

Government of Madras.

EDUCATIONAL DEPARTMENT

Recd.

Enclosures

Regd.

} 1909.

Spare copies

G.O., No. 523, 14th September 1909.

Reformatory School, Chingleput.

Appointing the District Munsif of Chingleput in virtue of his office to be a member of the Committee of Visitors of the —.

Government of Madras.

EDUCATIONAL DEPARTMENT

✓

Recd.

Enclosures

1909.

Regd.

Spare copies

G.O., No. 523, 14th September 1909.

Reformatory School, Chingleput.

Appointing the District Munsif of Chingleput in virtue of his office to be a member of the Committee of Visitors of the —.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers :—

I

Letter—from the Hon'ble Mr. A. G. BOURNE, D.Sc., F.R.S., C.I.E., Director of Public Instruction.
To—the Secretary to Government, Educational Department.
Dated—the 15th July 1909.
No.—Ref. on Cur. No. 4139.

The Superintendent, Reformatory School, Chingleput, reports that M.R.Ry. T. R. Kuppuswami Aiyangar, District Munsif of Chingleput, who was appointed a member of the Committee of Visitors of the Reformatory School in G.O., No. 809, Educational, dated 12th December 1908, has left the station consequent on his transfer to Coimbatore and he suggests that in view of the frequent transfer of District Munsifs, the District Munsif of Chingleput be appointed as an *ex officio* member of the Committee in addition to the District Judge and the Sub-Collector who are already *ex officio* members of the Committee. The Collector of Chingleput whom I have consulted in the matter is in favour of the proposal, and I have the honour, therefore, to recommend it for the sanction of Government.

II

Letter—from A. G. CARDEW, Esq., I.C.S., Ag. Chief Secretary to Government.
To—the Hon'ble the Chief Justice of the High Court of Judicature at Madras.
Dated—the 13th August 1909.
No.—Ref. 4541-1.

I am directed to enquire whether the Hon'ble the Judges of the High Court have any objection to the appointment of the District Munsif of Chingleput as an *ex officio* member of the Committee of Visitors of the Reformatory School at Chingleput.

2. The Committee consists of twelve members including the District Judge and the Revenue Divisional Officer of Chingleput both of whom are already *ex officio* members of the Committee. Successive District Munsifs of Chingleput have been appointed members of the Committee by name; but in view of the frequent transfers of these officers, the Governor in Council considers that it would be convenient if the District Munsif of Chingleput were appointed a member of the Committee of Visitors *ex officio*.

III

Letter—from J. T. GILLESPIE, Esq., I.C.S., Registrar, High Court.
To—the Chief Secretary to Government.
Dated—the 1st September 1909.
No.—Dis. 979.

With reference to your letter No. 4541-1, Judicial, dated 13th August 1909, I am directed to state that the Hon'ble the Judges have no objection to the appointment of the District Munsif of Chingleput as an *ex officio* member of the Committee of Visitors of the Reformatory School at Chingleput.

Order—No. 523, Educational, dated 14th September 1909.

In accordance with the provisions of section 17 (1) of the Reformatory Schools Act, 1897, the Governor in Council is pleased to appoint the District Munsif of Chingleput in virtue of his office to be a member of the Committee of Visitors of the Reformatory School, Chingleput.

(True Extract.)

W. FRANCIS,
Ag. Secretary to Government.

To the Director of Public Instruction.
" Judicial Department.
" Legislative Department.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 523, EDUCATIONAL,
DATED 14TH SEPTEMBER 1909.

[SUBJECT.—Appointment of the District Munsif of Chingleput, as an *ex-officio* member of the Committee of Visitors of the Reformatory School, Chingleput.]

Previous papers.

G.O., No. 2041,	Judicial	dated 6th September 1887.
" " 67,	Educational	" 5th February 1898.
" " 599	" "	" 8th September 1899.
" " 28	" "	" 24th January 1900.
" " 605	" "	" 27th November "
" " 558	" "	" 8th September 1904.
" " 743	" "	" 16th December "
" " 158	" "	" 20th March 1907.
" " 694	" "	" 6th October 1908.
" " 809	" "	" 12th December "
" " 811	" "	" 12th December "
" " 62	" "	" 2nd February 1909.
" " 229	" "	" 22nd April "
" " 361	" "	" 18th June "
" Nos. 390-91	" "	" 2nd July "
" No. 420	" "	" 15th July "

From the Director of Public Instruction, No. 4139, dated 15th July 1909.

The Director of Public Instruction requests that the District Munsif of Chingleput may be appointed as an *ex-officio* member of the Committee of Visitors of the Reformatory School, Chingleput.

2. The Members of the Committee of Visitors of the Reformatory School, Chingleput, are appointed under Section 17 (1) of the Reformatory Schools Act, 1897, and also under rule 4 (1) of the rules for the working of the Reformatory School, Chingleput, framed under subsection (2) of Section 26 of that Act. Nowhere has any maximum strength been fixed for the Committee but it has remained at 12 since 1888—*vide* paragraph 9 of office note on page 2 of K.W. G.O., No. 558, dated 8th September 1904. The present members of the Committee are—

- | | |
|---|---|
| G.O., No. 2041, Judicial, dated 6th September 1887. | (1) The District Judge, Chingleput, <i>ex-officio</i> . |
| G.O., No. 599, Educational, dated 8th September 1899. | (2) The Revenue Divisional Officer, Chingleput, <i>ex-officio</i> . |
| G.O., No. 558, Educational, dated 8th September 1904. | (3) M.R.Ry. G. Narayanaswami Chetti Garu. |
| G.O., No. 694, Educational, dated 6th October 1908. | (4) M.R.Ry. T. R. Kuppuswami Aiyangar, District Munsif, now vacant. |
| G.O., No. 809, Educational, dated 12th December 1908. | (5) M.R.Ry. M. A. Rangachariyar, High Court Wakil. |
| G.O., No. 811, Educational, dated 12th December 1908. | (6) M.R.Ry. P. Ramanujachariar Avargal, B.A., B.L. |
| G.O., No. 599, Educational, dated 8th September 1899. | |

G.O., No. 229, Educational, dated 22nd April 1909.

(7) The Reverend T. Pereira.

G.O., No. 229, Educational, dated 22nd April 1909.

(8) M.R.Ry. T. Alagasingara Chariar.

G.O., No. 229, Educational, dated 22nd April 1909.

(9) M.R.Ry. P. N. Ananta Chariar.

G.O., No. 361, Educational, dated 18th June 1909.

(10) M.R.Ry. P. B. Krishnama Chariar.

G.O., No. 420, Educational, dated 15th July 1909.

(11) The Reverend A. Andrew.

G.O., No. 420, Educational, dated 15th July 1909.

(12) M.R.Ry. D. G. Moses, B.A., LLT.

3. The Director of Public Instruction points out that M.R.Ry. T. R. Kuppuswami Aiyangar, No. (4) above, District Munsif of Chingleput, has left the station consequent on his transfer to Coimbatore and requests that in view of the frequent transfers of District Munsifs, the District Munsif of Chingleput may be appointed as an *ex-officio* member of the Committee in the same way as the District Judge and the Revenue Divisional Officer of the place are appointed *ex-officio* members.

4. When the rules of the Reformatory School were under revision in 1904, the question was raised as to whether the appointment of a visitor might, in the case of officers of Government, be made by name or by office. It was then held that Section 15 of the General Clauses Act, 1897, did not allow of the appointment of an officer by his office—please see the marginal note against paragraph 2 of office note on page 2 of K.W. G.O., No. 743, dated 16th December 1904.

5. It is for consideration whether the Director of Public Instruction's attention may be drawn to that section.

P.R.—29-7-09.

Please paragraph 4 of Mr. Taylor's note, dated 2nd July 1904, on page 3 of G.O., No. 588, Educational, dated 8th September 1904, and Sir George Forbes' note, dated 19th August 1904, paragraph 2, on page 5 of the same G.O., in which the view was expressed that the members of the Committee of Visitors might be appointed *ex-officio*. But in the notes in the later G.O. (No. 743, Educational, dated 16th December 1904), it was held that such appointments could not be made *ex-officio*. *Vide* page 2 of the notes in G.O., No. 743, Educational, dated 16th December 1904.

K. RANGASWAMI AIYANGAR—31-7-09.

There seems little doubt that under section 15 of the General Clauses Act, 1897, a person can be appointed either by name or by office. There is nothing in section 17 of the Reformatory Schools Act, 1897, which expressly forbids it. The proposal to appoint the District Munsif, Chingleput, by virtue of his office may therefore be accepted.

C. A. SOUTER—2-8-09.

Submitted that the view at A is right. On page 5 of notes in G.O., No. 558, Educational, dated 8th September 1904, Sir G. Forbes and Sir G. Stokes held that *ex-officio* appointments were permissible. On page 2 of notes in the later G.O., No. 743, Educational, dated 16th December 1904, Mr. Galletti said they were barred by section 15 of India General Clauses Act and this view was not challenged or discussed. That section says that where by an Act power to appoint any person to fill any office is conferred, then, unless it is otherwise expressly provided (which in section 17 of the Reformatory Schools Act it is not), any such appointment, if it is made after the commencement of the General Clauses Act, may be made either by name or office. The Reformatory School and General Clauses Acts came into force on the same day, but anyhow section 15 of the former does not seem to mean that the power of appointment must be made after the commencement of the Act, but only the appointment itself.

2. Dr. Bourne's proposal may be approved.

3. The High Court had better be consulted first.

W. FRANCIS—3-8-09.

Yes. I agree. Ask High Court if they have any objection to the munsif being appointed *ex-officio* and if not gazette him so.

M. H[AMMICK]—5-8-09.

Please draft to High Court. The letter will presumably issue from Judicial.

W. FRANCIS—6-8-09.

The draft letter placed below is submitted for approval. If approved the Judicial Department may be requested to issue the letter.

P.R.—6-8-09.

K. RANGASWAMI AIYANGAR—6-8-09.

C. A. SOUTER—6-8-09.

To the Judicial Department.

JUDICIAL DEPARTMENT.

May issue.

C. A. SOUTER—9-8-09.

Submitted to the Honourable Member for approval.

A. G. CARDEW—10-8-09.

Approved.

M. H[AMMICK]—12-8-09.

Issue.

A. G. CARDEW—13-8-09.

[Issued as letter No. 4541-1, dated 13th August 1909.]

From the Registrar, High Court, Dis. No. 979, dated 1st September 1909.

The High Court have no objection to the appointment of the District Munsif of Chingleput as an *ex-officio* member of the Committee of Visitors of the Reformatory School.

2. The file may be returned to Educational.

E.K.G.—7-9-09.

For perusal of Chief Secretary.

C. A. SOUTER—8-9-09.

To the Educational Department.

A. G. CARDEW—9-9-09.

EDUCATIONAL DEPARTMENT.

Draft please.

W. FRANCIS—10-9-09.

The draft order placed below is submitted for approval.

2. With reference to the Honourable Member's orders, dated 5th August, *supra*, orders are solicited as to whether the appointment may be gazetted. Similar appointments do not appear to have ordinarily been gazetted—*vide* G.O., Nos. 2041, Judicial, dated 6th September 1887 and 599, Educational, dated 8th September 1899.

P.R.—13-9-09.

It has not been usual to publish in the Gazette the appointments of members of the Committee of Visitors of the Reformatory School, Chingleput, whether such appointments were by name or by virtue of office, as in this case. Nor is there anything in the Reformatory Schools Act (VIII of 1897) or in the rules* framed thereunder that these appointments should be notified in the Gazette. It does not appear therefore to be necessary to gazette the present appointment.

Issue.

C. A. SOUTER—13-9-09.

Secretary for perusal before issue.

K. RANGASWAMI AYYANGAR.

Seen.

W. FRANCIS—14-9-09:

[G.O., No. 523, Educational, dated 14th September 1909.]

[$\frac{E. \& L. 7}{76.}$]
2,500-25-2-08.

Educational DEPARTMENT.

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

" " " " " "

190

READ ALSO:—

C. No. 1381, From the 2-P.9, No. 4139, dated 15-7- 1909.

" " 5732 fwt " " High Comb. 979 " 1-9-1909

[illegible]

ORDER.

No. 523, dated 14-9-1909.

RS

In accordance with the provision
of Section 17 (1) of the Reformatory
Schools Act, 1897, the Governor in
Council is pleased to appoint the
District Munsif of Chingleput, to be
^{in virtue of his office}
~~an ex-officio~~^a member of the Committee
of Visitors of the Reformatory School,
Chingleput, Ex-officio.

PTJ
13-9-09

Oct
1399

13.9-09

To, S.C. Deshpande. 7-10-60

✓ S.C. Dept 7-10-9
The S.P. 9 ✓ Dept 14-9-9

.. Judd Depth. ✓ $\frac{1000}{1599}$
 " Lysne Depth. ✓

S. e. Despd
8/10/09.

PRESS SLIP.

ORDINARY.

PREFERENCE.

EDUCATIONAL
LEGISLATIVE DEPARTMENT.INSTRUCTIONS FOR THE
SECRETARIAT.

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b¹) For rules regarding printing of notes, see the rules in G.O., No. 1220, Public, dated 30th November 1900.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Deputy Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Deputy Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Members should be printed in full when they occur on the right hand side, but only the first time when they appear on the left side, the initials alone being printed later.

Current No., dated 19 ..
G.O., No. 523, dated 14th September 1909.
(b)

Number of MS. pages sent { Correspondence including order or orders
(b¹)
Notes.....

Docket..... Reformatory School, Chengalput.
Appointing the District Munsif of
Chengalput in virtue of his office to be a
member of the Committee of Visitors of
the

(c)
Number of copies required when struck off (not including
copies for volumes and editors' table which are retained
in the Press).

Complete
correspondence
and orders.

Notes

FOR RECORD.*

Madras Records	...	...	...	25	15
Ooty Records	...	...	...	3	3
For filing with original	...	...	...	1	1
Total	...	...	...		

FOR ISSUE.†

	Letter only.	Complete G.O.	Special issue copies (b) of G.O.		Notes.
			No.	Papers.	
Signature copies.....					
India Office.....					
Govt. of India.....Dept.					
Public Department.....					
Judicial Department.....					
Financial Department.....					
Revenue Department.....					
Public Works Department.....					
Local and Municipal Department.....					
.....Dept.					
Total					
Spare copies.					
The Director of Public Instruction.....					
The Comr. for Govt. Examinations.....					
The Superintendent, Govt. Museum.....					
The Surgeon-General.....					
The Accountant-General.....					
The Collector of.....					
The P. D. B.....					
The.....					
The.....					
The.....					
The.....					
The.....					
The.....					
The.....					
Total					

* Copies distributed on.....*(Press Clerk.)

† Copies distributed on.....*(Despatcher.)

* To be initialed and dated.

(P.T.O.)

TO PRESS, MADRAS.
OOTY.

A	B	C
Please send proof in triplicate. The papers have been carefully edited.	Proof returned corrected. Please strike off and send number of copies as indicated.	As the matter is clear in script and has been carefully edited, (b) proof need not be sent. Please print and supply number of copies as indicated.
	Type may be released <u>after usual interval.</u> at once.	Type may be released after usual interval.
.....Clerk.	Clerk.	Clerk.
.....Supdt.	Supdt.	Supdt.

(b) Three copies of proof of all notes should be sent for approval, except when instructions are given to the contrary.

SPECIAL INSTRUCTIONS.

TO BE FILLED IN BY THE PRESS.

Diary.	Initials of Press official.
Received in Press on.....	14/9/09 L.B.
First proof furnished on.....	23-9-09 L.B.
Call for revised proof received on.....	
Revised proof furnished on.....	
Corrected proof received for striking on.....	29-9-09 L.B.
Final copies supplied on.....	6-10-09 L.B.

Account of copies.	Complete copies.	Notes.	Issue copies.
Supplied to Secretariat for Record.....	29	19	
" " " Issue.....	11		
For Volumes.....	16		
For E.T.....			
Total ...	56	19	