1950, the incumbents of the posts of Head Clerks in the Courts of District Magistrate and Sub-Divisional Magistrate, should furnish security for a sum of RS.250. The senior of the lower division clerks, where there is more than one clerk in the Court of the Additional First Class Magistrates and the Sub Magistrates, should furnish a similar security as they too have been entrusted with the custody of cash and valuables. In Courts where there is only one clerk, the said clerk should furnish the security aforesaid. The Magistrates concerned shall, however, continue to be responsible for the custody of cash and valuables. [G.O.Ms.No.3015, Public (Separation) Department, dated 29<sup>th</sup> December 1952.]

The District Magistrate (Judicial), should strictly insist on the security prescribed in paragraph (1) above, being furnished by the incumbents concerned within a reasonable time after their appointment to the post. All the clerks who do not furnish such security within the time allowed by the District Magistrate, should be replaced peremptorily following rule 26(f) of the Madras Judicial Ministerial Service Rules. If necessary, Service Commission should be immediately addressed for allotment of sufficient number of candidates for these security posts. The District Magistrate should also take steps, if need be, to appoint willing persons from the civil side to these posts as they are also included in category 5 of class IV of the Madras Judicial Ministerial Service (High Court’s R.O.C.No.149/54-C1, dated 15<sup>th</sup> March 1955).

The rules contained in Chapter Xii of the Maras Financial Code, Volume I, will *mutatis mutandis* apply to the security bonds furnished under this rule, provided that the form of the security bond shall be executed either in Form No.11 or Form No.12 (as the case may be) at page 343 of the Civil Rules of Practice and Circular Orders, Volume II, and that notwithstanding the instructions contained in Article 284 thereof, all security bonds in Form No.11 or Form No.12 should be registered under the Registration Act, 1908.

The security bonds and the fidelity bonds furnished under these rules shall be kept in the personal custody of the Head Clerk in the Court of the District Magistrate after testing of the personal security and the security in the form of immovable property, and the periodical verification referred to in Article 288 of the Madras Financial Code, Volume I, may be carried out through the District Munsif having jurisdiction over the area within which the property is situated. The District Magistrates shall report to the High Court in their Annual Reports that such securities have been duly examined and are found to be satisfactory.

During their annual inspection of the Courts of District Magistrates, the Sessions Judges should see whether these rules have been followed and record their observations in their inspection notes.”

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