

(1) பக்கங்களின் எண்ணிக்கை _____

(2) புதுக்கித் திருப்பிய நாள் _____

(3) ஆதாரக் குறிப்பவர் கருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

தலை

அரசாணை எண்.	732	அச்சுத் பலவகை
மு. கோப்புத் தாள் எண்.		
நாள் :	30-8-1889	199

முடிக்கலோ கண்பயடி கையாளலோ கூடாது.

30TH AUGUST 1889, No. 722 Public.

PUBLIC DEPARTMENT.

Letter from

THE CHIEF SECRETARY TO THE GOVERNMENT OF
MADRAS.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA.

Home Department.

Sir,

I am directed to acknowledge the receipt of your letter No. 1835, dated 27th July 1889, regarding the appointment of Mr. Cuddalore Ramachandra Aiyar, a Statutory Civil Servant of this Presidency, to be a permanent Sub-Collector.

2. In para. 2 of your letter it is stated that Mr. Ramachandra Aiyar was, by virtue of Statute 33, Vict., Cap. 3, appointed by the Governor-General in Council to be an Assistant Collector and Magistrate, and that his subsequent appointment to be Sub-Collector, which is a ~~different~~ office, required the sanction of the same authority. As it is, in the opinion of His Excellency the Governor in Council, desirable that a clear understanding should be come to on this point, in view to future appointments, I am directed to express the views of the Madras Government on the subject, and to request the favour of intimation of the grounds on which the present ruling of the Government of India is based.

3. Section 6 of Statute 33, Vict., Cap. 3, enacts that "Nothing in the Act for the Government of India, 21 and 22, Vict., Cap. 106, or in any other Act of Parliament or Law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the Civil Service of Her Majesty in India, from appointing any native of India to any such office, place, or employment, but subject to such rules as may be from time to time prescribed by the Governor-General in Council and sanctioned by the Secretary of State in Council with the concurrence of a majority of Members present."

The rules framed with reference to that Section and at present in force are those communicated with your predecessor's letter, dated 4th September 1879, No. 21-1825.

Rule I lays down that "Each Local Government may nominate persons who are natives of India for employment in Her Majesty's Government Civil Service in India within the territories subordinate to such Government."

பாதுகாப்பு பிரதிகை-1

செயல்படுத்தப் பெயர்

செயல்படுத்தப் பெயர்
செயல்படுத்தப் பெயர்

செயல்படுத்தப் பெயர்
செயல்படுத்தப் பெயர்
செயல்படுத்தப் பெயர்

9/07
7/08

21.5.8

Rule II vests the power of sanctioning such nominations, (a) provisionally and (b) finally, in the Governor-General in Council.

Rule III says that "persons admitted under these rules to employment in the said service shall ~~entirely be applied~~ only to offices in the Province where they were first admitted."

4. The Madras Government has hitherto been of opinion that the effect of these rules has been to limit its powers only in regard to first appointments to the Statutory Service. The sanction of the Government of India is required only to nominations under Rule I, that is, to nominations for employment. There is no such limitation in regard to the appointment of persons who have been definitely admitted into the Statutory Civil Service to "offices in the Province" (Rule III) and the Governor in Council has always assumed that such appointments were entirely in his discretion, subject only to the limitations existing in the case of Covenanted Civilians recruited in England. The same view would also seem to have been held formerly by the Government of India itself, since it is embodied in para. 7 of the draft rules communicated with Mr. Mackenzie's letter of 18th June 1885, No. 25-1074, and there is nothing in the letter to show that this proposed rule was intended to do anything more than set out the existing practice in a clear light.

5. Assuming that the rules bear the interpretation placed on them in your letter under reply, it is for consideration whether they are not *ultra vires*. Appointments to posts in this Presidency ordinarily held by Covenanted Civilians recruited in England are (except in the case of Members of Council and Judges of the High Court) made by the Madras Government without reference to higher authority. The statute lays down that nothing shall restrain the Government from appointing natives of India to such posts. But the rules, as the Government of India now interprets them, would have this effect, since the nomination of the Governor in Council would be restrained by the necessary approval and possible veto of His Excellency the Governor-General. If, however, the rules are read as this Government understands them, this objection would not apply, for in that case they would refer only to first appointment to the service, a power which the Government does not possess in regard to the ordinary Covenanted Civilian. As a matter of fact hitherto the first appointment of probationers for the Statutory Civil Service to specific offices, i.e., their first postings as Assistant Collectors have been made by the Local Government alone, and not by the Governor-General in Council.

6. Should the Government of India, after consideration of the arguments urged above, still adhere to the position taken in your letter under reply, I am of permanent Head Assistant Collector, Kurnool, which was made by this Government on the 21st September 1888, with effect from the 2nd of the preceding month. Mr. Manavedan Raja was the first appointed of the Statutory Civilian in this Presidency, and his promotion to a Head Assistantship was made in the ordinary course of seniority, reckoning from the date of his first appointment on probation. On this point, however, I am to request reference to my letter No. 589, dated 12th August 1889.

7. I am further to ask whether the ruling of the Government of India will apply to all postings of Statutory Civilians, i.e., to all changes in the offices held by them and to their appointments to act in grades higher than their permanent

rank. If so, a list will be submitted. The following table shows the names of the Statutory Civilians who at present hold acting appointments in this Presidency:—

Name of Statutory Civilians.	Graduation No. in Madras Quarterly Civil List for July 1889.	Permanent appointmt.	Acting appointment.	Remarks.
Mr. K. C. Manavedan Raja...	96	Head Asst. Collector.	Sub-Collector	Has received special promotion on account of long and approved service in the uncovenanted grades.
" C. Venkata Jagga Rao.	108	Assistant Collector	Head Asst. Collector.	
" Mir Shrijaat Ali Khan...	109	do. do.	do. do.	
" Muhammad Raza Khan.	118	do. do.	do. do.	
" T. M. Swaminatha Aiyar.	118	do. do.	do. do.	
" T. Varada Rao	125	do. do.	do. do.	
" P. Ramachandra Rao	132	do. do.	do. do.	
" C. Ramachandra Aiyar.	140	Sub-Collector*	Sub-Collector* District Judge*	

I have the honor to be,

Sir,

Your most obedient Servant,

OOTACAMUND,
30-th August 1889.

Chief Secretary.

Handwritten notes:
The first appointment of Mr. Manavedan Raja was made by this Government on the 21st September 1888, with effect from the 2nd of the preceding month.

Regr. No.

PUBC. 1889 DEPT.

C.

3

From the Government of
Fort St. George.

Issued

Recd.

Encl.

Letter, 30th August 1889, No. 792

AUGUST.

Statutory Civilians.

Addressing the to-day date
according to the provision of

Public DEPARTMENT

2. (5)

Papers to be read in Proceedings:—

Ⓢ

Again G.O., dated

188 , No.

Again G.O., dated

188 , No.

Current No. 2480

of 188

g dated

27 July

from

the first of the
(Home Dept.)

Current No.

of 188 , dated

from

the first of the
(Home Dept.)

The portion mentioned in (with 6)
Collected 2000
in 1889 319.

Mr H. Welch Esq. C.S.

Letter No. 792. 4th August 1889

The Hon. Secy. of the
Home Dept. (Public).

Recd
21 Aug.

Sir

I have directed to be
the receipt of your letter to be
4/27 July 1889, regarding the
4/27 July 1889, regarding the
the Civilian, a Statutory Civilian

20/9/89

Important Considerations

CCC.

In para 2 of your letter I
 stated that Mr. Ramesh Chandra
 is an agent by virtue of Section
 3, Act of 1878
 C. 3 in which it is stated
 that his subsequent appointment to
 the office of District Officer
 raised the question of the
 validity of his appointment. As it is in
 the hands of the Government
 to decide whether a person is
 an agent or not, in view of future appointments,
 it is directed to the effect that
 the question of the validity of the
 appointment is to be referred to the
 Government for their consideration.
 Section 3 of Act 33 of 1878
 states that nothing
 in the Act shall prevent
 the Government from
 appointing any person to
 any office in India, should require the
 sanction of the Government
 in any other case.

the Government of India -

11

in India from appointing
 any native of India to any
 office, place, or employment...
 but subject to such rules
 as may from time to time
 be prescribed by the G.O. in C.
 and by the Council in
 Council with the concurrence
 of a majority of members present.
 The rules framed with reference
 to that section and present in
 force are those contained in
 your predecessor's letter of 4th
 Sept 1878 No. 4116250.
 Rule I lays down that "Each
 local post may nominate
 persons who are natives of India
 for employment in the
 Majesty's or civil service in
 India within the territories
 subordinate to each post."
 Rule II vests the power of
 appointing such persons,
 (a) provisionally & (b) finally, in
 the G.O. in C.

admitted under these rules
employment in the said
service shall exclusively be
app. only to officers in the
Province wherein they were
first admitted "

The Member put her bidhents
been of opinion that the effect
of these rules has been to limit
its powers only in regard to
final appts to the Military
Service. The sanction of
the Govt & India is required only
to nominations under Rule I,
that is to nominations for employ-
ment. There is no such limit
taken in regard to the appointment
of officers who have been definitely
admitted into the statutory land
service & offices in the Service
(Rule III), when Sir C has
always assumed that such appts
were entirely in his discretion,
subject only to the limitations
being in the case of the British
and in England. The
at London.

24 & 22 Vic. C. 106.
Lee 30.

I have been told formerly
 by the pres. of India itself, since
 it is embodied in para 7
 of the draft rules comm. with
 Mr. Mackenzie's letter of 18th
 June 1883 no. 25. 1074, and
 there is nothing in the letter
 to show that this proposed rule
 was intended to do anything
 more than set out the existing
 practice in a clear light
 assuming that the rules
 bear the interpretation placed
 on them in your letter under
 reply, it is for consideration
 whether they are not ultra
 vires. Appointments to post
 in this Pres? ordinarily held
 by Govt. officers recruited in
 England and India
 judges of the High Court
 by the British Govt. and
 higher authorities. The British
 Govt. shall retain
 the power of appointing
 judges to such posts.

and all come right in the middle

Note: ...

with reference to the ...

opposite the concluding portion ...

of the draft is respectfully ...

submitted that sec 627 of the ...

C.S. Regulations does not necessarily ...

to against the views of those who hold ...

that Statutory Civilian who work ...

with their ... but from ...

the duty of confirmation 'appointment' ...

in clause 1(a) of the section may ...

be held to mean permanent appointment ...

and no reservation in prohibition ...

this view appears to be borne out by ...

clause 2 which says that the ...

power of appointment shall be ...

in a permanent manner ...

which is confirmed by ...

B

How ...

Appointments of
Statutory
Civilian

(Revised draft)
from others

The words an "appointment
to an office" and prohibition on
appointed Assistant Collectors. The
rate of pay they draw is ...
see also Act 628 sec 1(2) The
period of prohibition counts for
pension in the case of Statutory
civilian but not the two years
in England in the case of Civilian
then, it is contended is equivalent

The ... is not ...

... in ...

... of ...

... of ...

... of ...

7

1200
1200

Appointments of
Statutory Civilian

...

from the date of his first
 application for probation. On the
 point however I am trying
 reference to my letter no 68
 of 13 Aug 1885

3. I am further to ask whether
 the ruling of the post of India
 applies also to the appls of
 Military Civilian to act in
 grades higher than their
 present rank. The following
 table shows the names of the
 Military Civilian who at present
 hold such acting appointments in this
 Pres?

name of Military Civilian	present rank in British Army	present rank in Indian Army	present rank in Indian Army	present rank in Indian Army
---------------------------	---------------------------------	--------------------------------	--------------------------------	--------------------------------

Manavendra Raja	- 96	-	R. B. Smith M.A. - Sub. M.A.
Manavendra Raja	- 103	-	Smith M.A. - M.A. Smith M.A.
Manavendra Raja	- 105	-	Smith M.A. - M.A. Smith M.A.
Manavendra Raja	- 113	-	Smith M.A. - M.A. Smith M.A.

med. chand. Row - 132 - Amb. Ch. - m. Ch.
~~med. chand. Row - 132 - Amb. Ch. - m. Ch.~~ Dist. Judge
S. C. 2.

He has received special promotion
- the point of long suppressed
service in the lower grades

He
is at
last
12/10/11

Subject

Submit a report on
the working of the
Voluntary system at
the Dock Hospital, India.

Patrol 8th July
P. M. &

1889

The day very fine
with the sun & breeze
that of George

26

Supervising
Locks & Harbours

Supervising
Locks & Harbours

1889
July
Thom

1889

Lock Hospital, Madras

Half yearly Return of Sick of Europeans and Natives

Class and order of Diseases	Specific Diseases	Europeans					Natives				
		Remained in the Lock Hospital during the day year	Discharged	Remained in the Lock Hospital during the day year	Discharged	Remained in the Lock Hospital during the day year	Discharged	Remained in the Lock Hospital during the day year	Discharged	Remained in the Lock Hospital during the day year	Discharged
General	Syphilis Primaria	1	2	3	3	22	27	66	70	22	23
Diseases	" Secundaria	1	1	1	1	1	1	5	1	1	4
B. 40	" Tertiary	1	1	1	1	1	1	1	1	1	1
	Buboes	1	1	1	1	1	1	1	1	1	1
	Gonorrhoea	2	3	5	5	11	28	39	23	1	16
	Total	6	5	10	9	34	111	145	98	98	43
						3				14	28 1/4

Madras
Lock Hospital
8th July 1889

1889

Supervising
Locks & Harbours

Return of Medical Officers and Subordinates

Name	Rank	Date of Rank	Place
A. S. Mackett	Captain Major, Engineer Coast Survey, Madras	29 September 1885	Pennine
C. Ranganatham Pillai 1897	1 st Class Assistant	20 June 1888	

Cost of European and Native Patients.

	In Patients.					
	Europeans		East. Indians		Total	
	M	F	M	F	M	F
Europeans	-	1	-	-	-	1
East Indians	-	1	-	-	-	1
Hindoo	-	-	-	108	-	108
Mahomedans	-	-	-	8	-	8

Half yearly statement No 1 of the Cook Hospital, Mauritius ending 30th June 1889.

[illegible]

Handwritten: *Handwritten: Generalment.*

15th October 1868

898777

Madras
Lock Hospital
8th July 1889

Alfred
Sergeant Major
Superintendent
Cook and 5 Murras

Half yearly statement N^o II of the Lock Hospital. Madras ending 30th June 1889.

1	2	3	4	5		
Month	Receipts		Expenditure		How paid	Remarks
	Medical aid and treatment rendered to emigrants	Total Receipts	Pay of Medical Officers	Pay of Assistant ment.		
January 1889	.	.	97-6-4	128-13-8	217-15-1	444-3-1
February	376-11-6	376	97-6-4	128-13-8	196-1-9	422-5-9
March	.	.	97-6-4	128-13-8	138-9-3	264-13-3
April	.	.	97-6-4	128-11-8	148-14-5	375--5
May	.	.	97-6-4	128-13-8	214-8-7	440-12-7
June	.	.	97-6-4	128-13-8	243-1--	469-5--
			Municipal Sec		167-8--	157-8--
Total	376-11-6	376-11-6	584-6--	773--	1316-10-1	2674--1

By Government

Magras
Lock Hospital
8 July 1889

Surgeon Major's
Superintendent
8/11, 1864

Detailed statement of the Auctioneers Certificate of the Bank Mortgagee ending 30th June 1889.

[illegible]

Remarks.

13

Indras
 Lock Hospital
 8th July 1889

17
W. E. H. H.

Surgeon Major
Superintendent
Rock House, Madras

Statement of Expenses in the Cook Hospital, Madras for the half year ending 30th June 1889.

Madras Cook Hospital	Rs 584	6	
Medical Instruments	822	2	
Medicine	150		
Drugs	48		
Room	42		
Water Carrier	36		
Books	59	14	
City	36		
Carriage	80		
Stabling	48		
Light	1002	8	7
Wages	81	3	4
Expenses	1	3	3
Medicine	4		
Medicine	5		
Contingencies	16	8	
Office and House	157	8	
Municipal Tax	2674		1
Total			

Rs 14

Madras
Cook Hospital
3rd July 1889

13
M. A. H. V.
Surgeon Major
Superintendent
Cook Hospital, Madras

Public (1889) Department.

5/6/88 No 579 Pub. Res.
19/1/89 No 170
4/7/89 No 570

from

J. Bide Rep. and, C. S.

Surgeon General with the
Government of Madras
Botanica.



no

Dated 16*

Recd 16

Ex. 7.

} July 1889

no

Subject

Submits

Reports report on the
working of the Madras
Lock & S.P. for six months
ending June 1889.

Shant

14/7