

ORDINARY, PRINTED.

Public DEPARTMENT.  
G.O., DATED 7. 10. 90  
No. 666.

First copy sent to Press. 7/10

Returned for signature. 14/10

Despatched in print. 18/10

[Despatch Abstract.]

Public Servants

Communicating to Depts of the  
Secretariat and all Heads of Depts,  
in supersession of the G.O. quoted, letter  
from the Govt. of India prescribing  
the <sup>course</sup> ~~proceedings~~ to be <sup>followed</sup> ~~observed~~ ~~when~~  
by Govt. officers for the vindication of  
their acts as public functionaries.

1-1-10  
2-6-10 ✓  
16-3-10 ✓  
19-2-10 ✓  
26-3-10 ✓  
11-2-14 B ✓  
13-11-15 ✓  
25-6-26 ✓  
30-6-30-1 ✓  
30-8-30-1 ✓

BACK PAPER, No.

FURTHER PAPER, No.

REAR AGAIN ORDER OF GOVERNMENT, DATED  
188 No.

ENCLOSURES

CURRENT No. 2635 - a

STATEMENT WITH RISKS.

ORDER, No., OF GOVERNMENT - A.

PAPER KEPT OUT OF FILE FOR DISPATCH IN ORIGINAL  
(not pagged).

Number of copies required. { Order complete. 500  
Letter only.  
Order complete with Letter.

N.B. -

- A = Print in full.
- B = Not to be printed.
- C = Print abstract only.
- D = Print heading only.
- E = Print, but not for monthly volume.

1581/00 (8/80)

615

15-6-00

30 Pub  
No. 1676

13 SEP 90

FROM

C. J. LYALL, ESQ., C.I.E.,  
Offg. Secretary to the Government of India,

TO

The Chief Secretary to the Government of  
Madras.

Home Department  
Public.

Simla, the 5<sup>th</sup> September 1890.

SIR,

IN a General Order of the Government of India in the Foreign Department, dated the 15th March 1847, it was laid down that a Government officer is at liberty, if his public conduct in the transaction of his official duties is impugned, "to seek redress through the usual official channel by an appeal to the Government he serves, and that the Government so appealed to will afford him every opportunity of vindicating his character." Though the matter has since that date been dealt with in a confidential paper, no subsequent orders regulating the course to be followed by Government officers for the vindication of their acts as public functionaries have been generally circulated, and the result is that the practice in this respect is not uniform in all Provinces. The Governor General in Council therefore deems it desirable to prescribe the procedure which should be generally observed in future. I am accordingly to convey the following instructions with the request that their purport may with the permission of His Excellency the Governor in Council

be conveyed to the officers serving in the different branches of the administration in the Madras Presidency.

2. It is a standing order that without obtaining the authorization of the Government to which he is immediately subordinate no officer of Government is permitted to have recourse to the Courts for the vindication of his public acts, or of his character as a public functionary, from defamatory attacks. In giving authority to institute proceedings, the Local Government concerned will decide whether the circumstances of the case are such that the Government should bear the costs of the proceedings, civil or criminal; or leave the officer to institute the prosecution or suit at his own expense; and in the latter case it will also determine, in the event of the matter being decided by the Courts in the officer's favour, whether he should be recouped by Government the whole or any part of the costs of the action.

3. I am to explain that the ruling above laid down does not affect an officer's right to defend his private dealings or behaviour in any way that he may be advised; but his official reputation is in the charge of the Government which he serves, and it is for that Government to decide in each case whether the institution of proceedings to vindicate his public acts or character is necessary or expedient.

I have the honour to be,

SIR,

Your most obedient Servant,

*C. D. Hall*

*Offg. Secretary to the Government of India.*

DEPT. OF REVENUE, 14/1/17

(2)

Public Department

6/2/74 Do 25/10/20

7/4/47. E.M.C. 2336

Order 17 Oct 190 No. 666.

Print 6/10/90

Copy to Departments  
of the Secretariat and  
to all Heads of Depts  
for information and  
guidance, in pursuance  
of para 2 of G.O. No. 134,  
dated 6<sup>th</sup> Feb: 74.

30B.  
22-9-90.

From  
The Government of India

Home Department-

No. 20 Public  
1676

Dated 15<sup>th</sup> }  
Received 13<sup>th</sup> } September, 1890.

Cns.

Stating that no officer

of Government is permitted to have  
recourse to the Courts for the vindication  
of his public acts from defamatory attacks

unless he is permitted <sup>to do so</sup> by the local Court

convened.

W.D.

C 38/9  
25/6

[ 37 ]

Public DEPARTMENT.

List showing the distribution of the Proceedings of Government,  
dated 7<sup>th</sup> October 1890. No. 666.

Revenue Department .. 21  
Public Works Department .. 21  
Military Department .. 21  
Local and Municipal Department .. 6

JUDICIAL.  
Honorable the Chief Justice with C. L. .. 31  
Inspector-General of Police .. 30  
Do. of Jails .. 30  
Do. of Registration .. 25  
Chief Presidency Magistrate .. 16  
Commissioner of Police .. 16  
Judges of the Madras Court of Small Causes .. 16  
Advocate-General .. 1  
Government Solicitor .. 1  
Administrator-General .. 1  
Sheriff of Madras .. 1  
Government Pleader .. 1  
Registrar of Joint Stock Companies .. 1

PUBLIC.  
Surgeon-General with the Government of Madras .. 1  
Sanitary Commissioner .. 1  
Meteorological Reporter .. 1  
President, Board of Examiners .. 1  
Private Secretary to the Right Honorable the Governor .. 1  
Government Astronomer .. 1  
Superintendent, Government Central Museum .. 1  
Chemical Examiner .. 1  
Superintendent of Stationery .. 13  
Protector of Emigrants .. 1  
Superintendent, Government Press .. 1  
Tamil Translator to Government .. 1  
Telugu do. to do. .. 1  
Malayalam do. to do. .. 1  
Canarese do. to do. .. 1  
Hindustani do. to do. .. 1  
British Consular Agent, Pondicherry .. 1

POLITICAL.  
Resident in Travancore and Cochin .. 6  
Paymaster, Carnatic Stipends .. 1  
Government Agent at Tanjore .. 1  
Political Agent at Pudukota .. 1  
Special Agent, South Arcot .. 1  
Political Officer, Vellore .. 1

ECCLIASTICAL.  
The Right Reverend the Bishop of Madras .. 6  
Venerable Archdeacon of Madras .. 6  
Senior Chaplain of the Church of Scotland .. 6

MARINE.  
Presidency Port Officer .. 6  
Chairman, Harbour Trust Board .. 6

Desp<sup>d</sup>  
16/10/90.

FINANCIAL  
Accountant-General  
Commissioner of Paper Currency

EDUCATIONAL  
Director of Public Instruction  
Commissioner for the Uncovenanted Civil Service Examinations

THE DISTRICT MAGISTRATE OF  
Anantapur  
North Arcot (Chittoor)  
South Arcot (Cuddalore)  
Bellary  
South Canara (Mangalore)  
Chingleput (Saidapet)  
Coimbatore  
Cuddapah  
Ganjam (Chatrapur)  
Godavari (Cocanada)  
Kistna (Masulipatan)  
Kurnool  
Madura  
Malabar (Calicut)  
Nilgiris (Ootacamund)  
Nellore  
Salem  
Tanjore  
Tinnevely  
Trichinopoly  
Vizagapatam

DISTRICT AND SESSION JUDGE  
OF  
North Arcot (Chittoor)  
South Arcot (Cuddalore)  
Bellary  
South Canara (Mangalore)  
Chingleput  
Coimbatore  
Cuddapah  
Ganjam (Berhampore)  
Godavari (Rajahmundry)  
Kistna (Masulipatan)  
Kurnool  
Madura  
North Malabar (Tellicherry)  
South Malabar (Calicut)  
Nellore  
Nilgiris (Ootacamund)  
Salem  
Tanjore (Tanjore)  
Tinnevely (Palacottah)  
Trichinopoly  
Vizagapatam

7TH OCTOBER 1890, No. 666, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From C. J. LYALL, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Simla, the 5th September 1890, No. 30 Public—1676.

In a General Order of the Government of India in the Foreign Department, dated the 15th March 1847, it was laid down that a Government officer is at liberty, if his public conduct in the transaction of his official duties is impugned, "to seek redress through the usual official channel by an appeal to the Government he serves, and that the Government so appealed to will afford him every opportunity of vindicating his character." Though the matter has since that date been dealt with in a confidential paper, no subsequent orders regulating the course to be followed by Government officers for the vindication of their acts as public functionaries have been generally circulated, and the result is that the practice in this respect is not uniform in all Provinces. The Governor-General in Council, therefore, deems it desirable to prescribe the procedure which should be generally observed in future. I am accordingly to convey the following instructions, with the request that their purport may, with the permission of His Excellency the Governor in Council, be conveyed to the officers serving in the different branches of the administration in the Madras Presidency.

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3. I am to explain that the ruling above laid down does not affect an officer's right to defend his private dealings or behaviour in any way that he may be advised; but his official reputation is in the charge of the Government which he serves, and it is for that Government to decide in each case whether the institution of proceedings to vindicate his public acts or character is necessary or expedient.

ORDER—dated 7th October 1890, No. 666, Public.

Communicated to Departments of the Secretariat and to all Heads of Departments, for information and guidance, in supersession of paragraph 2 of G.O., No. 134, dated 6th February 1874.

(True Extract.)

Chief Secretary.

To all Departments of the Secretariat.  
" Heads of Departments.  
Exd. P. L. Pereira.



*Recd.*

*Encl.*

OCTOBER.

Communicating to Departments of the Secretariat and all Heads of Departments, in supersession of the Government Order quoted, letter from the Government of India prescribing the course to be followed by Government officers for the vindication of their acts as public functionaries.

[illegible]