

To
His Excellency the Right Honourable
Peilby Baron Wenlock. G.C.B. &c.
Governor of Fort St. George.

May it please your Lordship...

I, Li. Ramachindrar, District
Judge of Madras, most respectfully
beg to submit the following memo-
rial for your Lordship's favourable
consideration and orders.

2. I humbly beg to state that
I feel extremely thankful to your
Lordship for having confirmed me

as a District Judge, and this appointment as such has been the first of its kind in the Madras Presidency.

3. As an Acting District Judge, I was drawing monthly Rs 1016-14-3, and after Confirmation, I am allowed Rs 1152 as 2^d grade Judge. So I have got an increase of Rs 135-1-9.

4. While I was Acting District Judge in the Second or lower grade, the Accountant-General put me in the 1st grade from 7th to 30th May 1889, from 1st to 13th June 1889, for one day on the 8th July 1890, and lastly from 23rd May to 12th June 1891, and allowed me to draw extra pay.

5. Since June 1891, and since Your Lordship has been pleased to confirm me, I have not been placed in the 1st grade though Messrs J. M. Horsfall, W. C. Holmes, S. Russell,

who were appointed as Judges after I was confirmed, have been placed in the 1st grade. Messrs W. C. Holmes and S. Russell, who are not permanent Judges, are acting in the 1st grade. I beg to be excused for submitting that the Accountant-General probably requires a special order of Your Excellency to put me in the 1st grade at least as an Acting Judge.

6. I most humbly beg to request that Your Lordship may be pleased to take my case into favorable consideration, and put me at least temporarily in the 1st grade.

Mellone
30th April 1892

I beg leave to remain,
May it please Your Lordship,
Your Lordship's most obedient
and loyal servant

District Judge.

From

The District Judge

Malabar

To

His Excellency the Right

Honorable Bailey Bann

Wentworth, G. C. I. E.

Governor of F. S. George

Dated
recd.

30 April 1897

Subject

Submitting the Memorial
presented by Mr. C. Rama-
chandra, District Judge of
Malabar

Recd. 13.5.97
2

48

Petition from Mr. C. Rama-chandra

DATED 30 April 1897.

TRANSFERRED to the Chief Secretary to
Government for disposal.

(By Order.)

Unjust

Private Secretary.

James Campbell
GOVERNMENT HOUSE,
8th May 1897.

Public (189) DEPARTMENT.

From

THE PRIVATE SECRETARY TO THE

RIGHT HONORABLE THE GOVERNOR,

To

THE CHIEF SECRETARY

TO GOVERNMENT,

DEPARTMENT.

Dated 8th

Received

1892.

ENCLOSURE.

Subject.

TRANSFERS a petition from Mr C. Rama

Chenbrier praying that
he may be put in the 1st
grade of 1892

Referred

of 16 May 1892 No 858
Referred to the Accountant
General for favour of remarks.

Reddick
Chief Secretary

C.
13.5.

Gazetted Audit Department.

Fort Saint George
Accounts General's Office
25 May 1892

No 1562

Under Madras Government Order No 560, Public,
dated 15th March 1883, the two junior Officers, whether
acting as Collector or as Judge, are considered second
grade Officers, and for this purpose their standing in
the service is fixed by a reference to what their position
would be in a graduation list composed of Covenanted
and Statutory Civilians.

2. Mr Ramachandra Aiyar was admitted to the
Statutory Civil Service on the 26th March 1887 and
therefore takes rank immediately above Mr J. H. Batten,
No 112 in the Civil List for May 1892, and as all the
Officers mentioned in his letter under reference are his
seniors, they have been permitted to draw the salary
of 1st grade appointment before him. Mr Ramachandra
Aiyar was allowed the salary of 1st grade appoint-
ment for the periods mentioned in his letter, as there
were then vacancies in the 1st grade entitling the two
junior Officers to draw the salary of 1st grade appoint-
ment.

Accounts General.

To
The Chief Secretary
to Government,
Public Department,
Fort Saint George.

240

CS
26/5

The Chief Secretary
to Government,
Public Department,
Fort Sumit, Ginge.

Public (1892) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,
MADRAS,

To

THE Chief Secretary
to Government
Public Department
No. 1702

Dated

Received

10

1892.

Encls: CN^o 1281 & 1381
notd.

No. CHIEF SECRETARY
17 JUNE 2
1892

Subject.

Stating the circumstances
under which Mr. Rama-
chandra Aiyar was granted
the salary of an acting 1st
grade judge on the occasion
referred to in paragraph
4 of his petition

Ref.
11/6

Public DEPARTMENT.

C Nos. 1281, 1381, & 1510.

From W. C. Ramachandra Aiyar & The Acct. Genl.

Dated 8th May, 23rd May, & 9 June 1892.

FOR ORDERS.

Ramachandra Aiyar comes
under the B 4th Clause of Para
3 of the for^e of India despatch
of May 1892 No. - This pay
of Rs. 64/12/9 of Rs. 22 he
draw by a number of the Indian
Civil Service - Therefore he
is not entitled

$\frac{64}{100}$ of 2333.5.4 = 1493.5.4
or $\frac{64}{100}$ of 1000 = 1152.00

(that is, assuming that he
is not entitled to take the
salary of Dist. Judge at all)
until "the last of the Indian
Civil Service" - Therefore he
is not entitled to his
"confirmation" as a District
Judge until [M. 44 in the Civil List] must be
after Mr. Partridge - I
don't consider it having any
such right & desire to
in my minutes of Oct 5th
91. I thought I was on - 4.

under the for^e of India
(I presume Sir P. P. Kitching
approved his
preference the recent
despatch from India seems
quite illegitimate to view
it as such. It is my belief
that if any one of the Indian
Civil Service who has been

Mr. C. Ramachandra Aiyar
was confirmed as a District Sessions
Judge on the 27th June 1891.

2. He contends that he should
be granted the salary of a 1st grade
Judge before any of the officers who
have been appointed District & Sessions
Judges subsequent to that date.

3. The Accountant-General
holds that as Mr. Ramachandra Aiyar
was confirmed in the Statutory Service
on 26th March 1887 he cannot expect
to supersede any of the Covenanted
Civilians who joined the service
prior to that date - i.e. that all
Indian Civil servants down to and
including Mr. J. G. D. Partridge
drawing the salary of a first-
grade Judge or Collector - permanent
or acting - before Mr. Ramachandra
Aiyar will be entitled to such salary.

In connection with this point
attention is solicited to para 3 of
the letter of May 1892 from the Home
Dept. on the subject of the Provincial
service [a spare copy is put up the
original being in circulation].
Under para 3 of that letter a
Provincial service officer is to rise
pari passu with his contemporaries
in the Indian Civil Service subject

876 ~~Confidentiality understood~~
There can be no doubt that the newly appointed Civil Servants from England whose service counts from the date of Remond's confirmation are his contemporaries, but possibly the J. of S. used the word loosely & inaccurately as equivalent to my. of th.

[illegible]

Not calling it if the expression
conformation referred to conformation
as a large vessel to be produced in
his effort as a "strutted" vessel.

2. This opportunity is taken to explain that the fact of the Hon'ble Mr. Garton having already voted on the paper is due to the Hon'ble Sir Henry Stokes's not having broken the circulation. The papers were originally marked for both members & read on in ordinary course to the Hon'ble Mr. Garton.

5 July

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we asked for Ramachandra Iyer's confirmation on the ground of special merit and ability. In fact we asked India to allow us to make him an exception to the rule which laid down that the Statutory men were not to receive promotion till the claims of Civil Servants who had joined the service prior to the confirmation of such Statisticians had been met - an exception which they permitted out to us might in exceptional cases be made. To our application India consented, and by their consent removed Ramachandra Iyer from the operation of the rule referred to, and so I cannot see how it can now be made to apply to him. In trying to bring him back within the operation of this rule, which India has allowed him to escape from, I think the Accountant-General is wrong. So I hold that he backs with the other Judges in accordance with the date of their respective confirmations. I have no objection to India being asked the question put forward at the end of Sir St. Stokes' note.

W
16 July

Order of the Government
Ceylon, 1892
Civil Service

The Government of India will be
addressed.

1888 the Government

188. The first apparently agrees with me that under the Statutes under Ramachandra Iyer might be treated as a confirmed second grade & by first grade judge, and I am not clear that we ought not to make this at once. On the whole, however, it is perhaps better to refer both questions to the Secretary of the Government. I therefore forward the draft as suggested below.

seen
J.H.S.
11/8/92

2. In carrying out the instructions of the Govt of India conveyed in Home Dept. letter 30.11.88 & 16.4.89 for the constitution of two second grade collectorates in this Presidency, it was ruled by this Govt in the order marginally noted that the junior collector and junior judge should be considered second grade officers on Rs 1,800 per mensem. It was also ruled that the two junior civilians whether acting as collector or judge should be similarly treated. Under the operation of the above instructions the confirmed second grade collector & judge were acting as first grade officers.

Public Department

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C Nos 1281, 1381, 1510.

ORDER- 4th Aug. 92 No 537

The Government of India will be

addressed.
DESPATCHED

11 AUG 92
IN M.S.

No 538

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

Sir,

Mr C. Ramachandra Aiyar, a Statutory Civilian of this Presidency, was confirmed as a District & Sessions Judge with effect from the 27th June 1891, in accordance with the recommendation made in my letter No 905 dated 26th October & approved in Home Dept telegram No 1868 of the 24th November 1891.

2 It has been the practice since March 1888, in order to provide for the two junior appointments in the Collector-Judge grade in this Presidency, which carry salaries of Rs 1,800 per mensem as against Rs 2,335-5-4 drawn by other officers of this class, to treat the two junior civilians whether acting as Collector or Judge as second grade officers.

3 The Accountant-General contends that

13/7

as Mr Ramachandra Aiyar was admitted to the Statutory service on the 26th March 1887 he takes rank immediately above the officers who arrived from England at the close of that year, and will not be entitled to the salary^{of} of an acting or permanent first-grade Judge ~~until~~^{all} the Indian Civilians who joined the service prior to his confirmation are in receipt of such emoluments.

4 In para 3 of Home Dept letter dated 27th May 1892, No 1535, it is ruled that a Provincial Service officer is to rise pari passu with his contemporaries in the Indian Civil service subject to the claims of officers of the latter service recruited after 1879-1881 to 5/6ths of the posts for which recruitment was or might have been made in any one year, & in para 5 of the same letter it is laid down that the claims of a Statutory civilian are only to be taken into consideration only when those of his contemporaries in the Indian Civil service counting from the date of his confirmation have been considered.

5 Mr Ramachandra Aiyar, as advised in my letter dated 25th Jan'y 1891 No 68, has, so far, elected to remain in the Statutory service.

3 H E the Governor-in-Council considers that the contention of the Accountant-General is incorrect, being of opinion that the rulings alluded to in para 4 supra refer mainly to the cases of men recruited specially for the Statutory or Provincial service & that they were not intended to apply to the class to which Mr Ramachandra belongs, viz, those appointed to either service late in life on the grounds of special merit & ability. Mr Ramachandra Aiyar having moreover been confirmed as a District Judge under special circumstances this Government considers that he has been virtually removed from the operation of the rule laid down in regard to Statutory Civilians & ranks with other Collectors & Judges in accordance with the dates of their respective confirmation in those offices & not of their first appointment to the service.

7 The question, it will be observed, affects not only Mr Ramachandra Aiyar but all those ^{officers} who have been or may be appointed to the Statutory or Provincial service late in life on the grounds of proved merit & ability, and I am to refer the point for the decision of the Government of India. (From orders)

25 July.

*From the date of his confirmation
and that his emoluments should be
regulated under the rules referred to
in paragraph 2 above, and not 1.625
of the Civil Service Regulations.*

MR C RAMACHANDRA AIYAR'S POSITION IN
THE CIVIL SERVICE.

FROM ORDERS.

The Honorable Sir Henry Stokes KCSI
The Honorable Mr Garstin C S I.

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

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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OF 18

FURTHER PAPER, No. 2470/92.

OF 18

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11/8/92

[7]

ORDINARY, MS.

Public DEPARTMENT.	
G.O., DATED	4-0-92
No.	5-37
	5-38

INDEXED

When given for copying.

[Despatch Abstract]

Directs that the post
of Justice be addressed
regarding the position of
Mr C Ramaswami Aiyar
in the Civil Service List
where who have been
or may be appointed to
the statutory or Panel
series list in life on
the ground of proved
merit & ability—

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13/8

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