M.R.O. 1—77,096—8-6-37.

E.P

(1) Number of pages 16 (Sixteen)

(2) Date of repair 3-8-40

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 1250	Press Mis. 79-81
Dated 16-8-	1874.

916

Not to be folded or roughly handled

Read the following papers :—

No. 79. Proceedings of the Board of Revenue, dated 11th July 1874, No. 1770.

Read the following letter from H. S. THOMAS, Esq., President of the Local Fund Board, Canara Circle, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Mangalore, 15th June 1874, No. 500 :—

It appears from G.O., No. 3318, dated the 21st September 1869, Military Department, that medical subordinates are not liable to fine.

2. Although this class of men belong to the army, still, under the present regimé, a great number of them are handed over to the Local Fund Boards for employment in Local Fund Institutions.

3. Till the Local Fund Act became law the medical subordinates when employed in the Civil Department served immediately under the Civil Surgeons and Collectors, and perhaps there was then no difficulty in punishing faults on the part of the subordinates, because, as required by Section 3, paragraph 23, Vol. I., of the Medical Code, the Collectors or Civil Surgeons could immediately report the matter to the Officer Commanding at the headquarter-stations at which the subordinates were mostly employed.

4. At present, however, many dispensaries have been established in the interior of the districts, so that there are now valid objections to such a course of procedure, as detailed in the enclosed copy of my letter to the Surgeon-General, Indian Medical Department, dated the 24th March 1874, No. 194, and hence some better and more easy means of punishment seems to be necessary.

5. Should the Board of Revenue, therefore, agree with me, I have the honor to request that Government may be moved with a view to defining the extent to which medical subordinates paid from Local Funds are departmentally amenable to the authority and control of the Presidents of the Local Fund Boards.

ENCLOSURE No. 1.

From H. S. THOMAS, Esq., President of the Local Fund Board, Canara Circle, to Surgeon-General E. G. BALFOUR, Surgeon-General, Indian Medical Department, dated Mangalore, 24th March 1874, No. 194.

Third-class Hospital Assistant, Ram Sing, in charge of the Cundapur Dispensary in this Circle, having been reported by the Civil Surgeon to have been careless in his official duties, and the medical subordinate having been unable to submit satisfactory explanation for his reported conduct, I had occasion to impose a fine of one rupee on him.

2. I have since received from the Civil Surgeon a letter requesting me, with reference to copy of docket, No. 339, dated the 31st January 1874, from the Deputy Surgeon-General, Southern Division, to that officer, to cancel my order imposing the above fine, for "medical subordinates are not liable to fine, but to punishment, as provided in Section 3, paragraph 23, Vol. I., of the Medical Code."

3. It appears from this Code that medical subordinates attached to the Civil Department *misconducting* themselves should be reported to the Officer Commanding. I have nothing before me to show whether *misconduct* is meant to apply to any serious misdoings of the medical subordinates or includes carelessness in the discharge of their business, such as necessitated a fine in the present instance ; and I cannot think that the Government contemplate such a course should be followed by the Presidents of the Local Boards when their subordinates misbehave themselves.

4. I beg to refer you to Section 24 of the Madras Local Fund Act No. IV. of 1871 and Sections 3 and 4 of the Local Fund Rules, from which you will perceive that the appointment and dismissal of medical subordinates paid from Local Funds rests with the Presidents of Local Fund Boards. Because in the present instance the medical subordinate concerned is borne on the army, and is only lent for service under the Local Fund Board, it does not, in my opinion, follow that he should not be amenable while so employed to the President's orders, but should be reported to the Officer Commanding for every trivial fault committed in his official capacity, necessitating a lengthened correspondence and delay, and perhaps the absence of the subordinate from his post to answer for his conduct.

5. There are, besides, serious objections against this course being followed, viz., the difficulty of providing substitutes for defaulting medical subordinates; the long distance between the defaulters' stations and that of the Officer Commanding, and so on; whereas the President's authority over them in such matters would be reduced to a farce, and the despatch of business to a peradventure; for, practically, the medical subordinates would be their own masters.

6. I would, therefore, request you to consider the arguments contained in this letter, and to inform me if you agree in what has been urged.

(True Copy.)

(Signed) H. S. THOMAS,
President.

SUBMITTED for the orders of Government.

(True Copies and Extract.)

(Signed) J. GROSE,
Secretary.

Referred to the Surgeon-General, Indian Medical Department, for remarks.

OOTACAMUND,
24*th July* 1874.

(Signed) D. F. CARMICHAEL,
Acting Chief Secretary.

No. 80. From Surgeon-General E. G. BALFOUR, Surgeon-General, Indian Medical Department, to the Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Fort St. George, 30th July 1874, No. 340.

I have the honor to acknowledge receipt of the Revenue Board's Proceedings, No. 1770, of the 11th July 1874, and to bring to the recollection of the Right Honorable the Governor in Council the Order of the Government of India in Proceedings of Madras Government of the 21st September, No. 3318 of 1869.

2. I would suggest that, if any Military Medical officer serving with any Municipal or Local Fund Board do anything to which the Board take exception, report of the same be communicated to the Deputy Surgeon-General of the Range, for my information and disposal.

3. Even if the military law did not prohibit the fining or punishing of Military officers by a civil body, it would not be for the good of the Medical Department that non-professional Local Fund and Municipal Boards should have the power to fine or otherwise punish their Medical officers lent to them from the military, much less that they should ever dream of exercising such power against their medical men. It will be much better to relieve any one with whom the Boards are dissatisfied, and I can any day make the asked-for change.

4. The Right Honorable the Governor in Council is also aware that, when a Military Medical officer of the subordinate grade may commit such an offence as can be taken cognizance of by a court-martial, the course to be followed was laid down in the year 1866, so that, according to existing rules, it is not competent for any Municipal and Local Fund Board to fine or otherwise punish a member of this military class.

Circular, No. 4120, of 6th October 1866.
Letter from Judge Advocate-General, No. 492, 3rd October 1866.
*** "The proper course to pursue, when a medical subordinate attached to any Civil Department misconducts himself, is for the officer under whom he is serving to report the matter to the Officer Commanding the Division or Force in which the offence occurs for his disposal and orders, suspending the offender meanwhile from his duties; but he should not be placed in arrest until directed to be so by the Officer Commanding the Division or Force, by whom charges will be prepared when necessary."

5. I observe that the one rupee fine, which the President ordered to be imposed on Hospital Assistant Ram Sing of the Cundapur Dispensary, was because the Civil Surgeon had reported him to have been careless, but in what the carelessness consisted has not been stated.

No. 81. ORDER THEREON, 14th August 1874, No. 1350.

Communicated to the President of the Canara Local Fund Board with reference to the latter part of paragraph 3.

2. The organization of a Civil Medical Subordinate Establishment is now under the consideration of Government.

(True Extract.)

Acting Chief Secretary.

To the Board of Revenue.
,, Surgeon-General, Indian Medical Department.

Exd. J. Wright.

Govt. of Madras.

FINANCIAL.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated August, 14*th*.

Read.

G.O., 14th August 1874, *No.* 1350.

AUGUST.

Nos. 79—81.

Medical Subordinates lent to Municipal and Local Fund Boards.—Letter from the Surgeon-General, Indian Medical Department, offering suggestions as to the control to be exercised by the Boards over medical subordinates, communicated to the President of the Canara Local Fund Board, with the remark that the organization of a Civil Medical Subordinate Establishment is now under the consideration of Government.

No. 1,770.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th July 1874.

Read the following letter from H. S. THOMAS, Esq., President of the Local Fund Board, Canara Circle, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Mangalore, 15th June 1874, No. 500 :—

IT appears from G. O., No. 3,318, dated the 21st September 1869, Military Department, that medical subordinates are not liable to fine.

2. Although this class of men belong to the army, still under the present regime a great number of them are handed over to the Local Fund Boards for employment in Local Fund Institutions.

3. Till the Local Fund Act became law the medical subordinates when employed in the Civil Department served immediately under the Civil Surgeons and Collectors, and perhaps there was then no difficulty in punishing faults on the part of the subordinates, because as required by Section 3, paragraph 23, Vol I. of the Medical Code, the Collectors or Civil Surgeons could immediately report the matter to the Officer commanding at the Head-quarter stations at which the subordinates were mostly employed.

4. At present, however, many dispensaries have been established in the interior of the districts, so that there are now valid objections to such a course of procedure, as detailed in the enclosed copy of my letter to the Surgeon-General, Indian Medical Department, dated the 24th March 1874, No. 194, and hence some better and more easy means of punishment seems to be necessary.

5. Should the Board of Revenue therefore agree with me, I have the honour to request, that Government may be moved with a view to defining the extent to which medical subordinates paid from Local Funds are departmentally amenable to the authority and control of the Presidents of the Local Fund Boards.

ENCLOSURE No. 1.

From H. S. THOMAS, Esq., President of the Local Fund Board, Canara Circle, to Surgeon General, E. BALFOUR, Surgeon-General, Indian Medical Department, dated Mangalore, 24th March 1874, No. 194.

THIRD Class Hospital Assistant, Ramsing, in charge of the Cundapur Dispensary in this Circle, having been reported by the Civil Surgeon to have been careless in his official duties, and the medical subordinate having been unable to submit satisfactory explanation for his reported conduct, I had occasion to impose a fine of 1 Rupee on him.

2. I have since received from the Civil Surgeon a letter requesting me, with reference to copy of docket No. 339, dated the 31st January 1874, from the Deputy Surgeon-General, Southern Division, to that officer, to cancel my order imposing the above fine, for "medical subordinates are not liable to fine, but to punishment, as provided in Section 3, paragraph 23, Vol I. of the Medical Code."

3. It appears from this Code, that medical subordinates attached to the Civil Department, *misconducting* themselves should be reported to the Officer commanding. I have nothing before me to shew whether *misconduct* is meant to apply to any serious misdoings of the medical subordinates or includes carelessness in the discharge of their business, such as necessitated a fine in the present instance ; and I cannot think that the Government contemplate such a course should be followed by the Presidents of the Local Boards when their subordinates misbehave themselves.

4. I beg to refer you to Section 24 of the Madras Local Fund Act No. IV. of 1871 and Sections 3 and 4 of the Local Fund Rules, from which you will perceive that the appointment and dismissal of medical subordinates paid from Local Funds rests with the Presidents of Local Fund Boards. Because in the present instance, the medical subordinate concerned is borne on the army, and is only lent for service under the Local Fund Board; it does not in my opinion follow that he should not be amenable, while so employed, to the President's orders, but should be reported to the Officer Commanding for every trivial fault committed in his official capacity, necessitating a lengthened correspondence and delay, and perhaps the absence of the subordinate from his post to answer for his conduct.

5. There are besides serious objections against this course being followed, viz., the difficulty of providing substitutes for defaulting medical subordinates; the long distance between the defaulter's stations and that of the Officer Commanding, and so on; whereas the President's authority over them in such matters would be reduced to a farce, and the despatch of business to a peradventure; for practically, the medical subordinates would be their own masters.

6. I would therefore request you to consider the arguments contained in this letter and to inform me if you agree in what has been urged.

(True Copy.)

(Signed) H. S. THOMAS,
President.

SUBMITTED for the orders of Government.
(True Copies and Extract.)

J Grose

Secretary.

To the Acting Chief Secretary to Government, Financial Department.
,, the President of the Local Fund Board, Canara Circle.

Exd. G. A. Turton.

Dated 1874. Board of Revenue MADRAS.

PROCEEDINGS, 11TH JULY 1874, No. 1,770.

Received 13 July 74.

JULY.
No. 1,770.

Medical Subordinates—paid from Local Funds.—Letter from President of the Local Fund Board, South Canara, requesting orders as to extent to which such officers are departmentally amenable to authority and control of Presidents of Local Fund Boards, submitted to Government.

77

Memo

Military Medical Subordinates lent to Local Bodies are paid entirely by these bodies.

The practice of meeting local wants in this way was deprecated as far back as 1864 but things are allowed to remain in statu quo until lately when the Govt of India decided that enlistments should be made only for Military requirements with a

margin of 25 per cent
(which would be available
for civil purposes under
ordinary circumstances)
and that ~~all surplus~~
~~in~~ any existing surplus
in excess of this per-
centage should be
absorbed.

This necessitates the
immediate organization
of a body of Civil
Medical subordinates
and a draft order on
the question is now in
circulation with reference
to a series of letters from
H. Balfour.

one of the proposals is that
a portion of the existing
surplus should be allowed to
volunteer for civil employ and
if this is done the difficult-
~~ties~~ ~~which~~ referred to in
these papers will be settled
almost immediately - even
if no volunteering is allowed
(and there are certain objections
to it which need not be detailed
here) it will not be many
years before the surplus is
absorbed - so far as local
bodies are concerned.

The existing practice has
been approved by the Govt of
India in the Military and
Departments, and as the
difficulty will probably

settle its effect long it is submitted that no attempt need be made to get the Govt. of India to consent to the proposal made by the Hindus that Military Subordinates sent to Local Bodies should be liable to be punished by those Bodies.

It is almost certain that the Military authorities will most vigorously oppose any such proposal.

H
13/8

Fwd 14 Aug 74 – 1350

No. 340

Surgeon
OFFICE OF INSPECTOR-GENERAL, I. M. D.,
Fort Saint George, 30th July 1874.

From Surgeon General Edward Balfour.
~~THE INSPECTOR-GENERAL OF HOSPITALS~~ Surgeon,
Indian Medical Department,
Fort Saint George.

To

The Chief Secretary to Government.
Financial Department.
Fort Saint George.

SIR,

I have the honor to acknowledge receipt of the Revenue Board's Proceedings, No. 1770 of 11th July 1874, and to bring to the recollection of the Right Honorable the Governor in Council, the order of the Government of India, in Proceedings of Madras Government of 21st September, No. 3318 of 1869.

2. I would suggest that, if any Military Medical Officer serving with any Municipal or Local Fund Board, do anything to which the Board take exception, report of same be communicated to the Deputy Surgeon General of the range, for my information and disposal.

3. Even if the Military law did not prohibit the fining or punishing of Military Officers by a Civil body, it would not be for the good of the Medical Department that non-professional Local Fund and Municipal Boards should have the power to fine or otherwise punish their Medical Officers lent to them from the Military, much less that they should ever dream of exercising such power against their medical

men. It will be much better to relieve any one both whom the Boards are dissatisfied, and I can any day make the asked for change.

4. The Right Honorable the Governor in Council is also aware that when a Military Medical Officer of the subordinate grade may commit such an offence as can be taken cognizance of by a Court-martial the course to be followed was laid down in the year 1866, so that according to existing rules, it is not competent for any Municipal and Local Fund Board to fine or otherwise punish a member of this Military class.

5 I observe that the one rupee fine which the President ordered to be imposed on Hospital Assistant Ram Sing of the Sundapur Dispensary was because the Civil Surgeon had reported him to have been careless, but in what the carelessness consisted has not been stated.

Circular No. 4120 of 6th October 1866.
Letter from Judge Advocate General
No. 492 - 3d October 1866.

* * * "The proper course to pursue
"when a Medical Subordinate, attached to any Civil
"Department, misconducts himself is for the Officer under
"whom he is serving to report the matter to the Officer Com-
"manding the Division or Force, in which the Offender serves
"for his disposal and orders, suspending the Offender from
"duty from his duties; but he should not be placed
"in arrest, until directed to be so by the Officer Commanding
"the Division or Force, by whom charges will be preferred
"when necessary."

I have the honor to be
Sir,
Your most obedient Servant,

Edward Balfour Surgeon Genl.
Superintendent
Indian Medical Dept.

Finch 1874. Department

From Prov. 14 Augt 74
Surgeon General C. Ballard
The ~~Inspector-General of Hospitals~~,
Indian Medical Department,
Fort Saint George,

To
The Chief Secretary to Govt.
Financial Dept.
Fort St. George.

Dated 30th July.
Despatched 1st August.
Received 1st —

No. 340

Rec'd 1580

Subject.

Offers suggestions as to the control to be exercised by Municipal & Local Fund Boards, over Medical Subordinates sent to them.

Recorded 11 Augt 1874 No. 1350 D.
Communicated to the Board of Revenue
Canara Coast Road Branch Volume
of the Letters from Govt.

~~Communication only.~~
The organization of a Civil Medical
Sub-Service to afford relief to over worked
Civil Officers in remote districts

No 80.

As Native men are here employed as Servants of the Municipal & Local Fund Boards, I think they are amenable with all the Boards to such punishments for misconduct as

Council

With orders.

Council

Govt. of {1874} Madras.

Med.

To, The Board of Revenue

&c.

Original Lent. to Coly.

21/5/74

G. O. 14th Augt. 1874. No. 1350.

Nos. 79–81.

Medical subordinates lent to Municipal & Local Fund Boards.

Letter from the Surgeon General Govt. Madl. Dept. offering suggestions as to the control to be exercised by the Boards over Medical subordinates communicated to the President of the Camara Local Fund Board, with the remark that the organization of a Civil Medical subordinate ~~Staff~~ Establishment is now under the consideration of Govt.