

GENERAL DEPARTMENT.

(Rules for the appointment of Clerks in Myanmar.)

No.151

Dated Rangoon, the 9th June 1905.

[Amendment : 18.06.1989]

Amending Law

No. 151. -The following rules, which have been sanctioned by the Lieutenant-Governor in supersession of those prescribed in General Department Notification No.154, dated the 30th July 1898, as amended by subsequent notifications, are published for general information and shall take effect from the 1st October 1905:-

Rules for the appointment of Clerks in Myanmar.

<Amendment 18.06.1989>

- 1.** The following rules shall regulate appointments to clerkships and other similar posts in all civil offices under the Local Government, excepting-
 - (a) the Accountant-General's office;
 - (b) Treasury offices;
 - (c) Offices pertaining to the Public Works, Post Office (District Post) and Inland Trade Departments;
 - (d) Offices in the Shan States;
 - (e) Offices in the Chin and Kachin Hills;
 - (f) Settlement offices in Upper Myanmar;
 - (g) Offices in the Mogok and Mong Mit subdivisions, under the direct control of the Deputy Commissioner, Ruby Mines district (including the office of the Battalion Commandant, Ruby Mines Military Police Battalion);
 - (h) Any office especially exempted by the Lieutenant-Governor from the operation of these rules.

In making appointments and promotions in the exempted offices preference should be given, other things being equal, to persons who possess the qualifications prescribed by these rules.

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- 2.** If any clerk, or apprentice clerk, is found at any time to have been appointed in contravention of these rules, or of the rules in force at the time when he was appointed, he must either be removed from his appointment or the case must be reported for the orders of the Local Government.
- 3.** Clerks, or apprentice clerks, employed in Government offices, other than those to which these rules apply, will not be eligible for transfer, without the sanction of the Lieutenant-Governor, to any office to which these rules apply, unless at the time of transfer they are qualified otherwise than by reason of service in such exempted office.

A.-Unpaid Clerks.

- 4.** No unpaid clerks shall be employed, except-
 - (i) apprentice clerks;

(ii) sons of Government officials attached temporarily to an office for the purpose of acquiring a knowledge of office routine and accounts.

NOTE. - (1) The term 'Government official' here includes Honorary Magistrates and Municipal Commissioners.

(2) Apprentice clerks are Government servants.

(3) Licensed copyists (not being apprentice clerks) are not Government servants.

- 5.** The number of apprentice clerks to be employed in his own office and in offices subordinate to him shall be fixed from time to time by each Commissioner, Divisional Judge and Head of a Department. The number shall be so fixed that an apprentice whose work is approved shall be likely to obtain a continuous appointment within two years at most.
- 6.** No person shall be appointed to be an apprentice clerk unless-
 - (a) he is over 18 and under 25 years of age;
 - (b) he produces a certificate of having passed the seventh standard examination (Vernacular or Anglo-Vernacular) in Myanmar, or such other examination as may be considered by the Educational Syndicate to be equivalent or more than equivalent thereto;
 - (c) he produces a certificate from his last employer, from the Principal or Head Master of a school, from the Principal of a college or from a gazetted officer to the effect that he is believed to be honest, sober and truthful, and to enjoy good health.

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- 7.** Apprentice clerks shall be appointed by heads of offices subject to the conditions laid down in Rules 5 and 6. No apprentice clerk shall be deemed to have been properly appointed under these rules unless his appointment has been duly recorded in a service-book under the signature of the head of the office in which he is employed.
- 8.** An apprentice clerk shall not be allowed to remain in any office after he has completed two years of apprenticeship unless-
 - (i) he is officiating in a paid appointment ; or
 - (ii) he has officiated in a paid appointment and given satisfaction therein for three months at least and is likely to obtain a paid appointment (officiating or substantive) within three months.

The retention of an apprentice under clause (ii) above shall be reported to the Commissioner, or Divisional Judge, or Head of the Department, who shall pass such orders as he thinks fit.
- 9.** No son of a Government official shall be attached to any office under Rule 4(ii), except under the order of the head of the office, and in offices under the control of a Deputy Commissioner with the Deputy Commissioner's written sanction.
- 10.** Every apprentice shall be assigned to a particular clerk, who shall be responsible for his instruction. The head of the office shall periodically (at least every three months) test the progress of every apprentice. Apprentices who do not seem likely to become useful clerks shall be discharged.

11. The following persons only may be appointed or promoted to clerkships on pay exceeding Rs.150 a month:-

(a) Persons who have passed the F.A. examination of an Indian University, or an examination declared by the Educational Syndicate to be equivalent thereto.

(b) Persons who have been continuously in the service of Government as clerks (whether paid or apprentices) from the 31st December 1891, and who have passed the Clerkship examination held under the rules previously in force or the Seventh Standard examination (Vernacular or Anglo-Vernacular) in Myanmar, or an examination declared by the Educational Syndicate to be equivalent thereto.

(c) Persons who have been continuously in the service of Government as paid clerks from the 31st December 1891, and who, on the 1st January 1892, held an appointment the pay of which exceeded Rs.50.

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12. The following persons only may be appointed or promoted to clerkships on pay exceeding Rs. 50, but not exceeding Rs.150, a month:-

(a) Persons possessing the qualifications required by Rule 11 for clerkships on pay exceeding Rs.150.

(b) Persons who have passed the Clerkship examination held under the rules previously in force or the Entrance examination of an Indian University, or an examination declared by the Educational Syndicate to be equivalent thereto.

(c) Persons who have been continuously in Government employment either as paid clerks or as apprentices from the 30th June 1901, and who were qualified under the Rules of the 30th July 1898 for clerkships up to Rs.150 per mensem by reason of having passed the seventh standard examination and of having obtained a paid clerkship before the 30th July 1898 or of having served for at least three months as an apprentice before the 1st July 1903.

Note.- A person who on the 1st January 1903 held an appointment the pay of which exceeded Rs.50 may, though admitted on or after the 1st July 1901 as an apprentice or paid clerk, be promoted to an appointment on pay not exceeding Rs.150 if he has been continuously in the service of Government from a date before the 1st January 1903.

13. The following persons only may be appointed or promoted to clerkships on pay not exceeding Rs.50:-

(a) Persons possessing the qualifications required by Rule 12 for clerkships on pay exceeding Rs.50.

(b) Persons who have passed the seventh standard, whether Vernacular or Anglo-Vernacular, or an examination declared by the Educational Syndicate to be equivalent thereto.

(c) Persons who have been continuously in the service of Government as clerks (whether paid or apprentices) from the 31st December 1891.

Notes to Rules 11-13. -(a) For the purposes of these rules a progressive pay the mean of which exceeds Rs.50 or Rs.150 is a pay exceeding Rs.50 or Rs.150, as the case may be.

(b) In applying Rules 11 to 13 the provisions of Rule 3 must be borne in mind.

- 14.** Appointments shall not be made from among apprentices merely on account of seniority. Educational qualifications and personal ability shall be regarded as of superior importance.
- 15.** Heads of offices may appoint, for a period of not more than three months, any person to fill an acting vacancy or for the temporary conduct of the duties of any officer.
- 16.** No permanent appointment or promotion to any paid clerkship in any office to which these rules apply will be accepted by the Audit Department or by the Treasury, unless the first entry of the new name in the pay-bill is supported by copies of the necessary certificates to show that the person appointed or promoted is eligible and was appointed or promoted in accordance with these rules.

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