

E.]
-30-8-06

Educational (1907) Department.

ORDINARY MS.

G.O., No. 728

DATED 1-11-07

[Despatch Abstract.]

Madras-Burma Pupil

Declining ^{with remarks} to modify orders
already passed with regard to the
Certificate granted to ^{by Capt. Harley Dms} Madurana
a —

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

[E.]
1-1-06.

EDUCATIONAL DEPARTMENT.

CURRENT FILE.²

CONTENTS.

From	Number.	Date.	Pages.
[2320] G. G.	$\frac{607}{248}$	18-9-07	1

[P. T. O. FOR PUT UP PAPERS.]

Papers of the department to which the current belongs.

Number.	Date.	Original (=O) or spare copy (=S. C.).	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.
557	26-8-07	0		
425	4-7-07	0		

Papers of other departments.

Department.	Number.	Date.	Original (=O.) or spare copy (=S. C.).	Despatcher to note the return of the papers to the departments concerned.

EDUCATIONAL DEPARTMENT.

CP. 2320 3



190 , Registered 19/9/1907

Subject.

Pointing out that para 2 of G.O.No.557, Educational, dated 26th August 1907 conveys a form of censure to Captain Harley, I.M.S., with regard to the certificate granted to Madras Burma Pupil Maduranayagam, to which (censure) he has not laid himself open.

ENCLOSURES.
No. _____
Spare copies _____

No. 60
7248

Station *Chennai*, Dated the *18* September 1907.

From (Name) Surgeon-General W.R. Browne, M.D., V.H.S., C.I.E., I.M.S.,
(Designation) Surgeon-General with the Govt. of Madras.

To the Secretary to the Government of Madras,
Educational Department.
Sir,

With reference to para 2 of G.O.No.557, Educational, dated 26th August 1907, I beg permission of Government to point out that the certificate signed by Captain Harley, I.M.S., on the 28th April 1906 was the ordinary certificate of Physical Fitness applicable to all candidates for employment in Government service. In such certificates all the Medical Officer is asked to do is to give the apparent age of the candidate judging from the physical appearance. It is not, I beg to point out, the examining Medical

2

Officer's duty to ascertain by other evidence what the age
of the applicant is. I therefore draw attention to para
2 as it conveys a form of censure to which, I consider
Captain Harley has not laid himself open, as he carried out
the duty he was asked to perform according to rule.

I have the honor to be,

Sir,

Your most obedient servant,

W. R. Brooke.

Surgeon-General,

80R.

Surgeon-General with the Government of Madras.

*Paper House, N. 1/2
Lancashire, P. 1/2
I think this is a good
the subject of
that, and a
opened and
person named
with the same
W. R.*

NOTES.

3

Educational Department.

4

C. No. 2320, from the Surgeon General, No. 60/T. 248, dated 18-9-1907.

Subject.

Pointing out that paragraph 2 of G.O. No. 557, Edl., dated 26th August 1907, conveys a form of censure to Captain Harley, I.M.S. with regard to the certificate granted to Madras-Burma pupil, Maduranayagam, to which (censure) he has not laid himself open.

Papers please. The draft was accepted in Public? I think that apart from the certificate, Captain Harley made a special and personal recommendation in this case.

H.D.T.
19-9-07.

Papers^{are} submitted. The draft order was accepted in the Public Department - viz page 15 of 24-9-07 G.O. No. 557 Edl. dated 26th August 1907. Attention is also solicited to the D.O. from Captain Harley to the Personal Assistant to the Surgeon-General, on page 11 of the G.O.

*RD
22-9-07*

*Lee
Ces
25.9.7*

To H.H.M.

Through the Public Dept-

*1802
26-9-07*

*No. 2320-1
24-9-07*

*Sp
24/9/07
Papers called for from
Madras 25-9-07-
Received 11-10-07-*

Re 4 5

Public Department

from the U.S.

The form of age certificate to be given to a candidate for employment in the public service is prescribed in Art. 49 of the C.S.R. Apparently Captain Harley, I. U. S., adopted this form for the certificate granted by him to medical pupil Maduranayagam. But as the lad was a Christian, & appeared for a certificate of age at his native place, (Trincomalee) it is submitted that the medical officer might have asked for a copy of baptismal certificate or evidence of age other than the candidate's own statement - Art. 49 C.S.R. apparently allows a medical officer to judge by appearance only, but this should not prevent his using some discretion - when ~~proof~~ proof of age can be obtained on the spot, the medical officer should not complain if Govt. tells him that he should have asked for the proof - Please see G.O. No. 1698 G.O. dated 10.9.1941 - "The opinion of the medical officer is only to be regarded as determining a person's

K

BOX No. 11
C/4-10-9 45 b

"are, where no certificate of birth exists,
"or where there is room for suspecting
"the person's statement" - This seems to
indicate that a medical officer should
not in all cases judge by appearance
alone - The G.O. however does not appear
to have been communicated to the Surgeon
General.

C/4-10-07

Submitted that
Capt. Harley showed want
of common-sense.

L. India may perhaps be
asked to amplify C.S.R. 42.
4-12-10 7

The Hon. Secy. to Govt. C.S.G.

The ordinary course in these cases
is as asked by the S.G. If there is
any doubt the Dist. M.O. would
be expected to call for other
information. But in this case
no question was raised

H.B.

14/1007

I don't see anything to take
exception to in the Order. If
Govt. cannot point out to



an officer what common
sense w^d have debated
in some particular instance
they may as well ~~take~~ put
down up the shutters.

S.T. 157

(98) Educational u.o.

103
161007

Draft drawn
103
18007

A draft is submitted for approval.

7/16
20-1007
21.10.07
Wdr

Lee
Oct
28.10.07
H.D.
28.10.07

Issued
H.D.
1.11.07

Cir. 30.10.07
Box no. 18

TK
18/10

C.No.2320, From the S.G. No.60/T / 248, dated 18th September 1907.

N^o. 728 27/11-07

K.R.
21-10-07

Rev'd 4-30 Pm
2/11/7

(Cap. Kelley
the cap. la. occurs on physical
appearance - not on a
bare statement.)

To
The Surgeon-General

6/11/77
X This is all the
Gov. drew at the
Ridge. It was not a
breach of any specific rule,
but of the application of
the common sense
of the officers in the
circumstances.
G.F.

When given for copying _____
 When copied _____ } 190 .
 When examined _____
 When signed _____

READ AGAIN G.O., No. _____, DATED _____
 190 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

A = Copy in full.
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 P = Copy abstract only.
 Q = Copy heading only.