

MADRAS RECORD OFFICE.

Government of Madras.

Rublee DEPARTMENT.

G.O. No.	1405	Press Mis.
Dated	8-11-	1867

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Department,
8th November 1867.*

Read the following :—

No. 65.

MEMORANDUM.

The Military Secretary to Government has the honor to submit the accompanying letter from the Sanitary Commissioner, on the subject of exemption from passing the Uncovenanted Civil Service Examination, on behalf of Soobroyen Moodelly, a writer in the Sanitary Commissioner's Office.

2. It will be observed that Government, in their Proceedings in the Military Department, No. 1818, dated 29th May 1866, declined to grant a similar request for the writer in question.

3. The Sanitary Commissioner, however, in his later communication, brings forward the cases of the clerks adverted to in Proceedings of Government, Educational Department, No. 149, dated 21st May 1862, in support of his present representation of Soobroyen Moodelly's case, on the plea that he had been employed as a writer in the Quarter Master's Office of the 31st Regiment Native Infantry, a situation similar to those held by the Native clerks exempted under the Orders of Government above referred to.

4. The Military Secretary, in submitting the above papers for consideration in the Public Department, begs to observe that the clerks in offices such as Station and Regimental Staff, as well as those of Officers in charge of pensioners, are paid from a contract allowance, and have hitherto been regarded as private servants, and, as such, have been invariably refused all title to pension or gratuities.

5. This Memorandum is accordingly submitted in view to its being ascertained, prior to taking the orders of Government on the application, whether the ruling in the Proceedings in the Educational Department is to be considered absolute in similar cases, or whether, with reference to the foregoing remarks, it may not be expediently reconsidered.

FORT SAINT GEORGE,

(Signed) R. HAMILTON, Colonel,

28th October 1867.

Dy. Secretary to Government, M. D.

To the Public Department, with letter No. 499 of 1867, and two enclosures.

From the Sanitary Commissioner, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 17th October 1867, No. 499.

With reference to Order of Government, No. 1818, dated 29th May 1866 (copy hereto appended), I have the honor to solicit that you will be so kind as to obtain the reconsideration, by the Right Honorable the Governor in Council, of the case of M. Soobroyen, a writer in this Office, who, under peculiar circumstances, solicits the privilege of being exempted from passing the general Uncovenanted Civil Service Examination.

2. The application made on his behalf by the late Inspector General D. Macpherson, then Officiating Sanitary Commissioner, was rejected on the grounds that no sufficient cause had been shown on his behalf to demand the concession solicited.

3. It now appears, from additional information received since the Order of Government named above, that he was employed as Station Staff Office Writer at Kimerdy, and Quarter Master's and Adjutant's Writer from 1855 to 1860. In 1860, having been attacked with severe illness contracted in foreign service at Moulmein, he was directed to proceed to the General Hospital, Madras, on sick leave, for treatment ; but on his recovery from illness, and when he was about to resume his appointment at the middle of 1863, the Regiment in which he was employed at Moulmein arrived at Waltair. The work of the office being then considerably lightened, his services in the Regiment were dispensed with, and he was appointed as clerk in the late office of the Inspector General of Hospitals.

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4. In March 1864 he obtained a post in this office, where he at present is employed on a salary of Rupees 25 per mensem. I may add that he is a most deserving, hard-working man, and well deserving of promotion, which I have been obliged to withhold from him solely in consequence of his inability to draw more than 25 Rupees a month.

5. But M. Soobroyen states that Government, in their Order, No. 149, dated 21st May 1862, considering certain Station Staff Office and Quarter Master and Adjutant's Writers to be Government servants and in public employ on the 1st January 1859, were pleased to exempt them from the operation of the Uncovenanted Civil Service Examination Rules. Under the circumstances related above, and with reference to the Order quoted, I beg most respectfully to represent that M. Soobroyen, who was almost similarly situated as those clerks who have been exempted from the Uncovenanted Civil Service Examination Rules, should be considered to have been in the service of Government on and before the 1st of January 1859, while employed as Station Staff Office and Quarter Master and Adjutant's Writer. I trust that the indulgence so liberally granted to others may be extended to him also.

From Inspector General of Hospitals D. MACPIERSON, M. D., Officiating Sanitary Commissioner, Madras, to the Secretary to Government, Military Department, Fort Saint George; dated Madras, 8th May 1867, No. 18.

I have the honor to solicit the consideration and favorable orders of Government in the case of one M. Soobroyen Moodelly who I beg may be exempted from passing the Uncovenanted Civil Service Examination on the following grounds.

2. Soobroyen Moodelly has been in this Office from its formation, and is now drawing Rupees 25 per mensem as 2nd Class Writer. In consequence of his not being a passed candidate, he is debarred from promotion in this Office, and admission on a higher salary in any other. During the time he has been here, he has rendered to the Officers under whom he served every satisfaction, and has evinced sufficient intelligence and ability in the discharge of his arduous duties, as to warrant the assumption that he would do justice to his post were he promoted to a higher and more responsible office.

3. The enclosed copy of a few of his testimonials further goes to bear out my statement as to his qualifications, and to support my recommendation for the special consideration of Government he lays claim to.

4. Previous to entertainment here, Soobroyen Moodelly was a Naigue in the 31st Regiment N. I., where he was also (as will be seen from his testimonials) the Quarter Master and Adjutant's Writer; but in consequence of his having been out of mind for some time from the effects of a deleterious drug administered to him at an entertainment by some of his envious comrades, he was pensioned, after having undergone medical treatment in the General Hospital.

5. I presume, from information received, that European Soldiers are allowed the indulgence of being employed under Government in a civil capacity without passing the Uncovenanted Civil Test, and also that no instance has as yet been brought to notice where a Sepoy possessed the necessary qualifications in English to entitle him to employment in any public office; but as I believe that Government would not deny the Native Soldier what they generously allow the European, I solicit that Soobroyen Moodelly, from the peculiar circumstances of his case, be specially exempted from the operation of the Uncovenanted Civil Service Rules.

6. I may perhaps be permitted to add that Soobroyen Moodelly could scarce fairly be expected to pass a satisfactory examination in the elementary subjects, such as Geography, Grammar &c., required for the Uncovenanted Civil Service Test, after spending 14 years of the best part of his life in the Military Service of Government, the nature of which, I submit, is in no way favorable to a Sepoy for self improvement in a foreign tongue.

7. I would further strengthen my representation by stating that, were Government to make the concession solicited, there will not be perhaps much reason to fear its serving often as a precedent at any future period.

*Proceedings of the Madras Government, Public Department,
8th November 1867.*

Order, No. 1818, 29th May 1866.

The Right Honorable the Governor in Council does not consider that sufficient grounds have been shown for exempting the clerk* adverted to in the foregoing letter from passing the prescribed Uncovenanted Civil Service Examination.

* M. Soobroyen Moodelly.

(True Extract).

(Signed) R. HAMILTON, Colonel,
Depy. Secy. to Government, M. D.

No. 66. ORDER THEREON, 8th November 1867, No. 1405.

The Government are unable to comply with the recommendation made by the Acting Sanitary Commissioner for the exemption of Soobroyen Moodelly, a writer on his establishment, from the operation of the Uncovenanted Civil Service Examination Rules.

2. The case cited by the writer cannot be considered a precedent, the exemption then granted having been accorded as a special indulgence under circumstances which do not exist in the present case, and cannot be held to give to clerks serving in offices such as those specified in the 4th paragraph of the Memorandum from the Military Secretary any claim to reckon their service as public service qualifying for pension or gratuity, or as entitling them to exemption from the Uncovenanted Civil Service Examination Rules.

(True Extract).

Chief Secretary.

To the Military Department, with enclosures returned.
,, Acting Sanitary Commissioner.

Exd. J. H. Burns.

Memorandum.

The Military Secretary to Government has the honor to submit the accompanying letter from the Sanitary Commissioner, on the subject of exemption from passing the Unconvenanted Civil Service Examination, on behalf of Soobroyen Moodley a writer in the Sanitary Commissioner's Office.

2. It will be observed that Government, in their Proceedings in the Military Department, No 1818, dated 29th May 1866, declined to grant a similar request for the writer in question.

3. The Sanitary Commissioner, however, in his later communication brings forward the cases of the Clerks adverted to in Proceedings of Government, Educational Department, No 1449, dated 21st May 1862, in support of his present representation of Soobroyen Moodley's case, on the plea that he had been employed as a writer in the Quarter Master's Office of the 31st Regiment N.I. - a situation similar to those held by the

Station

Native clerks exempted under the orders of
Government above referred to.

4. The Military Secretary in
submitting the above papers for considera-
tion in the Public Department begs to
observe that the Clerks in Offices such as
Station & Regimental Staff, as well as those
of Officers in charge of Pensioners, are paid
from a distinct allowance, and have
hitherto been regarded as private servants,
and, as such, have been invariably refused
all title to pension or gratuities.

5. This Memorandum is
accordingly submitted, in view to its being
ascertained, prior to taking the orders of
Government on the application, whether
the ruling in the Proceedings in the Educational
Department is to be considered absolute
in similar cases, or whether, with reference
to the foregoing remarks, it may not be
expediently reconsidered.

Munition Colonel
Fort Saint George
28th October 1867
By: Secretary to Govt.

The Public Department,

With Letter No 5497 of 1867 & 2 Enclosures
To be returned

Ans.

PROCEEDINGS of the MADRAS GOVERNMENT

Read the following Memo. from
the Deputy Secretary to Govt. Military Departt.

Recd. letter 28th Oct. 1867.

Order thereon 8th Nov^r 1867 No. 1405.

The Government are
unable to comply with
the recommendation made
by the Acting Sanitary
Commissioners for the exemption
of Soobroyen Moodelly, a
writer on his establishment,
from the operation of the
Uncovenanted Civil Service
Examination Rules.

2. The case cited by
the writer cannot be con-
sidered a precedent, the
exemption then granted
having

For Secy 1867 No. 1405

Sanitary Deptt.
No. 1405

28th Oct
1867

3 Enclosures

Forwards for consideration
before regarding the exemption
from the Government
Commission of Soobroyen Moodelly
in the Sanitary Com-
missioners Office

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1867

having been accorded as a
special indulgence under
circumstances which
do not exist in ~~the~~ ^{the present} case,
and cannot be held to
give to clerks serving in
offices such as those specified
in the 11th para of the
Memorandum from the
Military Secretary, any
claim to reckon their service
as public service qualifying
for pension or gratuity,
or as entitling them to
exemption from the
M. C. Examination
Rules.

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disposed of
To the Army Department.
with enclosures
By Secretary General

Anthony Department.

No. 1406-

PROCEEDINGS OF GOVERNMENT.

Dated 8th November/53

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