

GENERAL DEPARTMENT.

RANGOON SELECTION BOARD RULES.

No. 170

Dated Rangoon, the 5th November 1929.

No. 170. - In exercise of the powers conferred by Rule 3 (1) of the Civil Services (Governors' Provinces) Delegation Rules, 1926, made by the Secretary of State in Council under section 96B of the Government of India Act, the Governor(in Council)/(with his Ministers) hereby makes the following rules constituting a permanent Board of Selection to advise the Local Government when making first appointments to a Provincial or Subordinate Service or Special post in supersession of those published in Financial Department Notification No. 6, dated the 30th March 1928:-

I.-General.

Short title and extent of application.

1. These Rules may be called the "**Rangoon Selection Board Rules.**" They shall apply whenever the Local Government proposes to make in Burma any appointment to Provincial or Subordinate Service or Special post on the advice of a Permanent Board of Selection.

Definitions.

2. In these Rules-

"Selection Board" means the Permanent Board of Selection constituted under these Rules, and, where the context so requires, includes a panel of its members;

"Panel" means members of the Selection Board appointed as a panel in accordance with and for the purposes of these Rules;

"Chairman" means the Chairman of a panel.

II.-Constitution of the Selection Board.

Ex-officio Members.

3. The persons for the time being holding the following offices or posts shall be and are hereby appointed members of the Selection Board:-

- (i) The President of the Burma Legislative Council;
- (ii) The Financial Commissioner (Reserved Subjects), Burma;

- (iii) The Financial Commissioner (Transferred Subjects), Burma;
- (iv) The Chief Secretary to the Government of Burma;
- (v) The Commissioners, Pegu and Sagaing Divisions and Federated Shan States;
- (vi) The Director of Public Instruction, Burma.

Explanation.- A person officiating in or holding temporarily any of the above offices or posts shall be deemed to be the holder thereof for the purposes of these Rules and shall be a member of the Selection Board to the exclusion of the permanent incumbent (if any).

Nominated Members.

4. (1) In addition to the persons mentioned in Rule 3 the Governor-in-Council acting with his Ministers, may appoint to be members of the Selection Board all or any of the following:-

- (i) Not more than four Judges (which may include the Chief Justice) nominated by the Chief Justice from amongst the Judges of the High Court of Judicature at Rangoon; and
- (ii) Not more than six persons, being non-officials of whom one shall be a member of the Rangoon Bar and one a medical practitioner.

(2) All appointments made under this Rule shall be notified by name in the **Burma Gazette**.

5. In addition to the persons mentioned in Rules 3 and 4 the Head of a Department shall ex-officio be a member of the Selection Board when appointments are being made to his department.

Vacation of Appointment.

6. Every member of the Selection Board appointed under Rule 4 shall (subject to Rule 7) vacate his appointment:-

- (i) On the expiration of three years from the date of the Notification of his appointment in the **Burma Gazette**: or
- (ii) On his resigning his appointment by letter addressed to the Chief Secretary to the Government of Burma, with effect from the date of the acceptance of such resignation by the Local Government as notified in the **Burma Gazette**: or
- (iii) On the happening of any event rendering him ineligible for appointment in the vacancy which he was appointed to fill, with effect from the date of such event: or
- (iv) On his leaving Burma for a period exceeding six months at any one time with effect from the date of his departure:

Provided that any member who leaves Burma without having first communicated to the Local Government by letter addressed to the Chief Secretary to the Government of Burma, Home and Political Department, his intention to do so shall, in the absence of sufficient reason to the contrary, be deemed to have left Burma for a period exceeding six months.

Member of panel may continue until business completed.

7. Notwithstanding anything in any other Rule a member of the Selection Board who has been appointed a member of a panel may, if the Local Government so directs, remain a member for the purpose of completing the business of such panel; and such continued membership shall not preclude the appointment of a successor nor preclude a successor in office from acting (as the case may be) as a member of the Selection Board.

Re-appointment.

8. A member of the Selection Board who has vacated his appointment shall, if otherwise qualified, be eligible for re-appointment.

9. No proceedings held under these Rules shall be invalid by reason only of the existence of a vacancy or vacancies in the membership of the Selection Board.

III.- Advertisement of vacancies in and procedure in connection with applications for appointment to Government service.

Notice.

10. Whenever it is intended to fill vacancies in the cadre of any service or to make an appointment to any post and these Rules apply, the Local Government, in the Department concerned, shall cause notice to be published in the **Burma Gazette** and in all newspapers circulating in the Province in which for the time being the insertion of Government advertisements is authorized inviting applications for appointment and setting forth:-

- (i) The number and nature of such vacancies;
- (ii) The qualifications required of candidates, including age, marriage, nationality, domicile, educational and technical attainments and physique;
- (iii) The official designation of the officer or officers from whom forms of application may be obtained and of the officer to whom they should be addressed;
- (iv) The date up to which applications will be received;
- (v) The fee, if any, which must accompany the application; and

(vi) Such further information as may be necessary.

Minimum period of advertisement.

11. The Notice prescribed in the last preceding Rule shall be published in the Burma Gazette not less than three months prior to the date fixed for the receipt of applications for appointment and shall be published in the newspapers as nearly as may be contemporaneously with its publication in the Burma Gazette.

NOTE.- This Rule applies to first publication. It is not intended to limit the number of insertions. The Editor, "Headman's Gazette," will in all cases be furnished with a copy of the Notice, and may be requested to arrange for insertion in the newspapers.

Applications for Appointment.

12. Every application for appointment shall be in writing in the prescribed form and shall be addressed to the officer specified in the Notice. It shall contain such particulars and be accompanied by such certificates or other documentary evidence as may be called for in the form of application.

Scrutiny of Applications.

13. Every application shall be scrutinised on receipt by the officer to whom it is addressed. If on such scrutiny any application shall be found to be incomplete or otherwise defective it shall forthwith be returned to the candidate with such instructions as may be necessary to remedy the defect and shall not be rejected on the ground of incompleteness or defect in form if such instructions shall have been complied with and the application resubmitted so as to reach the officer to whom it is addressed by the latest date fixed for the receipt of applications.

Duties of officer receiving application as regards:-

14. The officer to whom applications for appointment are addressed shall-

- (i) verify, so far as may be considered necessary, all matters stated therein, including age, domicile, educational and other qualifications, and antecedents, and for this purpose may call for such further particulars or evidence as the circumstances of each individual case may require;
- (ii) satisfy himself with reference to the Rules and Regulations for the time being in force that each candidate is eligible for the appointment for which he has applied;
- (iii) if under the Rules relating to recruitment for the particular Service or post the candidate is required to give references, take up such references and call for reports;
- (iv) in the event of any candidate being found ineligible for appointment, forthwith inform such candidate of the fact and the reason therefor.

- (i) Verification of statements in the application.
- (ii) Eligibility of candidate.
- (iii) References.
- (iv) Informing rejected candidate.

15. The officer to whom applications are addressed may record for the information of the Selection Board any remarks which he may wish to make regarding the application of any candidate and in particular may draw attention to any matter regarding the candidate's eligibility or otherwise with reference to which he may consider further enquiry necessary or desirable.

IV.- Appointment and Proceedings of Panels.

Appointment of panel.

16. Whenever occasion arises to make any appointment or appointments to Government service under the provisions of these Rules, the Governor-in-Council, acting with his Ministers, shall appoint a panel of the Selection Board for the purpose of interviewing candidates and advising the Local Government regarding their appointment to Government service [and shall nominate one of its members as Chairman]. Provided that when it is proposed to make an appointment or appointments to the Burma Frontier Service, such panel shall be appointed by the Governor-in-Council.

NOTE.- The Department for which recruitment is being made will take initiative for the appointment of a panel. In cases to which these Rules apply (aide Rule 1), the appointment of a panel is necessary even when the number of candidates does not exceed the number of vacancies.

Non-publication of names of panel.

17. The names of members of the Selection Board appointed as a panel in accordance with the last preceding Rule shall not be published nor shall any member so appointed disclose the fact of his appointment.

Strength of panel.

18. A panel shall normally consist of either three or five members, provided that when the Head of the Department for which candidates are being selected is appointed under Rule 16 the panel shall consist of not less than five members.

Applications and papers to be forwarded to Chairman.

19. As soon as may be after the latest date fixed for the receipt of applications under Rule to the officer to whom applications are addressed shall forward to the Chairman a complete list of all applications of those candidates who under the provisions of these rules have been found eligible together with

applications in original and all papers connected therewith, including a copy of the Notice issued under Rule 10 and particulars regarding its publication.

Fixing of time and place of meeting of panel.

20. The Secretary to Government in the Department concerned shall, in consultation with the Chairman, fix the time and place for the meeting of the panel (including any adjourned meeting) and shall thereupon inform the other members of the panel, the Head of the Department concerned, and such candidates as are to be permitted to appear for interview, of the time and place so fixed.

NOTE.- Candidates will not necessarily be required to appear all at the same time.

Only eligible candidates to appear for interview.

21. Such candidates only as have under the provisions of these Rules been found eligible for appointment shall be permitted to appear before the panel.

Quorum.

22. The quorum of every panel shall be three and shall include the Chairman, provided that if the Head of the Department for which candidates are being selected is appointed under Rule 16 the quorum shall be five, which shall include the Chairman.

Proceedings to be secret.

23. The proceedings of every panel shall be secret.

Decisions of panel to be by vote.

24. When all the members of a panel are unable to agree its decision shall be that of the majority. Every member shall have one vote, and in the event of an equal division the Chairman shall have a final or casting vote.

Record of Proceedings.

25. The proceedings of every panel shall be recorded briefly in writing by the Chairman or under his direction and such record shall be forwarded with a Report to the Local Government.

Report.

26. The Report shall contain the names of the candidates, if any, selected by the panel arranged in the order in which they are recommended for appointment to Government service and shall state briefly the reasons for preferring each candidate to others. It shall specify whether the selection of each candidate recommended for appointment and his place in the order of preference is a unanimous or a majority recommendation and shall be signed by the Chairman and members.

27. (1) In the event of any candidate being related either by blood or marriage to any member of a panel appointed in connection with the filling of any post for which such candidate has applied it shall be the duty of such member forthwith to communicate the fact of such relationship to the Chairman who shall decide whether the meeting of the panel should be adjourned for the orders of the Local Government or whether the meeting should proceed either with or without such member. The fact that such communication has been made and the direction of the Chairman upon it shall be recorded in the proceedings.

(2) In the event of the Chairman being the member of the panel to whom any such candidate is related he shall forthwith communicate the fact to the Local Government and obtain its directions in writing before any meeting is held.

Breach of Rules and matters relating to recruiting.

28. The Report may mention any breach of these Rules on the part of any Government Department and any other matter in connection with recruiting for the Department concerned which in the opinion of the panel ought to be brought to the notice of Government.

Minutes of Dissent.

29. Any member of a panel may record a minute of dissent touching the business of the panel and every such minute shall be annexed to the Report.

Dissolution of Panel.

30. Subject to any further reference which may be made to it for the purpose of elucidating its Report or proceedings or for any action which may be required in connection therewith every panel shall be deemed to be dissolved on submission of its Report.

V.- Miscellaneous.

Untrue statements by candidates to disqualify.

31. Any untrue statement or intentional omission of a material fact made by any candidate in the course of any proceeding under these Rules shall render such candidate ineligible for appointment, or, if he has already received an appointment, liable to removal therefrom.

Names of panel not to be divulged.

32. No candidate shall be entitled to know, nor shall he be informed, of the names of members of the panel before which he will be required to appear for interview.

Non- disclosure of panel's decisions.

33. No member of a panel shall disclose either directly or indirectly to any candidate any decision of the panel in regard to such candidate's selection nor any information regarding the vote or recommendation of any member.

Canvassing to disqualify.

34. Any attempt on the part of any candidate or on his behalf to enlist the support of Government officers or of other persons of influence shall render such candidate ineligible for appointment.

By order of the Governor (in Council)/(with his Ministers).

J. CLAGUE,

Chief Secy. to the Govt. of Burma,

Home and Political Dept.