

To

The Right Honourable

THE SECRETARY OF STATE FOR INDIA IN COUNCIL.

The Humble Memorial of

K. C. MANAVEDAN RAJA.

RESPECTFULLY SHEWETH,

That in May 1880 your Memorialist, who had been educated in the Presidency College at Madras, and who graduated in Arts in 1878 at the University of Madras, was appointed a probationer for the Civil Service under the Provisions of 33. Vic. C. 3. S. 6, and the rules thereunder framed, which being sanctioned by the then Secretary of State for India, were published on the 2nd August 1879, under Home Notification No. 1534, Simla.

2. That the Government of India confirmed your Memorialist's appointment on the 26th August 1882 by their Notification No. 1273 in the following terms:—

“Mr. K. C. Manavedan Raja, a probationer in the Civil Service having fulfilled the requirements of the Rules issued under Section 6 of the Statute Victoria, Chap. 3 is confirmed in his appointment as a member of the Civil Service of the Madras Presidency.”

3. That up to October 1889 your Memorialist was treated in all official publications touching the position and emoluments of the Madras Covenanted Civil Service as a member of that organization as well with regard to his rank as to his service; that his preferment in the said service has hitherto been regulated by the same rule of seniority which regulates the preferment of Covenanted Civilians; and that under such last mentioned system your Memorialist has from time to time served as Assistant, Acting Head Assistant and Acting Sub-Collector in Chingleput, Kistna, South Arcot, Tanjore, and Coimbatore *pari passu* with other members of the Covenanted Service of his own standing.

4. That your Memorialist was on the 29th September 1890 by G. O. No. 662 (Public) called upon under instructions from the Government of India, to

elect within one month from the date of such order, whether he would enter the newly created Provincial Service or retain his present appointment under conditions which have been now promulgated for the first time, which completely alters your Memorialist's existing *status* and future prospects, which are inconsistent with, and destructive of the terms under and upon which alone your Memorialist entered the service of the Government, and which even if valid and correct, seek retrospectively to affect and to nullify a ten years' tenure of office.

5. That on the 15th November 1890 your Petitioner replied respectfully declining to join the Provincial Service and as respectfully protesting against the contemplated infraction of his rights and privileges should he retain his present appointment.

6. That when he first accepted his nomination under the Statute 33 Vic. C. 3. S. 6, your Memorialist believed, he would in all essential matters, save that of pay and pension be upon a footing of equality with the members of the Covenanted Civil Service; that there was nothing in the wording of the said Act, or of the Rules framed under its power, to impair that belief; that his promotion by seniority, and the inclusion of his name in the same general list of Civilians up to October 1889, confirmed this impression, and that but for that impression your Memorialist would never have been induced to enter the service of the Government.

7. That before he entered such service your Memorialist was aware of and was influenced by the declaration of the Duke of Argyll, who when introducing the measure which became law in May 1870 said: "I now come to a clause, the 6th. Its object is to set free the hands of the Governor-General under such restrictions and regulations as may be agreed to by the Government at home, to select for the Covenanted Civil Service of India, natives of that country although they may not have gone through Competitive Examination in this country."

8. That your Memorialist was also acquainted with the despatch of Lord Cranbrook who on the 17th November 1879 wrote: "It is, therefore, competent to your Lordship's Government to appoint every year to the Civil Service of India any such number of natives as may be determined upon, and the number of Covenanted Civilians sent from this country will have to be proportionately decreased"; and with the explanation of the Government of India who in reply to this despatch explained that the Civil Service dealt with by the Statute was the "Covenanted Civil Service" and treated the native Civil Service as a section of that Covenanted Service.

9. That in spite of such clear and reiterated pledges of the rights and status to which your Memorialist would attain by his acceptance of his nomination, your Memorialist is now suddenly informed that if he elect to remain in the service he entered ten years ago, he will do so subject to the following *Ex-post facto* disqualifications, restrictions, and hinderances:—

- (a) That his appointment will continue as hitherto to be specially treated outside both the Covenanted and Provincial Services.
- (b) That he will not belong to any organized service in which he would under ordinary circumstances rise by seniority to certain posts.
- (c) That his claims to advancement will depend entirely on his merit and ability.
- (d) That each step he might join would be treated as a fresh appointment under the Rule passed under the Act of 1870; and
- (e) That so long as 1883 the Secretary of State had decided that the position of your Memorialist and others similarly placed, was merely that of an incumbent of a particular office.

10. That against such interpretation of the object of the Statute your Memorialist would urge the following considerations:—

- (a) That such interpretation is erroneous and unwarranted as well by the language of the Statute as by the conduct of the Governments of India and Madras, who have till very recently consistently interpreted the Statute as promising and embracing the status and prizes of the Covenanted Civil Service.
- (b) That any retrospective operation would inflict an undeserved hardship on your Memorialist, who influenced in the choice of his career by the hitherto adopted meaning of the Statute, would by the new construction find himself deprived of ten years' service which he might and could have devoted, had the present interpretation prevailed when he joined, to employment more profitable to his private interests.
- (c) That its adoption would by drawing invidious distinctions between themselves and members of the Covenanted Service, cast an undesirable and undeserved slur and stigma upon the position of those who like your Memorialist would not have accepted their appointments by the light of any but the old interpretation.
- (d) That your Memorialist never heard till 1890 of the construction said to have been placed upon the Statute in 1883.
- (e) That in no event should the rules of 1883 be made applicable to your Memorialist who was confirmed in 1882 as "a Member of the Madras Civil Service" and who is entitled thereupon to take and keep precedence of all Covenanted Officers whose date of confirmation is subsequent to his own.
- (f) That the new interpretation of these rules will have the effect of postponing your Memorialist's promotion, till after the claims

have been satisfied of no less than eleven Members of the Madras Covenanted Establishment, who hitherto have been and still are junior to himself in length of service and dignity of office.

- (g) That whereas those appointed to the Covenanted Establishment undergo a period of two years' probationary service in England which period does not count towards service, your Memorialist underwent a similar period of probation in India which period counts towards service.
- (h) That to enforce these rules would be to degrade your Memorialist unheard.

11. That your Memorialist who is proud of his lineage and family traditions, is not influenced in this his protest by any pecuniary consideration, in that he is independent of Government or other service, but respectfully invites the attention of the Secretary of State to his case, because he is tenacious of his public position, is desirous of enjoying the dignity and status he has hitherto enjoyed, is anxious to rise by his merit to offices still higher in the State, and believing that to enlist the sympathy and support of the well educated and well connected Indian gentry in the administration of the country, is the best and surest way of binding most closely the interests of England and of India, respectfully urges this his protest against the exclusion of himself from office and the ambitions of office.

12. Your Memorialist prays:—

- (a) That his petition be received and considered.
 - (b) That the recent interpretation of the Statutory rules be rescinded.
 - (c) That he be declared a member of the Madras Covenanted Civil Service.
 - (d) That he be restored to his former position in the Civil list, and be pronounced entitled to preferment as of old, according to seniority.
 - (e) That he be not superseded by any member of the Covenanted Civil Service junior to himself in date of service.
- And your Memorialist as in duty bound will ever pray.

Manasidharaya
of Sub Collector Comibatur

Pub
4064

Public No 607/91

Office of March 1891
From
A. N. S. A. Manasidharaya Raja
Ag. Sub Collector of Comibatur
Do. J. Shirock Raja
Collector of Comibatur
Sir
I have the honor to
forward for transmission
to Government a memorial
addressed to the Right
Honorable the Secretary of
State for India with a
covering letter to the Chief
Secretary. The memorial
was returned to me to be
submitted through the pre-
-cribed channel. As the
Board's Standing Order No 225
does not require that such
memorials should pass through

The Collector of the District
and as a previous memorial
and other correspondence on
this subject were submitted
direct to Government and
accepted without objection
I adopted the same course
on the present occasion.

I request the favour of
your kindly transmitting
the memorial to Government
as early as possible.

I have the honor to be,
Sir,
Your most obedient servant,

Wm. Macpherson
Ag. Secy. Collector.

... of the District
... memorial
... submitted
... Government
... accepted
... objection
... course
... occasion.

I request the favour of
your kindly transmitting
the memorial to Government
as early as possible.

I have the honor to be,
Sir,
Your most obedient servant,

Wm. Macpherson
Ag. Secy. Collector.

C. J. J. Power
27 February 1891.

No. 507
Gent.

FROM

C. J. J. Power Esquire
acting COLLECTOR OF SOUTH ARCOT.

TO

Chief
THE SECRETARY TO ~~the~~ Government
COMMISSIONER OF
Public Department.

MADRAS

SIR,

I have the honor to forward for transmission to the Right Honourable the Secretary of State for India, a memorial from Mr. J. E. Swaminadaiah to the acting head assistant collector of this district

I have the honor to be,
Sir,

Your most obedient servant,

P. K. Srinivasan

for collector.

Harvard
9 APR 91

From,

The Sub Collector of
Coimbatore

To,
The Collector of
Coimbatore

Dated 8th }
resp. 8th } March 1891

Enc: (100) m. R.

Subject

Requesting that the enclosed memorials may be transmitted to the Government.

Harvard
9 APR 91

Submitted in continuation of the 207 & 770 circulated on the 13th and 14th instants respectively

18 March

The memorial herewith

H. L. 29 Mar.

Forwarded

Harvard
Collector

11-3-91

C120/3
R1/2 085

W.

Public Department.

1891

From
The Collector
South Arcot

To The Chief Secretary
to Government
Madras

Dated 27 }
Despatched } February 1891
Received }

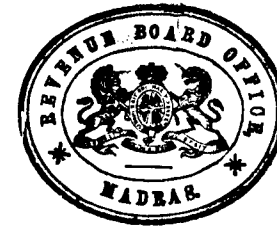
DESPATCHED
23 FEB 91

No. 507
Gmail

Enclosure 1

Subject

Submitting for transmis-
sion to the Right Hono-
rable the Secretary of State
for India, a memorial
from Mr. J. H. Swamin-
tha Aiyar, the of. Head As-
sistant Collector of S. A.
District.



Proceedings of the Board of Revenue

(Land Revenue).

Dated 9 March 1891,

No. 1587 Mis.
Routine

Honorable J. Grose

READ the following from J. Jugg Esquire Esq. Sub Collector
in charge Malabar dated 14 February 1891 C no. 165-p
86

I have the honor to submit herewith the memorial of
Mr. P. Rajagopala Chari, acting Head Assistant Collector
of this District returned with G. O. dated 26 January 1891
No. 101, for compliance with Rule VIII of the Rules for
the transmission of memorials to the Right Honorable the
Secretary of State for India, and for transmission through
the prescribed channel -

Resolution Submitted.

The Board is not in possession of the ruling of 1883. The words of
the statute of 1870 "office place or employment in the Civil Service
of India" and the wording of the rules of 79 "employment in the
said Service" do not appear to entitle the nominee to claim appoint-
ment to the rank of the Civil Service itself, but there can be no
question, but what till recently the persons appointed statutory civil
servants in this Presidency were led to believe that they were to be mem-
bers of the Civil Service

(True Copy and Extract)

To The Chief Secretary to Government P. D.
with memorial

Copy to the Collector of Malabar

Ch. Secretary.

Board of Revenue

(Land Revenue),

MADRAS.

To
Chief
The Secretary to Government
P. D. S.

Submitted in continuation
of C. No. 609 circulated on the 12th
instant. (Memorial on the same
subject from Rev. Swaminatha
Aiyar).

C.S.
13.3

14 March

The memorial should be forwarded
in the usual way to the Sec. of State.
The facts stated in it appear
correct & the argument is put very
fairly.

WLS
15 Mar

20/3/91



Proceedings, dated 9 March 1891,
No. 1587, Mis. Routine.

Subject.

Submitting to Govt. with
remarks. Memorial from Mr.
P. Rajagopala Chari Aq. No.
Aest. Collector Malabar add-
ressed to the Secretary of State
in Council regarding
revision & grading of Statutory
Officers in the Madras
Presidency.

C. No. 609.

Orders are solicited as to
whether any remarks should be
made to whom forwarding the
Memorial to the Govt. of India for
transmission to the Secretary of
State.

The views of this Government
on the question of the status of
Statutory Civilians has already
been communicated to the Govt.
of India in para 12 of letter No.
401 dated 4th June last. The
only point in the Memorial that
appears to require comment is
the allusion in para 9 to the
change in the ranking of Statutory
Civilians carried out in ^{Sept} 1889. With

reference to this point attention is
directed to para 3 of the Note for
Orders in G.O. of 23rd January
1891 No. 61/2 Public.

I don't think any remarks
are called for in this matter.
Should be brought to the
Govt.

Lagna - the term of
Pat - is aff. as given in C.S.
Para 15 show that he was 8/3.
my admitted to employment in
the Govt. as a member
mrs/ 2/13

17 T

C. 14/3

Papers to be read in Proceedings:—

Again G.O., dated 18 , No.

Again G.O., dated 18 , No.

Current No. 609 of 1891, dated 27. 2. from Col. A. Arcot.

718 " " 9. 3 " B. of Revenue

Current No. 732 of 1891, dated 18. 3 from Col. of Combatants

Order. 11th April 91 No. 289

The Memorials will be forwarded to the Govt. of India in the Home Dept for transmission to the Right Honorable the Secretary of State for India.

Col. S. Arcot
B. of Revenue
Col. of Combatants

} Despatch 16/4

No. 290

Letter - to the Secretary to the Govt. of India, Home Dept.

Sir,

I am directed to forward for transmission to the Right Honorable the Secretary of State for India the accompanying Memorials from Memo T. M. Swaminatha Aiyar, P. Raja: Gopala Hari, and N. C. Manan Raja, Statutory Civilian belonging

Note. The Memorials are being transmitted through the Govt. of India, as they appear to fall under Rule IV of the Memorial Rules as relating to a case which has previously been under the consideration of the Govt of India.

Para 2 of the letter is submitted for orders.

Ct.

MAP

HW

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

ENCLOSURES.

OVERMENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

A A

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.

sent order in regard to this section instruction
the views of this Govt. on
the status of Statutory Civilian have
already been communicated to the
Govt. of India in para 12 of my
letter No. 401 Public of 4th June
last, it has not been thought
necessary to make any remarks
in forwarding these Memorials.

S
S. P. H. L.

12
4 1/2 71.

ORDINARY, MS.

24-478✓

Public	DEPARTMENT.
G.O., DATED 11-4-91	
No. 209✓ 290✓	

INDEXED.

When given for copying

[Despatch Abstract.]

Memorials from
certain Statutory
Councils against re-
cent orders with re-
gard to their position
speculation, provided
-ed to the Govt of
India for transmission
to the Secy of State.