

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers :—

Proceedings of the Board of Revenue (Land Revenue), dated 29th April 1887, Forest No. 244.

Read—again the following Proceedings of the Board of Revenue, dated 24th February 1887, Forest No. 120 (Mis.):—

Read—the following letter from Lieutenant-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to the Secretary to the Board of Revenue, dated Coimbatore, 30th November 1886, No. 2036:—

I have the honor to report the following circumstances for the favor of early instructions.

2. In their Proceedings, No. 8588 (Forest 88), of September 1885, the Board reduced the twelve months' suspension awarded as a punishment to Forester, Sakaram Rao, Madura District, by one-half, and ordered that no attempt need be made to recover from him any of the money misspent on demarcation.

Effect was at once given to the Board's orders, and, by an office order of 21st September 1885, the forester was released from suspension with effect from the 19th idem and ordered to report himself for duty to the District Forest officer, which he did, and was placed in charge of the Palni sub-range with his head-quarters at Palni town, every inducement being held out to him to endeavour to retrieve his position and character by good work under the Range officer, Mr. O'Neill.

3. From that time up to June 1886 I continued to receive from time to time in the weekly diaries of the District Forest officer complaints of the forester's inattention to his duties and disobedience of orders, the gist being that he would not enter the hill forests of his sub-range. Matters culminated in June, on the 21st of which month the District Forest officer brought to my notice, in an office note sent through the Collector and enclosing reports from the range officer, the flagrant neglect of duty by the forester on the occurrence of fires within the reserved forest under his immediate charge.

Mr. Gass wrote that the forester was physically unfitted for his post, that he was a constant source of trouble, and that he thought he ought to be invalided or transferred elsewhere.

4. On this I wrote (9th July) requesting that the forester might be sent before the Civil Surgeon with a view to his being invalided. Orders were accordingly sent to the forester on the 21st July, of which he took no notice. On the 11th August he was admitted to hospital at Palni for ague and discharged cured on the 27th idem, having meanwhile handed over charge of his sub-range to another officer sent to relieve him. The orders to appear before the Civil Surgeon at Madura were reiterated, and he eventually did so on the 2nd September, with the result that he was declared physically fit for further service.

5. The Acting District Forest officer, Mr. Stanbrough, and Range officer, Mr. O'Neill, both raised objections to his rejoining at Palni; the latter officer, who had been censured in connection with the fire occurrences, declaring that he could not be

responsible for the work in his range with such a subordinate. A vacancy occurred in the Wynaad at the time and I transferred Sakaram Rao there on the 24th September, ordering him to join forthwith.

6. This order was communicated to him on the 29th, with orders to start at once for Manantoddy and the offer of Rs. 21-8-0 as advance to cover his travelling expenses there. Sakaram was requested to call at the District Forest office to receive the said advance and any pay which might be due to him. He contented himself with sending an application for two months' leave on private affairs to the District Forest officer, Wynaad and Pálghat, and remained at Palni. The leave was, of course, refused, and intimation to that effect and further order to join *at once* was placed in his hands on the 13th October by the District Forest officer, Madura. Sakaram still declined to move, and on the 27th of October was suspended by the District Forest officer, Madura, pending the Conservator's orders in the matter. At the same time, the District Forest officer called on him to submit any explanation which he might have to offer.

On the 30th October—*i.e.*, three days after the District Forest officer's order of suspension—a letter and medical certificate from the civil apothecary at Palni, both dated 18th idem, were received by the District Forest officer, Madura, and sent on to me.

Copies of those documents and of my reply are herewith sent.

7. It may be imagined what serious inconvenience has resulted from the forester's conduct and deliberate disobedience of orders. He has absented himself for two months without leave, and set my orders and those of the District Forest officer, Madura, at defiance. He now attempts to shelter himself by a plea of sickness supported by a certificate from a medical subordinate, dated twenty days after the first and five days after the second order to proceed to the Wynaad, and only received in Madura (one day's post) on the 30th October, and further complains of non-receipt of pay, &c., which he had only to apply at Forest office to receive.

8. The vacancy in the Wynaad has been filled up, and I would not have hesitated to dispense with Sakaram Rao's services were it not for the orders of Government in Mr. Newman's case, communicated by Board's Proceedings, No. 144, dated 17th January 1884, which appear to preclude such action, and which are, if I correctly interpret them, inimical to discipline or efficiency. If the forester is only to forfeit the particular appointment to which he was posted and not his position as a forester, 2nd grade, he will attain exactly what he wants, and will continue to absent himself without leave until he gets an appointment in accordance with his wishes. I cannot believe that this is the intention of section 140 of the Civil Leave Code or of Government and the Board, and therefore submit the case for consideration and orders.

9. In connection with it, I would ask that the Surgeon-General with the Government of Madras may be consulted as to the form of certificates to be granted by Civil Surgeons as regards physical fitness, and by all medical officers granting certificates of sickness to subordinate officers.

In the former case I learn that there is a considerable difference in the manner in which the rules are interpreted and in the form of the certificates granted, one being merely that A.B. is physically fit or the contrary to Government service, and another having the words "in the ——— department" added. I need scarcely represent that a man may be quite fit for sedentary employment and quite unfit for work in a department like the Forest, demanding very active habits and an iron constitution. I have recently had cases in which men notoriously and clearly unfit for our work were refused invaliding certificates on the ground that they could not be pronounced unfit for Government service as a whole.

And so with certificates of admission to, and discharge from, treatment. There is great diversity of action, especially amongst medical subordinates, some of whom, as in the case of the Palni apothecary, are very liberal in their ideas and permit themselves to proffer views as to the climate which will or will not suit a subordinate officer, which would, I consider, be better omitted, especially when their immediate superior, the Civil Surgeon, has certified that the man is perfectly fit for work a few weeks before.

ENCLOSURE No. 1.

Office Note by the District Forest officer, Madura, to the Conservator of Forests, Southern Circle, dated Madura, 10th November 1886, No. 1837.

In continuation of my office note, No. 1750, dated 30th October 1886, on the subject of suspension of Forester T. S. Sakaram Rao for disobedience to orders, I beg to state that the forester subsequently sent in a medical certificate to warrant his procedure in the matter, but that I cannot accept the explanation afforded by him in justification of his conduct. He did not even present himself at the office for the advance money, and I was entirely ignorant of his whereabouts until now, when it turns out he was admitted into the Palni hospital, and forwards the enclosed medical certificate.

2. The order to proceed forthwith to Manantoddy was given to him at Madura on the 29th September, and when it was known that he had not done so, but was staying at Palni, another order directing him to proceed at once on penalty of suspension in default was issued on the 11th October and delivered to him on the 13th idem. Subsequent to the receipt of this order, he appears to have obtained the medical certificate, which is dated 18th October, though not received till 30th idem.

3. I submit the forester's explanation with the medical certificate for orders in connection with his case already reported.

ENCLOSURE No. 2.

From T. S. SAKARAM RAO, Forester, 2nd grade, transferred to Wynaad, now at Palni, to the District Forest officer, Madura, dated Palni, 18th October 1886.

ABSTRACT.—Stating that he has been laid up with ague and enlargement of spleen since he left Madura, and produces a medical certificate of his having been admitted into the civil dispensary at Palni and claiming arrears of pay and travelling allowance due to him.

ENCLOSURE No. 3.—Medical certificate.

ENCLOSURE No. 4.

Office Note by Lieutenant-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to the District Forest officer, Madura, dated Calicut, 18th November 1886, No. 179 (Camp).

Reference—Your office note, No. 1837, of 10th instant, regarding Sakaram Rao.

Please inform him that the medical certificate from civil apothecary of Palni cannot be accepted, especially as it is not countersigned by Civil Surgeon and dated 18th October, long ere which date he should have been in the Wynaad. Give him no advance of pay or travelling allowance, merely settling up to date of his relief in Madura, and let him remain under suspension pending result of a reference I am making to Board and Government. He is absent without leave and decidedly contrary to orders, and must take the consequences.

Resolution—dated 24th February 1887, Forest No. 120 (Mis.).

The Board think that the Conservator has misunderstood the order of Government he refers to; the fact that mere absence without leave involves loss of appointment is not to be interpreted to mean that absence without leave, accompanied by gross insubordination and disobedience, only involves a similar loss; it is open to the Conservator to punish insubordination and disobedience in such a case just as he would punish it in any other.

2. The Conservator's recommendation in his paragraph 9 is not sufficiently definite for the Board to take action upon it; the forms of certificates are laid down in sections 106 and 108 of the Civil Pension Code and section 79 of the Civil Leave Code; if the Conservator has any objection to these, or wishes to propose an additional form for admissions into hospital, he is requested to do so more definitely.

3. Possibly the Conservator wishes that a District Surgeon or other medical officer, when certifying to a man's further fitness for service, should be bound to consider the nature of the duties attached to the office he holds.

(True Copies and Extract.)

(Signed) H. A. SIM,
Acting Sub-Secretary.

To the Conservator of Forests, Southern Circle.
Copy to the Examiner of Forest Accounts.
" " Conservator of Forests, Northern Circle.

Read—also the following letter from Lieutenant-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to the Secretary of the Board in the Department of Land Revenue, dated Madras, 13th April 1887, No. 106:—

Referring to paragraph 2 of the Board's Proceedings, dated the 24th February last, Forest No. 120 (Mis.), I have the honor to state that I have no objection to the forms of certificates prescribed in the Financial Department codes; but, as surmised by the Board in paragraph 3 of their Proceedings, I think medical officers before granting such certificates should be required to ascertain from the head of the office or department in which the applicant for the certificate is to be employed, or from which he is to retire, the nature of the duties he is expected to perform or for which he is supposed to be unfit.

2. Similarly in the case of certificates recommending leave of absence, the medical officer might be required to make himself acquainted with the nature of the applicant's duties, &c., and make sure that the applicant has appeared before him with the cognizance of the head of his office or department—*vide* clause (b), rule 1, section 143, chapter X, of the Civil Leave Code.

3. To enable the head of the office or department to satisfy himself that the rules have been complied with fully, it will be useful if the medical officer signing the certificate indicates, in addition to his usual departmental designation, whether he is the "chief medical officer of the station or district" or otherwise. At present, certificates signed by civil apothecaries as such are frequently received, and there is no means of knowing readily whether they are "chief medical officers of the station" or not.

4. I would further suggest that in all cases of admission of public servants as out-patients into an hospital, either Government, Local Fund, or Municipal, the medical officer granting the certificate of admission may be required to insert a note therein stating whether the nature of the complaint is such as to preclude the patient either wholly or partially from discharging his public duties.

Resolution—dated 29th April 1887, Forest No. 244.

Submitted to Government for orders.

2. The Board think that it would be advisable to issue instructions of the nature suggested by the Conservator.

(A true Copy and Extract.)

(Signed) M. HAMMICK,
Acting Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Conservator of Forests, Southern Circle.
" " Northern " "
" " Examiner of Forest Accounts.

No. 3388.

Transferred to the Public Department with an expression of concurrence in the opinion of the Board of Revenue.

(By order.)

OOTACAMUND,
13th June 1887.

(Signed) H. A. STUART,
Under Secy. to Govt.

From G. BIDIE, Esq., M.B., C.I.E., Surgeon-General with the Government of Madras, to the Chief Secretary to Government, dated Ootacamund, 7th July 1887, No. O-284.

With reference to correspondence received with reference No. 2559, dated the 4th instant, I have the honor to submit to His Excellency the Governor in Council my remarks on the points raised by the Conservator of Forests, Southern Circle:—

*Suggestions of the Conservator of Forests,
Southern Circle.*

Remarks of the Surgeon-General.

1. Medical officers granting certificates to candidates for admission to, or retirement from, the public service, should be required to ascertain from the head of the office or department in which the applicant for the certificate is to be employed, or from which he is to retire, the nature of the duties he is expected to perform, or for which he is supposed to be unfit.

1. Medical officers ordinarily elicit this information from candidates for pension; but should Government deem a rule on the subject necessary, they may perhaps consider it the more natural course, that the head of the office or department making the requisition under the provisions of clause (b), rule 1, section 143, of the Civil Leave Code, should at the same time inform the medical officer of "the nature of the duties" the candidate is expected to perform, or for which he is supposed to be unfit.

2. Similarly in the case of certificates recommending leave of absence, the medical officer might be required to make himself acquainted with the nature of the applicant's duties, &c., and make sure that the applicant has appeared before him with the cognizance of the head of his office or department: *vide* clause (b), rule 1, section 143, chapter X, of the Civil Leave Code.

2. As public servants cannot obtain certificates recommending leave of absence without the cognizance of the head of the office or department, the obvious course is for the latter to make the medical officer "acquainted with the applicant's duties, &c.," and the adoption of this course will "make sure" that the applicant appears before the medical officer with the cognizance of the head of his office, which it is the aim of the rule quoted to insure. The certificate said to have been issued by the civil apothecary at Palni is not given in the correspondence, nor is it anywhere stated that the certificate was given to Forester Sakaram Rao without the cognizance of the head of his department; but should the apothecary have issued to the forester a certificate recommending leave of absence without the knowledge or consent of his superior, he has clearly contravened clause (b), rule 1, section 143, of the Civil Leave Code and departmental circulars on the subject.

3. To enable the head of the office or department to satisfy himself that the rules have been complied with fully, it will be useful if the medical officer signing the certificate indicates, in addition to his usual departmental designation, whether he is the "chief medical officer of the station or district" or otherwise. At present, certificates signed by civil apothecaries as such are frequently received, and there is no means of knowing readily whether they are chief medical officers of the station or not.

3. There can be no objection to the additional designation being inserted, but practically this will not help the Conservator much, as there is no more than one civil apothecary in a station, and every such apothecary will be entitled to sign as "chief medical officer of the station." It is not clear what the Conservator means to guard against.

4. I would further suggest that in all cases of admission of public servants as out-patients into an hospital, either Government, Local Fund

4. There can be no objection to the introduction of such a rule. It would be useful in checking unnecessary absence from duty for

or Municipal, the medical officer granting the certificate of admission may be required to insert a note therein stating whether the nature of the complaint is such as to preclude the patient, either wholly or partially, from discharging his public duties.

trivial complaints which, while requiring treatment, do not incapacitate for performance of duty.

ORDER—dated 26th July 1887, No. 1044, Public.

The forms of certificate prescribed in sections 106 and 108 of the Civil Pension Code provide for the examining medical officer making himself aware of the particular department in which the applicant for Government service, or for pension, wishes to be, or is, employed. Further particulars regarding the nature of the work of each individual can be entered, if thought desirable, by the head of the office, in the descriptive roll which must be delivered to the medical officer under G.Os. of 15th June 1881, No. 814, and 26th March 1887, No. 450.

2. With regard to the grant of certificates recommending leave of absence on medical grounds, the Surgeon-General will be directed to remind his subordinates of the provisions of rule 1 (b), clause (b), section 143, of the Civil Leave Code. He will also enquire into the alleged disregard of this rule by the apothecary at Palni (brought to notice in Colonel Campbell Walker's first letter), and take such notice of the conduct of that officer as he may deem fit.

3. The suggestions made in paragraphs 3 and 4 of Colonel Campbell Walker's letter of 13th April 1887, No. 106, are approved, and the Surgeon-General will instruct his subordinates accordingly.

(True Extract.)

H. E. Stokes

Ag. Chief Secretary.

To the Departments of the Secretariat.
 „ the Board of Revenue (Land Revenue).
 „ the Surgeon-General with the Government of Madras.
 „ all other Heads of Departments.

Exd. A. Raitt.

Passing orders in regard to the grant of certificates by medical officers.