GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following paper:—

Notification of the Government of India, Home Department (Public), dated Simla, the 14th September 1894, No. 1516.

The following clauses are added to Rule XII of the rules for the transmission of memorials to Her Majesty's Government, published in Home Department Notification, No. 707, dated the 29th March 1878:—

(10) When a memorial is an appeal against a decision by any local, municipal, or other authority, which by any law or rule having the force of law is declared to be final.

(11) When a memorial is an appeal against the action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.

(Signed) J. P. HEWETT,
Offg. Secy. to the Govt. of India.

No. 1526.

Despatch to the Secretary of State, No. 26 (Public), dated the 12th June 1894.
Despatch from the Secretary of State, No. 71 (Public), dated the 2nd August 1894.

Copy, with copy of the despatches marginally noted, forwarded to the Government of Madras, with reference to the letter from that Government, No. 46 L., dated the 16th January 1894.

(By order.)

(Signed) L. M. THORNTON,
Offg. Depy. Secy. to the Govt. of India.

To the Government of Madras.

Enclosures.

Despatch from the Government of India, Home Department (Public), to the Right Honorable Mr. H. H. FOWLER, Her Majesty's Secretary of State, for India, dated Simla, the 12th June 1894, No. 26.

We have the honour to forward a copy of a letter from the Government of Madras, No. 46 L. (Local and Municipal), dated the 16th January 1894, in which, for the reasons therein stated, that Government propose certain amendments in the rules for the transmission of memorials to Her Majesty's Secretary of State for India.

2. We have withheld the memorial addressed to Her Majesty the Queen, Empress of India, by A. R. Rangaswami Nayudu, which was forwarded to us at the same time by the Government of Madras, on the ground that he had not previously memorialized the Government of India on the subject, as required by Rule XIII of the Memorial Rules above referred to.

3. In referring for your consideration the amendments in the rules proposed by the Government of Madras, we would observe that we see no objection to the addition proposed to clause (8) of Rule XII of the rules. We do not, however, consider that the new clause (10) proposed to be

added to that rule is wide enough to meet all cases which it is intended to cover, and we would accordingly suggest that the following be substituted for it:—

"When a memorial is an appeal against the action of a private individual or of a body of private individuals in a matter connected solely with the private relations of the memorialist and such individual or body."

Despatch from the Right Honorable Mr. H. H. FOWLER, Her Majesty's Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council, dated India Office, London, 2nd August 1894, No. 71, Public.

I have considered in Council the letter from your Government, No. 26, of the 12th June last, suggesting an addition to clause (8), and the introduction of a new clause (10), in Rule XII of the rules relating to the transmission of memorials addressed to the Queen or to the Secretary of State by persons resident in India.

2. The addition to clause (8) goes beyond the scope of the present clause, and I am of opinion that it should be numbered separately. It is nearly equivalent to clause (8) in Rule 3, section III, of the rules relating to petitions addressed to the Government of India, and might be conveniently expressed in similar language.

3. I accordingly sanction the addition of the following clauses in Rule XII, namely—

(10) When a memorial is an appeal against a decision by any local, municipal, or other authority, which by any law or rule having the force of law is declared to be final.

(11) When a memorial is an appeal against the action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.

4. I must point out that the Government of Madras are in error in considering that an appeal against dismissal by a Local Fund Engineer might be withheld under clause (9). The refusal of Government to interfere with the order directing dismissal would be tantamount to a confirmation of the order, and go far beyond a refusal to exercise a mere dispensatory discretion.

Order—dated 1st October 1894, No. 731, Public.

Communicated to the Departments of the Secretariat and to all Heads of Departments under the Chief Secretary, with reference to G.O., dated 8th April 1878, No. 628, and in continuation of G.O., dated 3rd December 1889, No. 982, Public.

2. The notification will be published in three consecutive issues of the Fort St. George and all District Gazettes, in English and the several vernaculars of the Presidency.

(True Extract.)

for Chief Secretary.

To the Local and Municipal Department,
with reference to G.O., dated 16th January 1894, Nos. 45, 46 L.
„ the Revenue Department.
„ the Public Works Department.
„ the Military Department.
„ all Heads of Departments under the Chief Secretary.

Exd. A. Raitt.

Public Works Department

Public Works

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(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Local and Municipal Department,
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„ the Public Works Department.
„ the Military Department.
„ all Heads of Departments under the Chief Secretary.

Exd. A. Raitt.

Govt. of {1894} Madras.

PUBLIC.

Issued

Recd. Encl.

G.O., 1st October 1894, No. 731.

OCTOBER.

Memorials to Her Majesty's Government.

Communicating to Departments of the Secretariat and to all Heads of Departments under the Chief Secretary notification of the Government of India adding certain clauses to Rule XII of the rules for the transmission of —.

In 2712 W. d 24th October 189
Communicated to officers
of the P.W. Dept in continuation
of G.O. No. 3566 W d/13 Decr 189

(Sd) J.P.W

Ch. Engr for I.
C.E. for Ryp.
I. Es
Cable work
Insp. of P.P.
Ex. Nw.a
Ex. Ry.a.

P. W. CURRENT No. 7856

Govt. of {1894} Madras.

PUBLIC.

Issued 20.S.C.

Recd. 17.10.94 Encl.

G.O., 1st October 1894, No. 731.

OCTOBER.

16

Memorials to Her Majesty's Government.

Communicating to Departments of the Secretariat and to all Heads of Departments under the Chief Secretary notification of the Government of India adding certain clauses to Rule XII of the rules for the transmission of —.

Ro: 2712 dt 24th Octr 1894.

B/

Communicated to offices of the Secs. Dept. in continuation of G.O. No 3566 dt 13th Dec 1887.

1200

DESPATCHED
25 OCT. 94

Ch. S. for I. with 2 Sc
C. S. for Rs
Supt Surgs
C. A. G. Govt.
S. of W. P.
Surg Reporter with 1 Sc
Surg Reporter
2 Govt Orders taken to Office

D. C. C. 27/10

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