

(1) Number of pages 24

49 (2) Date of repair 23.4.87

(3) Initials of the Referencer long ✓

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

FINANCIAL DEPARTMENT

G.O. No.	1196.	Press.
B.P. No.		Mis.
Dated	27. 6. -1881	197.

13/14

5.9.7

Not to be folded or roughly handled

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1196
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GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

27th June 1881, No. 1196.

Local Funds—Medical.

Read the following paper:—

Proceedings of the Board of Revenue, dated 7th May 1881, No. 793 [Current No. 1233].

Read the following letter from S. T. McCARTHY, Esq., President of the Local Fund Boards, Cuddapah District, to C. A. GALTON, Esq., Secretary to the Board of Revenue, dated 17th February 1881, No. 202:—

I HAVE the honor to submit the accompanying copies of Resolutions Nos. 1, 2, 3, and 4, Grant III (a), passed by the Madanapalle Local Fund Board at their Meeting held on the 8th instant. I also send copies of other papers bearing on the subject, as per accompanying list.

2. The Circle Board, at their Meeting held on the 20th November last, decided that one of their Non-official Members, Dr. Chamberlain, who is a medical man, should be sent to inspect the Dispensaries twice a year, and offered him eight annas a mile for his travelling expenses.

3. He shortly afterwards inspected the Dispensaries at Ráyachóti and Kadiri, and submitted reports about them. Those reports were laid before the Meeting of the 20th and 21st December last, and the Board then resolved to direct him to prepare an emergent indent of medicines required for the Ráyachóti Dispensary. The history of this indent is detailed in Resolution No. 2.

4. A bill for Dr. Chamberlain's travelling allowance was also passed and forwarded to me for payment; but as no special provision had been made for such expenditure in the current year's budget, and the Circle Board had indicated no source from which it might be met, the money could not be paid. The Board now points out that the expenditure can be met from the General Reserve. As the amount is in excess of Rs. 50, the sanction of the Board of Revenue is required for its disbursement.

5. Subsequently, on the 18th ultimo, the Zillah Surgeon, Dr. Iyasawmy Pillay, in accordance with an order received by him some time ago from the Surgeon-General, inspected the Ráyachóti Dispensary. He too submitted a bill for his travelling expenses, which I sent to the Circle Board for disposal. This bill they decline to pay for reasons stated in their Resolution No. 4.

6. In Resolution No. 3 they rejected an extra emergent indent, submitted by the Hospital Assistant under directions from the Zillah Surgeon.

7. I regret very much being, for the most part, unable to concur in the views of the Circle Board as expressed in those Resolutions. I cannot agree with them in their opinion that an improper attempt has been made to oust them of their responsibility and control. Nobody that I am aware of has attempted to do this. I feel confident that the Zillah Surgeon had no intention of exercising undue interference. He has simply acted in accordance with the rules of his department and in obedience to the orders of his superior.

8. I feel constrained to say that, in my opinion, the present complication, in the matter of the indents, is due to irregularity of procedure on the part of the Circle Board, and to their refusal to conform to established rules. As I pointed out to the

Vice-President, in my letter, No. 90, of the 22nd ultimo, it is clear, from the Medical Code, Section 13, that the proper person to prepare and sign an indent is the officer in charge of a Dispensary, and this fact also seems inferrible from the wording of No. 99 of the Local Fund Rules. At all events the practice has, I believe, been invariably followed.

9. It is, of course, open to the Circle Board to depute Dr. Chamberlain (or any other competent person for that matter) to inspect and report on their Dispensaries. But he is clearly not the officer in charge of a Dispensary, and consequently not the proper officer to prepare indents for medicines. (When the original indent was prepared there was no officer in charge of the Dispensary, as it had not then been opened).

10. I should here state that, after receiving the Vice-President's letter of the 11th January 1881, I verbally asked the Zillah Surgeon whether, under the circumstances, he could waive his objections to countersigning the indent, but he adhered to them, though I gathered from him that he did not think the difference in form was very material.

11. The Board took exception, for certain reasons, to the indent recently submitted by the Hospital Assistant. It is no doubt possible that his estimate may have been wrong or defective in certain particulars, but it must be remembered that such defects, if any, should be remedied by the countersigning officer (the Zillah Surgeon) with whom I understand it rests to revise indents before countersigning them. This he would doubtless have done in the present case if he thought proper, and there can be no question, I think, as to his competency in the matter.

12. As I have already stated, the Local Fund Board may depute any competent person they like to inspect and report on their Dispensaries, and I suppose the officer they may so depute is entitled to travelling allowance or some other remuneration. But the Zillah Surgeon also was ordered by the Surgeon-General to inspect the same Dispensaries, and he too is obviously entitled to travelling allowance. From whom is he to claim this, if not from the Local Board, as the Dispensaries are Local Fund institutions? In this way the Board are put to double expense.

13. Having in view the probability of arrangements being made, at no distant date, for the regular inspection of Local Fund Dispensaries either by the Zillah Surgeon or an Assistant Surgeon appointed for the purpose, it seemed to me a pity that the Circle Board did not defer carrying into effect their resolution of the 20th November, until the receipt of orders from the Board of Revenue on the subject. It was for this reason that I observed, in my letter to the Vice-President, that the charge should not have been incurred without the previous sanction of the Board.

14. The Zillah Surgeon had informed me of the order he had received from the Surgeon-General to visit the Dispensaries, and it occurred to me, when it was too late to do anything, that I ought perhaps to have communicated this fact to the Vice-President. I had no idea, however, that the Circle Board were going to carry their resolution into effect so soon. At any rate, judging from one of the grounds of objection they now take to passing the Zillah Surgeon's bill, I have reason to think that my doing so would not have altered matters.

15. The Local Fund Board's protest against the Zillah Surgeon's action in issuing orders to the Hospital Assistant seems to be unfounded. They must be aware that, in departmental matters, the Hospital Assistant is under the Zillah Surgeon's orders.

16. Their objection to the Zillah Surgeon's ordering medicines to be obtained on loan from the Cuddapah Dispensary is, in my opinion, also unfounded. The Zillah Surgeon has hitherto, from time to time, in cases of emergency, sent small supplies of medicines on loan from the Municipal Hospital to outlying Dispensaries. This he has done on his own responsibility, the quantities lent being invariably returned to Cuddapah on receipt of supplies from Madras. This course is, I think, unobjectionable. The Board might at all events have understood, from my tacit approval of the arrangement, that I did not consider it objectionable, and when I, the President of

the Municipal Commission, did not think fit to raise an objection, it certainly was not for the Local Fund Board to do so.

17. Thus not only has the extra supply of medicines, said to be required, been delayed in consequence of the Circle Board's unwillingness to abide by established rules, but they have declined to avail themselves of an offer of temporary assistance from another quarter.

18. With reference to Resolution No. 4 I have just received an explanation from the Zillah Surgeon, copy of which is herewith submitted, in which he points out that his inspection report was through a clerical error misdated. It should, he states, have been dated Cuddapah, 20th January, instead of 18th January. He says that he left Cuddapah on the morning of the 17th January, reaching Ráyachóti at 7 p.m. the same evening, and that his inspection began at 6 a.m. on the 18th and continued until 5 p.m., with an interval of 1½ hours for meals.

19. Copies of Dr. Chamberlain's reports on the two Dispensaries were forwarded by me to the Surgeon-General on the 8th ultimo.

ENCLOSURES Nos. 1 to 3.—Extracts from Proceedings of Local Fund Board.

ENCLOSURE No. 4.—Copy of President's letter to Vice-President, dated 22nd January 1881.

ENCLOSURE No. 5.—Copy of Vice-President's letter, dated 11th January 1881.

ENCLOSURE No. 6.—Zillah Surgeon's letter.

ENCLOSURES Nos. 7 to 10.—Indents for medicines.

ENCLOSURE No. 11.—List of Enclosures.

THE foregoing letter and its enclosures relate to a misunderstanding between the Local Fund Board of Madanapalle and the Civil Surgeon of Cuddapah regarding the inspection of the Ráyachóti Dispensary and the preparation of indents for medicines for that institution.

2. It appears that the Circle Board arranged for the inspection of the Dispensary by Dr. Chamberlain, one of their Members, and that, shortly after his visit, the Zillah Surgeon also inspected the Dispensary under instructions of the Surgeon-General and claims the usual allowances, to the payment of which the Local Board demur.

3. The Local Fund Rules do not make it incumbent upon the Boards to avail themselves of the services of the Zillah Surgeon for such duty, but Rule 122 enables them to require such officer to inspect their Dispensaries when called upon. In the present case no such requisition was made, and the Zillah Surgeon acted under the orders of the Surgeon-General. The Board consider that it was quite within the power of the Local Fund Board to depute one of their Members to the duty, but as their action in doing so was novel, it is to be regretted that reference was not previously made to the President. In the circumstances, however, Dr. Chamberlain's travelling allowance was properly admitted, and, on the other hand, the Circle Board must be considered warranted in declining to pass the Zillah Surgeon's travelling allowance bill, inasmuch as he was not acting under their orders.

4. The general question as to how far the Local Fund Boards are bound to avail themselves of the services of District Surgeons for inspection duty has been referred to Government in the Board's Proceedings noted in the margin, but the Board take this opportunity of stating their opinion that the charges involved by such inspection are unduly high, and that Zillah Surgeons would be sufficiently remunerated for such service by the grant of travelling allowance only. In any case Local Fund Boards should be left free to make their own arrangements for inspection.

5. In regard to the question of the indents, the Madanapalle Board are clearly in the wrong. Dr. Chamberlain was not in charge of the Dispensary, and such indents should be prepared by the Medical Subordinate in charge and checked by the Zillah Surgeon.

6. In conclusion, the Board are constrained to observe that had the relations between the Madanapalle Circle and the President been more harmonious, misunderstandings of this kind would not have arisen; and, with every desire to encourage the independence of each individual Local Fund Board, they cannot but remark that, for some time past, there has been an unnecessary and undesirable amount of friction between the Madanapalle Board and the President—a result which is due in no small degree to the polemical attitude maintained by the Circle Board of the Sub-division.

(A true Copy and Extract.)

(Signed)

E. GIBSON,
Acting Secretary.

ORDER THEREON, 27th June 1881, No. 1196.

The Government observe that the Revenue Board have disposed of the questions raised. If, however, the intervention of Government is desired, they would point out to the Local Fund Board that, under Section 23 of the Local Fund Act, the power of executing the Board's resolutions is vested solely in the President, and that the Local Fund Board are not competent to override the provisions of the law by superseding the President in the executive.

2. The Local Board appear to have given effect to their resolution to depute an Inspector on payment without any reference to the President. It was, of course, competent to any member of the Board to inspect the local dispensaries. Rule 106 expressly encourages this; but there is no rule or provision of the Act which allows of payment of expenses to any Inspector other than the Zillah Surgeon. In the present case, however, the Government would sanction the travelling expenses claimed for both the inspections.

3. In G.O., 30th May 1881, No. 964, the Government expressed their opinion that these inspections are part of a District Surgeon's regular duties, and that during his absence he should draw nothing beyond the travelling allowances admissible to officers proceeding on duty. The question of disallowing in future to the Zillah Surgeon any remuneration in excess of this will be referred to the Surgeon-General with the Government for his remarks.

(True Extract.)

To the Board of Revenue, with enclosures returned.
" Surgeon-General with the Government of Madras.
" Accountant-General.

Offg. Chief Secretary.

Exd. A. Grubert and T. O'Connor.

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Govt. of (1881) Madras.
FINANCIAL.

To
THE BOARD OF REVENUE,
&c., &c., &c.

Dated June, 27th.

Issued

Recd.

G.O., 27th June 1881, No. 1196.

JUNE.

Local Funds—Medical.—Orders passed on Proceedings, Board of Revenue, regarding refusal of the Local Fund Board, Madanapalle Circle, Cuddapah District, to pay travelling allowance to the District Surgeon for inspecting the Ráyachóti Dispensary.

CURRENT No. 1233

No. 793.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 7th May 1881.

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DISPOSED BY
27 JUL 81
BY G.O. No.

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left Cuddapah on the morning of the 17th January, reaching Ráyachóti at 7 P.M. the same evening, and that his inspection began at 6 A.M. on the 18th and continued until 5 P.M., with an interval of 1½ hours for meals.

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6. In conclusion, the Board are constrained to observe that had the relations between the Madanapalle Circle and the President been more harmonious, misunderstandings of this kind would not have arisen; and, with every desire to encourage

4
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(A true Copy and Extract.)

H. G. G. G.
Acting Secretary.

To the Chief Secretary to Government, Financial Department,
with eleven original enclosures to be returned.

Copy to the President of the Local Fund Boards, Cuddapah District,
with copy of Board's Proceedings, 31st March 1881, No. 541.

" " Surgeon-General with the Government of Madras.

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It is not apparent now
that any G.O. is expected
under Mr. Linn. I have
disposed of the matter
But if you wish to
intervene, I think it
must be pointed out
to the L.F. Bd. that
under Sec. 23 of the
L.F. Act. the power
of executing the G.O.
is vested

The Board's Conf. relate to
a misunderstanding bet. the
L.F. Bd. of Madras & the
Civil Surgeon of Cuddalore
regarding the inspection of a
Dispensary in the Circle, &
the preparation of indent for
medicines for that institution.
The only point on which
the orders of Govt. are re-
quired is the inspection of
the Dispensary.
In Dec. 1880 D. Chamberlain
a non-official member, under

Orders of the Board, inspected
the Kizashiki Disp. & re-
ported on it, & he submitted
bills for his travelling ex-
penses, which were passed,
eventually paid.

In January the Zillah
Surgeon, under orders direct
from the Surgeon General,
inspected the same dispensary
& also submitted a bill for
travelling allowance, which
however the Lieut. Board
has declined to pass, on
the ground that the action
taken was not authorized
in any way by them.

Two questions are raised
by the Board of Gen.

1. Are L.F. Bds. bound
to avail themselves of the
services of Zillah Surgeons
on this duty?

2. If so, the manner in

which in the Presid.

This is the law. & the

L.F. (L.F.) are not competent
to override it by interpreting
the Presid. in the Executive

They must have given
effect to their Resol.
& deputy an Inspector
on pay. without any
ref. to the Presid. It
was permissibly compl.
to any member of the
Bd. to inspect the local
dispensaries. Rule 10

expressly encourages
this. But I find no
rule or provision of
the Act. L.F. allows of
pay. of expenses & any
inspector other than

which this could be done

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the Zillah Surgeon.

I do. Look in this
case sanction the
travel expenses under
the Rules for both
inspections.

I do. Ref. to the L.F. for this length, that for. are
the question of Disab. Competent to direct such
in future to the Zillah inspection due made by
Surgeon any ~~enumeration~~ Dist. Surgeons at the work
in cases of what part of the Dist. Sur.
the ordinary rules regular duties & he being al-
lowed travelling expenses.

As to L.F. the
rules must be
enacted. If the
L.F. Bd. L.F. Bd.
usurped the Exec.
functions of the

1. On the first question &
for. have passed orders on
the reference made by the
Bd. of Gen. (in Pres. of 31 Mar.
81, no 521), in G.O. 30 May 81
no 964, which however only

competent to direct such
inspection due made by
Dist. Surgeons at the work
part of the Dist. Sur.
regular duties & he being al-
lowed travelling expenses.

It has not been decided
whether ~~it is~~ it is in-
cumbent on L.F. Bds. to
avail themselves of the services
of these officers

There are doubtless a few
cases (e.g. the instance under reference)
where a competent & qualified
Med. Officer, a non-official member,

of the Board, may be well
qualified, indeed whose
report may command the
greater respect of the Board

On the other hand the Zillah
Surgeon is a ^{post} office where
inspection may be made to
conform to rule, & who can
be held responsible for
its effectiveness; & ^{post} will on
the whole be disposed to
consider ^{his} report more
satisfactory.

It is therefore submitted
that the first question be
answered in the affirmative.

It will cost L. 7. 10. no
more; the Gov. of B. having
decided that only travelling
allowance sh^d. be paid to

District Surgeons; & this must be taken to have modified Rule

There will of course be no right
to non-official members being de-
puted to make further inspections.
(Rule 106 of Z. 7. Rules)

122 of the Z. 7. Rules granted
to the Vice President in the
Circle office.

2. Assuming L. 7. 10.
bound to utilize the services of
the Zillah Surgeons, sh^d. it be
left to the President to make
the necessary arrangements, or
sh^d. the Surgeons be, as in

President. the
complications w^d.
let alone arise -

L.B. 2/6/87

1196/9
the case under reference, issued
instructions direct to the
Zillah Surgeon?

No doubt, part of the
grievance of the Madanpalle
Circle is the Zillah Surgeon
being sent on the duty without
any ^{prior} communication with
them.

The power to appoint
inspecting officers is vested
in Govt. by sec. 28 A. 10 of 11

Perhaps the Govt. would be
most expedient to direct that
Dist. Surg^s examine, if possible,
Diets twice a year, where
arrangements can be made
for his relief without cost
to Z. 7. 10. (beyond the trav. exp.)

— The question of inspection,
where relief is necessary,
to provide for jail duties or,
must be left over pending
decision of the larger question
which has been under consideration
for the last two years. —

And that any
special inspections required
either by the Bd or by the
Suy. General be carried
out in communication
with the Ins. Genl. or the Bd
respectively

P.B.
G.C.

Inspection of L. 7
Dispensaries

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Financial Department.

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2P

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter

Proceedings of the Board of Revenue
dated 7 May 1881 N^o 793 regarding
refusal of the Local Fund Board to
pay the travelling allowance to the
District Surgeon for inspecting the Po-
yachota dispensary

Order. 27th June 1881. No 1196

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observe that the Revenue
Board have disposed
of the questions raised.
If however the intervention
of Government is desired
they would point out
to the Local Fund Board
that under Section 23 of
the Local Fund Act
the power of executing
the Board's Resolutions
is vested solely in the
President

President and that
the Local Fund Board
are not competent to
override the provisions
of the Law by superseding
the President in the ex-
ecutive.

2. The Local Board
appear to have given effect
to their resolution to depute
an Inspector on payment
without any reference to
the President. It was of
course competent to any
member of the Board to
inspect the local dispens-
aries. Rule 106 expressly
encourages this; but there
is no rule or provision
of the Act which allows
of payment of expenses
to any Inspector other
than the Zillah Surgeon.

In

¹¹⁹⁶
In the present case,
however, the Government
would sanction the tra-
velling expenses ^{claimed} ~~under~~
~~the~~ ^{provision} for both the in-
spections.

3. In L.O. 30 May
1881 no 964 the Govt. ex-
pressed their opinion
that these inspections are
part of a District Surgeon's
regular duties & that
during his absence he
should draw nothing
beyond the ~~ordinary~~
travelling allowances
admissible to officers
proceeding on duty.
The question of disallowing
in future to the Zillah
Surgeon any remuneration
in excess of this will be
referred to the Surgeon
General with the Govt. for

R

his remarks

PP

qll

Inspection of Accounts
Govt. of 188 } Madras.

To

Dated

Recd.

188 , No.

Nos.

11/20-3438/9

Transmitted

To the Board of Revenue with enclosures
" Surplused with the f of the
" Accountant General

Desp 12/7

12/10/77

12/10/77

1196
12

Recd 4/7

Govt. of 1884 Madras.

Family

DISPOSED OF

27 JUN 21

BT.S.O.N. 1196

(12)

L. 7 - West Orders

[illegible]