

Ministers (Allowances, Medical Treatment And Other Privileges) Rules, 1957

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Ministers (Allowances, Medical Treatment And Other Privileges) Rules, 1957

S.R.O. 1154 - In exercise of the powers conferred by sub-section (1) of section 11 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952), the Central Government hereby makes the following rules, namely: -

1. SHORT TITLE :-

These rules may be called the Ministers (Allowances, Medical Treatment and other Privileges) Rules, 1957.

2. DEFINITION :-

In these rules unless there is anything repugnant to the subject or context -

(i) actual travelling expenses means the actual costs of transporting a Minister with his servants and personal luggage and includes charges for ferry and other tolls and for carriage of camp equipment, if necessary, but does not include charges for hotels, travellers bungalows or refreshments or for the carriage of stores or conveyance or for presents to coachmen and the like; or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants;

(ii) advance means a repayable advance made to a Minister on account of travelling or daily allowance or for the purchase of a motor car;

(iii) family means except in relation to the rule in section IV a Ministers wife residing with him and legitimate children and step children residing with and wholly dependent on him. Not more than one wife is included in a family for the purpose of these rules. If the Minister is a married woman, family will include her husband residing with and wholly dependent upon her;

(iv) first class compartment means a two-berthed or four berthed first class compartment or an air-conditioned coupe or a four berthed air conditioned compartment 1*or a coupe in the air-

conditioned sleeper class;

(v) form means a form appended to these rules;

(vi) Minister means a member of the Council of Ministers by whatever name called and except in relation to the rules in sub-section (1) of section 11, includes a Deputy Minister;

(vii) travelling allowance means an allowance granted to a Minister to cover the expenses which he incurs in travelling in the interest of public service as against travelling in personal interest or for private purpose, such as journey for rest or recoupment of health or for attending party meetings or for election campaign.

2. A calculation of road mileage and mileage allowance in kilometers: The road mileage and the mileage allowance payable under these rules shall be calculated with reference to distance in kilometers.

SUMPTUARY ALLOWANCE

3. OMITTED :-

OMITTED

SECTION – II TRAVELLING ALLOWANCE

Sub-section (1) – Travelling Allowance of Ministers other than Deputy Ministers

A – JOURNEY FOR ASSUMPTION OF OFFICE

4. TRAVELLING ALLOWANCE :-

In respect of the journey to headquarters from his usual place of residence for assuming office, a Minister is entitled to travelling allowance on the scale for the time being admissible to a Central Government servant of the first grade on transfer subject to the modification of that for journeys by rail a Cabinet Minister and the members of his family may travel by air-conditioned class of accommodation.

5. ALTERNATIVE TERMS :-

In lieu of drawing travelling allowance under rule 4 for journeys by rail for assuming office, a Minister may at his option, travel by railway on the following terms, namely,

(a) Any accommodation which he will be entitled to reserve by requisition after assuming office will, if practicable be placed at his

disposal.

(b) The charge of haulage of the reserved accommodation will be paid by the Government.

(c) The Minister shall pay to the Government the fare which he would have paid if no accommodation had been reserved and shall, in addition, pay in cash to the station master of the station from which the journey commences, the fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When the Government pays full tariff rates for the accommodation, all such fares will be credited to the Government.

TRAVELLING ON DUTY

A – BY RAIL

6. TRAVEL BY RAILWAY ON DUTY :-

(1) A Minister when travelling on duty by railway may reserve by requisition a standard gauge saloon, if for any reason, a saloon is not available for his use, he may reserve by requisition an inspection carriage. Similarly, when an inspection carriage is not available or if a saloon or an inspection carriage is not desired, the Minister may at his option reserve by requisition a first class compartment. The Prime Minister apart from other privileges of reserving railway accommodation may reserve on standard gauge and one metre gauge train.

[Explanation: - The Government shall also meet empty haulage charges of saloons.

(i) from the stabling station to the station at which it has been requisitioned;

(ii) from the station at which it is vacated to the stabling station referred to in clause (1) by the shortest route.

Explanation-II: - When a saloon is requisitioned by a Minister and is made available to him but is not subsequently utilised due to cancellation or change of tour programme, the empty haulage charges of the saloon will be met by the Government provided that

(a) there was not sufficient time to prevent the haulage of the saloon after the programme was cancelled or changed and

(b) an intimation regarding cancellation or change of tour programme for official reasons resulting in the empty haulage of

the saloon was made to Audit.]

(2) If it is impossible for a Minister, when travelling by railway on duty to arrange to travel by train, which is not a mail train, and if the railway authorities are unable to attach his reserved carriage to a mail train, he is entitled to order a special train at the expenses of the Government.

7. OPTION TO TRAVEL BY TAKING A SINGLE BERTH :-

A Minister may also, at his option, travel by taking a single berth in an air-conditioned coach or in any ordinary first class compartment.

8. OTHER PERSONS, SERVANTS AND LUGGAGE :-

(1) A Minister when travelling on duty in a saloon or an inspection carriage is entitled, without payment to -

(i) take with him in the reserved accommodation one relative subject to the authorised capacity of the reserved accommodation this concession is admissible even if a Minister travels in a first class compartment.

(ii) accommodation for two personal servants; and

(iii) free carriage of all luggage which he certifies as his personal luggage, including stores carried for consumption on tour, whether carried in the luggage van of the train to which his reserved carriage is attached or sent by any other train.

(2) Freight charges for goods and for stores other than those covered by sub-rule (1) shall be met by the Minister himself.

(3) Any person other than the relative mentioned in sub-rule (1) (i) travelling with the Minister in the reserved accommodation shall pay the usual fares to the railway by the purchase of first class tickets and in every bill for travelling allowance in respect of a journey performed in reserved accommodation, the Minister will specify the number of persons who travelled with him and furnish a certificate in Form-I.

Explanation: - The high official requisition should not be utilised for reservation of accommodation for the staff who are required to pay in cash.

9. TRAVEL IN RESERVED COMPARTMENT :-

A Minister when travelling in a reserved compartment on requisition shall be entitled without payment to accommodation for two personal servants and to draw daily allowance in accordance with

the provisions of rule 17.]

10. TRAVEL IN A SINGLE BERTH :-

Where a Minister travels by taking on requisition or otherwise, a single berth in an air-conditioned coach or in an ordinary first class compartment under Rule 7, he shall be entitled without payment to accommodation for two personal servants and) may draw the actual fare paid, if any and in addition, daily allowance in accordance with provisions of rule 17.

11. TRANSPORT OF MOTOR CAR ON TOUR :-

A Minister may recover the cost of transporting a motor car while on tour provided the President is satisfied that -

- (i) It is in the interest of the public service that a motor car should be sent by rail; and
- (ii) the car was employed for all practicable purposes, only as a means of performing in the public interest, a journey off the line of railway.

In case where the presence of his car with the Minister on tour has saved him the expenses in hiring a conveyance for personal convenience, or served his personal convenience to an appreciable extent, he should pay one-fifth of the cost of transporting the car.

B - BY ROAD OR STEAMER

12. TRAVEL BY ROAD OR STEAMER :-

(1) A Minister when travelling on duty by road or steamer, whether in Government transport or otherwise, may recover his actual travelling expenses appearing to his bill in certificate to the following effect: -

"I certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or charge for refreshment, hotels or staging bungalows."

(2) A Minister when travelling on duty by road in his private car may in lieu of the actual travelling expenses admissible under sub-rule (1) draw at his option a mileage allowance at the rate of thirty two paise per kilometer.

(3) A Minister, when travelling on duty by road shall be entitled, without payment, to take with him one relative.]

C - BY AIR

13. TRAVEL BY AIR :-

(1) A Minister, may in the public interest travel by air in a regular air service machine and recover in respect of such travel, the air fare (except when it is paid by Government direct to the company) 8\$ actually paid by him. In addition, he may :
recover the cost of transporting by road, passenger train or steamer his luggage upto a maximum of 224 kilograms and two servants by the cheapest mode of transport by road, rail or steamer, appending to his bill a certificate as follows :

"I certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage or any charge for refreshment, hotels or staging bungalows other than what is included on that account, in their fare itself."

Provided that the Minister who carries his personal effects 9~() by air, may subject to the maximum (224 kilograms) recover actual expenses upto the limit of the amount which would have been admissible had he taken the same quantity by the surface route.

NOTE: In case of travel in a private plane, free of charge, the Minister may recover the cost of transporting his luggage and servants on the scale mentioned 10@ in this sub-rule appending to his bill the following certificate, unless the entire luggage and the private servants are also carried free in private plane, namely : "I certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or staging bungalows."

(2) A Minister who does not utilise the free transport by air company between air-booking centre and the airport may also recover, in respect of the journey to or from the airport, actual travelling expenses or road mileage as for a journey on duty by road admissible under rule 12.]

(3) If the Minister intends to make the return journey also by air, he should purchase a return ticket if this involves a saving. In the case of an air journey, performed as a part of or as a link in a railway journey, he is entitled to the usual concessions for servants and luggage as for a railway journey.

14. PERSONS WHO CAN ACCOMPANY A MINISTER :-

When a Minister travels on duty in a regular air service machine, he may take with him at the expense of the Government his private secretary, or an assistant private secretary, or a personal assistant and a jamadar or a domestic servant, whenever this is considered by the Minister to be urgent and necessary in the public interest.

15. CANCELLATION OF AIR PASSAGE :-

On the cancellation of journey due to official reasons 12** (or circumstances which are unavoidable and are beyond his control), a Minister shall be entitled to be reimbursed by Government any deduction made by an Air Transport Company when refunding the fare on account of cancellation of the air passage.

16. CHARTERING OF AEROPLANE :-

Subject to the rules for chartering of aeroplane in force for the time being, a Minister may on his own authority, authorise the chartering of an aeroplane for a journey on duty if the journey by a chartered plane is considered by him to be necessary in the public interest.

D - DAILY ALLOWANCE

17. RATES OF DAILY ALLOWANCE :-

(1) Subject to the provisions of sub-rule

(2) a Minister shall be entitled to draw daily allowance for the entire period of absence from headquarters starting with the departure from Headquarters and ending with the arrival at the Headquarters at the following rate namely: -

(a) a daily allowance as admissible to a Secretary to the Government of India when he does not stay in the saloon or inspection carriage; and

(b) a daily allowance at the rate of 50% of the rates admissible to a Secretary to the Government of India if he stays in his saloon or inspection carriage.

EXPLANATION: Daily allowance for the entire period of absence from Headquarters will be regulated as follows :-

Full daily allowance may be granted for each completed calendar day of absence from headquarters, for less than 24 hours, the daily allowance will be admissible at the following rates :-

(a) for absence not exceeding 6 hours : NIL

(b) for absence exceeding 6 hours but not exceeding : 70% of the

rate 12 hours

(c) for absence exceeding 12 hours : full daily allowance

In case the period of absence from headquarters falls on two calendar days, it is reckoned as two days and D.A. is calculated for each day as above. Similarly, D.A. for days of departure from and arrival at the headquarters will also be regulated accordingly.

(2) For a continuous halt on tour exceeding 30 days, daily allowance will be admissible as under :-

(a) first 30 days - at the rates specified in sub-rule (1)

(b) beyond 30 days and upto - Half of the rates specified in sub-rule (1) 180 days

(c) beyond 180 days - NIL

Provided that a Minister whose headquarters are at a place other than Delhi, may, where he makes a continuous halt exceeding 30 days at Delhi and his actual expenses, during the period after the first 30 days of such halt exceeds the limit of allowance admissible to him under this rule, draw for the period aforesaid such actual expenses of certifying to the same but not exceeding the amount that would be admissible at the rate as admissible to the Secretary to the Government of India or at the rate of 50% of the rate admissible to the Secretary to the Government of India as the case may be.

18. ALLOWANCE ADMISSIBLE WHEN ON TOUR AS A STATE GUEST :-

When a Minister is treated as a State Guest during his official visit to a State in India and is provided with free boarding and lodging at the expenses of the State, he may, if he draws daily allowance limit it to his actual expenses subject to a maximum of the full allowance admissible under the rules, the actual expenses may include presents to bearers, servants and drivers etc. during the period of stay in a State.

(E) JOURNEYS OUTSIDE INDIA

19. JOURNEY ON DUTY OUTSIDE INDIA :-

A Minister proceeding on duty outside India is entitled to such terms in regard to travelling and other expenses as the President may, in such case decide.

JOURNEY ON DEMITTING OFFICE

20. JOURNEY AFTER DEMITTING OFFICE :-

On demitting office, a Minister is entitled to the same travel concessions in respect of the journey between headquarter and his usual place of residence as are admissible under the rules in respect of his journey for assumption of office.

20A. JOURNEY AFTER DISSOLUTION OF COUNCIL OF MINISTERS CONSEQUENT ON DEATH OR RESIGNATION OF PRIME MINISTER :-

In the event of dissolution of Council of Ministers consequent on the death or resignation of the Prime Minister, a Minister who is away from headquarters on tour on duty, shall be entitled, for his return journey to headquarters to the same travelling and other allowances as were admissible to him under these rules immediately before the dissolution of the Council of Ministers.]

Sub-section (2) - Travelling allowance of Deputy Minister

A - JOURNEY FOR ASSUMPTION OF OFFICE

21. TRAVELLING ALLOWANCE :-

In respect of the journey to headquarters from his usual place of residence for assuming office, a Deputy Minister is entitled to travelling allowance on the scale for the time being admissible to a Central Government servant of the first grade on transfer.

22. ALTERNATIVE TERMS :-

In lieu of drawing travelling allowance under rule 21 for the journey by rail for assuming office, a Deputy Minister may, at his option travel by railway on the following terms, namely -

(a) Any accommodation (except air-conditioned accommodation) which he will be entitled to reserve by requisition after assuming office will, if practicable, be placed at his disposal.

(b) The charge for hire of the reserved accommodation will be paid by the Government.

© The Deputy Minister shall pay to the Government the fare which he would have paid if no accommodation had been reserved and shall, in addition, pay in cash to the station master of the station from which the journey commences, the fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When the Government pays full tariff rate

for the accommodation all such fares will be credited to the Government.

B. TRAVELLING ON DUTY

23. TRAVELLING ALLOWANCE :-

The rules and orders for the time being in force, regulating the grant of travelling and daily allowances to a Secretary to the Government of India shall, subject to the following modifications, apply to the grant of travelling and daily allowances to a Deputy Minister in respect of journeys undertaken by him in discharge of his duties:-

- (i) A Deputy Minister shall be entitled to daily allowance at the maximum rate;
- (ii) The Deputy Minister for transport and railways shall be entitled to the use of a saloon subject to the same terms and conditions as are applicable to the Chairman of the Railway Board;
- (iii) Not more than one person, being a relative of the Deputy Minister, may subject to the authorised capacity of the reserved accommodation travel with him in such accommodation without payment of any fare (this provision shall have effect from the 7th December, 1954).
- (iv) A Deputy Minister, when travelling on duty by road, shall be entitled without payment, to take one relative.
- (v) In the case of a journey by air on duty, a Deputy Minister who does not utilise the free transport provided by the Air Company between the air booking centre and the airport shall be entitled to draw mileage allowance in respect of the road journey between the "duty point" and the airport;
- (vi) A Deputy Minister shall be entitled to draw the actual cost of hiring a conveyance for short road journey on duty at his headquarters for which no travelling allowance is admissible to him under these rules subject to his furnishing a certificate in each case that such conveyance was hired because a staff car could not be made available by the Ministry concerned or taken on loan from any other Ministry.
- (vii) The proviso to supplementary Rule 46 does not apply to Deputy Minister.

24. TRAVEL IN A RESERVED COMPARTMENT :-

A Deputy Minister when travelling by railway in a reserved

compartment on requisition shall be entitled to draw daily allowance at the rates for the time being admissible to a Central Government servant of the first grade.

25. TRAVEL IN A SINGLE BERTH :-

A Deputy Minister may at his option travel by taking on requisition or otherwise, a single berth in air-conditioned coach or in any ordinary first class compartment. In such cases he may draw the actual fare paid, if any, and, in addition daily allowances at the rates for the time being admissible to a Central Government servant of the first grade.

JOURNEY ON DEMITTING OFFICE

26. JOURNEY AFTER DEMITTING OFFICE :-

On demitting office, a Deputy Minister shall be entitled to the same travel concession in respect of the journey between headquarters and his usual place of residence as are admissible to him under these rules in respect of his journey for assumption of office.

26A. JOURNEY AFTER DISSOLUTION OF COUNCIL OF MINISTERS CONSEQUENT ON DEATH OR RESIGNATION OF THE PRIME MINISTER :-

In the event of dissolution of the Council of Ministers consequent on the death or resignation of the Prime Minister a Deputy Minister, who is away from headquarters on tour on duty, shall be entitled, for his return journey to the headquarters, to the same travelling and other allowances as were admissible to him under the rules immediately before the dissolution of the Council of Ministers.]

SUB-SECTION (3): JOURNEY OF FAMILY ON DEATH OF MINISTER

27. TRAVELLING EXPENSES :-

On the death of a Minister, the members of his family, shall be entitled to travelling expenses in respect of the journey from headquarters to his usual place of residence on the same scale as is admissible for the time being to the family of a Central Government servant of the first grade on his death while in service provided that the journey shall be completed within six months after the death of the Minister.

SECTION - III ADVANCES

28. ADVANCES :-

A Minister shall be entitled to: (a) an advance of travelling allowance towards the cost of transporting himself and the member of his family and his familys effects :

(i) in respect of the journey to the headquarters from his usual place of residence outside Delhi for assuming office; and

(ii) in respect of the journey from Delhi to his usual place of residence outside Delhi on relinquishing office; and

(b) an advance of travelling and daily allowance in respect of tours undertaken by him in the discharge of his official duties, whether by sea, land or air.

SECTION - IV MEDICAL ATTENDANCE AND TREATMENT

29. MEDICAL ATTENDANCE AND TREATMENT :-

(1) A Minister and members of his family shall be entitled, free of charge, to medical attendance and treatment on the scale and conditions applicable to members of the All India Services and members of their families under the All India Services (Medical Attendance) Rules, 1954.

(2) While on duty outside India, a Minister shall also be entitled free of charge to such medical attendance and treatment as may be admissible to the Head of the Indian Mission at that place.

NOTE: Family for the purpose of this rule will have the same meaning as defined in the relevant medical attendance rules.

SECTION - V ADVANCES FOR THE PURCHASE OF MOTOR CARS

30. ADVANCE WHEN ADMISSIBLE :-

A Minister may be paid an advance for the purchase of a motor car in India in order that he may be able to discharge conveniently and efficiently the duties of his office subject to the conditions hereinafter specified.

31. MAXIMUM AMOUNT OF ADVANCE :-

The maximum amount which may be advanced to a Minister for the purchase of a motor car shall not exceed 18* (rupees one lakh), or the actual price of the motor car, which is intended to be purchased, whichever is less.

32. REPAYMENT OF ADVANCE :-

(1) Recovery of the advance granted under rule 31, together with interest thereon, shall be made from the salary bill of the Minister concerned not more than sixty equal monthly instalments. @(...) The Government may, however, permit recovery to be made in a smaller number of instalments if the Minister receiving the advance so desires. The deduction shall commence with the first issue of salary after the advance is drawn, simple interest at the rate fixed by the Government for the purpose of purchase of conveyance by Government servants, shall be charged on the advance.

EXPLANATION: The amount of the advance to be recovered monthly shall be fixed in whole rupees except in the case of last instalment when the remaining balance included any fraction of a rupee should be recovered.

(2) In case a Minister relinquishes office before the advance is fully repaid, the outstanding balance together with interest thereon shall be paid to the Government immediately in one lumpsum.]

33. SALE OF MOTOR CAR :-

(1) Except when a Minister relinquishes his office the previous sanction of the Government shall be obtained for the sale by the Minister of the Motor car purchased with the aid of advance, if such advance together with the interest accrued there on has not been fully repaid, if a Minister wishes to transfer the motor car and the liability attaching thereto to another Ministry, he may be permitted to do so under the orders of the Government, provided that the purchasing Minister records a declaration that he is aware that the motor car transferred to him remains subject to mortgage to the government and that he is bound by the terms and provisions of the mortgage bond.

(2) In all cases where a motor car is sold before the advance with interest thereon has been fully repaid, the sale proceeds must be applied, so far as may be necessary, towards the repayment of such outstanding balance. Provided that when the motor car is sold only in order that another motor car may be purchased, the Government may permit the Minister to apply the sale proceeds

towards such purchase, subject to the following conditions namely:-
(a) the amount outstanding shall not be permitted to exceed the cost of the new car.
(b) The amount outstanding shall continue to be repaid at the rate previously fixed; and
(c) The new car shall be mortgaged to the Government and also insured.

34. PERIOD WITHIN WHICH NEGOTIATIONS FOR PURCHASE OF CAR MAY BE COMPLETED :-

A Minister who draws an advance for the purchase of a motor car, shall complete negotiations for the purchase of, and make final payment for the motor car, within one month of the date on which he draws the advance failing such completion and payment, the full amount of the advance drawn, with interest, thereon for one month, shall be refunded to the Government. The period of one month for completion of the deal may however, be relaxed by the Government in individual cases. An advance will not be admissible when a motor car has already been purchased and paid for in full. In a case in which payment has been made in part, the amount of advance will be limited to the balance to be paid as certified by the Minister.

35. EXECUTION OF AGREEMENT :-

At the time of drawing the advance, the Minister shall execute an agreement in form-II and on completing the purchase, he shall further execute a mortgage bond in form-III hypothecating the motor car to the Government as a security for the advance. The cost price of the motor car shall be entered in the schedule of specification attached to the mortgage bond.

36. CERTIFICATE TO THE ACCOUNTS OFFICER :-

When an advance is drawn, the sanctioning authority shall furnish to the Accounts Officer, a certificate that the agreement in form-II has been signed by the Minister drawing the advance and that it has been found to be in order. The sanctioning authority shall see that the motor car is purchased within one month from the date on which the advance is drawn or such period as may have been specifically allowed in individual cases, by the Government for completion of the deal under rule 34, and shall submit every

mortgage bond promptly to the Accounts Officer for examination before final record.

37. SAFE CUSTODY AND CANCELLATION OF MORTGAGE BOND :-

The mortgage bond shall be kept in the safe custody of the sanctioning authority. When the advance together with the interest thereon has been fully repaid, the bond shall be returned to the Minister concerned duly cancelled, after obtaining a certificate from the Accounts Officer, as to the complete repayment of the advance and interest.

38. INSURANCE OF MOTOR CAR :-

The motor car purchased from the advance shall be fully insured against loss by fire, theft or accident. The insurance policy shall contain a clause (as in form-IV) by which the insurance company agrees to pay to the Government, instead of the owner, any sum payable in respect of loss or damage to the motor car which is not made good by repair, reinstatement or replacement.

39. REPEAL AND SAVING :-

(1) All rules and orders in force immediately before the commencement of these rules in so far as they relate to matters provided for in these rules, are hereby repealed. (2) Notwithstanding such repeal claims which arose before and are pending at the commencement of these rules shall be disposed of under these rules.