

Marine (1897) Department.

G.O., No. 107

DATED 29 October 1897

[Despatch Abstract.]

Power of the Govt of Canada to remove officers from
their appointments; Pros. Public Dept. Courts: Govt
of Canada letter stating that if the ~~the~~ — where such
powers exist is absolute the instructions con-
tained in their letter of 14 July last will not
have any application in this Pending re-
ferred.

21/10/97

[illegible]

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

B

Order

Recorded

No. 1357

Dated 4. 10. 97

Received

Registered

Enclosures

Spare copies

Communicating to the Secy of the Secretary
Letter from the Govt of India stating that
the power of the Govt of Madras to remove
Officers from their appointments where
such power exist is absolute, &
instructions contained in the Letter of
that Govt of 14th July last will not
have any application in the
Presidency.

P.O.

Public Department.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper:—

From the Government of India,
Home Department, N^o 1462, of 14 July 1897:-

memorandum passed in Council (as for instance in the case of Commissioners, Deputy Commissioners and Assistant Commissioners in the Central Provinces under Section 7 of Act XVIII of 1881) or is otherwise limited, the circumstances should be reported to the Government of India for orders before any action in the direction of appointing a commission is taken.

(Order: N° 1110, dt 23rd August 1897.)

The Government of India will be addressed.

(True Extract)
(Signed) J. F. Bruce,
Chief Secretary.

Letter to the Government of India,
Home Department (Public), N° 1111, dt 23rd August 1897:-

I am directed to acknowledge the receipt of your letter N° 1462, dated 11th July 1897, regarding the construction to be placed on section 23 of Act XXXVIII of 1850 as amended by Act I of 1897.

In reply I am to observe that the power of this Government to remove an officer from his "appointments," where it exists

exists, appears to be the power of the Government in Council to be absolute and not subject to the control of the Government of India, under the circumstances therefore it would seem that as the case referred to in your letter related to abuses which arise in this province the instructions regarding reports to the Government of India are not applicable to this Government and I am to enquire whether this view is correct.

From the Government of India, Home Department, N° 1994, dt 30th September 1897:-

I am directed to acknowledge the receipt of your letter N° 1111 Public, dated the 23rd August 1897 enquiring whether the instructions contained in the letter from this Department N° 1462, dated the 11th July 1897, regarding the necessity in certain cases, for reporting to the Government of India the circumstances of a proposed inquiry, under section 23 of Act XXXVIII of 1850, as amended by Act I of 1897 into the conduct of officers serving under the Local Governments, are applicable to the Government of Madras.

In reply I am to say that, if it appears to be the case, the power of the Government of Madras to remove officers from

from their appointments (where that power is
enforced by the law for the time being in
force) is absolute, the instructions referred
to will not have any application in the
Madras Presidency.

Order:- No 1357 of 11 October 1897.

Communicated to the Depart-
ments of the Secretariat.

(True Extract)

Mc Couchman.

for Chief Secretary.

To
The Secy. of the Secretariat. (Marine)

C.O.
29/10/97

[Poll.]
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1,000-25-11-96.

Marine
Political (1897) Department.

CURRENT No. 1358

From
No 887 Mar 28. 6. 97 The Public Dep

Order

Recorded

No. 1357

Dated

11-10-97

Received

Registered

21-10-97

Enclosures

Spare copies

SUBJECT.

Copy to the Secy of the Secretariat
Letter from the Govt of India dated
that if the power of the Govt. follows
to remove officers from their appt. when
such power exists is absolute. These
instructions contained in the Govt. of
that Government of 15 July 1897
not have any application in the
Presidency.

(signed M)

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[63]
2,000-24-8-97.

Public Department.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—

From the Government of India, Home Department (Public), N^o 1994, d^y 30th September 1877.
I am directed to acknowledge the receipt of your letter N^o 1111, Public, d^y the 23rd August 1877, enquiring whether the instructions contained in the letter from this department N^o 1462, dated the 14th July 1877, regarding the necessity, in certain cases, for reporting to the Government of India the circumstances of a proposed inquiry, under section 23 of Act XXXVII of 1850, as amended by Act I of 1877, into the conduct of officers serving under the Local Governments, are applicable to the Government of Madras.

2. In reply I am to say that if, as appears to be the case, the power of the Government of Madras to remove officers from their appointments (where that power is conferred by the law for the time being in force) is absolute, the instructions referred to

to will not have any application in the Mexican
Presidency.

(Order: - N^o 1357, d/ 11 October 1897.

Communicated to the Departments
of the Secretariat.

/ True Extract /

J. M. J.
for Chief Secretary.

to
the Dept. of the Secretariat.