

Edl (1916) Department.

Mis SERIES.

G.O., No. 240

DATED 4-3-16

[Despatch Abstract.]

Appointments in India Recording letter from the Govt of India forwarding a copy of the Secretary of State's despatch No 66 Judicial dated the 23-11-11 stating that Govts in India have not the power to select gentlemen residing in England for — and that if it is necessary to fill up an appointment in India from England the power of nomination is with the Secretary of State.

PAPERS PUT UP WITH CURRENT No.

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

Papers of other departments.

Department.	Number	Date.	Original (= O.) or spare copy (= S.C.).	Initials with date of (1) Referencer acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to the department concerned.

Sub-m

3/2

p. 1 of G.O. 69-70 Eds, 22.1.16. (W)

last para on p. 1 — do —

Vide Secy's note on p. 11 of the G.O. (W)

CIS

Noted
in CS
17.2.16

3/2/16

3/2/16

22.2.16

2.2.16

Educational Department

Letter - to, 446-1 Eds
3-2-16.

The Secretary to the Govt. of India
Department of Education

Sir,

In his letter no. J & P 4693/15, dt.
18.11.15, addressed to the Secretary to
the Govt. of Madras, Educational Dep.
the Secretary, Judicial and Public Dep.
India office, referred to the Secretary
of State's despatch ~~no. 66~~ to the Govt.
of India, no. 66 Jndd, dt. 23.11.15, in
which it was laid down that, if it is
necessary to fill up an appointment
in India from England, the power
of nomination is with the Secretary
of State. As the despatch is not
traceable in the records of this Govt.
and in view of the importance attached
to it, I am directed to request that,
if there is no objection, a copy of it
may be furnished to this ^{Govt.} office for
reference.

I have to.

Handwritten text at the top left of the first page.

Handwritten text in the upper middle section of the first page.

Main body of handwritten text on the first page, covering most of the left half.

Handwritten notes and signatures at the bottom of the first page.



CN. 732 Es
28/2/16

No. 161

Government of India,
DEPARTMENT OF EDUCATION.
(Education.)

Delhi, the 22 February 1916

From

G. Anderson Esq, M.A.,
Asst. Secretary to the Government of India,

To

The Secretary to the Government of Madras,
Educational Department.

Sir,

Page 1 of C.P.

With reference to your letter no. 446-1-Ed1, dated the 3rd February 1916, I am directed to forward herewith a copy of the Secretary of State's despatch to the Government of India, no. 66-Jud1., dated the 23rd November 1899. ✓

I have the honour to be,

Sir,

Your most obedient servant,

G. Anderson

Asst. Secretary to the Government of India.

Handwritten signature and initials at the bottom of the second page.



India Office, London;

23rd November 1899.

Judicial,

No. 66.

To His Excellency the Right Honourable the Governor
General of India in Council.

My Lord,

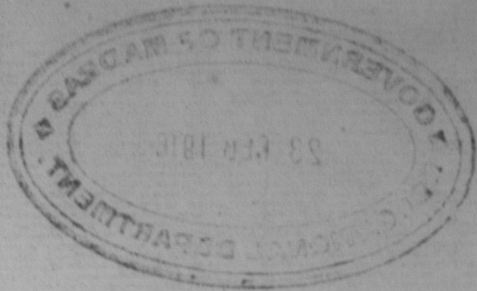
I have considered in Council your telegram
Appointment of Mr. M.F. Wren, to the Berar Police. Appointments from this country to be made by the Secretary of State only. of the 18th August last, stating that you had appointed Mr. M.F. Wren to be an Assistant District Superintendent of Police 2nd Grade in Berar.

2. In the special circumstances of the case I have regarded your telegram in the light of a recommendation in favour of the appointment of Mr. Wren, and I have accordingly appointed him.

3. In sending the telegram, however, your Excellency in Council appears to have overlooked the rule referred to in the despatch of the Secretary of State, No. 23, dated 20th July 1876, that "Governments in India have not the power to select gentlemen residing in England for appointments in India", and that "if it is necessary to fill up an appointment in India from England, the power of nomination is with the Secretary of state".

4. It is possible that the accidental omission to send a Despatch to the Government of India in the case of the appointment of Mr. A.C.

Vide Government of India's letter in Foreign Department, no. 117, dated 16th June 1896. Currie in 1896, may have lead Your Lordship's Government to believe that the Secretary of state in Council acquiesced in an exception to the general rule



India Office, London,
23rd November 1896.

Judicial,

No. 68.

To His Excellency the Right Honourable the Governor
General of India in Council.

My Lord,

I have considered in Council your telegram

of the 18th August last, appointing Mr. W. F. Wren to the
Berar Police. Appointments from this
country to be made by the Secretary
of State only.

to be an Assistant District Superintendent of Police

and Grade in Berar.

2. In the special circumstances of the case

I have regarded your telegram in the light of a
recommendation in favour of the appointment of Mr.
Wren, and I have accordingly appointed him.

3. In reading the telegram, however, your
Excellency in Council appears to have overlooked the
rule referred to in the despatch of the Secretary
of State, No. 63, dated 20th July 1896, that

"Governments in India have not the power to select
gentlemen residing in England for appointments in
India", and that "it is necessary to fill up
an appointment in India from England, the power of
nomination is with the Secretary of State".

4. It is possible that the accidental
omission to send a Despatch to the Government of
India in the case of the appointment of Mr. A. C.

Vide Government of India's letter to Currie in 1896, may have
in Foreign Department, No. 117, dated 18th June 1896.

It is to be believed that the Secretary of State in
Council acquiesced in an exception to the general

rule

rule being made with respect to appointments in
Berar. I see no reason, however, why such an excep-
tion should be made, and I request that in future,
when it is desired to appoint a person from England
to that province, the Government of India will merely
state the fact, and await the recruit whom the
Secretary of State may select, without officially
suggesting the names of individuals.

I have the honour to be,

My Lord,

Your Lordship's most obedient and humble
servant,

sd/ George Hamilton.

ORDER

(H.N.S.)

” ” ” ” ” 191 .

READ ALSO:-
G.No. 732, From the Govt. of India, No. 161, dated the 22nd Feb. 1916.

191

” ” ” ” ” ” ” ” 191

No. 2408 ^{Ms}, dated 4-3- 1916.

Mr.

312

Recorded

29.2.16

2-10
 29.2.14

2-3-11

When given for copying _____
 When copied _____ } 19
 When examined _____
 When signed _____

READ AGAIN G.O., No.
 19

DATED

CURRENT No.

ENCLOSURES TO O. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

A A A A A A A

N.B.—

A = Copy in full.
 B = Not to be copied.
 P = Copy abstract only.
 Q = Copy heading only.