

1084

G.O., No. 758 Marine

DATED ^{10th} ~~22~~ August 1899.

[Despatch Abstract.]

Second appeal - Pros: Public Deptt. passing orders on reports from the heads of departments under the Public Deptt. in regard to the classes of subordinates under them drawing salaries of not more than Rs 25/per. men. in whose case a — should be altogether prohibited, recorded.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers:—

- From the British Consular Agent, Pondicherry and Karaikal, dated 7th March 1899, Ref. on G. No. 19.
- From the Protector of Emigrants, Madras, dated 8th March 1899, No. 50.
- From the Acting Malayalam Translator to Government, dated 10th March 1899, No. 41.
- From the Telugu Translator to Government, dated 8th March 1899, No. 58.
- From the Superintendent, Archaeological Survey, Madras, dated 11th March 1899, No. 92.
- From the Tamil Translator to Government, dated 13th March 1899, No. 58.
- From the Canarese Translator to Government, dated 13th March 1899, No. 25.
- From the President, Board of Examiners, Madras, dated 13th March 1899, No. 1217.
- From the Government Astronomer, Madras, dated 13th March 1899, No. 57.
- From the Superintendent, Government Press, Madras, dated 17th March 1899, No. 1092.
- From the Surgeon-General with the Government of Madras, dated 18th March 1899, No. T. 8—18.
- From the Persian and Hindustani Translator to Government, Madras, dated 20th March 1899, No. 38.
- From the Acting Chemical Examiner, Madras, dated 14th March 1899, No. 323.
- From the Government Epigraphist, dated 21st March 1899, No. 93.
- From the Registrar-General of Births, Deaths and Marriages, Madras, dated 27th March 1899, No. G.-209.
- From the Private Secretary to His Excellency the Governor, dated 24th June 1899, No. 6.

ORDER—No. 833, Public, dated 26th July 1899.

The foregoing papers contain the replies of heads of departments under the Public Department to paragraph 2 of G.O., No. 257, Public, dated 1st March 1899, calling for report with reference to paragraph 2 of G.O., No. 199, Public, dated 17th February 1899.

2. From the replies received it appears that considerable misconception exists as to the nature of the information which heads of departments were desired to submit. The proposal of this Government in regard to the limitation of appeals which was approved by the Government of India in the letter read in G.O., No. 199, Public, dated 17th February 1899, was that, while all public servants should continue to enjoy the right of appealing once to an officer superior to the officer inflicting a punishment upon them, the power which they at present possess of taking the matter

up on a second or even third appeal to still higher authorities should in some cases be limited. It has already been decided that in cases where a second appeal formerly lay to Government, the right of presenting such an appeal in a case which has already been decided by one appellate authority should in future be confined to officers in receipt of a salary of Rs. 50 a month or more. The question now under consideration is whether in cases where a second appeal now lies to the head of a department, or to a subordinate officer, the presentation of such second appeals should not be restricted to Government servants drawing Rs. 25 a month or more. It will be observed that such cases can only arise where the power of punishing Government officials is vested in officers between whom and the head of the department an intermediate authority exists. If the officer passing the order of punishment is immediately subordinate to the head of his department, the first appeal will lie to the head of the department and a second appeal will be barred by the rule laid down in paragraph 1 of G.O., No. 199, Public, dated 17th February 1899.

3. From the above explanation it will be seen that in the case of most of the offices under the Public Department the question of limiting second appeals does not arise. As every public servant will continue to be allowed the right of appealing once against an order prejudicially affecting him, an appeal may be presented to Government by any person employed in such offices as those of Translators to Government and of the Board of Examiners, where the officer imposing a punishment is himself the head of a department, and no intermediate authority exists between him and the Government. In the case of the Medical Department, it is necessary to ascertain in what officers the power of punishing subordinates is at present vested, and to whom the first, second and further appeals, if any, are now presented. The Surgeon-General will accordingly be requested to submit to Government a statement in the form appended supplying the necessary information on these points. In regard to the Government Press, the Superintendent will be requested to report whether the Assistant Superintendent now exercises any independent powers of punishing subordinates and, if so, to submit a statement showing how far such powers extend.

(True Extract.)

J. M. S.
for Chief Secretary.

To all Heads of Departments under the Public Department.

Copy to Departments of the Secretariat. (M. A. S.)

Exd. A. F. Eccleston.

[Appendix.]

exceeding Rs 50 a month.

more than
Rs 25 a month

(use c. no 1604)

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APPENDIX.