

Educational (1895) Department.

ORDINARY MS.

G.O., No. 817

Dated 10th Oct. 1895.

INDEXED.

[Despatch Abstract.]

EXEMPTION FROM THE EXAMINATION RULES.

Sanctioning the -- of M. Narasinga Rao with a view to his appointment as short-hand writer in the District Court of South Canara.

BACK PAPERS.

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

FURTHER PAPERS.

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

*and very particular
 system of attestation
 should be adopted for
 the purpose of ensuring
 the genuineness of the
 signatures of the
 officers of the Court
 and the validity of the
 proceedings.*

Current No. 1111
 Judicial { 1895 } Department.

Edw
 Jul 72 21-3-24
 Pub Secy Adm.

No.

FROM

Ag.
 The Registrar of the High Court
 of Judicature, Appellate Side,
 Madras.

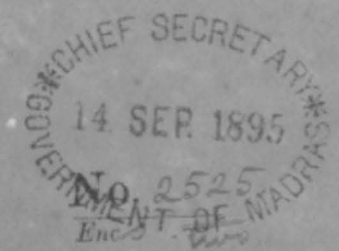
For orders

As to whether the exemption
 may be given. The case is similar
 to the one disposed of in G.O. 581
 20-11-94

Date 12th September } 1895.
 Received on 18th —

985 Ed.
 22.12.94

25/9/95



Can or he be appointed
 as probation? He might be
 exempted for that.

25/9

Forwarding for orders
 copy of a letter from the District
 and Sessions Judge, South
 Canara applying for exemp-
 -tion of one Mr. Narasing Rao
 appointed as short-hand writer
 from passing the tests prescribed
 for superior service.

1894
 20-11-94
 56 Court in 1894.

21/9 26/9

South Canara, 3rd August 1895.

No 767.

From W. C. Holmes Esquire,
Sessions Judge,
South Canara.

To
The Registrar of the High Court,
Madras.

Sir,
I have the honor to acknowledge the
receipt of the Proceedings of the High Court -
No 2043, dated 30th July 1895.

2. I shall state the facts of the case
from the beginning.

In G.O. No 727, judicial, dated 21st
March 1894, Government offered a "clerk"
in each District Court certain personal
allowances if he passed certain short-
hand examinations. Since the receipt of
that order and of your letter No 1521 dated
11th May 1894 on the same subject, I have been
endeavouring to find a man acquainted
with shorthand and otherwise qualified
for a clerkship in this Court. On the 4th
September, I received your letter of
the

Every letter, whether printed or in manuscript, should be do-
cketed and abstracted on the back;
and the abstract should state clearly the purport of the letter and
not merely its title subject.
Enclosures and statements also, whether sent with letters, or
merely under cover, should be numbered, docketed and abstracted.
The headings of statements should be written in full to prevent
mistakes, (G. O. 8th April 1893, No. 289, Public.)

the 30th August enquiring if I had appointed a shorthand writer for this Court. On 12th September I replied that I had heard of only one man acquainted with shorthand who was willing to come, that he had passed no higher examination in general education than Middle School, III class, and that I was not prepared to recommend him for exemption from the tests prescribed for Superior Service. This man was M. Narasing Rao. In reply to my letter you stated in your letter No 3167, dated 31st October 1894, that the High Court trusted that I would be able to secure a competent shorthand writer for this Court and asked for a report at the end of the year. On the 29th January 1895 I received your reminder, and I replied the following day saying that I had not heard of a competent person but that I had made arrangements so that immediately on hearing of a competent person he could be appointed. I sent at the same time an advertisement to the Fort Saint George Gazette. I left Mangalore on privilege leave on the 20th March, and on the 22nd March, your letter dated 16th March was received. In that

that letter you stated that you were anxious to impress on me the necessity of appointing a shorthand writer as early as possible. Mr Bell who was acting for me thereupon sent another advertisement to the Fort Saint George Gazette and an advertisement to the "Madras Mail" and to the "Hindu". In answer to these advertisements two applications were received - one man was not qualified under the G.O. of the 21st March 1894, and the other was the man already referred to - M. Narasing Rao. On the 17th April Mr Bell appointed M. Narasing Rao to the post of shorthand writer on probation for 3 months from the beginning of June, and reported the appointment to you in his letter of the following day No 419. I rejoined the Court on the 27th May. On the 30th May I received a letter from M. Narasing Rao stating that on account of illness he could not join on the 1st June and asked to be allowed to join in the middle of June. It was by this letter that I first became aware of M. Narasing Rao's appointment. I at once saw that a mistake had been made, for under the Government Order no person but a clerk of the Court could draw an allowance as shorthand writer, and as M. Narasing Rao had no

passed

passed the prescribed tests, he could not be appointed a clerk of the Court without the sanction of Government and that had not been obtained nor applied for. I accordingly on the 1st June wrote to Mr. Narasing Rao informing him that the question of his exemption from passing the prescribed tests was under reference to the High Court, and asking him to see you; and on the same day I wrote to you my letter No 519 informing you of what had taken place and how matters stood and asking the favor of your seeing Mr. Narasing Rao so that you could form an opinion of his qualifications for a clerkship in this Court. I at the same time pointed out that there was no difficulty of getting graduates for clerkships in this office of this District and Sessions Court, that it was only in exceptional cases that others than graduates were competent to deal with the complicated work of the office and that the present establishment of the Court was unable to cope with the work of the office efficiently; and I expressed my opinion that it would be better to wait till a man qualified for Superior Service under Government.

was

was available. I was of course under the impression that my letter to Mr. Narasing Rao would reach him in Madras in time to prevent his starting for Mangalore. It however did not. He arrived here on the 14th June without having received my letter; and I thereupon "under the circumstances" requested in my letter of the 19th June that Government should be moved to exempt him from passing the prescribed tests.

3. The High Court wishes to know why I changed my mind, that is to say why after deprecating the appointment, I afterwards recommended it. I think the reason will be obvious from the statement of facts that I have given. The circumstances had changed. When I deprecated his appointment I thought that Mr. Narasing Rao could have been stopped before leaving Madras. Mr. Narasinga Rao however left Madras (having resigned his appointment in Messrs. Parry and Co.) he did so on the faith of an order of an acting District Judge and in my opinion it was the lesser of two evils under the circumstances to get sanction of Government.

government. I recommend that this
be done. I find Mr. Karsing Rao a-
respectable and fairly intelligent
man.

I have, &c.
(Signed) W. C. Holmes,
Sessions Judge.

(True copy.)

D. W. Conie
Acting Registrar,
Appellate Side.

End 2048-1111/95

Enclosure No. II, to letter from the
High Court of Judicature, Appellate Side, Madras,
dated 12 September 1895, No. 2525.

Copy of explanation from
the Dt. Judge, South Canara.

No. 2043.

PROCEEDINGS OF THE HIGH COURT OF JUDICATURE AT MADRAS.

30th July 1895.

Read the following letters from the District
and Sessions Judge, South Canara:

Letter dated the 1st ultimo, No. 519, stating with
reference to his letter No. 419, dated 18th April last, that the
appointment of Mr. Karasinga Rao as short-hand writer
of his court was made under a misapprehension of
G. O. dated 21st March 1894, No. 727, Judicial, and requesting
that before applying to Government for his exemption
from the prescribed tests, the Registrar may favor him
with the names of any qualified Canara or Malabar
men. (Here enter H. C. No. or 189)

2. Letter dated the 19th ultimo, No. 578, requesting
that Government may be moved to exempt Mr. Kara-
singa Rao from passing the prescribed tests for
superior service.

The letters of the District Judge
of 1st and 19th ultimo appear to be inconsistent.
In his first letter Mr. Holmes expresses his
opinion that Mr. Karasinga Rao is not quali-
fied for a post in the District Court and de-
clines to recommend him for exemption
preferring to wait for another opportunity
to appoint a short-hand writer; and in his
second letter recommends him for exemption,
apparently only because the Registrar of
the High Court has not seen him during
his visit to Madras.

2.

The District Judge is informed that the responsibility of making appointments in the District Court rests entirely on himself, and the High Court cannot advise him in the matter. Though it is desirable to appoint a man who is also a short-hand writer, that qualification does not appear to be pressing and it is very questionable whether Government would grant the sanction in the face of the opinion expressed by the District Judge in his letter of June 1st. Mr. Holmes is requested to be so good as to state why he has changed his mind, if he has done so, and what his real recommendation is. The High Court is bound to send on the application for exemption, but the Government would certainly ask for an explanation as to the sudden change of opinion.

(True Extract)

(Signed) D. W. G. Cowie,
Acting Registrar,
Appellate Side.

(True Copy)

D. W. G. Cowie

Acting Registrar,
Appellate Side.

Encl 1521/15
1111/15

Enclosure No. I, to letter from the
High Court of Judicature, Appellate Side, Madras,
dated 12 September 1895, No. 2525.

Copy of the High Court
Proceedings calling the
South Canara District Judge's
attention to the inconsistency
in his letters of 1st and 19th
June and requesting explanation

No. 2525.

High Court of Judicature,

Madras, 12th September 1895.

From

D. W. G. Cowie, Esquire,

Acting Registrar of the High Court

of Judicature, Appellate Side, Madras.

To

The Honorable J. F. Price, C. S. I.,

Chief Secretary to Government,

Fort Saint George.

Honorable Sir,

On 18th April last, the District and Sessions Judge of South Canara, reported to this Court the appointment on probation, for 3 months from June 1895, of one M. Narasinga Rao as short-hand writer of his Court and intimated that he had passed the elementary and intermediate examination in short-hand in addition to the Middle School Examination in the third class.

2. Subsequently on 1st June the District Judge stated that the appointment had been made under a misapprehension of G. O. dated 21st March 1894, No. 727, Judicial, and that as M. Narasinga Rao /then employed by Messrs. Parry and Co., Madras/ had not joined the appointment, it would be better to wait till a man ^{adequately} qualified for superior service under Government was available.

3. On 19th June the District Judge intimated that M. Narasinga Rao had arrived from Madras on the 14th idem, and requested that Government be moved to exempt him from passing the prescribed Tests for superior service.

4. The High Court in its Proceedings, dated 30th July 1895, No. 2043 /copy enclosed/ called the District Judge's attention

tion to the inconsistency in his letters of 1st and 19th June and requested him to explain it. A copy of the District Judge's reply explaining the circumstances and applying for the sanction of Government for the exemption of M. Narasinga Rao from passing the Tests prescribed for superior service is forwarded herewith for the orders of Government.

I have the honor to be,

Honorable Sir,

Your most obedient servant,

D. E. Louis

Acting Registrar.

tion to the Inspector in his letter of 1st June 1895
June and requested him to explain it. A copy of the District
Judge's reply explaining the circumstances and applying for
the sanction of Government for the exemption of Mr. Narasinga
has been passing the tests prescribed for superior service
is forwarded herewith for the sanction of Government.
I have the honor to be,

Honorable Sir,
Your most obedient servant,
Action Registrar.

The exemption may be
granted
28
5/10/95

Note for H.M.

Please see H.M.'s note dated
26th September 1895.

From the District Judge's letter
of 3rd August 1895, it appears that
Mr. Narasinga Rao was appointed
to the post of shorthand writer on
probation for three months from the
beginning of June. He apparently
joined duty on the 14th of June and
his three months probation must
have expired by this time. The
District Judge speaks of him as
a respectable and fairly intelligent
man.

D
to 15-55
28/10/95

[G.
24.]
500-23-7-95.

Papers to be read in proceedings:—

189 , No.

189 , No.

of 1895, dated 12.9.95, from High Court.

„ 189 , „ „ „

„ 189 , „ „ „

Again G.O., dated

Again G.O., dated

Current No. 1111

„ „

„ „

Exemption from Examination

Rules

H. M.

(For Orders)

ORDER. 8 10th October 1895, no 817.
Muo

M. Narasinga Rao will
accordingly be exempted from the
examination rules with a view to
his appointment as Shorthand
Writer in the District Court of
S. Canara.

(Form orders)

9/10/95

2

The Hon. the Chief Justice
with L. L.
16/10/95

Exemption from Examination Rules

When given for copying _____
When copied _____ } 189.
When examined _____
When signed _____

READ AGAIN G.O., No.
189

DATED

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

C.S.

(Form Orders)