

ORDINARY, MS.

Public DEPARTMENT.	
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Mily Dept. Process re the
appointment of officers of
the Indian Medical Service to
the Administrative grades, re.

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GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

Medical Department—Appointments.

Read the following papers :—

No. . From Brigadier-General A. KENNEY-HERBERT, Secretary to the Government of Madras, Military Department, to the Secretary to the Government of India, Military Department, Simla ; dated Ootacamund, 25th April 1890, No. 2898.

With reference to your telegram No. 852-A, dated 17th April 1890, and the previous correspondence, I am directed

* Your 2645 of 15th instant. Dr. Donnelly ineligible for appointment Surgeon-General under Clause 90, Army Circulars, 1886 ; he would be unable to complete three years in appointment, and Government of India does not consider that it was intended to appoint a Surgeon-General when nearly 60 years of age.

to inquire, for future guidance, whether the decision of the Government of India, therein conveyed,* is to be regarded as superseding the rule contained in Article 680 (a), Part V of the Civil Service Regulations, 1889, which states that “ a Deputy Surgeon-General who has not attained the age of 60 years may be

appointed to be Surgeon-General either permanently or temporarily.”

2. This ruling though obviously a republication of Clause 72, India Army Circulars, 1883, would appear to be in force by reason of its appearance in the Civil Service Regulations, published 1st May 1889 ; and, if so, Dr. Donnelly, who does not attain 60 years till November next, would appear to be eligible for appointment to the higher grade. On the other hand, if the exception is to be read *with* India Army Circulars, 80 of 1886, as follows, “ a Deputy Surgeon-General who has not attained 60 years of age, ‘ and who will be able to complete upwards of three years’ service in the grade’ may, &c.,” then Dr. Donnelly would be barred promotion.

3. Again, some doubt exists in regard to the applicability of Clause 90, India Army Circulars, 1886, and the following questions have arisen :—

- (a) Does this clause refer at all to the appointment of Surgeon-General ?
- (b) Is it not applicable alone to first appointment to the administrative grade, viz., to the rank of Deputy Surgeon-General ?
- (c) Would not the appointment of a Deputy Surgeon-General to Surgeon-General be merely advancement *in*, not appointment *to*, the administrative grade ?

4. With regard to question (c), it might perhaps be urged that, as Dr. Donnelly vacated his appointment as Deputy Surgeon-General on the 5th April, his appointment to the grade of Surgeon-General on the 11th idem would have been reappointment to, not advancement in, the administrative grade.

5. With reference to these questions, I am to say that, in the opinion of the Government of Madras, a distinct ruling is necessary to prevent misapprehension of the intentions of the Government of India and confliction of opinion in regard to the meaning of the regulations.



No. . From Major-Genl. E. H. H. COLLEN, C.I.E., Secretary to the Government of India, Military Department, to Brigdr.-Genl. A. KENNEY-HERBERT, Secretary to the Government of Madras, Military Department; dated Simla, the 20th June 1890, No. 1341-A.

Promotions—Medical Officers.

In reply to your letter No. 2898 of 25th April last, I am directed to invite attention to Secretary of State's Despatch No. 37 * of 25th February 1886, and to say, for the information of the Governor in Council, that the Government of India consider it unnecessary to lay down any further ruling as to the

* Communicated with Military Department No. 341-C of 5th May 1886 (Proceedings of Madras Government, No. 3728, dated 26th June 1886).

applicability of Clause 90, India Army Circulars, 1886, in regard to the appointment of officers of the Indian Medical Service to the administrative grades, as paras. 8, 9 and 11 of the above despatch show that the decision in the Army Circular in question, which is based on para. 12 of the despatch referred to, is applicable to the administrative grades of the Indian Medical Service which include both Surgeons-General and Deputy Surgeons-General.

2. I am at the same time to refer you to the decision in Military Department No. 1506-A † of 12th December 1884, under which an officer of the Indian Medical Service is not disqualified for promotion to the administrative grade on account of age only, unless he is within six months of completing the limit of age at which he must retire under the warrant which may be applicable to him.

† Proceedings of Madras Govt., No. 6379, dated 22nd December 1884.

No. . ORDER THEREON, 16th July 1890, No. 4615

The decision of the Government of India communicated to His Excellency the Commander-in-Chief and departments concerned, with reference to Proceedings of Government, No. 3732, dated 6th June 1890.

(True Extract.)

A. Kenney-Herbert
Brigdr.-Genl.,

Secretary to Government.

To the Adjutant-General.

- „ Surgeon-General with the Government of Madras.
- „ Surgeon-General, Her Majesty's Forces, with a copy of Proceedings of Government, No. 3732, dated 6th June 1890.
- „ Controller of Military Accounts.
- „ Public Department, with reference to O.G. No. 317, dated 29th April 1890.

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Public Seph

Govt. of {1890} Madras.
MILITARY.

To
THE ADJUTANT-GENERAL,
&c., &c., &c.

Dated July, /6th.

Issued

Recd. // 17th

Encl. "

G.O., /6th July 1890, No. 4615-

JULY.
Nos. 167/70

**Medical Department—
Appointments.**

Administrative grades.—Decision of the Government of India that it is unnecessary to lay down any further ruling as to the applicability of Clause 90, India Army Circulars, 1886, in regard to the appointment of officers of the Indian Medical Service to the —, communicated to His Excellency the Commander-in-Chief and departments concerned.

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BACK PAPER, No.

OF 18

FURTHER PAPER, No.

OF 18

READ AGAIN ORDER OF GOVERNMENT, DATED
18 No. MISCELLANEOUS.

ENCLOSURE

ORDER No. 2112/

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

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STATEMENT WITH DITTO.

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