

11/12/81

(1) Number of pages 12
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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

File DEPARTMENT

G.O. No.	1462.	Press.
B.P. No.		Mis.
Dated	4. 11. 1881.	19X.

DD

Not to be folded or roughly handled

86

R.D.
17 NOV 81

Buckingham Palace

7 October 1859
CURRENT NO. 2359

To

The Chief Secretary
to Government
St. James's Place,
Madras. 1462

My dear Sir,

I thank you very much and
respectfully beg to pray that your
honour will be much pleased to
forward the enclosed Memorial with
enclosures to the Secretary to the State
of India in Council for his favourable
consideration.

I beg to remain
Your most obedient servant

Robert L. D. D. D.

Inspector of Police
Gangai & Co.

1462
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Praying for the
transmission to
the most Noble
the Secretary of
State for India.
of the accompany-
ing Memorial,
requesting that he
may be appointed
the Magistrate of
Gunsan Adagira
in the Ganyam St.
vaient at present.

Order No 1286 of 14-12-81
The Govt decline to transmit
the Memorial - under Rule
XII. 8 of Memorial Rules
[Signature] [Signature]

To
The Petitioner }
Buenos } Dec-15/12

Ent 19-11-81 1893

Pub Fin 4.0 22 oct 77 N. 2725

Finl Rec 22 Jan 77 N. 92

Pub 4.0 22 June 78 N. 1277

12 Oct 76 N. 2110

6 Jan 76 N. 14

2 Nov 74 N. 2554

Patton (1881) DEPARTMENT

DISPOSED OF

15 SEP 81

6-6
M. H.

BY ENDORSEMENT

From

B. Warren Patton
late Sub-Master & St
Assistant of Rampart
in the Canyon St

Encl 3

Dated

Recd

17 } Oct } 1887
17 } Nov }

CURRENT No. 2359

SUBJECT

Memorandum to the
Secy of State

Mem. Order

172

Order

16-12-8
1286

16-9-12
16-10-12

1462
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HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Port William, the 29th March 1878.

As amended by Notifications 24th May 1878, No. 972 : 30th July 1879, No. 208 : 7th November 1879, No. 2112 : 24th September 1880, No. 1438 : and 18th March 1881, No. 445.

No. 707.—The following rules for the submission, receipt, and transmission of memorials and other papers of the same class, addressed to Her Majesty the Queen-Empress of India, or to the Right Honorable the Secretary of State for India, by private persons or by officers of all civil departments, are published for general information ; and the rules published under Home Department Notifications, No. 3742, dated 21st August 1867, and No. 1461, dated 31st July 1877, are cancelled :—

I.—No memorial will be received or attended to unless forwarded as hereinafter prescribed.

II.—Every memorial should be accompanied by a letter requesting its transmission to the authority to which it is addressed.

III.—Every memorial addressed to Her Majesty or to the Secretary of State for India should be forwarded through the Local Government under which the writer is residing or is employed.

IV.—Memorials to Her Majesty or to the Secretary of State from persons in the Madras and Bombay Presidencies should be forwarded direct by the Local Government, with a full statement of facts and an expression of opinion, except in the case of memorials which relate to any rule or standing order of the Government of India, or which, if granted, would cause expenditure for which the Imperial and not the Local Government would be primarily responsible, or which relate to any legislative proceeding of the Governor-General in Council, or to an Act to which the Governor-General in Council has assented. Such memorials should be forwarded with a covering letter containing a full statement of facts and an expression of opinion to the Government of India in the Department having cognizance of the subject-matter of such memorial, by which Department the memorials will be transmitted to the Secretary of State.

V.—Memorials to Her Majesty or to the Secretary of State from persons in Bengal, the North-Western Provinces, and Oudh, or the Punjab, should be forwarded by the Local Government, with a full statement of facts and an expression of opinion, to the Government of India in the proper Department for transmission to the authority addressed.*

VI.—Memorials to Her Majesty or to the Secretary of State from persons in the minor administrations—the Central Provinces, British Burma, Berar, Mysore, Coorg, and Assam—should be forwarded with a full statement of facts and an expression of opinion by the Chief Commissioner, or other officer charged with the administration of the Province to the Government of India in the proper Department for transmission to the authority addressed.†

VII.—No limit is fixed to the time within which an appeal from an order of the Governments in India must be preferred to the Home Government, except in the case of appeals from a judicial decision in which the Judge is a Political officer, and in which the appeal ordinarily lies to Government in the Political Department. Such appeals must be preferred within a period of twelve months from the date of communication to the persons concerned of the order to which objection is taken.

* Appeals by private persons from the orders of Lieutenant-Governors lie, in the first instance, to the Governor-General in Council. An appeal to the Secretary of State will lie only in the event of an appeal to the Governor-General in Council having been rejected.

† In these minor Administrations, also, appeals by individuals from the orders of the Chief Commissioners, &c., lie, in the first instance, to the Governor-General in Council and thereafter to the Secretary of State.

VIII.—Memorials may be transmitted either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet.

IX.—Memorials, together with their accompanying documents, should be in English. If the accompanying documents must necessarily be forwarded in the Vernacular, and English Translation should be appended, which should be attested by the signature of the memorialist.

N.B.—It will be well for the transmitting office to examine such translations, and, if they are found to be incorrect or faulty, to notice the fact in sending on the memorial.

X.—It is not necessary that memorials should be forwarded in duplicate or triplicate. The originals will invariably be transmitted to England, a copy being made and retained by the Government of India, if necessary, for record.

XI.—As a general rule, the transmission to England of a memorial duly forwarded through the proper channel will not be delayed by the transmitting Government in India beyond a month after the receipt of such memorial.

XII.—Governments and Administrations in India are vested with discretionary power to withhold the transmission of memorials addressed to Her Majesty or to the Secretary of State in the following cases :—

- (1) When a memorial is illegible or unintelligible.
- (2) When a memorial contains disrespectful or improper language.
- (3) When a second memorial is presented after a decision has already been given by the authority to which it is addressed, and when new facts or circumstances are adduced which afford grounds for a reconsideration of the case. A memorial addressed to Her Majesty by a person whose appeal to the Secretary of State has already been rejected, shall be held to be a second memorial to the same authority and shall not be transmitted.
- (4) When a memorial is a mere application for pecuniary assistance by a person manifestly possessing no claim.
- (5) When a memorial is an application for employment under one of the Governments in India from a person not belonging to the covenanted service.
- (6) When a memorial is a mere appeal from a judicial decision.
- (7) When a memorial is addressed by an officer still in the public service and has reference to his prospective claim to pension.
- (8) When a memorial is an appeal against an order of the Government of India confirming a decision of a Local Government regarding the dismissal, removal, or reduction of a Government servant whose salary was not more than Rupees 250 a month.

RESOLUTION.—The Governor-General in Council considers that the discretionary power of withholding petitions under Clause 8, Rule XII of the Rules for the submission, receipt, and transmission of memorials and other papers of the same class addressed to Her Majesty the Queen-Empress of India, or to the Right Honorable the Secretary of State for India, by private persons or by officers of all Civil Departments, should be used with caution and only after a full consideration of the facts in each case. Having regard to the constitution and character of the Indian Subordinate services, dismissals of Government officials often involve serious distress, if not actual ruin, to them, and it is right that, under such circumstances, every opportunity should be allowed to them of making themselves heard. Further, when, as sometimes happens, their representations reach the Secretary of State through non-official channels, it is convenient that he should be in a position at once to deal with them, instead of being obliged, as may now be the case, to refer for information to this country. Such petitions, therefore, should not be withheld when there is any reasonable prospect of difference of opinion as to the orders passed on them by the Government of India, or when they contain anything to which the attention of the Secretary of State is likely to be specially directed.

- (9) When a memorial is a mere appeal against the non-exercise by one of the Governments or Administrations in India of a dispensatory discretion vested in such Government or Administration by law or rule.

XIII.—The Government of India may withhold the transmission of a memorial addressed to Her Majesty or to the Secretary of State, unless the memorialist has previously memorialised the Government of India and the Local Government concerned on the same subject.

XIV.—A list of memorials withheld under the discretionary power conferred by Rule XII will be forwarded quarterly to the Government of India in the case of memorials withheld by Local Governments under the same discretionary power, and by the Government of India in the Department concerned to the Secretary of State.

J. O'KINEALY,
Offg. Secy. to the Government of India.

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No 1462

Public Works Department

List of Memorials addressed to the Right Honorable the Secretary of State for India which have been withheld by the Madras Government during the 3^d Quarter of 1887.

From whom	Date and Number	Subject	Under what Rule or Clause withheld
Michael Pandarathar Zamindar of Kandhar Sottam, Tanjore District	28 May 1887 No 1233.	Praying that the sanction passed on him may be reversed and that his property may be released from attachment.	Under Rule 25 Clause 6 8 th July 1881, No 379.
Thammammal, alias Thammammal, wife of Lamont Chinnammay Naicker Confined in the District Prison at Cuddalore.	23 July 1887 No 1471.	Praying for the release of her husband.	Under Rule 25, Clause 6 8 th August 1881, No 538.
For George 4 th Nov 1887			

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BY C.O. 11

1462
J. J. S. S.
Under Secretary

To the Secretary of State for India
through the Secy of Charge

For
C. J. Rajagopal Rao

10-3-90

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BY S.O. N° 1462 (Public)

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