M.R.O. I—77,000—3-3-37.

(1) Number of pages 54

(2) Date of repair 8 9 39

(3) Initials of the Reference 919

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O No. 2543 Dated 15 [illegible] 19 71
Original

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following papers:—

From M.R.Ry. S. SRINIVASA RAGHAVAIYANGAR, Avargal, Dewan Bahadur, Inspector-General of Registration, to the Chief Secretary to Government, dated Madras, 20th July 1891, G. No. 3187.

With reference to paragraph 3 of G.O., dated 24th June 1891, No. 508,* Public, I have the honour to state that Registrars and Sub-Registrars of Assurances would seem to fall under clause (*i*), rule 14 of the rules contained in the notification of

*Communicated in G.O., dated 11th July 1891, No. 1077.

Government, 14th November [illegible] published in the *Fort St. George Gazette*, but that hitherto [illegible] European and Eurasian Registrars passing [illegible] required for officers of the class [illegible] future [illegible] strictly observed.

2. Adverting to [illegible] of the above [illegible] ernment Order, I beg to suggest that [illegible] persons who [illegible] graduates and under-graduates of [illegible] ve taken up [illegible] ular as their optional language in [illegible] nation may be [illegible] from passing the vernacular examination prescribed by the rules. [illegible] done in the case of Deputy Collectors in rule 1 of the rules contained in [illegible] lication in Government, dated 2nd July 1891, published in the *Fort St. George Gazette*. With this notification it seems to be presumed that the proposed rules are suitable and adequate.

From H. W. FOSTER, Esq., Registrar of the High Court of Judicature, Appellate Side, to the Chief Secretary to Government, dated Madras, 5th August 1891, No. 2085.

With reference to paragraph 3 of G.O., dated 24th June 1891, No. 508, Public, I am directed to forward the enclosed list showing the Subordinate Judges and District Munsifs now in employment, who are [illegible] Eurasians, and indicating whether or not they are qualified for the posts they hold according to the rules prescribing a vernacular [illegible]

2. The Government will observe that all the District Munsifs are duly qualified. As to the two Subordinate Judges [illegible] V. P. [illegible] have passed the Government service Test [illegible] January 1859, comprised under the [illegible] contained in the rules of 1862 (published in the supplement of the *Fort St. George Gazette*, dated 21st November of that year) [illegible] the rules of 1878, quoted in the margin under reference. Mr. W. E. T. Cl[illegible] not passed any examination in the vernacular. There is no information in the High Court as to the circumstances under which he was appointed, and the Judges are not therefore aware whether he was formally exempted from the

operation of the rules. From the enclosed copy of his letter No. 606, dated 12th instant, it appears, however, that the appointment was offered to him unconditionally, and he was not made aware that he was expected to pass any examination in the vernaculars of the country. Considering that Mr. Clarke has now held his present office for over nine years without his omission to pass the vernacular examination having attracted attention or been brought to notice in any way, it appears to the High Court unnecessary now to require him to submit to the test.

3. In reply to paragraph 4 of the Government Order under reference, I am to say that the High Court approves of the provisions of the revised notification so far as they relate to Europeans or Eurasians who may hereafter be appointed as Subordinate Judges or District Munsifs.

Enclosure.

List of European or Eurasian Subordinate Judges and District Munsifs.

Grade.	Number in the gradation list.	Name.	Tests passed.
I	1	Mr. V. P. D'Rozario, Subordinate Judge, Palghat.	The District Munsifs' Test, 1865.
I	2	Mr. W. E. T. Clarke, B.A., Subordinate Judge, Cotacamund.	Barrister-at-Law, Student of Civil Law.
II	16	Mr. A. F. Elliot, District Munsif, Villupuram, South Arcot.	(1) Translation, Lower, Telugu, 1878. (2) First-class or High Proficiency Test, Telugu, 1882.
III	18	Mr. E. J. S. White, District Munsif, Kurnool.	(1) Translation, Lower, Telugu, 1889. (2) Vernacular Test, Second-class, Telugu, 1888.
III	21	Mr. J. H. D'Rozario, District Munsif, Vayitri, South Malabar.	Translation, Lower, Malayalam, 1873.
IV	1	Mr. J. F. Pereira, District Munsif, Angadipuram, South Malabar.	(1) Translation, Lower, Malayalam, 1871. (2) Do. Higher, do. 1881.

From the Registrar, High Court, dated 14th September 1891.

From Colonel C. A. PORTEOUS, Inspector-General of Police; to the Chief Secretary to Government, dated Madras, 23rd September 1891, No. 5607.

With reference to G.O., No. 1377, dated 11th July 1891, Judicial Department (No. 505, dated 24th June 1891, Public), I have the honour to submit a statement showing the names of European and East Indian officers in the Police Department who ought to have qualified by passing the third-class test in the vernacular, prescribed in notification, dated 11th November 1879, naming those who have qualified, and those who have not, in different columns.

2. It will be observed that the rule that European and East Indian Inspectors should pass the compulsory third-class test has not been enforced in the past in all cases. Out of a total number of 27 Inspectors who ought to have qualified by passing the test, 14 only have done so. No Inspector, however, appointed since the date of G.O., No. 1154, of 5th July 1889, Judicial Department, laying down revised rules for the admission of candidates as Inspectors of Police, has been confirmed unless he has passed in the vernacular.

3. The rules circulated with the Government Order quoted in paragraph 1 above, applicable to Police officers, are suitable, and I have no remarks to offer on them.

Enclosure.

Statement showing the names of European and East Indian Inspectors who ought to have qualified by passing the Third-class Test in Language in accordance with the Notification by Government, dated 11th November 1879, naming those who have qualified, and those who have not, separately.

No.	Name and rank of Inspectors who ought to have qualified but who have failed to do so.	Date of appointment as Inspector.	Explanation for failure to comply with the rules.
	Ganjam.		
1	Mr. W. A. Pascal .. 4th class ..	6th May 1891 ..	The Superintendent observes that this Inspector is not bound to pass the test as he has been continually in public service from 17th October 1877 to 6th May 1881 on temporary establishment and then on permanent establishment as Police Inspector, and the rules came into force in February, 1880. But as he was appointed to permanent establishment after the date of Examination rules, he ought to have qualified.
	Bellary.		
2	Mr. G. T. Willix .. 2nd class ..	21st Oct. 1881 ..	States that he was not aware of the orders that he should pass The Superintendent reports that he has a good knowledge of Telugu and Tamil and could probably pass without difficulty.
	Chingleput.		
3	Mr. J. Henderson	....	Superintendent explains: Exempted from passing Inspectors' Test in 1887, being old and is in 54th year now; not likely to remain long in service.
	Tanjore.		
4	Mr. W. M. Fitzgerald .. 4th class ..	19th April 1882 ..	Was long in City Police and was not compelled to pass. Was transferred to Tinnevelly on 25th December 1886.

No.	Name and rank of Inspectors who have qualified as required.	Date of appointment as Inspector.	When and in what language passed.	No.	Name and rank of Inspectors who have qualified as required.	Date of appointment as Inspector.	When and in what language passed.
	Vizagapatam.				*Kistna.*		
1	Mr. H. S. M. Ryan .. 3rd class ..	26th Dec. 1886 ..	1888; Telugu.	1	Mr. W. Thomas .. 3rd class ..	25th Dec. 1886 ..	1888; Telugu.
	Godavari.				*Nellore.*		
2	Mr. E. J. Marès .. 2nd class ..	14th Nov. 1882 ..	1883; Telugu.	2	Mr. C. E. Plowden .. 2nd class ..	21st Jan. 1881 ..	1884; Telugu.
3	Mr. F. A. Johnston .. 3rd ,,	10th Mar. 1888 ..	1889; Do.				
	Nellore.				*Cuddapah.*		
4	Mr. T. J. Monsell .. 2nd class ..	21st Jan. 1891 ..	1884; Telugu.	3	Mr. J. F. Burke .. 4th class ..	15th April 1881 ..	1883; Telugu.
	Kurnool.				*Salem.*		
5	Mr. J. McLane .. 2nd class ..	15th April 1881 ..	1883; Telugu.	4	Mr. C. E. Plowden .. 4th class ..	25th Dec. 1883 ..	1886; Tamil. Passed Higher Standard—G.O.C.C., No. 448, dated 3rd September 1886.
	Cuddapah.				*Coimbatore.*		
6	Mr. J. McLane	....	....	5	Mr. J. Henderson	....	....
	Salem.				*Nilgiris.*		
7	Mr. C. E. Plowden .. 4th class ..	25th Dec. 1883 ..	1886; Tamil. Passed Higher Standard—G.O.C.C., No. 448, dated 3rd September 1886.	6	Mr. J. Henderson	....	....
	South Arcot.				*Madura.*		
8	Mr. J. F. Burke	....	1887; Tamil.	7	Mr. J. Henderson	....	....
					Tinnevelly.		
				8	Mr. W. M. Fitzgerald .. 4th class ..	23rd Dec. 1886 ..	1887; Tamil.

Statement showing the names of European and East Indian Inspectors who have qualified by passing the Third-class Test in Language in accordance with the Notification by Government, dated 11th November 1891, and those who have not, separately—*cont.*

No.	Name and rank of Inspectors who ought to have qualified but who have failed to do so.	Date of appointment as Inspector.	Explanation for failure to comply with the rules.
	Transerally.		
6	Mr. W. D. Munro .. 4th class ..	6th Aug. 1884 ..	Superintendent reports that this Inspector will appear for the next examination. No further explanation is afforded.
	Coimbatore.		
	Mr. C. B. Franks .. 2nd class ..	12th April 1880.	Those Inspectors state they did not think that vernacular examination was compulsory and that besides they were not called upon to appear for the same. They add that they are prepared to appear for the next examination if required to do so.
	Mr. J. P. McNamara .. 2nd ,, ..	18th ,, 1882.	
	Madalar.		
	Mr. W. P. Grierson .. 2nd class ..	13th Aug. 1880.	The Superintendent remarks that no satisfactory explanation is given for their omission to pass the vernacular test, and adds that their attention has been called to the necessity for qualifying themselves.
	Mr. J. Tyas .. 2nd ,, ..	5th Nov. 1886.	
	Mr. J. C. Will .. 4th ,, ..	1st Sept. 1880.	
	Mr. V. de Rozario .. 4th ,, ..	6th Nov. 1886.	
	Trichinopoly.		
	Mr. T. Fernandez .. 4th class ..	23rd June 1889 ..	Has not yet passed and is on probation.
	Tuticorin.		
	Mr. Elliot .. 4th class ..	15th Sept. 1884 ..	Superintendent reports that the Inspector explains that he was under erroneous impression that the rules regarding the 3rd-class test in the language apply to "Probationers" and that he has been directed to appear for the next examination.

No.	Name and rank of Inspectors who have qualified as required.	Date of appointment as Inspector.	When and in what language passed.
	Trichinopoly.		
1	Mr. J. Dyer .. 2nd class ..	5 April 1882 ..	1880, Tamil
2	Mr. A. Clerk .. 4th ,, ..	4th Nov. 1881 ..	1881, Do.
	Transerally.		
3	Mr. F. M. Mayne .. 2nd class ..	16th Oct. 1889 ..	1890; Tamil
4	Mr. H. R. Taylor .. 3rd ,, ..	8th Nov. 1888 ..	1889; Do.
5	Mr. E. P. Huslam .. 4th ,, ..	20th Sept. 1887 ..	1888; Do.
	Salem.		
13	Mr. W. S. Marshall .. 3rd class ..	1st Nov. 1890 ..	1891; Tamil
	Coimbatore.		
14	Mr. T. J. Smith .. 4th class ..	18th May 1891 ..	1891; Tamil

I.—A probationer is not entitled since 1880 have passed the Third-class Test in Language to which he was appointed during probationership.

II.—There are 12 Reserve Inspectors who have not passed the test in the language of the district to which they have been appointed since 1880, who have not passed the test.

III.—Paragraph 6, clause 6, of the Rules for Reserve Inspectors, who are ordinarily promoted from the class of 4th-class Inspectors who have passed in vernacular, only Inspector [illegible] is still on probation; rest are all confirmed Inspectors.

From A. G. CARDEW, Esq., C.S., Acting Inspector-General of Jails, to the Chief Secretary to Government, dated Ootacamund, 2nd October 1891, No. 374.

I have the honour to reply to G.O.,* dated 24th June 1891, No. 508, Public. The delay which has occurred is due to the last reply from Superintendents having been received only the day before yesterday.

* No. 1377 (Judicial), dated 11th July 1891.

2. There are nine officers in this department, other than Civil Surgeons, who are covered by clause (*b*), paragraph 14 of the notification of the 11th November 1879. Of these, Messrs. Grimes, Gadsden and Cavendish have passed the test now prescribed, and Mr. Goodrich has passed the test in vernacular prescribed by G.O., dated 15th December 1870, for Uncovenanted officers of the higher grade, serving in the Police. Mr. Symonds reports that, before entering the service in 1861, he passed a special examination in Tamil, which, in addition to all that is included in the compulsory third-class test, embraced the first book of the Panchatantram, the whole of the Kathá Manjari, two translation papers and a grammar paper. Mr. Mills states that he has not passed the required test. He appeared for it in July last, but failed, and intends to appear again in January. Mr. Shubrick reports that he has not passed, and was not aware before that a test was prescribed. He has been informed that he should take early steps to pass the examination, and, if possible, should appear for it in January next.

3. There remain only Messrs. Tyrrell and McCready. Both these officers, who were specially promoted to the grade of Superintendent from that of Jailor, were formerly Inspectors of Police, and both have passed the test prescribed for Inspectors. Mr. Tyrrell has been in Government service since 1846, and in civil employ since 1860, and is now in his 62nd year. Mr. McCready has 27 years' service and is now aged 42 years. Under the proviso to paragraph 1 of the notification of the 11th November 1879 the rules as to the compulsory examinations do not apply to officers of more than 12 years' standing, who, for special reasons, have been transferred from one class to another, and who have passed the examination previously compulsory on them. I would submit that it is only an equitable extension of this proviso to hold that when an officer, over 12 years' service, is for special reasons transferred into a class covered by the rules from a class not so covered, having passed the examinations previously compulsory on him, he is exempt from the compulsory test prescribed by the rules, and considering Messrs. Tyrrell and McCready's service and age, I trust that it may not be thought necessary to require them to appear for examination now. Both have a sufficient colloquial knowledge of the vernacular.

4. With reference to paragraph 4 of the Government Order under reply, the suggested changes in the rules appear to be suitable and adequate. In clause (*b*) of draft rule 10, the words "not being Medical officers" should perhaps be added after the words "and other jails," and I would propose to render the third-class test compulsory also on Jailors and Deputy Jailors, who are of equal rank with Inspectors and Sub-Inspectors of Police, and whose duties make a knowledge of the vernacular essential.

ORDER—dated 15th December 1891, No. 2543, Judicial.

The foregoing proceedings will be communicated to the Public Department.

2. The third-class test will, as proposed by the Inspector-General of Registration, be in future strictly exacted from Registrars and Sub-Registrars who plainly fall within the meaning of clause (*i*) of old rule 14 (new rule 10); but the Government do not approve of his proposal to exempt graduates and undergraduates of the University who have passed in a vernacular language as an optional subject from the necessity of passing the third-class test.

3. The recommendation of the High Court that Mr. Clarke, the Sub-Judge at Ootacamund, be exempted from the operation of the rules is approved. It is observed that the High Court, while approving generally the revised rules, has not specially noticed the remarks in paragraph 5 of G.O., dated 24th June 1891, No. 508, Public, under the head of rules 6 and 7. In that paragraph the Government suggested that Sub-Judges and District Munsifs should be required to pass the High Proficiency in *two* languages as is now the rule for Deputy Collectors. The Honorable the Judges will now be requested to favour Government with their views on this point. To the substitution of the High Proficiency Test for the Second-class Test in *one* language the High Court is understood to agree.

4. As regards the unpassed men in the Police Department, in whose case the Inspector-General reports that the rules have not been enforced, the Government will not insist on their passing the test.

5. In respect of the officers of the Jail Department, Messrs. Mills and Shubrick will be required to pass the test, but Messrs. Tyrrell and McCready will, under the circumstances represented by the Inspector-General, be exempted.

6. The Inspector-General of Jails proposes to extend the terms of the proviso to rule 1 so as to cover the case of an officer promoted from a class in respect of which no vernacular test is prescribed provided that he is over 12 years' service. The proposal appears reasonable and the necessary addition to the rules will be made in the Public Department. The addition suggested in paragraph 4 of the Inspector-General's letter with reference to Medical officers cannot be approved, as the Medical Superintendents of Central Jails must continue to be liable to the vernacular test rules. The Government is, however, willing to exempt Medical officers in charge of District Jails from liability, and with this object rule 10 (*b*) of the amended notification will be revised and will run as follows:—

"(*b*) Superintendents of Central Jails and Superintendents of District Jails not being Medical officers."

The proposal that all Jailors and Deputy Jailors should be required to pass the third-class test is approved.

7. A copy of G.O., No. 508, dated 24th June 1891, Public, will now be communicated to the Commissioner of Police, Madras, who will furnish the reports called for in Paragraphs 3 and 4.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Public Department.
" Honorable the Chief Justice, with C.L.
" Inspector-General of Registration.
" " of Police.
" " of Jails.
" Commissioner of Police, with G.O., No. 508, dated 24th June 1891, Public.

Erd. J. Moses.

Govt. of {1891} Madras.

JUDICIAL.

Issued

Recd. Encl.

G.O., 15th December 1891, No. 2543.

DECEMBER.

Vernacular Tests.

Communicating to the Public Department, with remarks, papers relative to examinations in the vernacular languages of Southern India.

Read-Rc[illegible]

RE

From

M.R.Ry. S. SRINI

To The Sec

Dated

SIR,

taken up
main language
should be
vernacular ex-
ples. This
Deputy Collectors
d in the noti-
2nd July 1891
arette. With
me that the
adequate.
your Robt,

ur Servant,

List of European or Eurasian Subordinate Judges and District Munsifs.

Grade. As in the Graduation List.

		Name	Tests passed.
I	1	Mr. V.P. D'Rozario. Sub^te judge, Palghat.	The District Munsif's Test, 1863.
I	2	Mr. W.E.J. Clarke, B.A. Sub^te judge, Ootacamund	Barrister-at-Law, Student of Civil Law.
II	16	Mr. A.F. Elliot, Distt. Munsif, Villupuram, South Arcot	(1) Translation, Lower, Telugu, 1878; (2) First Class or High Proficiency Test, Telugu, 1882.
III	18	Mr. E.J.S. White, Distt. Munsif, Karnool	(1) Translation, Lower, Telugu, 1889. (2) Vernacular Test, 2nd Class, Telugu, 1888.
"	21	Mr. J.A. D'Rozario, Distt. Munsif, Vaiteri, South Malabar.	Translation, Lower, Malayalam, 1873
IV	1	Mr. J.F. Pereira, Distt. Munsif, Angadi (2) -puram, South Malabar.	(1) Translation, Lower, Malayalam, 1871 1881.

High Court of Judicature, Appellate Side, Madras, 25th August 1891.

Registrar

From the Registrar Mr. Court's No 314 S. 25 Aug 91

Ed W

Enclosure ——— to the High
Court's letter dated 25th
August 1891 No. 2085.

High Court of Judicature,
Madras. 25th August 1891.

No: 2085.

2P 15

From

W. W. Foster Esquire,
Registrar of the High Court
of Judicature, Appellate Side,
Madras.

To

The Honorable J. F. Price,
Chief Secretary to Government,
Fort St. George.

Sir,

With reference to para. 3 of G.O.
dated 24th June 1891, No: 508, Public, I am
directed to forward the enclosed list
showing the Subordinate Judges and
District Munsifs now in employment,
who are Europeans or Eurasians, and indicating
whether or not they have qualified for the
posts they hold according to the rules
prescribing a vernacular test.

2. The Government will observe
that all the District Munsifs are duly
qualified. As to the two Subordinate
Judges, Mr. V. P. D'Rozario, having entered
the Government Service before 1st January
1859, comes under the exceptions contained
in

in the rules of 1862 (published in the supplement of the Fort St. George Gazette dated 21st November of that year), and in the rules of 1879, quoted in the order under reference. Mr. W. E. J Clarke has not passed any examination in the Vernacular. There is no information in the High Court as to the circumstances under which he was appointed, and the judges are not therefore aware whether he was formally exempted from the operation of the rules. From the enclosed copy of his letter No: 606 dated 12th instant, it appears however that the appointment was offered to him unconditionally, and he was not made aware that he was expected to pass any examination in the Vernaculars of the Country. Considering that Mr. Clarke has now held his present office for over nine years without his omission to pass the Vernacular examination having

having attracted attention or been brought to notice in any way, it appears to the High Court unnecessary now to require him to submit to the test. 17

3. In reply to para. 4 of the G.O. under reference, I am to say that the High Court approves of the provisions of the revised notification so far as they relate to Europeans or Eurasians who may hereafter be appointed as Subordinate Judges or District Munsifs.

I have the honor &c,

Sir,

Your most obedient Servant

Registrar.

Elliott

Judicial {189/} Department.

No

From

THE—REGISTRAR OF THE HIGH COURT
OF JUDICATURE AT MADRAS,
APPELLATE SIDE.

HOME & CORRESPONDENCE
27 AUG 91
GOVERNMENT C. MADRAS

Dated 25th August 1891.
Received

No. 2085
Enc— one

Submitting a list of European or Eurasian Sub-Judges & Distt. Munsifs now in employ—and stating that the High Court approves of the revised notification prescribing a vernacular test in so far as it relates to Europeans & Eurasians who may hereafter be appointed as Sub-Judges or Distt. Munsifs.

Rly 27/

Memo to Dist Judge of Coimbatore 21

No. 606 Subordinate Judge's Court,
Nilgiris
Ootacamund, 12th August, 1891.

From
W. E. T. Clarke, Esquire,
Subordinate Judge,
Nilgiris, Ootacamund,

To
The District Judge,
Coimbatore.

Sir,

Adverting to copy of High Court letter to you dated the 6th instant communicated to me under your office [illegible] I have the honor to inform you that I was not aware at the time of my appointment to Subordinate Judge i.e, in Feb 1882 that it was [illegible] to pass an examination in [illegible] languages.

[illegible] office [illegible] Thank [illegible] establishment [illegible] any [illegible] cerned [illegible] Besides the [illegible] any, that my appointment was offered

to

to me under the aforesaid circumstance I am not aware of any special exemption in my favour from passing the examination.

I have the honor to be,
Sir,
Your most obdt. servant.
Signed / W.E.T. Clarke.
Subordinate Judge.
/ True copy /.

Subordinate Judge

Principal Judge

Instr No 4226/91

Enclosure

In a letter from the
District Judge Coimbatore
dated 17th August 1891,
No: 909.

Copy of letter from
the Subordinate Judge's
letter No: 606 dated
13th August, 1891.

No. 2270. High Court of Judicature,
Madras, 14th September 1891.

From

H. W. Foster Esquire,
Registrar of the High Court
of Judicature, Appellate side,
Madras,

To

The Honorable J. F. Price,
Chief Secretary to Government,
Fort St. George.

Sir,

Adverting to para. 2 of my letter dated the 25th ultimo, No: 2085, I have the honor to transmit herewith a copy of the letter of the Subordinate Judge of Nilgiris dated the 12th idem, No: 606, referred to therein as an enclosure, and to express regret that through an oversight in the Office it was not forwarded with my letter quoted.

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

Registrar

4245

3575/91.

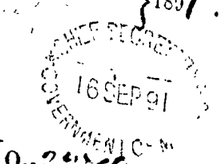
Judicial {1891} Department.

No

From

THE REGISTRAR OF THE HIGH COURT
OF JUDICATURE AT MADRAS,
APPELLATE SIDE.

Dated 14th September 1891.
Received



No. 2270.
Enc. —

Transmitting the copy of the letter & the petition noted from the District Collector of Nilgiris referred to in the Govt. letter cited & requesting orders.
No. 2085.

3575/91 — 16—12—91

3	Mr. J. Elwin	16 Aug 1882	Land Revenue
9	Mr. J. Clark	2nd Assistant Collector 1882	Land
		Do 1881	Do
10	" C. J. M. Wayne	2nd " " 1882	11th Malabar 1870. Land & Revenue
11	" M. R. Taylor	3rd " " 1883	8th Assistant 1868 Do
12	" E. V. Harlan	2nd " " 1882	

Inspecting Assistant Collector's Roll. Inspector will explain for the next examination. No further explanation is needed.

Copy to ordinary Inspectors of Police. Care must be taken to apply to Revenue Inspectors only. Inspectors will explain from the Army &c. in accordance with G.O. No. 1154 dated 31st July 1891.

Copy forwarded to Revenue Inspectors for information &c.

To Commandant, only Inspector Fernandez No. 12 under "Malabar" to be informed Inspectors &c.

Copy to
Asst. Inspr. Genl. of Police.

Judicial

				1886	
12	Cath. Fernandez	Malabar	do	23rd June 1889	Has not yet passed and is on probation
	Candidates for				
13	Mr. W. Elliot		3rd Class	15 September 1887	Superintendent reports that the Inspector explains that he was under erroneous impression that the rules regarding the 3rd class test in the Lanc language apply to "Probationers" and that he has been directed to appear for the next examination

Note I. All Probationers appointed since 1880 have passed the 3rd class Test in Language as the rules have been strictly enforced in their case & failure to complete the tests including Vernacular language entailing removal from Probationers

Note II. ~~None are Officers appointed since 1880 who have not passed the Vernacular Test and their names~~ have been included in the tests applicable to ordinary Inspectors of Police have not been held to apply to Reserve Inspectors who are ordinarily pensioned soldiers from the Army. In accordance with G.O. No 1614 dated 5th July 1887 Appointments to Classes, unpassed Reserve Inspectors are incapable of promotion to

Note [illegible] have not passed in Vernacular, only Inspector Fernandez No 12 under "Malabar" is still on probation, & are all confirmed Inspectors.

Lieut-Colonel
Asst Adjt Gen Coy Troops

4 & 5

2575

Judicial {1891} Department.

No

From

THE REGISTRAR OF THE HIGH COURT
OF JUDICATURE AT MADRAS,
APPELLATE SIDE.

Dated 14th September 1891.
Received 16 SEP 91

No. 2270.
Enc. 1 slip

Forward this by the copy of the letter from the Collector noted from the Sub-Judge of Nilgiris referred to in the Court's letter of the 2nd idem, No. 2065.

15—12—91

No. [illegible]

CHIEF OFFICE OF THE INSPECTOR GENERAL OF POLICE,

Madras, September 1891.

58 31

FROM

Colonel C. A. Porteous

INSPECTOR GENERAL OF POLICE,

To

THE Chief Secretary
to Government,
Ootacamund.

SIR,

Enclosures.

With reference to G.O. No 1377 dated 11th Jn
1891, Judicial Department 1508 dated 24th Jn
1891. I have the honor to submit a state-
ment showing the names of European and
Indian officers in the Police Department
employed on [illegible] qualified by passing
the Class test in Tamil, previous
to Notification dated 11th June
1890, who have passed the Class
not in accordance [illegible]

2. It will be observed that [illegible] European
and East Indian officers [illegible]
Compulsory Class test [illegible]
enforced in the [illegible]
total number of 27 [illegible]

to have qualified by passing the test; he only have done so. No Inspector, however, appointed since the date of G.O., No 1154 of 5th July 1889, Judicial Department, laying down revised rules for the admission of candidates as Inspectors of Police, has been confirmed unless he has passed in the Vernaculars.

3. The rules circulated with the G.O. quoted in para 1 above, applicable to Police officers, are suitable, and I have no remarks to offer on them.

I have the honor to be,

Sir

Your most obedt. Servant

Lieut. Col. Thuillier
Inspector General of Police

Judicial (1891) Department.

From

Col. C.A. Portens

Inspector General

of Police.

No. 5607

Dated 17th
Received } September 189 .

CHIEF SECRETARY'S DEPARTMENT
24 NOV 91
GOVERNMENT Calcutta

Subject.

Submits a Statement shewing the names of European and East Indian officers in the Police Department who have qualified by passing the Third Class Test in Vernaculars and who have not, and states that he has no remarks to offer on the Statement herewith forwarded.

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No. 374

Ootacamund

Office of the Inspector-General of Jails,

Dated 2nd October 1891.

78

From A. G. Cardew Esquire C.S

Ag Inspector-General of Jails,

To

The Honorable T. J. Price

Chief Secretary to Government.

Fort St. George

Sir,

I have the honor to reply to G.O., 25th [illegible] 1891, No 508 Public. The delay which has occurred is due to the last reply of the Superintendents having been received only the [illegible] before yesterday.

2. There are 9 officers in this Department other than Civil Surgeons, who are exempted by clause (b), paragraph 11 of the rules for selection of the 11 November 1879. Of these Messrs Grime, Jadoden and Cavendish have passed the test now introduced, and Mr Goodrich has passed the test under the rules prescribed by G.O. 15 December 1890 for Uncovenanted officers of the same grade, serving in the Police. It appears that, before entering the Service in 1881 he passed a special examination in Tamil, which in addition to all that is included in the compulsory third class [illegible] test he is entitled to reward, of Rs 500.

Enclosure.

embraced the first book of the Panchatantram, the whole of the Katha Manjari, two translation papers and a grammar paper. Mr Mills states that he has not passed the required test. He appeared for it in July last, but failed, and intends to appear again in January. Mr Shubrick reports that he has not passed, and was not aware before that a test was prescribed. He has been informed that he should take early steps to pass the examination, and if possible, should appear for it in January next.

There remain only Majors Tyrrell and Creagy. Both these officers were specially promoted to the rank of Assistant from that of Jailor, were formerly Chief of Police, and [illegible] prescribed for [illegible] them in [illegible] Service [illegible] and in each place since 1860, [illegible] Major Tyrrell is now aged [illegible] the proviso to para. 1 of [illegible] the November 1879 the [illegible] compulsory examinations do not apply to officers of more than 12 years standing [illegible] for special reasons [illegible] from one class to another

2

another and who have passed the examination previously compulsory on them. I would submit that it is only an equitable extension of this proviso to hold that when an officer, over 12 years service, is for special reasons transferred into a class covered by the rules from a class not so covered, having passed the examinations previously compulsory on him, he is exempt from the compulsory test prescribed by the rules, considering Majors Tyrrell & McCreagy's service and age, I trust that it may not be thought necessary to require them to appear for examination now. [illegible] a sufficient colloquial [illegible] circular.

[illegible] reference to para. 4 of the [illegible] I would suggested that [illegible] the [illegible] appear to be [illegible] abrogated. [illegible] clause 10 of the [illegible] in the new rules [illegible] should perhaps be added [illegible] words "and to the Jail [illegible] Inspectors" [illegible] compulsory also on the Head Jailors, who are [illegible] Inspectors and [illegible]

that he is entitled to a reward of R.500.

JUDICIAL.

JAIL (189/) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF JAILS,

To Ootacamund

THE CHIEF SECRETARY TO GOVERNMENT.

Fort Saint George

Dated 2 October 189/.

Despatched

Received

No. 374

ENCLOSURES.

Subject.

Furnishing the Report called for in G.O. No. 608 (Public) dated 24th June 1891 (Revenue Cho 1377 &/ 11th July 1891 on the subject of ——— by Assistants in the Vernacular Languages of Southern India.

Ret the Reports 14/10

Jail DEPARTMENT.

C. No.s 3314 / 20.7.91 , 3395 / 25.8.91 , 4116 / 17.9.91 , 4324 / 23.9.91 , 4451 / 2.10.91

From

Dated 189 .

FOR ORDERS.

For the purpose of the Vernacular Test all Europeans & Eurasians in the Uncovenanted Civil Service are divided into three classes. The first class does not call for notice.

The second class contains Assistants & District Superintendents.

The third class contains (amongst others)

(a) Dist. Supts. & Assistant Inspectors of Police;

(b) Supts. of Central & District Jails;

(c) The Chief Clerks of the Offices & Black Town Bench Magistrates' Courts;

(d) Officers in charge of Treasuries.

Officers of the second class are required to pass a qualifying test in the Vernacular of the District in which they are appointed, & Officers of the third class may if they wish present themselves for the test prescribed for the second class. If they pass this test they are entitled to a reward of Rs. 500.

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2. [illegible] Gt 17 24 June 1891 at 508 Rd.
it was proposed to make the following changes in the above rules: —

(1) to discontinue the payment of rewards to Second class officers who pass the Hindi Proficiency Test;

(2) to substitute the Hindi Proficiency Test for the test at present prescribed for officers of the Second Class;

Public Depts: Gt. further
(1) called for lists of officers who ought to have & have not passed the Second & Third Class Tests with explanation if any failure to comply with the rules;

(2) called for the opinion of the Secretariat & Heads of Depts. upon the rules generally & of the High Court in particular in regard to the future position of Subo. Judges & Mr. Munsiffs

from the Heads of Depts have now been received.

Of Registration dept. has been regarded as

will be considered to have passed in the optional subject at a University Exam^n unless he obtains not less than 40 per cent in each paper & 50 per cent in the aggregate.

Vide Endorsement.

Any instructions about him

Lt. Hemphill
Hdf

Vide Endorsement.

B. The High Court brings to notice the case of Mr. Clarke the Sub-Judge at Ootacamund who has not passed any Vernacular test although he has more than 9 years' service. The High Court recommends that he should now be exempted as he was not aware of the rules & was appointed apparently unconditionally. Before coming to Ootacamund Mr. Clarke was at Cochin & if he knows any language it is likely Malayálam; it is unfortunate that he knows enough Tamil to pass the test.

The High Court also suggest generally that it apply of the revised rules.

The papers relating to the case of Mr. Clarke are returned.

C. The I.G. of Police

to light the fact that 27 European & Eurasian Inspectors who on passing the Third [illegible] by 14th June [illegible] the case of [illegible] in the case of [illegible] Mr. [illegible] on probation for the first two years during which period the test has been removed [illegible] to appointment as a Police Officer that he should perhaps be [illegible]

officers to pass. Messrs Reed & Henderson might however be exempted as they have been a long time in the force both on probation & substantively & the latter is 53 years old.

[Owing to an oversight the Commissioner of Police, Madras, has not been Consulted; this might perhaps be done now].

C. The S. J. of Tails reports that 4 Superintendents have failed to comply with the rules viz Messrs Mills, Shubrick, Tyrrell & Mac Creagh. The two first have been warned to pass.

Tyrrell is now 62 years old & Mr. Mac Creagh has 30 years service & they may be exempted.

S. J. proposes several amendments in the rules. He would bring the terms of the Rule 1 as to the case of an officer from a class of which [illegible]

[illegible] Mills & Shubrick Superintendents

[illegible] unnecessary. The rules direct [illegible] Medical Committee

Officers

All

[illegible] the rules seem to fully [illegible] [illegible] [illegible]

Judicial DEPARTMENT. 97

98

Papers to be read in Proceedings:—

Again G.O., dated 18 , No.

Again G.O., dated 18 , No.

Current No. 3314 of 1891, dated 20 July from the I.G. of Regn.

" 3875 " , " 25 August from the Registrar, High Ct.

" 4216 " , " 14 Septr from do

Current No. 4324 of 1891, dated 23 Septr from the I.G. of Police

" 4451 " , " 2 Octr " the I.G. of Jails

Order d/ 15 December 1891.

The foregoing

ill be comm. to

Dept..

2. The fund

are proposed

the

the

the Registrars who file

fall within the

of clause ii of old rule

new rule

does not approve of the prop

1111
29/11

8/12

d/ 11-12-91.

Respectfully to the Hon. the Legal Member with reference to the Hon. the Chief Justice's remarks.

It will be observed that there is a disagreement of view on a few points.

It is understood that the Hon. the Legal Member does not approve of the proposal of the I.G. of Registration that graduates & undergraduates who have passed in a vernacular as an optional subject at the University Exam. should be exempted from the Third-Class Vernacular Test.

Ag
11/12.

C.3/12/11 | C.27/11/12 | C.4/12

to exempt graduates and
undergraduates of the University
who have passed in a vernac-
ular language as an optional
subject from the necessity
of passing the third class
test.

The recommendation of
the High Court that Mr
, the Sub-Judge at
, be exempted from
fulfilment of the rules
governed. It is
that the High Court

required to pass the High
Proficiency in two language
as is now the rule for
Deputy Collectors. The
Hon'ble the Judges will now
be requested to favor
with their views on the
point. [illegible] the substitution of
Proficiency Test for the second Class
one language to High Cl is submitted
4. Re regards
now in the Police
in whose case the
reports that the
not been enforced
it meant
Rajah Mills & Thomas
be requested to
that it may
and Mr

under the circumstances represented by the Insp.r General, be exempted.

6. The Inspector General of Jails proposes to extend the terms of the provisio rule 1. so as to cover case of an officer ted from a class respect of which no ular test is prescribed that he is over service. The pro-

The proposal that all

Jailors and Deputy Jailors should be required to pass the third class test is approved.

7. A copy of G.O. No. 508 of 24th June 1891, Public will now be comm.d to the Comm.r of Police, Madras, who will furnish the reports called for in paras: 3 & 4.

(From Orders)

4 26 Nov.
27 Nov

Last item is only one trifling disagreement between Govt & that is in regard to the exemption of Medical Depts of Jails. Govt think that to exempt such officers but to whom the Govt's decision is based upon the view that the rules do not apply to Medical Depts of Jails. The Hon. the Governor holds a different view. The G.O. as drafted by assuming that the rules do not apply to Medical Depts. assumes that by remarking that the exemption is unnecessary. Does Govt wish to have the draft G.O. altered explicitly that the rules do not apply to Medical Depts? If so the letter & the papers should be returned to Govt

4 27 Nov 4 Nov.

Note
The Hon. addition would be the same as the case of Asst. Surgeons of Central Depts of Jails & Medical officers

Jail Medical Depts of Central Jails, but if they are not Medical Depts of district Jails, as they are

The Public Dept
" Hon. the C.J. and the L.
" Secy. of Revenue
" " of Police
" " of Jails
" Comm.r of Police

Depts 11/11/92

cc for the Hon. the Gaoler.

Will the Hon. Member accept the Hon. the Minister's compromise as regards the scale of medical supplies of tools?

The Hon. the Minister proposes to retain the medical supply of Central Jails at the same rates but to exempt the medical supply of District Jails.

It is understanding that the Hon. the Gaoler will consent para. 6 of the draft has been amended in as indicated.

2 Dec.

C.4/12
R.J/12

ORDINARY, PRINTED.

Judicial Department.
Registered 15-12-91
No. 2543

INDEXED.

Fee £1 duly paid to Treasurer 15/12

Certificate and fee signed for 9-1-91.

Certificate issued to [illegible] 11-1-92

Document Abstracted

Vernacular Texts

Printing of the instrument, with round

7/10/03
22-10-06
22-2-07
13-8-12
3-12-13

15.6.270

15/12

15/12