

THE SECOND SCHEDULE

(See rules 3 and 4)

Serial No.——

GOVERNMENT OF ANDHRA PRADESH

——Department.

No. ——

——, dated the ——

*CERTIFICATE OF ELIGIBILITY

In pursuance of rules 3 and 4 of the Andhra Pradesh Public Employment (Requirement as to Residence) Rules, 1959, Shri/Shrimati/Kumari——
son/wife/ daughter of Shri of
(full address) having furnished the necessary proof, is hereby certified to be eligible to hold any post included in the First Schedule to the said Rules.
Seal of the Issuing Authority.

Designation of Issuing Authority.

(Signature or thumb impression
of the person to whom this certificate has been issued).

(valid subject to regulations)

THE THIRD SCHEDULE

[See rule 5(2)]

In pursuance of sub-rule (2) of rule 5 of the Andhra Pradesh Public Employment (Requirement as to Residence) Rules, 1959, it is published for general information that in relaxation of rule 3, the persons specified in column 4 of the table below have been appointed during the quarter ending 19 to the posts specified in column 2 of the said table in the Telangana area of the State of Andhra Pradesh.

TABLE

S.No.	Designation of post	Name of Office	Name of person appointed	Reasons for relaxation of rule 3.
1	2	3	4	5

[No. F. 40/1/58-Ests(A)-II.]

G.S.R. 325.—In exercise of the powers conferred by clauses (b) and (c) of sub-section (1) of section 3 of the Public Employment (Requirement as to Residence) Act, 1957 (44 of 1957), the Central Government hereby makes the following rules, namely:—

THE HIMACHAL PRADESH, MANIPUR AND TRIPURA PUBLIC EMPLOYMENT (REQUIREMENT AS TO RESIDENCE). RULES, 1959

1. **Short title.**—These rules may be called the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959.

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

(a) 'Administrator' means the Administrator of the Union Territory of Himachal Pradesh, Manipur or Tripura, as the case may be;

- (b) 'appointing authority' in relation to any post means an authority empowered for the time being to make appointments to that post;
- (c) 'appointment' includes a permanent, quasi-permanent or temporary appointment but does not include an appointment of a casual nature;
- (d) 'post' means a post specified in the First Schedule;
- (e) 'prescribed date' in relation to a post means the last date fixed for making applications for appointment to that post;
- (f) 'Schedule' means a Schedule to these rules.

3. Requirement as to residence prior to appointment.—(1) A person shall not be eligible for appointment to a post under the control of the Administrator of the Union territory of Himachal Pradesh, Manipur or Tripura, or to a post under a local authority (other than a cantonment board) in any such territory unless—

- (i) (a) either such person or the father of such person has been continuously residing in the Union territory concerned for a period of not less than three years immediately preceding the prescribed date; or
- (b) the father of such person, if dead, continuously resided in that territory for a period of not less than three years immediately preceding his death and such person has, after the death of his father, continued to reside in the said territory upto the prescribed date;

Provided that any period of temporary absence from such territory for the purpose of prosecuting his studies or for undergoing medical treatment or any period of such temporary absence not exceeding three months for any other reason, shall not be deemed to constitute a break in the continuity of such residence, but for the purpose of calculating the said period of three years any such period of temporary absence shall be excluded; and

- (ii) such person produces before the appointing authority concerned, if so required by it, a certificate of eligibility granted under these rules.

(2) In the case of the Union territory of Himachal Pradesh, for the purposes of sub-rule (1), any person who is employed under the Himachal Pradesh Administration or the Territorial Council of that Union territory in a post outside the said territory shall be deemed to be residing in the Union territory for any such period during which he has been holding such employment.

4. Eligibility certificate.—(1) Any person desiring to obtain a certificate of eligibility under these rules may make an application to the authority specified in this behalf by the Administrator of the Union territory concerned (hereinafter referred to as the specified authority).

(2) Before granting such certificate, the specified authority may make such summary enquiry in respect of the application as it considers necessary.

(3) A certificate of eligibility granted under this rule shall be in the form prescribed in the Second Schedule.

(4) If the specified authority is satisfied either on a reference made to it in this behalf or otherwise that a certificate of eligibility has been obtained by misrepresentation as to any material fact or by fraud, that authority may, after giving an opportunity to the person concerned to be heard, and without prejudice to any other proceedings which may be taken against him, revoke the said certificate.

(5) Any person aggrieved by the decision of the specified authority refusing to grant him a certificate of eligibility or revoking the certificate of eligibility granted to him may, within thirty days from the date of communication to him of such decision, appeal to the Administrator or such authority as he may specify in this behalf.

(6) The decision of the Administrator or such authority where an appeal has been preferred to it or of the authority referred to in sub-rule (1) where no such appeal has been preferred, shall be final.

(7) Notwithstanding anything contained in sub-rule (6), any person who has been refused a certificate of eligibility or whose certificate of eligibility has been revoked under this rule may make a fresh application for the grant of such certificate if he fulfils the requirements as to residence laid down in rule 3.

5. **Relaxation of rule 3.**—(1) The Administrator may, in any exceptional case and for reasons to be recorded in writing, relax the provisions of rule 3.

(2) A quarterly statement of all cases of relaxations shall be published by the Administrator in the Gazette of the Union territory concerned in the form prescribed in the Third Schedule and copy of every such statement shall be forwarded to the Central Government.

THE FIRST SCHEDULE

[See rules 2(d) and 3]

Posts

(a) Any post (whether included in the cadre of a service or not) under the control of the Administrator of the Union Territory of Himachal Pradesh, Manipur or Tripura, which carries a scale of pay, the minimum of which does not exceed three hundred rupees per mensem or a fixed pay not exceeding that amount, and the appointment to which is not notified in the Official Gazette.

(b) The post of Tehsildar, by whatever name designated, under the control of any such Administrator.

(c) Any post (whether included in the cadre of a service or not) under a local authority (other than a cantonment board) in any such territory which carries a scale of pay the minimum of which does not exceed three hundred rupees per mensem or a fixed pay not exceeding that amount.

Explanation.—‘Pay’ means basic pay plus special pay, if any, sanctioned to a post but does not include various allowances.

THE SECOND SCHEDULE

(See rules 3 and 4)

Serial No.....

.....ADMINISTRATION.

.....Department.

....., dated the.....

Certificate of Eligibility

In pursuance of rules 3 and 4 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959, Shri/Shrimati/Kumari....., son/wife/daughter of Shri..... of (full address)....., having furnished the necessary proof, is hereby certified to be eligible to hold any post included in the First Schedule to the said Rules.

Seal of the Issuing Authority.

Designation of the
Issuing Authority.

.....
(Signature or Thumb impression of
the person to whom this certificate
has been issued.)

.....
(valid subject to regulations)

THE THIRD SCHEDULE

[See rule 5(2)]

In pursuance of sub-rule (2) of rule 5 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959, it is published for general information that in relaxation of rule 3, the persons specified

in column 4 of the table below have been appointed during the quarter ending19.....to the posts specified in column 2 of the said table in the Union territory of.....

TABLE

S. No.	Designation of Post	Name of Office	Name of person appointed	Reasons for relaxation of rule 3.

[No. F. 40/1/58-Ests(A)-III.]

V. VISWANATHAN, Spl. Secy.

MINISTRY OF FINANCE

(Department of Revenue)

CUSTOMS AND CENTRAL EXCISE

New Delhi, the 21st March 1959

G.S.R. 326.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Refund (Fixed Rates) Rules, 1958, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

In the said Rules.—

For the entries shown against Serial No. 3 to the First Schedule, the following entries shall be substituted, namely:—

"Hydraulic brake fluid conforming to Indian Standard Specification I.S. 317 (1951).

One rupee and forty-one naye
paise per Imperial gallon."

[No. 18/F No. 34/196/58-Cus.IV.]

G.S.R. 327.—The following draft of a further amendment to the Customs and Central Excise Duties Refund (Brand Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 24th April, 1959.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said rules, in the First Schedule after item 19 and the entry relating thereto, the following shall be inserted, namely:—

"20. Chokes for fluorescent lamps."

[No. 19/F. No. 34/37/59-Cus.IV.]