[Edl. / 6.]

800—15-7-01.

Educational (1904) Department.

ORDINARY MS.

G.O., No 57

DATED 22.1.04

INDEXED.

2

[Despatch Abstract.]

Captain J. W. Cornwall.
I.M.S.

Granting, —, an allowance of Rs 200/- for a certain period for the duties performed by him as a professor of hygiene, Medical College.

BACK PAPERS.

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

FURTHER PAPERS.

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

Stock Form No. 127
2,000—12-2-03.

Educational (1903) Department.

CURRENT No. 2054 L

From

[Name] The Honourable Mr. A.G. Bourne, D.Sc., F.R.S.,

[Designation] Director of Public Instruction,

[Station] Madras.

Ref on Cur No. 3171 of 03

Dated 14th December 1903.

Enclosures Five

Received 190 .

LOCAL & MUNICIPAL SECRETARIAT 15 DEC 1903

Registered Do 190 .

SUBJECT.

Recommending that, in the circumstances stated, Captain Cornwall, M.D., I.M.S. be granted an extra allowance of Rs. 200 a month for the period from the 19th December 1901 to 20th January 1902 for the performance of ~~double~~ the duties of the Professor of Hygiene, Medical College when he was Health Officer, Madras Municipality.

BACK PAPERS.

132 – 21-3-03 ✓ Mis	2173 L. 17-12-01 Mis
718 – 21-11-02 Cofy ✓	1238 M. 26-8-01 Mis
34 M. 10-1-02 [illegible] Mis ✓	371 : 2-7-01 Cofy

No 114
57-1-03

FURTHER PAPERS.

FK 15/12/3

To

The Secretary to Government,

Educational Department.

1. Memo of the Principal, Medical College to Capt. Cornwall No. M/1079, d/ 8-9-1903.

2. Capt. Cornwall's reply thereto, d/ 8-9-1903.

3. Letter from the Principal, Medical College to the Director of Public Instruction No. 281/ 12-9-1903.

4. Copy of this office R.C. No. 3171/ 03, d/23-11-1903.

5. The reply of the Principal, Medical College thereto, No. 384/2-12-1903.

Sir,

In submitting herewith the enclosed letter from Captain Cornwall, the acting Professor of Hygiene Medical College, No. 1 dated 11th April last, together with the subsequent correspondence that has passed between him and the Principal, Medical College, and between the latter and this office, I have the honour to state that, in its orders Nos. 718 and 132 Educational dated 21st November 1902 and 21st March 1903 respectively, Government declined to grant him a separate remuneration for delivering a course of lectures to the Sanitary Inspectors' class of the Medical College from January to March 1902 on the ground that, as the above lectures were given by him in his capacity as Acting Deputy Sanitary Commissioner and Professor of Hygiene, he was not entitled to any special honorarium. From the correspondence submitted Government will observe that Captain Cornwall performed, under the verbal orders of the Principal, Medical College, the entire duties of the Professor of Hygiene from the 19th December 1901 to the 20th January 1902 in addition to his legitimate duties as Health Officer, Madras Municipality and that it was only subsequent to the latter date he was, on relief from the Health Officership, Madras Municipality, appointed Acting Deputy Sanitary Commissioner and Professor of Hygiene. Thus it is manifest that the Government orders referred to above could not be held to apply to the period prior to 20th January 1902 when Captain Cornwall was not Deputy Sanitary Commissioner, but was Health Officer, Madras Municipality. In these circumstances I beg to recommend that Captain Cornwall be granted for the period from the 19th December 1901 to 20th January 1902 during which he performed the double duties of Health Officer, Madras Municipality and Professor of Hygiene, Medical College an extra allowance of Rs 200/- a month, this being the rate of allowance sanctioned for him for similar work from August 26th to 18th December 1901 in G.O. No. 34, M, Mis., dated 10th January 1902.

E+F

S

2. If the allowance recommended herein is sanctioned the necessary re-appropriation statement will be submitted to Government.

3. I request that the original enclosures to this communication may be returned when done with.

I have the honour to be,

Sir,

Your most obedient servant,

A. G. Bourne

Director of Public Instruction.

V. S.
12-12-03-

Inw. 16 APR. 1903 186

Madras.

11.4.1903.

From

Captain J.W.Cornwall I.M.S.

Acting Inspector of Vaccination and Deputy Sanitary Comr.

and Professor of Hygiene and Practical Bacteriology.

To

The Principal of the Medical College.

Sir,

F

With reference to G.O. No132 Educ. dated 21.3.1903, as it appears that I am not entitled to the remuneration because at the time I was Deputy Sanitary Commissioner, I have the honor to submit that I can fairly claim it during the period I was Health Officer of the Municipality, since the lectureship forms no part of the duty of that Officer.

2. The course consists of 40 lectures. I delivered 7 of these before January 20th 1902 on the afternoon of which I handed over charge of the Health Officership.

3. I have the honor to request, therefore, that sanction may be accorded to draw Rs 122, seven fortieths of Rs 700 the total remuneration.

79/122-8

I have the honor to be,

Sir,

Your obedient Servant

J. W. Cornwall

Captain I.M.S.

Acting Inspector of Vaccination and Deputy Sanitary Commissioner

2175
2-6-03

22/4/03

6

CM No 3171/03

3171
2-7-01

4167
17-7-01

No. $\frac{\text{Lr}}{1079}$ Date 8 Septr 1903 7

From

LT.-COL. J. MAITLAND, M.D., I.M.S.,

~~Ag~~. PRINCIPAL, MEDICAL COLLEGE,

Madras.

To

The Ag Professor of Hygiene
Medical College

Enclosures Reference.

With reference to previous correspondence beginning with his letter dated 11th April 1903, it appears that Captain J. W. Cornwall M.D. I.M.S. was appointed to act as Professor of Hygiene on 1st July 1901 and still continues to act in that appointment. It has been decided by Government that the lectures to the Sanitary Inspectors' Class form part of the duties of that office and do not carry any extra allowance. Under thes[illegible]stan

Cornw[illegible]

an allowance for these extra duties, but he cannot claim an allowance for delivering lectures on Hygiene which form part of his ordinary duties as Ag Professor of Hygiene. Captain Cornwall's "extra duties" were not the lectures on Hygiene, but the work of the Health Officership of Madras.

MD
Principal Med College

MEDICAL COLLEGE
1640
10 SEP 1903
MADRAS.

Jun. 10 SER 1903

The Principal
Medical College.

Considering the fact that the Health Officership was my permanent appointment and that I definitely reverted to it on Augt. 26th 1901 I do not see that the duties of Health Officer can very well be looked upon as "extra" ones & those of the Prof. of Hygiene my real ones.

2. If the above be the case I am entitled to a continuance of the pay I was allowed by Govt. from Augt. 26th – Decr. 19th viz my pay as Health Officer + Rs 200 a month for the work of the Prof. of Hygiene. This has however already been disallowed by Govt. on the ground that I was not Prof. of Hygiene ~~when~~ after Col King relieved Major Grant of the Sanitary Commissionership on Decr. 19th 1901.

As I ~~am~~ was therefore held to be Health Officer only during that period and as during Major Grant's absence on deputation I did ~~[illegible]~~ work that he would have done if he had relieved me of the Professorship.

A [illegible] I claim the remuneration
Sanitary Inspectors
Health Of

3. Briefly the position is this.

If I was Health Officer + Ag Profr of Hygiene during the whole period Augt 26th 1901 to Jany 20th 1902 I claim the same pay from Decr 19th – Jan 20th 1902 that I drew from Augt 26th – Decr 19th 1901.

If I was Health Officer only from Decr 19th – Jan 20th 1902 I claim part of sum allowed to the lecturer to Sanitary Inspectors when that lecturer is not the Professor of Hygiene.

J. Cornwall
Capt I.M.S.
Ag. Profr of Hygiene
8.9.3

7

MADRAS MEDICAL COLLEGE.

No. 281

'12' September 1903.

From

LIEUT.-COLONEL J. MAITLAND, M.D., I.M.S.,
~~ACTING~~ PRINCIPAL, MEDICAL COLLEGE,

To

The Director of Public Instruction
Madras

SIR,

Adverting to your Ref on Cur No. 3171/03 dated the 13° May last, I have the honor to forward the enclo recent correspondence between me and the Ag Profe of Hygiene, in which Captain J. W. Cornwall M.D. Lieu sets out the circumstances under which he lecture to the Sanitary Inspectors' class while he was — Health Officer Madras Municipality and the groun on which he claims remuneration —

2. Major Grant was ordered in G.O. No. 2173 L. Mi dated 17' December 1901 to proceed to Nagpur to attend the Conference on Malaria — During his absence Captain Cornwall was directed verbally the Principal to carry on Major Grant's duties — These duties included the lectures on Hygiene to the Sanitary Inspectors' class. The difficulty could be met if the Government would be pleased to anteda Captain Cornwall's appointment as Acting Profess Hygiene to 19' December 1901. Major Grant never resumed charge of his appointment at College be proceeding to Nagpur or even before proceeding furlough — No official intimation was made to the Principal of Major Grant's deputation to Nagpur and therefore it was impossible for the Principal to take any official action in the m Hence the reason why Captain Cornwall only [illegible] take up Major Grant's duties —

I have the honor to be, Si
[illegible]

12

Department of Public Instruction.

DIRECTOR OF PUBLIC INSTRUCTION
RECEIVED
12 SEP 1903
R. No. 3171
MADRAS

From

The PRINCIPAL, MEDICAL COLLEGE,
Madras.

No. 281 **, dated** 12 Sept **1903.**

Despatched 12 Sept 1903
Received

Enclosures
Spare Copies

Subject.

Forwarding with remarks correspondence in which Captain Cornwall I.M.S. sets out the circumstances under which he lectured to the Sanitary Inspectors' Class while he was Health officer Madras Municipality.

Ref on Cur No. 3171 of 03 dated 23.

"From the correspondence submitted with the P letter No. 281 dated 12th September 1903 it would appear that Captain Cornwall was Health Officer of the Municipality and Acting Professor of Hygiene in the College from August 26th to December 19th 1901 and that he drew an allowance of Rs 200/- a mo "for the work of the Professor of Hygiene." The Principal is requested to be good enough to quote the G.O. or other authority under which this allowance was drawn. He is further requested to state whether Captain Cornwall performed the entire duties of the Professor of Hygiene between December 19th 1901 and 20th January 1902, or merely lectured to the Sanitary Inspectors' Class.

8

Signed/ E.W. Middlemast,
Dy Director of Public Instruction.

(True Copy)

A. G. Bourne
Director of Public Instruction.

V.I.
12-12-03.

15

9

MADRAS MEDICAL COLLEGE,
2 December 1903.

No. 384

From

LIEUT.-COLONEL J. MAITLAND, M.D., I.M.S.,
PRINCIPAL, MEDICAL COLLEGE,

To

The Director of Public Instruction
Madras

SIR,

In reply to your Ref on C No 3171/03 dated the 23d November 1903, I have the honor to state that I understand that the allowance of Rs 200 a month was drawn by Captain Cornwall I.M.S. on the authority of G.O. M. Mis 34 dated 10 January 1902. No copy of this order has been received in this office. Captain Cornwall performed the entire duties of the Professor of Hygiene between December 19th, 1901 and January 20th 1902.

I have the honor to be
Sir
Your obedient Servant
J Maitland Med
Principal
Med College

16

Department of Public Instruction.

DIRECTOR OF PUBLIC INSTRUCTION
RECEIVED
3 - DEC 1903
R. O. No. 3171
MADRAS

From

THE PRINCIPAL, MEDICAL COLLEGE,

MADRAS.

No. 384 dated 2d Decr 1903.

Despatched 2d Decr 1903
Received

Enclosures
Spare Copies

Subject.

Quoting the authority on which Captain Cornwall I.M.S. drew an allowance of Rs 200. as Professor of Hygiene.

Encl 6/2054

10

[E./2]
1,590—7-10-03.

EDUCATIONAL DEPARTMENT.

C. No. 2054 From the D.P.I., No 3171, dated 14th Dec. 1903.

SUBJECT.

Honorarium to Capt. Cornwall for lecturing to the Sanitary Inspector's class.

G.O. 1718 M / 9-10-96

371 Edl / 2-7-01 page 3—

Formerly an annual honorarium of Rs 700 was granted to the Professor of Hygiene, Medical College, for delivering a course of lectures on hygiene to the Sanitary Inspectors' class. In para. 4 of G.O. no. 135 Public dated 7th Feb. 1900, the Govt. laid down that the chair of hygiene should be attached to the Office of Dy. Sanitary Commissioner and that the delivery of lectures to the Sanitary Inspectors' class should be undertaken by that officer as part of his regular duties. This was in connection with the reorganization of the medical college and it was sanctioned by the Secy of State in his despatch no. 39 dated 22nd March 1901 and came into force in the following July.

N. page 8

2. After the reorganization of the College, Captain Cornwall was the first officer who delivered a course of lectures to the Sanitary Inspectors' class and he

Sub-

submitted a claim for the usual honorarium of Rs 700. The Govt. disallowed the claim in G.Os. nos. 718 Edl dated 21st Nov. 1902 & 132 Edl d 21st March 1903.

3. It is now stated that Capt. Cornwall performed the entire duties of the Professor of Hygiene from the 19th Dec. 1901 to the 20th January 1902 in addition to his legitimate duties as Health Officer, Madras Municipality, and that it was only subsequent to the latter date he was, on relief from the Health officership, appointed acting Dy Sanitary Commr. and Professor of Hygiene. The Director considers that Capt. Cornwall is entitled to some allowances for this period — 19th Dec. 1901 to 20th Jan 1902 — during which he performed the double duties of Health officer and Professor of Hygiene and recommends an allowance of Rs 200 a month, this being the rate of allowance sanctioned for him for similar work from August 26th to 18th Dec. 1901 in G.O. no. 34 M. dated 10th January 1902.

4. Captain Cornwall was appointed to act as Dy. Sanitary Commr. & Inspector of Vaccination by notification no. 266, in Part I of the Fort St George Gazette, dated 26th April 1901. In ~~By~~ G.O. no.

The date of the Gazette is 30th April 1901.

Vide p 588 of History of Gazetted Officers.

no. 1238 A. M. dated 26th Aug. 1901 he was ordered ~~asked~~ to take charge of the Health Officership and also to retain the Professorship of Hygiene. This arrangement terminated on the 18th Dec. 1901, when Lt. Col. W. G. King returned from leave and Major A. E. Grant who was acting for him reverted to his permanent appointment of Dy. Sanitary Commissioner. Major Grant however proceeded immediately to Nagpur to attend the Malaria Commission; he returned to Madras on or about the 9th of January 1902, but was unable to take up the work of lecturing at the Medical College without preparation and went on leave on the 16th idem. Captain Cornwall was again appointed to act for Major Grant — G.O. no 41 R. Pub d 14th Jany 1902 — & Captain A. Miller was appointed to act as Health-Officer in the place of Captain Cornwall — G.O. no. 40 M. dated 14th Jany 1902 — ~~and~~ Captain Miller took charge of the Health officership on the 20th Jany. 1902. Captain Cornwall thus performed the duties of the Professor of Hygiene in addition to his own duties as Health officer from the 19th Dec 1901 to the 20th Jany 1902.

G.O. 2173 L.
17-12-01

Telephone message in
G.O. 40 M
14-1-02

Major Grant's D.O.
d 10-1-02

5. Orders are solicited as to whether the recommendation of the D.P.I. may be accepted & Captain Cornwall granted an allowance of Rs 200 per mensem for the period in question.

T.K.
4-1-07

Captain Cornwall seems to be entitled to the allowance but the appointments of Deputy Sanitary Commr. and Professor of Hygiene, Medical College, go together and there may be account objections to the payment of an allowance for the performance of the duties of Professor when there was no vacancy (permanent or temporary) in the post of Deputy Sanitary Commr. It is true Major Grant went to Nagpur on special duty on the 19th December 1901 but he seems to have gone as Deputy Sanitary Commr. (as otherwise G.O. No 34 M dt 10th Jany 1902 should have governed the allowance in this case also.) It is submitted therefore that a reference may be made to the A.G. before orders are passed.

A.J.
6/1/4

Under C.S.R 168 ~~It~~ it is not necessary that there shd be a permanent vacancy. A ~~there~~ ~~was~~ temporary vacancy was created when Maj. Grant left on special duty.
S. Ag

I. Dy Sanitary Commr. / Prof. of Hygiene / Lecturer on Vaccination
Permt. 19.3.1 – 16.1.2 Grant
Offg 23.4.1 – 19.12.1 Cornwall (formally)
19.12.1 – 16.1.2 Cornwall (informally)
16.1.2 — Cornwall (formally)

II. Health Officer
Permt. Cornwall
Doing the work 26.8.1 – 20.1.2 Cornwall

Cornwall has been given 200 a month under C.S.R 168 [late 184] for combining the two posts from 26.8.1 to 19.12.1. He also combined the two posts from 19.12.1 to 20.1.2. He is clearly entitled to the extra allowance for the four days 16.1.2 to 20.1.2 during which he combined the posts under the orders of Govt.

2. From 19.12.1 – 16.1.2 he was not formally ordered to officiate in post I; but, in the absence of Major Grant on special duty, he

did the work under verbal instructions from the Principal, Medical College. Submitted that the action of the Principal, Medical College, should be ratified, and Captain Cornwall gazetted as officiating in post I from 19.12.1 to 16.1.2.

3. The reference to the A.G. suggested in the office note is not required [the words 'to officiate in' in C.R.S. 168].

Secy. Ag 7.1.4

History of Services p 616

P.S. Major Grant was only put on special duty from 20.12.1 to 6.1.2. Must he be held to have returned to his post from 9.1.2 [the day he reached Madras) to 16.1.2 when he went on leave, though Capt. Cornwall did some, if not all, his work for him? In that case Capt. Cornwall may be gazetted as officiating in Post I, during the absence of Maj. Grant on special duty, from 19.12.1 to 9.1.2. He would then draw the allowance at the rate of Rs 200 a month

A. From 19.12.1 to 9.1.2
B. From 16.1.2 to 20.1.2

Ag 7.1.4

Office
Put up first and last dates of Xmas ⁜ holidays 1901 – 1902 (The post might be considered vacant during the holidays) and send up to Secretary Ag 7.1.4

⁜ Began on Tuesday the 24th Dec. 1901 & ended on Wednesday the 1st January 1902.

P.J.
7/1/4

6

Capt. Cornwall was permanent Health officer on Rs. 650, with charge of the office of Dy. Sant. Commr. & its attendant duties, for all q.w. he drew about Rs. 200 p.m.x, from Aug 1901 onwards. In Decr. 1901 Major Grant nominally reverted to the post of Dy. Sant. Commr., but went off at once on special duty to Nagpur (under G.O. No. 2173 L. dated 17 Decr. 01) & Capt. Cornwall therefore did the work of Dy. Sant. Commr. in addn. to his own without interruption. After Major Grant's return from Nagpur, he went on leave on 16 Jan 02. Capt. Cornwall seems, therefore, to be fairly entitled to draw, for the period between 19 Decr. 01 & 16 Jan 02, the same charge allowance (at the rate of Rs. 200 p.m.) as he drew before the 19 Decr. 01 & after the 16 Jan 02. I do not think that the occurrence of the Christmas holidays should be taken into account.

G.O. No. 314 / 10.1.02

CHIEF SECRETARIAT, GOVERNMENT OF MADRAS
16. JAN. 1:04

AGJ 8.1.04

HM.

GJ 9/1/04

Please draft accordingly.

AGJ 11.1.04.

A draft is placed below for approval. Captain Cornwall claims the allowance up to 20th Jany. 1902 and this date is entered in the draft.

2. The Public and L & M depts may see the draft before issue.

TK 12.1.04.

PH 12/1/4

recd. AG 13.1.4

AGJ 13.1.04.

Public

To Public & L & M } U.O.

Ed. U.O. No. 32 D / 16-1-04

DCS 13/1/4

13 R 16-1-4

For the U.S.

The draft may be accepted in Public.

CS

CS 16/1/04

May be accepted? It seems hardly necessary to consult the S.G.

AGU 18.1.04

accepted W 21.1.04.

SECRETARY TO GOVERNMENT, LOCAL & MUNICIPAL DEPARTMENT
22 JAN 1904

L & M. U.O.

Issue.

AGJ 22.1.04

See further notes below.

TK 1-3-04

K

D. O. receipt no. 22

Please show notes referred to.
AGJ 8.2.04

Office of the Accountant-General,
FORT ST. GEORGE, MADRAS,

The 8th of February 1904.

SECRETARIAT GOVERNMENT
8 - FEB 1904
LOCAL & MUNICIPAL DEPARTMENT

My dear Mr. Cardew,

E. In your order No.57, Educational Department of the 22nd January 1904, you have communicated the orders of Government granting an allowance of Rs.200 per mensem to Captain Cornwall for the performance of the duties of Professor of Hygiene, Medical College, in addition to his own as Health Officer, Madras Municipality. As this order is issued in the Education Department, it is possible that you may not have seen the U. O. notes on the case which passed between the Secretariat in the Local and Municipal Department and this office ending with this office note of the 20th of February 1902. D. I venture, therefore, to bring these notes to your attention. There are no allowances attached to the duties of Professor

Regd. 9.2.04

of Hygiene which are merely collateral duties of the appointment of Deputy Sanitary Commissioner and Inspector of Vaccination. If, therefore, it is desired to give an allowance for the performance only of the professorial duties it will be necessary to obtain the sanction of the Government of India.

Yours sincerely,

W. Dobbie.

D.O. from the A.G. dt 8-2-04.

The U.O. notes referred to by the A.G. will be
D. found in G.O. no 235 L dt 5th March 1902. These notes
were not before Govt. when the orders contained in
E. G.O. no 57 G.O.l dt 22nd January 1904 were passed. In
his application dt 11th April 1903 in ~~G.O.~~ the latter
G.O. Captain Cornwall made no reference whatever ~~was made~~ to the former
P. G.O. nor to G.O. no 321 L dt 27th March 1902 in which
a reconsideration of G.O. no 235 L dt 5th March 1902
was refused.

2. On the 26th August 1901 Captain Cornwall,
who was then acting as Deputy Sanitary Commr.,
Inspector of Vaccination & Professor of Hygiene, Medical
G.O. no 1238A M dt 26-8-01. N College, was ordered to take charge of the office of Health
Officer, Madras Municipality ~~etc~~ in addition to his own duties. In G.O. no 34 M dt
R. 10th January 1902 he was allowed salary at the rate
of Rs 650 per mensem for the office of Health Officer &
an allowance of Rs 200 for the office of Deputy Sanitary
Commr., Inspector of Vaccination & Professor of Hygiene.
On the 18th Decr. 1901 the permanent Deputy Sanitary
Commr., Inspector of Vaccination & Professor of Hygiene
(Major Grant) reverted to his post ~~assumed charge~~ but there was no formal taking over
of charge. He immediately went to Nagpur on duty
& Captain Cornwall continued to do his duties. On
15th January 1902 the permanent Deputy Sanitary
Commr. went on leave & Captain Cornwall
again took charge & he was relieved of his duties as
Health Officer, Madras Municipality, on the 20th
January 1902.

3. For the period from 19th Decr. 1901 to 20th Jany. 19

D.O. from the A.G. dt [illegible]-2-04.

he claimed the allowance of Rs 200 per mensem sanctioned in G.O. No 34 M dt 10th January 1902. R.
The claim for the period between 19th Decr 1901 & 15th January 1902 was disallowed in G.O. No 235 L D.
dt 5th March 1902. ~~The claim~~ The payment of an allowance for the remaining period from 16th to 20th January 1902 ~~was allowed~~ had already been sanctioned in G.O. No 119 L dt 18th February 1902. M.

4. Captain Cornwall then approached Govt. through the Director for the honorarium of Rs 700 formerly granted to the Professor of Hygiene for delivering a course of lectures on Hygiene to the Sanitary Inspectors' class. This claim was refused in G.O. No 718 Edl D.
dt 21st November 1902 and a reconsideration of that order was refused in G.O. No 132 Edl dt 21st March 1903. T.
Captain Cornwall then came up (also) through the Director for the allowance of Rs 200 granted in G.O. No 34 M dt R.
10th Jany 1902 for performing the duties of Professor of Hygiene during the period from 19th Decr 1901 to 20th Jany 1902. No reference was made to the correspondence ending with* G.O. No 321 L dt 27th March 1902 and the claim was allowed in G.O. P.
No 57 Edl dt 22nd January 1904. The A.G. now calls attention to this correspondence and says E.
that the payment of the allowance in question requires the sanction of the Govt of India as there are no allowances attached to the duties of the Professor of Hygiene which are merely collateral duties of the appointment of Deputy Sanitary Commr and Inspector of Vaccination.

* Not communicated either to the A.G. or to Edl.

5. Orders are solicited whether the Govt of India may

16

may be addressed.

G.O 235 L / 5.3.02

Pg
18/2/4

The case came up in Local and Municipal ~~last~~ two years ago and Capt. Cornwall's claim was rejected on the ground that Major Grant, though he didn't do the work of {Dy Sanitary Commissioner / Prof of Hygiene / Lecturer on Vaccination}, ought to draw the pay [and not, while on special duty in attendance at the Malarial Conference, be reduced to his permanent pay+], and that Capt. Cornwall really had very little work to do, as most of the period was occupied by holidays, and might very well go without an allowance.

+ This was the argument, but I think there was a misconception.
M

G.O 57 E / 22.1.04

The case came up in Educational recently; the Local and Municipal papers were not put up. Orders were passed that Capt. Cornwall should draw ~~the~~ an allowance of Rs 200 on the ground that he did the work and Major Grant did not.

The orders are contradictory, and it now has to be considered which shall stand.

2. As to the Acct-General's objection that no pay or allowance is attached to the post of Prof. of Hygiene. I regret that I passed the draft order which is wrongly worded and not based on my note. Captn Cornwall's ~~sub~~ main post, if he is to

draw an allowance is

Capt I.M.S officiating as { Dy Sanitary Commr (Prof. of Hygiene) (Lecturer on Vaccination) } his subsidiary post

Officer doing the work of Health Officer to the Municipality

In the order two mistakes were made

(a) The post of Health Officer was described as 'his own post'. This spoils the case at once; for if he was Health Officer §38 of the City Municipal Act, 1884, precluded him from holding any other post simultaneously. ~~An~~ My argument was that there was a vacancy in the post of Health Officer+. Capt. Cornwall was only lent by Govt to do the work [at the earnest request of the Municipality which could not at the moment get anyone else]+

(b). The other post held by Captn Cornwall was wrongly described in the ~~[illegible]~~ order as that of Professor of Hygiene. The Professorate of Hygiene is only an unpaid appendage to the post of Dy Sanitary Commissioner.

The order should have run "during which (period) he acted as Deputy Sanitary Commissioner and, in addition, performed the duties of Health Officer, Madras Municipality.

3. If $\frac{G.O\ 235\ L}{5.3.02}$ is to be upheld, $\frac{G.O\ 57\ E}{22.1.04}$ must be cancelled

4. If $\frac{G.O\ 67\ E}{22.1.04}$ is to be upheld, it

+ I now see that ~~It~~ the same argument was used, in traversing an objection of the A.G's, in the Notes (p 14) to $\frac{G.O\ 235\ L}{5.3.02}$
AG

+ [The period is under the period of 3 months specified ~~in §38 and the arrangement~~ in the exception to §38 and the arrangement was perfectly legal if Capt. Cornwall was only doing the work temporarily; if he is considered as continuing in the appointment permanently, the arrangement was illegal] AG

In the order of 19 [illegible] the period of 3 months was exceeded (Aug 26 to Dec 18). That order was irregular. Captn Cornwall ought to have ceased to do the work of Health Officer on Nov 25th. With Dec 19 a new period commences.
AG 13.7.[illegible]

---

will have to be issued in a corrected form+: no reference to the Govt of India will be necessary; but it will have to be considered what is to be done about Major Grant. If Captn Cornwall gets an allowance as Dy Sanitary Commr (acting), I fail to see why Major Grant should not at the same time get an allowance as Dy Sanitary Commr (permanent). Captn Cornwall's claim was rejected two years ago on this ground – that if he got an allowance, Major Grant could not; but it seems to that this view ~~[illegible]~~ was based on a misconception. There was no necessity for Captn Cornwall to be appointed Dy Sanitary Commr permanently; under C.S.R. 168+ he could be given an allowance even if only acting in the post.

4. There is a further point. From the A.G's U.O. notes attached to the order of two years ago, it will be seen that he was prepared to object to Captn Cornwall's drawing an allowance as Depy Sanitary Commr from Jan the 9th to Jan the 15th on the ground that Major Grant had returned from deputation and was actually in Madras during those days. I raised this point in the Postscript to my note in

+ as suggested above.

+ C.S.R. 168 seems to have been overlooked two years ago: the ~~idea~~ proposal then discussed was a proposal to appoint Captn Cornwall permanently as Dy San. Commr for those few days. AG

G.O. 57/22.1.4. The A. G. might object again, if that order is upheld, on the ground that when Major Grant, the permanent holder of the post, was in Madras and not on leave, Capt. Cornwall ought not – whether as a matter of fact he did the work for him or not – have been allowed to officiate for him and draw pay for doing so. The periods for which Capt. Cornwall could draw an allowance would then be, as I noted,

A. From 19.12.1 to 9.1.2

B. From 16.1.2 to 20.1.2 +

5. It appears to me that G.O. 57 E/22.1.4 and not G.O 235 L/5.3.02 should be upheld⁺, for these reasons: that it is consistent with G.O. 119 L/1.2.02, while ~~G.O. 235 L/2…~~ G.O 235 L/5.3.02 is inconsistent, and that the allowance was refused in G.O 235 L/5.3.02 owing to a misconception.

See 9 Ag 10.2.4

+ He has already drawn for these 5 days vide M Ag 13.2.4

+ in a revised form Ag

M (M above G.O 54 M/10.1.02)

If the late Major Grant I.M.S. is now declared to have been on special duty between the 19 Decr. + the 15th ~~20~~ Jany. 02, the appointmt. of Dy. Sany. Commr. will then be vacant to the same extent as it was ~~between~~ before the 19 Decr. 01 + after the 15th ~~20~~ Jan 02, + Captn. Cornwall could then draw the allowance granted to him in G.O. No. 57 dated 22.1.04 – wh. wd. need no amendmt. except perhaps the substitution of the figures & words "15th January" for "20th January" + the

Ag 13.2.4 [Y inserted, for not having any con to officiate]

addition of the words "& Dy. Sany. Commr." after the words "Prof. of Hygiene". The Acct. Genl. may be asked u.o. to favour Govt. with his advice as to whether this will not remove the difficulties pointed out in his D.O. of the 8th instant + in the above Notes.

Ag 12.2.04

Acct. Genl. u.o.

203
ACCOUNTANT GENERAL'S OFFICE
16 FEB 1904
MADRAS
Nor

SECRETARY TO GOVERNMENT
22 FEB 1904
LOCAL & MUNICIPAL DEPARTMENT

S.D.
13/2/4

Edl no. no 73 D
13-2-4

If Major Grant is considered to have been on deputation and if Capt. Cornwall performed the duties of Dy. Sanitary Commissioner and Superintendent of Vaccination there can be no objection to his being appointed to ~~gazetted as~~ officiating in that post; and if so ~~gazetted~~ appointed there is no objection to his receiving the allowance of Rs 200 a month proposed by Govt. As the appointment which carries the salary is that of Dy. Sany. Commr. and Supt. of Vaccination it would be better to insert these words before instead of after the words "Professor of Hygiene"

There is no objection to Major Grant being considered on deputation from the 19th December 1901 to the 15th January 1902 ~~for during the period of his absence of leave~~ in connection with the conference held at Nagpur. But if he is to be considered to have been on deputation it is necessary that the account office should be informed accordingly.

~~S.D. 19.2.04~~ S.D. 20.2.04

A.G's D.O. No. 1788/20-2-04

From para: 2 of Captain Cornwall's letter in G.O. No 235 L. dt 5th March 1902 it is quite plain that he ~~was~~ was performing the entire duties of Deputy Sanitary Commr. & Superintendent of Vaccination and Professor of Hygiene, Medical College, between the 19th Decr. 1901 & 15th January 1902 when Major Grant was away ~~at Nagpur~~. It is submitted therefore ~~that~~ Major Grant may now be considered to have been on Special duty with the Malaria Conference ~~at Nagpur~~ from the 19th Decr 1901 & 15th January 1902. A draft order is placed below for approval. If approved it has to be issued in the ~~Local~~ ~~L~~ and Muncl Departt (Local).

D.

~~[illegible]~~ A revised order 57 Edl dt 22nd January 1904 to be substituted for copy already issued is also placed below for approval.

E.

RJ 22/2/4

Public may see the drafts before issue.

Public u.o.

Secy

Ay 23.2.4

The draft orders may be forwarded to Public u.o. for acceptance.

AG 23.2.04

To Public u.o.

Pub DEPT
U.O. No. 51 R
Date 24.2.1904

Despd 23/2/4

Edl u.o. no. 84 D

23 2 4

PUBLIC DEPARTMENT

From the U.S.

The drafts may be accepted in Public. The A.G. has

agreed to the proposed arrangement.

Cs
26.2.04

CS
agd
25.2.04

Gov. accepted

25.II.04

~~Educational~~,
~~Legis~~. u.o.

SECRETARIAT
24 FEB 1904
LOCAL & MUNICIPAL DEPARTMENT

Despd 26/2/4

Issue. The G.Os. merely gives effect to the Orders of Govt already issued i.e. G.O. No 57 dated 22.1.04, & involve no extra cost beyond that therein sanctd. I believe.

AG 26.2.04

It involves no extra cost beyond that referred to.

RJ
26/2/4

9/L
26/2
4.40

[E. / 12]
1,200—7-10.03.

EDUCATIONAL DEPARTMENT.

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

READ ALSO:—

C. No. 2054, From the D.P.I. ...., No. 3171, dated 14th Dec. 1904.
" " ...., " " ...., " ...., " 190
" " ...., " " ...., " ...., " 190

ORDER No. 57, dated 22 . 1 . 1904.

mis

Desp
21/1/4

See revised order below.
TR
1-3-04

Under article 168 of the C.S.R. Captain J. W. Cornwall, I.M.S. is granted an allowance of Rs 200 per mensem for the period between the 19th Dec. 1901 ~~to the 16th~~ and the 20th January 1902 during which he performed the duties of Professor of Hygiene, medical college, ~~Dy Sanitary Commr and Inspector of vaccination~~ in addition to his ~~duties~~ own as Health Officer, Madras Municipality. No other suitable arrangement could be made for the performance of the duties of Professor of Hygiene and the Govt. considers that the

T.H.
12-1-04

To
The D.P.I.
-- Sang. Genl.
-- A.-G.
-- Public dept.
} Desp 25/1/4

salary to which Captain Cornwall would be limited by clause (iii) of the article is ~~not enough~~ inadequate remuneration for the double duties performed by him.

P.H. 12/1/4

AG 13.1.4

AGJ 13.1.04

[E./12]
1,000—7-5-02.

EDUCATIONAL DEPARTMENT.

[To be substituted for G.O. of the same number + date already issued.]

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

" " " " ......, " ...... 190 .

READ ALSO :—

C. No. 2054, From the D.P.I., No. 3171, dated 14 – 12 – 1903.

" " ......, " " ......, " ......, " ...... 190 .

" " ......, " " ......, " ......, " ...... 190 .

ORDER No. 57, dated 22 – 1 – 1904

Mis

Under article 168 of the C.S.R. Captain J.W. Cornwall I.M.S. is granted an allowance of Rs 200 per mensem for the period between the 15th of Decr. 1901 and the 15th of January 1902, both days inclusive, during which he performed the duties of Deputy Sanitary Commr., Inspector of Vaccination and Professor of Hygiene, Medical College, in addition to his own as Health Officer, Madras Municipality. No other suitable arrangement could be made for the performance of the duties of Deputy Sanitary Commr., Inspector of Vaccination and Professor of Hygiene and the prob.

considers that the salary to which Captain Cornwall would be limited by clause (iii) of the Article is inadequate remuneration for the double duty performed by him.

Pj
22/2/4

H
23.2.4

AG
23.2.04

granted

an allowance of Rs 100 per mensem for the period between the 15th of Dec. 1901 and the 15th of January 1902, both days inclusive, during which he performed the duties of Deputy Sanitary Commr & Inspector of vaccination and Professor of Hygiene, Medical College, in addition to his own as Health Officer, Madras Municipality. No other suitable arrangement could be made for the performance of the duties of Deputy [illegible], Inspector of Vaccin[illegible]

To the D.P.I.
" Surgeon General
" A.G.
" Public Departt. ✓

Despd
1/3/4

---

hen given for copying ______
hen copied ______
hen examined ______
hen signed ______
190 .

AD AGAIN G.O., No. , DATED 190 .

CURRENT No.

CLOSURES 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.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only