

ORDINARY, MS.

Public DEPARTMENT.
G.O., DATED 30-11-91
No. 1010 ✓

INDEXED.*When given for copying 30/11*

[Despatch Abstract.]

*Surge Major R
Pemberton informed
that there is no rea-
-son to alter the
orders passed in con-
nection with his
affirmation letter.
Eam-*

22 Gunterstone Road

West Kensington

London W - April 9th 1891.

My dear sir

As I shall be returning to
Madras early in July, would you
kindly inform me to what station
I shall be probably posted to, so
as to enable me to make arrange-
ments as soon as possible with
the Officiating Civil Surgeon of the
District.

I am

sir

Yours very truly

(V²) R. Pemberton

Surgeon Major

To

Madras Medical Service

The Secretary to the

Surgeon General with the

Govt. of Madras.

/ Enc copy /

W. H. Baker

N^o $\frac{C}{129}$

Office of Surgeon General
with the Govt: of Madras,
Madras, 11th Nov: 1891.

From

The Secy: Surgeon General
with the Govt: of Madras.

To,
Surgn: major R. Pemberton.

Sir,

x x x x x

4. I am further desired to point out
that in your letter under reply you
bring in matters of an irrelevant
nature which should form the
subject of a separate communication
if necessary.

x x x x x

7. I am finally to remind you that
as the nomination for all appointments
rests with the Government on the
recommendation of the Surgeon
General should you wish to ap-

for any station other than Guntur
you are to do so in the usual way
by a separate communication to
this Office.

+ + + + +

9 - Regarding your statement as
to your state of health when you
went to England I would draw
your attention to the fact that you
went on Private Affairs.

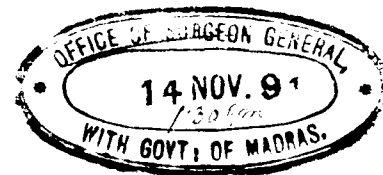
I have &c

(Sd) H. B. Browning
of Secy: Surgn: Genl:
with the Govt: of Madras

True copy

H. B. Browning
Surgeon General
with the Govt: of Madras

1891
V^o C
68
May



Through the Surgeon General
with the Government of Madras

Buckingham Hotel
Madras.

13th November 1891.

From
Surgeon-Major
R. Pemberton
Madras Medical Service

To.
The Chief Secretary
Government of Madras
No. 2.

Sir. I have the honor to
ask you to be so good as
to lay the following
statements before the
Government of Madras,
for their early and
favorable consideration.

1. I am a Surgeon-Major
in the Madras Medical
Service and have been
in the Service for nearly
14 years, receiving my
commission on the 30th
March 1878.
2. Until the year 1886 I
served in the Military
Department in Burma
the Central Provinces, and
other stations in the

19/6/85 W.K.S.

2

Madras Presidency. In the middle of 1885 I was appointed Civil Surgeon of Vellore Sub. Div. Tem. And a short time after joining this appointment, I was offered by the Government of India a Civil Station in the Central Provinces, which, on the advice of the Surgeon-General with the Government of Madras, I declined. In 1887 I was sent temporarily to officiate as District Surgeon of Bellary and Anantapur. I remained in those districts for about 4 months. While acting in these appointments, the Head Quarters of the District Surgeon North Arcot were removed from Vellore to Chittoor, I was, in consequence, posted to the latter station.

3 I represented to the Surgeon-General that I had lost my appointment through no fault of my own, and while I was employed on other duty. He very kindly appointed me to Guntur in December 1887. While under orders to Guntur, the Medical Officer of the 5th Regiment

who was also acting as District-Surgeon of Mangam being seriously ill, there being no commissioned officer in the District at the time, I was, at the request of the Surgeon-General, H. M. Forces sent, during the I was holiday in 1887 to Berhampore. I started at two days notice as the case was of a very urgent nature. When relieved of the military portion of my duties, I continued to act as District-Surgeon and remained there until December 1889, when I obtained a year's furlough to Europe.

4. While I was in Europe on leave, my furlough was extended on Medical Certificate, the extension expired on the 15th inst.

5. I arrived in Madras on return from leave on the 6th inst. and I reported my arrival on the same day.

6. When I called on the Surgeon-General I was informed that I was to be sent to Mercara, a station which is under the control of the Government of India.

7. My services had then been placed at the

So. 13 11-91 10 12 13

disposal of the Government
of India a few days
before my return, and
without my knowledge,
the appointment in
Guntur, in the mean-
time, i.e. about a
fortnight before my
arrival, having been
filled up by the appoint-
ment of Surgeon Major,
Wilkins.

8. My permanent ap-
-pointment when I
quitted India was
that of Civil Surgeon
of Guntur, and on this
appointment, according
to the custom of the
service, I believe I have
a lien on my return
from furlough.

9. On being informed by
the Surgeon-General that
I was not to return to
my own appointment
I asked to be appointed
as Civil Surgeon of
Cuddalore, but I was
again informed that
Surgeon Major Leaping
(whose present perma-
-nent appointment is
Cuddalore) was expected
to return from Europe
in about 10 days, and
that I should have to
vacate when that officer
arrived. I beg to draw
your attention to this

Not a full
(161)

fact that Surgeon-Major
Leapingwell's claims to
return to Cuddalore are
considered by the Surgeon-
General to be valid,
and I respectfully submit
that my claims are
entitled to similar
consideration.

10. On the 9th inst I wrote
to the Secretary to the
Surgeon-General, asking
that, for these and other
reasons (some of them of
an urgent domestic
nature) which I refrain
from mentioning here
as they might be consid-
ered irrelevant, but which
are well known to the
Surgeon-General, my
appointment to Madras
might be cancelled, and
that I might be ~~sent~~
allowed to join my
permanent appointment
at Guntoor.

11. In his reply No. 129
dated 11th November 1891.
the Secretary to the
Surgeon-General says
that the Surgeon-General
does not see any reason
for "reconsidering" his
recommendations, "which
he informs me have
already received the
sanction of the Madras
Government. In reference
to paras 4 and 7 of the
acc.

Secretary to the Surgeon-
General's letter to me - I
have on three occasions
interviewed the Surgeon-
General and as he is
not disposed to "reconsid-
-er his recommendations
or to listen to what I
consider to be my
grievances, I am led to
think that a further
appeal to him will be
of no avail.

12. I respectfully beg
to solicit the attention
of Government to the fact
that my health suffered
during the Yangam
famine on account of
which in the beginning
of last year I obtained
a year's furlough on
private affairs. It is
true that, as stated in
para 9 of the letter from
the Secretary to the Surgeon-
General, I went to
England on private
affairs, but my special
reason for desiring leave
was that my health
had broken down, and
as I was entitled to
furlough, I did not
apply to appear before
a Medical Board. As I
was incapable of per-
forming my duties on
account of repeated

attacks of malarial fever
contracted in the Gangam
District, I telegraphed to
the Surgeon-General to
that effect, and the
Government was graciously
pleased to grant
the necessary furlough
which was extended
on two occasions on
medical grounds.

13. I respectfully submit
further that some consideration
might be shown to
me on account of my
previous services.

My services in connection
with the Gangam famine
were favourably considered
by Dr. Bidie the Surgeon-
General at the time,
who, when forwarding
my report on the famine,
recommended that
Government should
take "some notice of my
devotion to duty during
a very trying crisis."
and the Government of
Madras "expressed their
appreciation of the
services rendered by me
during that famine in
G. O. of the 19th December
1890. No. 1026. I hoped
therefore that my services,
which resulted in my
health breaking down,
would be recognised as

that I would on return
from furlough be
permitted to proceed to
my station to which I
was posted in December
1887.

14. In the circumstances
above mentioned I would
request that as the
Surgeon-General is dis-
-inclined to reconsider
my case, you will kindly
lay it before Government
for their favorable
reconsideration, with
a view to my being sent
to my permanent ap-
-pointment at Luntore.

15. In conclusion I beg to
state that a week has
elapsed since I reported
my arrival to the Surgeon-
General, and up to date,
I have received no definite
orders from the Surgeon-
General's office. —

In consequence of this
my emoluments have
been reduced from ~~Rs.~~ Rs. 825
(the pay attaching
to my permanent appoint-
-ment) to Rs. 275, a
smaller sum than I
drew on my entering
the service, a loss, which
I need hardly say is a
serious one to me, and

one which I am sure the
Madras Government
would not allow me to
sustain. I respectfully
submit that had I been
permitted to proceed
to Gunsoor on my
arrival in Madras, or
been posted to a similar
appointment under the
Madras Government, whom
I desire to serve, I should
have been spared this
pecuniary loss.

I have the honor to be
Sir

Your most obedient servant

J. J. Mather

Surgeon Major

Madras Medical Service

N^o $\frac{C}{135}$

Office of Surgeon General
with the Govt. of Madras
Madras 20th November 1894

From

The Surgeon General with the
Government of Madras.

To,

The Chief Secretary to Government
(Public Department)

Sir,

I have the honor to forward the
enclosed letter to your address from Surgeon
major R. Pemberton appealing against
his appointment to Mercara and desiring
to go to Guntur. On receipt of Surgeon major
Pemberton's appeal I was doubtful as to
whether I should forward such a representa-
-tion, unique in the experience of this -
and probably, - any other Department -
especially as the transfer did not involve
any pecuniary loss - but as Dr. Pemberton
persisted, I had no choice left to me.
Government will see from the following

remarks that not alone has he taken an extraordinary view of his position as a Government Servant but also exaggerated certain circumstances. It is evident that he gives the interests of the public service a second place to his private concerns.

2. Paras 1 & 2 of the appeal are irrelevant and require no comment.

3. As regards para 3 it may be mentioned for the information of Govt: that Surgn: Major Pemberton was only acting for Surgn: Major G. L. Walker at Vellore and had therefore no appointment of his own which he could have lost.

4. Surgeon Major Pemberton does not state in para 4 of his letter that while on furlough in Europe in May last he applied to this office through his Agents Messrs: Arbuthnot & Co. for an extension of his leave for 20 days (urgent). Owing to the great need existing at that

time for Commissioned Medical Officers in the Civil Department, he was informed that his application could not be recommended to Government.

Had he obtained this extension it was evidently his intention to return to duty; failing this, he got a Medical certificate and had his leave extended by 4 months though he knew full well how greatly his services were needed.

5. With reference to para 7 of his letter I have to state that as Surgeon Major Marsden's state of health necessitated his appearing before a Medical Board in Madras without much loss of time it was considered necessary to secure the sanction of Government to Surgeon Major Pemberton being sent to relieve him, immediately on his return from furlough (vide my Demi Official of the 5th & 6th Novr.

to the address of the Private Secretary to his Excellency the Governor forwarded through you) and also, keeping his interest in view, to save him from prolonged detention and consequent loss of pay which he complains of in para 15 of his appeal

As regards his complaint that his services were placed at the disposal of the Government of India without his knowledge I have only to remark that this is the first occasion in my experience of an officer holding Her Majesty's Commission claiming to be consulted before being sent on emergent duty

His statement that Surpn: Major Hackett Wilkins was sent to Guntur a fortnight before his arrival is incorrect. This appointment was proposed

in my letter of the 22^d September/91 to the Private Secretary and published in the Fort Saint George Gazette of the 29th idem. Dr: Hackett Wilkins was sent to Guntur owing to the prevalence of Cholera in the jail which was then in charge of a junior Civil Apothecary and it would have been an unnecessary extra charge to Government and a hardship to Dr: Hackett Wilkins if he was to be moved again after Dr: Pemberton's arrival.

6. Para 8 of his letter is apparently based on a misapprehension of the rules of the service. He has still a lien on Guntur as he only goes to Mercara in an officiating capacity - a fact of which he has already been informed by this Office.

Surgeon

Surgeon major Pemberton however forgets that under article 258 Civil Service Regulations an Officer returning from furlough cannot claim as a matter of right to revert to the appointment he previously held. In Medical, as in other Departments, the movements of Officers depend upon the exigencies of the service and this Dr. Pemberton knew full well as can be seen from the enclosed copy of his letter dated the 9th April to the Secretary in this Office, yet he now makes this one of the main features of his appeal.

This letter further shows that Dr.

Pemberton did not wish to revert to Gunbur on the expiration of his leave and has therefore no cause whatever for complaint regarding

his transfer to Mercara.

7. Adverting to para 9 of his letter I have to observe that his case and that of Dr. Leapingwell are not at all parallel, Dr. Pemberton's services being urgently required for Mercara it was impossible to send him to Cuddalore even if the officiating appointment there was of a longer duration - as a matter of fact as he himself acknowledges Dr. Leapingwell is expected to arrive by the 21st instant. Had any other Officer been available at the time, the relief of Surgeon Major Marsden would not have been delayed until the arrival of Dr. Pemberton.

8. Copies of the paras of this office letter referred to by him in paras 11 & 12 of his appeal are enclosed for the information of Government. The "other of India. C."

reasons" alluded to by him and specified in his letter of the 9th November to this office are:—

(a) "Wife unfit to take a long journey by road as certified by Dr. Branfoot"
Dr. Branfoot in reply to a reference from this office states that "I did not consider that it would be dangerous for her to make the journey if due precautions were taken."

(b) He did "not think that the District of Mercara would suit a malarious subject" (himself).

This remark needs no comment.
Para 7 of this office letter refers to his applying for appointments which he was already informed were not vacant & which should form the subject of a separate application.

9. With reference to para 12 I would

request the attention of Government to para 4 of this office letter in which this question has been discussed.

Para 9 of this Office letter quoted by him refers to a statement of his that he had contracted malaria and it is to be noted that he has now had 22 months further.

10. Para 13 of his letter. Without wishing to detract from the work done by any Officer I cannot see that Sir James Pemberton did any more than his duty, and Government thanked him and all the medical staff employed in the District in the ordinary way.

11. Para 15. No definite orders could be given to him until after the receipt of the G.O. placing his services at the disposal of the Govt of India. As regards his monetary loss

his statement is rather exaggerated.
Mr Pemberton never drew Rs. 825 per
month. He went Home as a Surgeon
in Rs. 550 and on arrival like all other
Officers got a subsistence allowance till
he joins an appointment. His unavoidable
delay in Madras has increased the
period during which he would
be restricted to subsistence allowance,
but as his detention was through
no fault of his own, Government
will be addressed in due course
to protect him from this loss.

12. In Conclusion I need hardly mention that Mercam, though under the orders of the Government of India, is an appointment held by an Officer of the Madras Medical Service and is included in the list

of Establishment authorized for
Indns.

I have the honor to be,
Sir,

Yr most obed Servant

17 The Duke of
Surgeon General
with Comd of Madras

Public Department

27/10/91 R No 1040
25/7/91 R No 955

H.M. + enc

For Orders.

cl. 26/11 Order 30 Nov 91 26 Nov 1010
will be informed
Dr Pemberton [Pemberton told]
that the [unclear] [unclear]
to [unclear] [unclear] which hand
been [unclear]. He has [unclear]
on [unclear] [unclear] [unclear]
an [unclear] [unclear] of [unclear]
value [unclear] he [unclear] [unclear]
H.E. in Council does not know that Dr P
[unclear] [unclear] [unclear]
[unclear] [unclear] [unclear] his
case + [unclear] [unclear] [unclear]
[unclear] he has started for [unclear]

[H.P.] [26 Nov]
[27/11/91]

It is presumed that Dr
Pemberton has started for [unclear]

(From order)

DESPATCHED 1 DEC 91 30 Nov
IN M.S.

Surgeon Genl.
Coped 30/11
cl. 30.11.91

C 26/11
D 26/11

The [unclear] [unclear]
with [unclear] [unclear]

N C 135

Dates 20
Recd 22nd
Regd 23rd
UNDER SECRETARY
11 NOV 91

No:

Subject

Funding with remarks
Dr Pemberton's appeal
regarding his transfer to
Museum

Reference for must put up all the
[unclear] [unclear] [unclear] referred.

FURTHER PAPER, No. 3633/91

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

ENCLOSURES.

CURRENT No.

Coped 30/11

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

N.B. -

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.