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3RD AUGUST 1893, No. 600, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

AD—again the following paper :—

G.O., dated 6th April 1893, Mis. Nos. 271, 272, Public.

AD—the following letter from T. W. RAWLINS, Esq., Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 19th January 1893, No. 102 :—

With reference to paragraph 4 of G.O., No. 877, Public, dated the 16th of December 1892, requesting me to report what plan I would propose to ensure that the claims of officers of the Madras Provincial Civil Service to listed posts hitherto reserved for members of the Civil Service of India may not be overlooked, I have the honour to observe that, under Government of India letter, dated 8th August 1890, No. 1543, the claims of all Civilians who passed the competitive examination in or before 1879 must be satisfied before any Provincial officer can be appointed to a listed post. Accordingly, I would suggest that after the name of Mr. M. D. Bell, the last hitherto appointed Civilian, a note should be made, or a reference letter inserted, to indicate that in making the next six promotions to appointments of the class of the listed posts, the claims of one Statutory Civilian or Provincial officer may be considered. When any such officer is appointed to a listed post the note would be removed to below the name of the fifth officer junior to Mr. Bell. If none of the six vacancies are actually filled by the appointment of Statutory or Provincial officers, a note might be made after the name of the last officer promoted that the claims of a Statutory or Provincial officer might be considered in making the next appointment.

2. I would also suggest that after the distribution list of Civilians and Statutory officers in the civil list a statement should be inserted showing the eight listed posts and their incumbents, thus—

District and Sessions Judges—

1. A.B.
2. C.D.
3. } Occupied by Covenanted Civilians.
4. }

Collectors—

1. E.F.
2. Occupied by a Covenanted Civilian.

Secretary to the Board of Revenue—

1. G.H.

Under Secretary to Government—

1. I.K.

This would serve as a check on the appointment of Provincial officers in excess of the number of posts listed as open to them.

The instructions contained in paragraph 6(1) of Government of India letter No. 2194, dated 10th November 1892, have been complied with in the Civil List for January 1893. The instructions in the succeeding sub-paragraphs will be complied with when the changes referred to are carried out.

Order—dated 6th April 1893, Mis. No. 271, Public.

The Government of India will be addressed.

(True Extract.)

(Signed) C. A. GALTON,
Ag. Chief Secretary.

Letter—to the Secretary to the Government of India, Home Department, dated 6th April 1893, Mis. No. 272, Public.

In communicating Home Department letter, dated 10th November 1892, No. 2194, to the Accountant-General for the necessary action with reference to the mode of exhibiting Statutory Civilians and Provincial Service officers in the Civil List, the officer was requested to report what plan he would propose to ensure that the claim of officers of the Provincial Service to listed posts are not overlooked. It was explained that the instructions in clause (i) of paragraph (6) of the above letter provided, in this respect, for the case of Statutory Civilians, but as Provincial Service officers would be shown in a list distinct from that of Indian Civilians, some notes in the latter seemed necessary as to the number of appointments open to the Provincial and Statutory Services combined after the claims of Indian Civilians of different years have been satisfied.

* Letter dated 19th January 1892, No. 102 (paragraph 1).

2. A copy of that officer's reply * is annexed and it will be seen that he considers that it will be necessary to consider the claims of one Provincial Service officer or Statutory Civilian to a listed post after those of each fifth Indian Civilian, irrespective of the year of his appointment, counting from the last officer who arrived in 1881, have been considered or satisfied.

3. From the example given under the fourth condition in paragraph 2 of Home Department letter, dated 27th May 1892, No. 1535, it would, however, appear to be the intention of the Government of India that the officers of each year are to be taken separately and that the appointment of members of the Provincial Service to listed posts is not to be delayed longer than the claims of Indian Civilians of each year taken as they were admitted, demand.

4. The recruitment of Indian Civilians for this Presidency since 1880 is shown in the second column of the following statement, and if the correct interpretation of the orders of the Government of India is as stated in the preceding paragraph, the number of Provincial and Statutory officers whose claims should be considered after those of Indian Civilians of each year have been satisfied will apparently be as shown in column 3.

Year (of arrival).	Recruitment in England.	Number of Provincial Service and Statutory officers to be considered after claims of those in column 2 have been satisfied.
1882	8	1
1883	4	1
1884	6	1
1885	6	1
1886	7	1
1887	9	2
1888	5	1
1889	6	1
1890	8	2
1891	8	2
1892	6	1
Total ..	68	14

5. As the question involves some doubt and as it is absolutely necessary for the proper working of the Civil List that some such provision as that indicated in paragraph 1 *supra* should be made, I am directed to request the early orders of the Government of India on the point.

(Signed) C. A. GALTON,
Ag. Chief Secretary.

READ—also the following paper :—

From C. J. LYALL, Esq., C.I.E., Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Simla, 29th May 1893, No. 746.

I am directed to reply to your letter, No. 272, dated 6th April 1893, in which you make certain inquiries with reference to the mode of exhibiting in the Civil Lists the posts to be transferred from the Civil Service of India to the Provincial Civil Service.

2. The Government of India, for the reasons given at length below, do not approve the suggestion of the Accountant-General, Madras, that the claims of one Provincial Service officer or Statutory Civilian to a listed post should be considered after those of each fifth Indian Civilian, irrespective of the year of his appointment, counting from the last officer who arrived in 1881, have been considered or satisfied.

3. The Government of Madras, I am to say, are correct in the view that it is the intention of the Government of India that the appointment of members of the Provincial Service to listed posts is not to be delayed longer than the claims of Indian Civilians recruited in each year after 1879–81 demand. But I am to explain that it was not intended in the fourth head of paragraph 2 of my letter, No. 1535, dated the 27th May 1892, to decide that the number of posts available for transfer to the Provincial Service in any year after 1881 should be calculated on the recruitment of Indian Civilians for that year, taken separately. Such a calculation would either remove from the Indian Civil Service more than one-sixth or give to the Provincial Service less than one-sixth of the posts to which recruitment for each year had reference. What was intended was that one-sixth of the posts to be recruited for after 1879–81, taken together, should be available for the Provincial Service (including Statutory Civilians), the claims of the Indian Civilians of each year being satisfied before any of the available posts were actually made over to the Provincial Service.

4. In order to make this quite clear, it will be convenient to sum up briefly the history of the question. As the Governor in Council is aware, a reduction of one-sixth in the recruitment of Indian Civilians in England was commenced in 1879 to make room for the appointment in India of Natives of India to reserved posts under the Statute 33 Vic., cap. 3, section 6. It will be in the recollection of His Excellency in Council that the Public Service Commission, in proposing the transfer of certain scheduled posts to the Provincial Service, recommended that a reservation should be made in favour of Civilians recruited in or before 1870 (appointed to the service in or before 1872), but that Civilians recruited after that year should not have any absolute claim to the transferred posts in preference to members of the Provincial Service. The Commission's recommendation was based on the ground that although Natives of India were not actually recruited in this country till 1879, and the reduction in the recruitment of the Indian Civil Service to make room for them was not actually effected till 1879, the Statute under which their appointment to reserved posts was permitted was passed in 1870. The Government of India and the Secretary of State, however, decided that the line should be drawn below the Civilians recruited in or before 1879–81 (i.e., before the recruitment for the Civil Service had actually been reduced), who should be regarded as having an absolute claim over members of the Provincial Service to reserved posts (save in exceptional circumstances, such as those under which Mr. C. Ramachandra Aiyar was appointed a District Judge), and

that Civilians recruited after 1879-81 should have their claims to the posts listed open to the Provincial Service considered to the extent of five-sixths of the total number of posts for which recruitment was or might have been made in each year. In other words, the principle adopted was that the claims of Indian Civilians of year after 1879-81 to the one-sixth of the reserved posts intended for transfer to Provincial Service ceased to the extent to which recruitment for the Indian Service had actually been reduced in the year in which they were recruited.

5. This, then, is the principle of the scheme. Its practical application involves a system which is somewhat complicated owing to various degrees of claims on the part of Indian Civilians and also of Statutory Civilians app before the Provincial Service scheme was instituted. In the introduction of the arrangements the Governor-General in Council must necessarily leave a good deal of discretion of Local Governments. The statement enclosed with this letter however, give the Madras Government a general idea of the time after which the extent to which, the claims of Indian Civilians in the Madras Presidency after 1879-81 will cease to the one-sixth of the posts which has been removed from the scale of recruitment for the Indian Civil Service. Altogether 15 reserved posts have been listed as open to the Madras Provincial Civil Service. A reference to the statement will show that all these fifteen posts may be permanently appropriated to the Provincial Service when the claims of the Civilians of 1896 (or possibly of 1897) have been exhausted. Six superior posts—viz., two headships of districts and four district judgeships—have been listed; the claims of Civilians recruited down to 1888 must be exhausted before all these become available for members of the Provincial Service, save in cases of exceptional appointments, such as that of Mr. Ramachandra Aiyar.

6. It will be observed that the enclosed statement differs from that in paragraph 4 of your letter. It has been thought convenient to show the position of Indian Civilians who elect to remain in their present position in a separate column, and their relative position for promotion as compared with Indian Civilians is shown by different considerations from those applicable to the case of Provincial Civil Servants [vide paragraph 6 (1) of Home Department letter, No. 2194, dated 11 November 1892, and the previous orders cited therein]. This, however, is only a difference of detail.

7. The important differences are (1) that the one-sixth of the posts reserved for transfer to the Provincial Service has been calculated on the recruitment after 1879-81, taken as a whole, fractions being taken down from year to year; and (2) that the rate at which the listed posts are made over to the Provincial Service has been calculated not on the total number of Civilians recruited in each year, but on the number of actual or sanctioned posts to fill which they were recruited. The total strength of the Civil Service in the Madras Government are aware, is made up of (1) officers to fill actual posts, (2) officers required as a reserve to fill leave vacancies—27.39 per cent. on the number of actual posts, and (3) junior officers who are merely in training—10.58 per cent. on the number of actual posts. The excess under heads (2) and (3) amounts to nearly 38 per cent. calculated on the number of actual posts and 27.5 per cent. on the total strength of the service. The recruitment of Statutory Civil Servants is regulated with reference to the total recruitment of Indian Civilians because the body, like that of the Indian Civil Service, included the leave reserve and a reserve for officers in training. But in the case of covenanted appointments open to the Provincial Service no excess of these appointments is required on the account of men in training or of men to fill leave vacancies, as, from the nature of the case, the members of that service who will be appointed to such posts will be experienced men who have emerged from the stage of training, and leave vacancies will be filled by other members of the Provincial Service. Suppose, for instance, that after the two district headships and four judgeships have been made over to the Provincial Service, all six officers holding these posts go on leave, the Local Government will be able to appoint six other members of the Provincial Service to fill their absence. Whatever excess of officers over actual posts is required as a reserve and training reserve for the covenanted appointments transferred to the Provincial

Service will be supplied by extra recruitment for the Provincial Service generally. The number of listed posts that will become available for the Provincial Service in each year should therefore, in the opinion of the Government of India, be calculated, not on the total number of Indian Civilians annually recruited, but on the number of actual posts to fill which they were recruited, i.e., on the total recruitment minus the per cent. ($\frac{38}{100}$ ths) representing the leave and training reserve.

I am to say, in conclusion, that the Government of India do not think it desirable to show in the Civil List the rate at which it is estimated that the listed posts will become permanently or temporarily available for the Provincial Service, as this would unnecessarily tie the hands of the Local Government in case any change of circumstances or rearrangement of details were found desirable in the future. It is better that the particulars should merely be kept on record in the Secretariat and the Local Government's office for the information and guidance of the Madras Government and the Assistant-General.

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