

- (1) பக்கங்களின் எண்ணிக்கை 4
 (2) புதுக்கித் திருப்பிய நாள் 4/92
 (3) ஆதாரம் குறிப்பவர் எருக்கோயம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

P.W. துறை

அரசாணை எண்.	635 W	அச்சகம்
மு. கோப்புத் தாள் எண்.		பலவகை
நாள் :	7. 3. 1894	199

மடிக்கலோ தண்டபடி கையாளலோ கூடாது.

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ஆவண. கா. 1-18,006-62-90.

GOVERNMENT OF MADRAS.
PUBLIC DEPARTMENT.

READ—the following paper:—

G.O., dated 8th January 1894, No. 4, Revenue.

Read—the following Proceedings of the Board of Revenue (Land Revenue), dated 30th August 1893, Mis. No. 5032:—

Read—the following letter from the Collector of Trichinopoly, dated 25th July 1893, Dis. No. 200-Revenue:—

ABSTRACT.—Submitting records of enquiry conducted in March 1892 into the conduct of the Tahsildar of Musiri.

Resolution—dated 30th August 1893, Mis. No. 5032.

In its Proceedings, dated 22nd September 1892, Mis. No. 6060, the Board ordered the reduction of Kuppusami Aiyar, Tahsildar of Musiri, Trichinopoly district, and, in connection with the charges made against him, having occasion to consider the conduct of his magisterial clerk—one Srinivasa Aiyar—directed his dismissal. The grounds of that decision are set forth in the Board's Proceedings quoted above, which was the outcome of a very careful examination of most voluminous records, some of which have now been returned by the Collector, and many of them bear members' notes on the margin.

2. By G.O., dated 25th May 1893, Mis. No. 1916, the Government, upon the appeal petition of the said Srinivasa Aiyar, set aside the Board's decision in his case as "based upon erroneous assumption and on no evidence" and directed his restoration to office "with arrears of pay in full." This order was duly communicated to the Collector with Board's Proceedings, dated 6th June 1893, Mis. No. 3422.

3. The Board has no wish to dispute the Government Order—indeed it has already been carried out—but it observes that the decision of Government was passed, without any reference to the Board, upon the *ex parte* statement of the appellant and (so far as the Board knows) without any records, except such as the clerk thought fit to produce, being before Government. It is to this mode of procedure that—apart from the merits of this particular case—the Board ventures to take exception. The Government Order, speaking as it does of the Board's erroneous assumptions and findings unjustified by evidence, practically amounts to a severe censure on that body, and this is passed without allowing it an opportunity of justifying its action and without (as it believes) a full examination of the records on which the decision censured was based. The Board is even now unaware of what the appellant said in his appeal petition, and it would respectfully urge upon Government that in cases of appeal it will be more conducive

to the interests of the public service if a reference is made to the Board before its decisions are set aside. Had this been done in the present instance, the Board ventures to believe that the decision of Government might have been different.

(True Extract.)

(Signed) W. S. MEYER,
Acting Secretary.

To the Secretary to Government, Revenue Department.

Order—dated 8th January 1894, No. 4, Revenue.

Miscellaneous.

In its Proceedings read above, the Board of Revenue urges that in all cases in which an appeal is presented to Government against any decision of the Board, that authority should be consulted before its decision is reversed or modified.

2. The case which has given rise to the above reference is that of a clerk in the Trichinopoly district who was dismissed by the Board of Revenue but was subsequently reinstated by Government on appeal. The Board takes exception to the issue of this order on the *ex parte* statement of the appellant, and argues that, as the full records of the case were not before Government, the decision arrived at was liable to be unduly influenced by the appellant's assertions and by the selections from the records which he thought fit to produce. It is further urged that the language of the Government Order practically amounted to a severe censure on the Board.

3. The matter cannot be reopened now, but His Excellency the Governor in Council desires to disavow any intention of conveying any censure to the Board of Revenue for its action by the order passed in this case and has no doubt that the matter received the most careful attention at the hands of the Land Revenue members of the Board.

4. Turning now to the general question stated in paragraph 1 *supra*, the Government is not prepared to admit that a reference should in all cases be made to the Board before an order is issued interfering with one of its decisions. His Excellency the Governor in Council is, however, of opinion that whenever an officer wishes to appeal against any order passed upon him, the appeal petition should invariably be submitted through the officer against whose decision the appeal is filed. It is believed that this rule is already followed in most offices, although no general rules to this effect have been promulgated in this Presidency. The rules regarding the submission of petitions to the Government of India already contain provisions of this nature (section 11, rules 1, 2 and 3), and His Excellency in Council resolves to prescribe similar rules for the submission of petitions to the local Government. These rules will issue in the Public Department as an addition to those published in the *Fort St. George Gazette* of 6th January 1890 and will apply to all officers in civil employ.

Rule 1.—Every officer wishing to petition the Government should do so separately.

Rule 2.—Every petition should be submitted through the head of the office or department to which the petitioner belongs or belonged. But there is no objection to the petitioner transmitting a duplicate copy of his petition direct to the Government, provided that he marks it as a "duplicate."

Rule 3.—The head of the office or department will at once forward the petition to the Government through the ordinary official channel, and may make such remarks as he may consider necessary in regard to the accuracy of the statements made and inferences drawn in the appeal petition; he will also forward such records, not submitted by the appellant, as should properly be consulted in order to the disposal of the appeal.

Rule 4.—No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in such matter.

5. The Government considers that the adoption of the above rules will meet the objections raised by the Board in the Proceedings read above. The system will afford

to Heads of Departments an opportunity of explaining the reasons which led to the passing of the orders in question, and, if carefully worked, will obviate the necessity for subsequent references by Government. The nature of the remarks to be made on a petition must, of course, be left to the discretion of the officer whose order is under appeal, and it will in some instances be unnecessary for him to record any remarks at all. His Excellency in Council trusts that all Heads of Departments will endeavour so to work Rule 3 of the above rules that appeal petitions may be submitted to Government in a state fit for immediate disposal.

(True Extract.)

(Signed) C. A. GALTON,
Secretary to Government.

To the Board of Revenue (Land Revenue).
" the Public Department.
" other Heads of Departments under Revenue Secretariat.

ORDER—dated 16th February 1894, No. 111, Public.

Communicated to Departments and Heads of Departments under the Chief Secretary with special reference to paragraphs 4 and 5.

2. The rules will be published in three successive issues of the *Fort St. George Gazette* as an addition to those promulgated in G.O., dated 6th January 1890, No. 2.

NOTIFICATION.

The following rules, in addition to those published at page 35 of the *Fort St. George Gazette*, Part I, dated 14th January 1890, regarding petitions addressed to the Government of Fort St. George, are published for general information:—

Rule 9.—Every officer wishing to petition the Government should do so separately.

Rule 10.—Every petition should be submitted through the head of the office or department to which the petitioner belongs or belonged. But there is no objection to the petitioner transmitting a duplicate copy of his petition direct to the Government, provided that he marks it as a "duplicate."

Rule 11.—The head of the office or department will at once forward the petition to the Government through the ordinary official channel, and may make such remarks as he may consider necessary in regard to the accuracy of the statements made and inferences drawn in the appeal petition; he will also forward such records, not submitted by the appellant, as should properly be consulted in order to the disposal of the appeal.

Rule 12.—No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in such matter.

(True Extract.)

Chief Secretary.

To Departments under the Chief Secretary.
" Heads of Departments under the Chief Secretary.
Copy to the Public Works Department.
" Military Department.
Gazette.

Ed. A. Raith.

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Gobt. of {1894} Madras.
PUBLIC.

14. 635 W. d/ 7 March 1894

Communicated to
offices of the Public
Works Department in
continuation of G.O.

214 W. d/ 23^d January 1890

Issued

Recd.

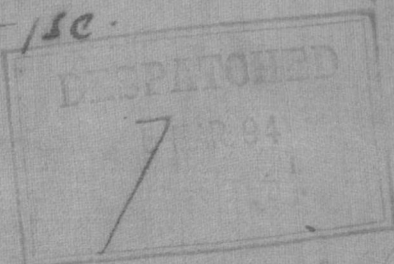
Encl.

G.O., 16th February 1894, No. 111.

FEBRUARY.

Petition Rules.

Communicating to departments and heads of
offices under the Chief Secretary, with special
reference to paragraphs 4 and 5, order in the
Department prescribing, with remarks,
the submission of appeals to Government
officers and directing that they be pub-
lished in addition to those promulgated in G.O.,
January 1890, No. 2.



INDEXED.