

Government  of Madras

HOME DEPARTMENT (EDUCATION)

G.O. No. 717, 7th June 1919

Delegation of powers

Sanctioning the delegation to the Chief Conservator of Forests of certain powers of exemption under the Public Service Notification and notifying the consequential alterations in that notification.

INDEXED

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G.O. No. 717, 7th June 1919

## Delegation of powers

Sanctioning the delegation to the Chief Conservator of Forests of certain powers of exemption under the Public Service Notification and notifying the consequential alterations in that notification.

READ—the following papers :—

### I

G.O. No. 692, Revenue (Special), dated 11th April 1919.

ABSTRACT.—Passing orders in regard to the position, powers, duties and establishment of the Chief Conservator of Forests.

G.O. No. 806, Revenue (Special), dated 29th April 1919.

ABSTRACT.—Notifying the appointment of Mr. S. Cox as Chief Conservator of Forests with effect from 1st June 1919 and issuing a press communiqué about it.

### II

Reference from the Board of Revenue (Land Revenue), Forest  
No. 977/19-1, dated 12th May 1919.

The Hon'ble Mr. L. T. HARRIS, I.C.S.,  
Commissioner of Land Revenue and Forests.

As the newly appointed Chief Conservator will shortly take charge of the Forest Department it is necessary to confer on him powers of granting exemption to Forest subordinates under the Public Service and Special Test notifications. He will assume the position now occupied by the Board of Revenue in relation to the Forest Department and may therefore be granted the same powers as the Forest Commissioner now exercises under articles 4 (2) and 5 (2) of the Public Service Notification published at page 281 of Part I-B of the *Fort St. George Gazette*, dated 29th April 1919. The Board accordingly submits the following draft amendments for approval and for publication in the *Fort St. George Gazette* :—

### Notification.

(1) In the Public Service Notification published at pages 281-296 of Part I-B of the *Fort St. George Gazette*, dated 29th April 1919, after the words "Board of Revenue" occurring in the first line of articles 4 (2) and 5 (2), insert the words "and the Chief Conservator of Forests."

(2) In the notification relating to Special Test examinations published at page 297 of Part I-B of the *Fort St. George Gazette*, dated 29th April 1919, for the words "Government or the Board of Revenue" occurring in Note (iii) under article 4 substitute "Government, the Board of Revenue or the Chief Conservator of Forests."

H. R. PATR,  
Secretary.

To the Secretary to Government, Revenue (Special) Department.

## Order—No. 717, Home (Education), dated 7th June 1919.

The Government are unable to accept the Board's proposal that the Chief Conservator of Forests as Head of the Forest Department may be granted the same powers of exemption under the Public Service and Special Tests notifications as are now exercised by the Board of Revenue. They are, however, pleased to sanction the delegation to him of the following powers:—

(1) the power to sanction the employment in his own office and in the offices under his control of unpassed candidates in acting and sub. *pro tem.* vacancies and in temporary posts without limit of time, when the sanctioned pay of the appointment is not more than Rs. 30 per mensem, and for a period not exceeding twelve months when the sanctioned pay of the appointment is not more than Rs. 50 per mensem.

Provided that bona fide efforts have been made without success to obtain passed candidates; and

(2) the power to sanction the exemptions of subordinates in his own office and in the offices under his control from the provisions of article 3 of the Public Service Notification, until the publication of the results of the next examination, provided that the total period of such exemption shall not exceed one year.

2. The following notification will be published in the *Fort St. George Gazette*:—

## NOTIFICATION

The following changes are directed in the Public Service Notification published at pages 281 to 296 of Part I-B of the *Fort St. George Gazette*, dated the 29th April 1919:—

In article 4 (4), the words "and the Chief Conservator of Forests" shall be inserted between the words "Madras" and "as" occurring in line 7, and the words "in his own office and in the offices subordinate to him" occurring in lines 7 and 8 shall be replaced by the words "in their own offices and in the offices under their control."

In article 5 (2) (i), the words "and forest accountant" occurring between the words "assistant farm manager" and "whatever their pay" shall be deleted, and the word "and" shall be inserted between the words "sub-overseer" and "assistant".

In article 5 (3) the words "the Chief Conservator of Forests may sanction similar exemptions in his office and in the offices under his control" shall be inserted between the words "departments" and "and" occurring in lines 3 and 4.

(True extract)

R. RAMACHANDRA RAO,  
Secretary to Government.

To the Chief Conservator of Forests.  
" Revenue (Special) Department.  
" Commissioner for Government Examinations.  
" Superintendent, Government Press (for publication of notification in the gazette).

NOTES CONNECTED WITH G.O. No. 717, HOME (EDUCATION),  
DATED 7TH JUNE 1919.

[SUBJECT.—Powers of exemption from the Public Service and Special Test notifications to be granted to the Chief Conservator of Forests.]

## REVENUE (SPECIAL) DEPARTMENT.

Reference from the Board of Revenue (Land Revenue) Forest, No. 977/19-1,  
dated 12th May 1919.

The Board of Revenue recommends that the Chief Conservator of Forests who is to assume the position of the Board in future in regard to the Forest Department may be granted the same powers of exemption from the Public Service and Special Test notifications as are now enjoyed by the Forest Commissioner.

2. (i) *Exemption from Educational qualifications.*—It will be seen from paragraph 4 of the Public Service Notification published on pages 281-296 of Part I-B of the *Fort St. George Gazette*, dated 29th April 1919, that the Board of Revenue has powers superior to all other authorities in this matter (except Government). It can sanction the employment of unpassed men

(a) in permanent appointments up to Rs. 30 per mensem;

(b) in temporary and acting and sub *pro tem.* posts without limit of time or salary.

Only the Inspector-General of Registration has powers in regard to (a) above

\* But please see portion marked in para- up to Rs. 25 per mensem. It is not \*  
graph 4 of the notes with G.O. No. 836, known why he is treated specially.  
Education, dated 2nd August 1916. Other heads of departments, e.g., the  
G.N.—22-5-19. Judges of the High Court, the Secretaries

to Government, the Chief Engineer, Public Works Department, the Director of Public Instruction, etc., have no powers in regard to permanent appointments.

In regard to temporary, acting and sub *pro tem.* vacancies, these officers can exempt

(a) without limit of time up to Rs. 30 per mensem;

(b) for one year up to Rs. 50 per mensem.

It is for orders whether it would not do to give similar powers to the Chief Conservator. After all, the establishment in whose behalf the Chief Conservator will have to exercise these powers of exemption will be only his office staff and those of Conservators (the establishment of District Forest Officers forms part of the Collectorate staff).

(ii) *Exemption from special tests.*—Please see rule 5 of the Public Service Notification published on pages 281-96 of Part I-B of the *Fort St. George Gazette*, dated 29th April 1919. For the reasons given in the previous paragraph, it is for orders whether it would not be sufficient if the Chief Conservator were given powers referred to in item (3) of rule 5, i.e., those exercised by the Judges of the High Court.

3. With the remarks of this department the file may be passed on to the Home (Education) Department for issue of orders.

C.M.—16-5-19.

R.V.—16-5-19.

Government have all along adopted the principle that the Chief Conservator should as far as possible take the place of the Board. There seems no reason to whittle down his powers except in the few cases where jurisdiction over the Revenue Department is involved. If the powers which the Board now proposes to transfer to the Chief Conservator are in excess of those exercised by other heads of

S. WADSWORTH—17-5-19.

A. Y. G. CAMPBELL—19-5-19.

HOME (EDUCATION) DEPARTMENT.

G.N.—22-5-19.

T.K.—23-5-19.

C. RAMANUJA ACHARIYAR—26-5-19.

Regarding the proposed amendment to 5 (3), will not the draft empower the Chief Conservator to sanction exemptions to clerks in the Forest Branch of Collector's offices? Such clerks belong to the Forest Department. Revenue (Special) does not want this delegation.

R. RAMACHANDRA RAO—27-5-19.

With reference to the Secretary's query *supra*, it is submitted that though paragraph 1 (2) of the draft makes it clear that the Chief Conservator of Forests can exercise the power of exemption from the provisions of Article 3 of the Public Service notification only in the case of subordinates in his own office and in the offices under his control, the proposed draft addition to Article 5 (3) of the Public Service notification may admit of the interpretation suggested by the Secretary. The following draft addition to that Article is suggested, so as to make it unambiguous :—

In Article 5 (3), the words 'the Chief Conservator of Forests may sanction similar exemptions in his office and in the offices under his control' between the words 'departments' and 'and' occurring in lines 3 and 4.

2. The pencil alterations made in the draft order will be inked, if approved.

G.N.—30-5-19.

T.K.—30-5-19.

C.R.—3-6-19.

Draft to Revenue (Special) for acceptance.

R.R.—4-6-19.

## REVENUE (SPECIAL) DEPARTMENT.

Accepted.

S. W.—5-6-19.

## HOME (EDUCATION) DEPARTMENT.

May issue.

C.R.—6-6-19.

R.R.—7-6-19.

[G.O. No. 717, Home (Education), dated 7th June 1919.]

READ AGAIN G.O. No. 692 Rev. (Spl) dated the 11th April 1919

" " " " 306 " " the 39th April 1919

READ ALSO:—

C. No. ...., From the Board of Revenue, No. 977/19, dated 12-5-1919 191

~~Forest Ref (L.R. & Forests)~~

" " ..... " " ..... " "

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" " ..... " " ..... , , ..... "

191

ORDER.

No. 717, dated 7. 6. 1919.

F. S.

(Notes to be printed)

Notifying the appointment of  
Mr. S. Lee as chief censorator of  
1919 <sup>with effect from 1st June</sup> <sub>press</sub> <sup>about</sup> <sub>communications</sub>  
under his control /

(1) the power to sanction the employment in his own office and in the offices ~~subordinate to him~~ *under his control* of unpassed candidates in acting and sub protem vacancies and in temporary posts without limit of time, when the sanctioned pay

pay of the appointment is not more than Rs. 30/- per mensem, and for a period not exceeding twelve months when the sanctioned pay of the appointment is not more than Rs. 50/- per mensem.

Provided that bonafide efforts have been made without success to obtain passed candidates, and

(2) the power to sanction the exemptions of subordinates in his own office and in the offices subordinate to him from the provisions of article 3 of the Public Service Notification, until the publication of the results of the next examination, provided that the total period of such exemption shall not exceed one year.

2. The following Notification will be published in the Fort Saint George Gazette:-

Notification

The following changes are directed in the Public Service Notification published at pages 231 to 236 of Part I - B of the Fort Saint George Gazette, dated the 29th April 1919:-

In article 4(4), the words "and the Chief Conservator of Forests" shall be inserted between the words "Madras" and "as" occurring in line 7, and the words "in his own office and in the offices subordinate to him" occurring in lines 7 and 8 shall be replaced by

cf Art. 4 (4) of the P. S. Notification

(D)

under his control

cf. Art. 5(3) of the P. S. Notification

(D)

p. 14 of (D)

by the words "in their own offices and in the offices under their control".

In article 5(2)(i), the words "and forest accountant" occurring between the words "assistant farm manager" and "whatever their pay" shall be deleted, and the word "and" shall be inserted between the words "sub-overseer" and "assistant".

In article 5(3) the words

the words "the Chief Conservator of Forests may sanction similar exemptions in his office to in the office under his control" shall be inserted between the words "Department" and "and" occurring in line 3 of Art. 4

To  
The Chief Conservator of Forests  
The Secy of Revenue (L. & Forests)  
Revenue (Special) Department  
Commissioner for Govt. Examinations.  
Supdt. Government Press for publication of notification in the Gazette.)

Gazetted on

Deond  
8th March 19.6.19.

John Smith  
8th March 19.6.19.

23.5.19

23.5.19

26.5.19

4/7/19

For approval  
18/6/19  
1919  
NOTES CONNECTED WITH G.O. No. 717, HOME (EDUCATION),  
DATED 7TH JUNE 1919.

[SUBJECT.—Powers of exemption from the Public Service and Special Test  
notifications to be granted to the Chief Conservator of Forests.]

REVENUE (SPECIAL) DEPARTMENT.

Reference from the Board of Revenue, (Land Revenue) Forests, No. 977/19-1,  
dated 12th May 1919.

The Board of Revenue recommends that the Chief Conservator of Forests, who is to assume the position of the Board in future in regard to the Forest Department, may be granted the same powers of exemption from the Public Service and Special Test notifications as are now enjoyed by the Forest Commissioner.

2. (i) *Exemption from Educational qualification*.—It will be seen from paragraph 4 of the Public Service Notification published on pages 281-296 of Part I-B of the Fort St. George Gazette, dated 29th April 1919, that the Board of Revenue has powers superior to all other authorities in this matter (except Government). It can sanction the employment of unpassed men

- (a) in permanent appointments up to Rs. 30 per mensem;
- (b) in temporary and acting and sub *pro tem* posts without limit of time or salary.

Only the Inspector-General of Registration has powers in regard to (a) above up to Rs. 25 per mensem. It is not \*  
\* But please see portion marked in paragraph 4 of the notes with G.O. No. 836, known why he is treated specially. Education, dated 2nd August 1918.

G.O.—24-5-19. Judges of the High Court, the Secretaries to Government, the Chief Engineer, Public Works Department, the Director of Public Instruction, etc., have no powers in regard to permanent appointments.

In regard to temporary, acting and sub-*pro tem* vacancies, these officers can exempt—

- (a) without limit of time up to Rs. 30 per mensem;
- (b) for one year up to Rs. 50 per mensem.

It is for orders whether it would not do to give similar powers to the Chief Conservator. After all the establishment in whose behalf the Chief Conservator will have to exercise these powers of exemption will be only his office staff and those of Conservators (the establishment of District Forest Officers forms part of the Collectorate staff).

(ii) *Exemption from special tests*.—Please see rule 5 of the Public Service Notification published on pages 281-96 of Part I-B of the Fort St. George Gazette, dated 29th April 1919. For the reasons given in the previous paragraph, it is for orders whether it would not be sufficient if the Chief Conservator were given powers referred to in item (3) of rule 5, i.e., those exercised by the Judges of the High Court.

3. With the remarks of this department the file may be passed on to the Home (Education) Department for issue of orders.

C.M.—16-5-19.

R.K.—16-5-19.

Government have all along adopted the principle that the Chief Conservator should as far as possible take the place of the Board. There seems no reason to whittle down his powers except in the few cases where jurisdiction over the Revenue Department is involved. If the powers which the Board now proposes to transfer to the Chief Conservator are in excess of those exercised by other heads of departments, the proper remedy seems to be increased delegation to the others, not more centralization in the Forest Department. The Home (Education) Department may be requested, if they have no objection, to issue orders on the lines of the Board's recommendation.

S. WADSWORTH—17-5-19.

I think that until further delegation is made to heads of departments we can hardly expect Home (Education) to do more than confer on the Chief Conservator the same powers as other heads of departments. The Chief Conservator may be included in Article 4 (4) and 5 (3) and the 'forest accountant' may be omitted from article 5 (2).

A. Y. G. CAMPBELL—19-5-19.

HOME (EDUCATION) DEPARTMENT.

A draft order in accordance with the suggestion of the Revenue (Special) Department at 'A' above is submitted for approval.

G.N.—22-5-19.

T.K.—23-5-19.

C. RAMANUJA ACHARIYAR—26-5-19.

Regarding the proposed amendment to 5 (3), will not the draft empower the Chief Conservator to sanction exemptions to clerks in the Forest Branch of Collector's offices? Such clerks belong to the Forest Department. Revenue (Special) does not want this delegation.

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C.R.—3-6-19.

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R.R.—4-6-19.

REVENUE (SPECIAL) DEPARTMENT.

Accepted.

S. WADSWORTH—5-6-19.

HOME (EDUCATION) DEPARTMENT.

May issue.

C.R.—6-6-19.

R.R.—7-6-19.

[G.O. No. 717, Home (Education), dated 7th June 1919.]

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