

ORDINARY, PRINTED.

Public DEPARTMENT.
G.O., DATED 20. 5. 93
No. 409

INDEXED.

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[Despatch Abstract.]

Indian Council

Act 10th

During the sub-
stitution of a revised
schedule for the one
affixed to the rules
made by H.E. the
Premier for the
conduct of busi-
ness in his Council
3. 10 April '93.

Govt. of {1893} Madras
PUBLIC.

Issued

Recd.

Encl.

G.O., 20th May 1893, No. 409.

MAY.

Indian Councils Act, 1861.

Directing the substitution of a revised schedule for the one appended to the rules made by His Excellency the Governor for the conduct of business in his Council, dated 10th April 1893.

ORDER OF GOVERNMENT, DATED
18, No.

ENCLOSURES.

CURRENT No.

proof

STATEMENT WITH DUTY.

ORDER, &c., OF GOVERNMENT—A.

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Order complete with Letter.

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BACK PAPER, No.

OF 18

FURTHER PAPER, No.

OF 18

Proof put to work every day

PUBLIC DEPARTMENT.

ORDER—dated 20th May 1893, No. 409, Public.

Under section 28 of 24 and 25 Vic., Cap. 67, His Excellency the Right Honorable the Governor directs the substitution of the following schedule for that appended to the rules already published by him on the 10th April 1893 :—

SCHEDULE.

Distribution of Work amongst the Members of Government.

THE RIGHT HON'BLE THE GOVERNOR.

Legislative.		Political.
Military.		

THE HON'BLE SIR HENRY STOKES, K.C.S.I.

Educational.		Marine.
Financial.		Municipal.
Judicial.		Public.
Local Fund.		Public Works.

THE HON'BLE MR. J. H. GARSTIN, C.S.I.

Ecclesiastical.		Revenue.
Pension.		

(True Extract.)

Chief Secretary.

To the Departments of the Secretariat.

Ed. A. Raitt.

Govt. of {1893} Madras.
PUBLIC.

CHIEF SECRETARY
28 APR 93
GOVERNMENT OF MADRAS

Issued

Recd.

Encl.

G.O., 10th April 1893, No. 290.

APRIL.

Indian Councils Act, 1861.

Order for the conduct of business in his Council made by His Excellency the Right Honorable the Governor of Fort St. George under the —.

For the Chief Secretary.

The schedule appended to these rules does not contain the Local Fund dept. & the Municipal dept.

I presume that in consequence of this omission no action is to be taken - indeed none is possible - as the rules are ~~as rules as an~~ order under the Councils Act, so far as L. & M. papers ^(are concerned)

The practice has been to submit such papers as are not disposed of without submission to a Member of Govt. to Sir Henry Stokes. Certain papers are of course sent to other Members. In short, the practice is in accordance with the principles of the Act. Will you please take the H.E. the Govt's orders?

14/4

Note.

It is to be noted that it is

20 TH MAY 1893, No. 409, Public.

GOVERNMENT OF MADRAS

PUBLIC DEPARTMENT.

H.E. the Govt.
& Circ.

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Educational.
Financial.
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Local Fund.

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Public.
Public Works.

THE HON'BLE MR. J. H. GARSTIN, C.S.I.

Ecclesiastical.
Pension.

Revenue.

(True Extracts)

Chief Secretary.

To the Departments of the Secretariat.

Exd. A. Raitt.

Note.

Despatch 28/5/93. The Local Fund & Municipal depts. have been added to the list of depts. under Sir Henry Stokes. In accordance with instructions given by H.E. the Govt. to the Chief Secy. the following amendments are made.

15/5. In the present schedule the depts. have been given in alphabetical order.

(iii) When two or more Honorable Members express views on the same subject which, without being at variance with each other, deal with different points, the views of all the Honorable Members shall, as far as possible, be promulgated in the Government Order.

(iv) All orders which involve decisions on questions of principle, or cancellation of previous Government orders, or the constitution of standing orders, shall be circulated to two Honorable Members at least before such orders are issued.

5. *Appointments and Postings of Officers made by the Governor in Council.*—The following extracts from despatches received from the Court of Directors enunciate the principles on which the procedure in regard to the above matters should be based:—

“It rests with the Governor to select and nominate the individuals whom he may consider to be best qualified, and to have the best claims to supply vacancies in office. To give effect to such nominations, they must be made by the Governor in Council, and must therefore be concurred in by a majority, but the concurrence ought not to be withheld, except in cases in which any Member of Council may be of opinion that there are specific objections to the persons selected, and in such case it would be his duty to place his sentiments on record.”

“The exception to which we allude relates to the instructions conveyed to you in our letter of 22nd July 1846, No. 9, in the Revenue Department, respecting the selection of individuals to fill vacant offices. Your President expresses a desire to be informed, for future guidance, of the precise interpretation to be put on these words, viz., ‘to give effect to such nominations’ (by the Governor) ‘they must be made by the Governor in Council and must therefore be concurred in by a majority, but that concurrence ought not to be withheld, except in cases in which any Member of Council may be of opinion that there are specific objections to the persons selected.’ The exception intended by us will apply to any case where specific objections (on public grounds) may be considered to exist to the individual selected and nominated by the Governor. The concurrence of the Members of Council to the nominations of the Governor ought not to be withheld, unless specific objections are considered to be of material importance on the ground of unfitness for the particular office.”

The existing practice is moulded on the above lines and will be continued. Proposals for filling vacancies and for posting officers will accordingly be submitted in the first instance to His Excellency the Governor through his Private Secretary in writing, and the official minute of appointment, after having been signed by the Governor, will be circulated to the Civil Members of Council with a view to effect being given to the President's nomination and to the order issuing under the authority of the Governor in Council.

SCHEDULE.

Distribution of Work amongst the Honorable Members of Government.

The Right Honorable the Governor—
 Military.
 Legislative.
 Political.
 The Hon'ble Sir H. E. Stokes, K.C.S.I.—
 Judicial.
 Financial.
 Public.
 Marine.
 Educational.
 Public Works.
 The Hon'ble Mr. J. H. Garstin, C.S.I.—
 Ecclesiastical.
 Revenue.
 Pension.

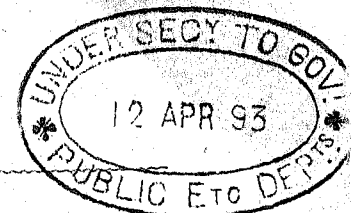
Petitions for mercy shall be circulated to His Excellency the Governor and to the two Civil Members of Council.

(True Extract.)

Richard Lee
 Ag. Chief Secretary.

To all Secretaries and Under Secretaries to Government.

Edw. A. Raith.



10TH APRIL 1893, No. 290, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Order :—Under the Indian Councils Act, 1861.

ORDER—dated 10th April 1893, No. 290, Public.

Under the authority vested in him by the 28th section of 24 and 25 Victoria, Cap. 67 (The Indian Councils Act, 1861), to make rules and orders for the conduct of business in his Council, and in supersession of all orders issued by previous Governors on the subject, His Excellency the Right Honorable the Governor of the Presidency of Fort St. George is pleased to direct—

1. That the various departments of the Secretariat shall be placed in charge of His Excellency the Governor and of the two Civil Members of Council as shown in the schedule appended to these rules.

2. That it shall be the duty of the Secretary to Government in each department to exercise his discretion in determining whether papers requiring the orders of Government are of such importance that they should be sent to the Honorable Member in charge or not; where he determines that they need not be so sent the Secretary shall dispose of them himself, provided that a weekly printed list showing all orders so passed under the authority of the Secretary alone shall be submitted to the Honorable Member in charge before the expiration of the week following that in which the orders were issued.

3. That all other papers shall be laid before the Honorable Member in charge of the department concerned and shall be disposed of by him alone, except in the following cases :—

(a) Where the Honorable Member shall himself direct that the opinion of one or more of the other Members of Government shall be taken before final orders issue on any paper.

(b) Where the Secretary of the department in the exercise of his discretion shall see fit to mark any particular paper for circulation to any other Honorable Member or Members of Council.

(c) Where the disposal of any subject requires the issue of orders in two or more departments, the papers shall be circulated to the Honorable Member in charge of each department before final orders are issued thereon.

4. That orders issued in the above manner under the authority of the Secretary to Government as prescribed in Rule 2, or under the authority of one or more Honorable Members as prescribed by Rule 3, shall be held to be the orders of His Excellency the Governor in Council.

Provided that—

(i) Nothing in these rules shall be held to prevent any Honorable Member of Council from instructing the Secretary of any department to circulate any paper or papers to the said Honorable Member before orders are issued on such paper or papers, and such paper or papers shall be circulated accordingly.

(ii) When there is a difference of opinion amongst Honorable Members on any subject, the order drafted in accordance with the views of the majority shall not issue until the Honorable Member or Members in the minority shall have seen the draft order.

Make the Commission was
overlooked and that it may
be entered under subjects to be
disposed of by the Hon. Secy
J.P.
675793

8.0 & the 10.00 have
come out separately from the
C.S. I am not sure that they
8.0. was in the cover. The C.S.
does not appear to have ^{seen} your
note on the 8.0.

C.S.
12/4

Resubmitted to the
C.S. who evidently did not
see the note
endorsed on
the 8.0.

12/4

Let me have the
" for
the 8.0. 12/4