(1) பக்கங்களின் எண்ணிக்கை 6-6

(2) புதுக்கித் திருப்பிய நாள்

(3) ஆதாரம் குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

ஆவ தரை

அரசாணை எண். 118-119	அச்சகம்
மு. தோப்புத் தாள் ஏண்.	பலவகை

நாள் : 20-2-1894 1893.

படிக்கவோ ஒன்றுபடி எடுக்கவோ கூடாது.

அரசு. கா. 1—18,006—6-9-90.

3. The increasing tendency to carry appeals, even in the most petty cases, to the highest appellate authority after adverse decisions have been passed by several subordinate controlling authorities, threatens to overwhelm the Government with details to the prejudice of the prompt disposal of more important matters, and is calculated to weaken the authority of Heads of Departments. It seems to His Excellency in Council, therefore, that the time has arrived when relief might be afforded by imposing some reasonable limitations on the right of appeal, and he is prepared, with the approval of the Government of India, to adopt the rule suggested by the Board of Revenue for regulating appeals in the Revenue Department. The rule could be varied to suit the circumstances of other Departments and, of course, every public servant should be allowed the right of appeal once to one ~~subordinate~~ ~~authority~~ superior to the officer by whom an order prejudicially affecting him has been passed.

24/2/94

ech rule would meet with the approval of the Government of India and I am to submit the matter for orders.

There are precedents for this course in the Rules regarding the submission of petitions to the Government of India and of Memorials to the Secretary of State (vide Rule 7, Section 3, of the former and Rule 2 (8) of the latter), and there is no apparent reason why some limit should not be imposed in the case of appeals to the Local Government. In the case of judicial subordinates the right of appeal is restricted by law (vide sections 2 and 23 of the Madras Civil Courts' Act 3 of 1873 (India) and section 8 of the Madras Village Courts' Act I of 1889 (Madras), and there are no valid grounds for giving to subordinates of other departments greater facilities for appeal than are enjoyed by subordinates of the Judicial Department. As far as this Government is aware, there is no necessity for legal sanction for restricting appeals. Such restriction may it is thought be imposed by executive order as has in fact already been done in the memorial rules above adverted to. But as His Excellency in Council has no information regarding the practice in other Provinces, and it is possible that the Government of India might desire to be consulted before any limitation on the right of appeal is imposed by a Local Government, it [illegible] desirable to make this reference.

3.

* Inserted at the instance of this Govt. vide letter to the Govt. of India Home Dept. (Public) dt/1st June 1888 No 55)

№ 119
25 Feb 94

To.

The Secretary to the Govt. of India
Revenue and Agricultural Deptt.

Sir,

The Secretary of State having in a recent M.S. letter Rev. № 49 despatch directed this Government to take effective steps to curtail the unnecessary length of Official papers, the Board of Revenue was directed to consider the subject and make suggestions for carrying out these instruction. In reply the Board has submitted proposals for curtailing Administration and other reports, and has pointed out that one item, under which correspondence might be materially reduced is in connection with appeals from public Servants and that the existing absence of limit to the intervention of Government involves an amount of correspondence which might be avoided with great advantage to the administration. His Excellency the Governor-in-Council entirely concurs in the Board's remarks, a copy of which is submitted herewith, but before issuing orders in accordance with the Board's suggestions, namely, that no second appeal should lie to Government in the case of an officer in the Revenue Department drawing less than Rs 5[illegible] month or to the Board in the case of an officer drawing less than Rs 25, he considers it advisable to ascertain [illegible]

Govt. of {1894} Madras.

REVENUE.

Issued

Recd. Encl.

G.O., 22nd January 1894, No. 49.

JANUARY.

Reports.

Accepting Board's proposals for the curtailment of certain official Administration —, and directing that the Standing Orders and Codes in force in the several departments be examined with the object of considering what powers thereby reserved to Government can be delegated to Heads of Departments, and what powers thereby reserved to Heads of Departments can be similarly delegated to their subordinates and that proposals for the delegation of such powers be submitted for orders without delay.

Rev. order { 20 Feb 94 № 118

Cond: to all heads of depts: under the Chief Secretary for report with refce to para: 4.

2. The Govt of India will be addressed on the subject of para: 2.

Note for Rev.

Will the Rev. kindly pass the draft letter attached?

10
4/2/94

To all heads of depts under the Chief Secretary } Despd 28/2/94

The Judicial & Financial Depts of the ~~Chief Secret.~~ ~~asst~~, for information. Despd

The [illegible] 26/2/94

which might be avoided with great advan[illegible]he administration. This universal privilege of appeal to Government swell[illegible]ndence in two ways. In the first place, it becomes necessary, not merely to [illegible]me the main charge to the person accused, but to comment on every detail o[illegible]explanation or petition. Secondly, it is becoming the pratice for every one wh[illegible]siders himself to have suffered in any degree at the hands of a subordinate authority, whether in the way of punishment or simply by refusal of promotion to which he thought himself entitled, to appeal as far as to Government on the idea that he cannot lose and may possibly gain something. Many of these appeals are groundless and even frivolous, but nevertheless they have to be discussed at length. The remedy appears to the Board to lie, as agreed on at the late conference between the Honorable Mr. Garstin and the Board's Members, in the direction of giving greater finality to the decisions of the Board and of Collectors. Under the Government of India Petition Rules, no second appeal lies to that Government in the case of an officer drawing Rs. 100 a month or under, and this provision was, it is believed, inserted at the instance of the Madras Government itself. The Board would strongly urge that this principle be further extended and that no *second* appeal should lie to Government in the case of an officer drawing less than, say, Rs. 50, or to the Board in the case of an officer drawing under Rs. 25. *Interest rei publicæ ut sit finis litium*, and when, in pursuance of this maxim, no second appeal is allowed on a question of fact in a civil court, the Board does not see why a similar policy should not be adopted in the case of subordinate Government servants. The interests at stake in a civil suit which have to be decided on facts only are often at least as great as any involved in these departmental appeals, a very large number of which are, as observed above, merely trifling and frivolous. As President of a District Board a Collector can dismiss an employé drawing Rs. 90, and if his sentence is confirmed by the District Board on appeal it becomes final. On the Revenue side his confirmation of the suspension by a Divisional officer of a taluk peon or gumastah may in its turn be confirmed by the Board of Revenue, and yet a further appeal lies to Government. The result is not merely the voluminous correspondence deplored by the Secretary of state, but the absorption, in all public offices, of an amount of time and attention to more or less petty personal matters which prevents the adequate consideration of much more important questions. If a Collector is fit to administer a district containing perhaps two millions of people, he might surely be held competent to decide on the merits or demerits of a Rs. 15 gumastah. The Board would therefore most strongly urge that the time has come for applying in the manner above suggested the precedent set by the Government of India and by the Madras Government itself in the case of District Boards and Municipalities.

13. On similar grounds it is suggested that where Government has transferred to the Board the power of relaxing general rules under special circumstances, as for example exemptions from the age-bar in entering the public service, the Board's decision should be final.

14. The Board may add as a third ground for the bulk of official correspondence that some officers write at inordinate length. This, however, can be met by special orders in each case.

15. Lastly, as already pointed out in Board's Proceedings, dated 24th July 1893, No. 437 (dealt with in Government Order, dated 3rd November 1893, No 943), any interference of Government in matters which have hitherto been left to the Board or to Collectors must inevitably increase both the number and length of official papers. The Board is glad to note that its remarks in that paper have resulted in the total abolition of second and third durkhast appeals.

16. The Third Member has recorded a separate note.

(A true Copy and Extract.)

(Signed) W. S. MEYER,
Secretary.

To the Secretary to Government, Revenue Department.

(10) The Board notes that paragraph 31 of the report, which deals with the condition of ryots and occupies five pages, has been added with reference to the wishes of the Secretary of State—*vide* paragraph 4 (2) above. It considers, however, that the paragraph might well be omitted from ordinary reports, the subject being dealt with once every five years.

(11) Paragraph 32 of the report might be eliminated. An enquiry into alienations should be made as soon as an estate is taken under management and orders passed thereon. Moreover, in the present state of the law regarding alienations in zemindaris, Collectors can do little in the way of finding out what alienations are resumable.

(12) In Statement No. VI, columns 5 to 7 may be eliminated, the statement being limited to a report of the educational progress of the wards during the year, and comparison with what the wards were when they came under management being postponed till the estates are restored when a column for this purpose can be added to the statement on page 2 of the report.

(13) Besides the paragraphs which should be omitted, there are some that might be shortened, *e.g.*, paragraph 23, where all the clauses but the first might be cut out.

Board's Proceedings, dated 10th August 1893, No. 460.

8. *Special Fund Report for* 1892-93—

(1) *Pounds.*—The statements appended to paragraphs 9 and 10 of the report can be put together and printed as an Appendix. Further, it would seem sufficient to advert to the condition of the pounds once in three years.

(2) *Village Service Cess.*—The statement at page 8 of the report may be curtailed by the amalgamation of columns 7 and 8 (with a note against Malabar that the amount is not levied under Act IV of 1864) and the amalgamation of columns 11 and 12.

(3) Paragraphs 12 and 13 of the report, being a repetition of the figures contained in the above statement, are unnecessary and may be eliminated, as also the statement in paragraph 14.

(4) The Appendix may be considerably curtailed by communicating to Collectors the Accountant-General's figures for the year as soon as the official year closes, and giving them an opportunity of correcting erroneous credits and debits before the Treasury accounts are closed for the year. Only the total results for the Presidency need be dealt with by the Board.

Board's Proceedings, dated 2nd August 1893, No. 449.

9. *District Press Report for the triennial period ending* 1892–93—

(1) Such remarks as those contained in paragraph 12 of the report might be omitted, the necessary explanation being furnished by a foot-note to the consolidated statement.

(2) Paragraphs 19 to 23 can be abbreviated by reviewing the total demand, collection and balance for the three years. The same improvement might be carried out in the demand, collection and balance statement and statement of stock printed as Appendices II to IV and VI to VIII.

(3) Remarks such as those contained in paragraph 31 might be omitted.

(4) Paragraph 33.—The remarks in paragraph 8 (4) apply here also.

(5) Paragraphs 13, 32 and 36.—Collectors can be informed of the discrepancies and the corrections made in separate memoranda as the reports are received.

10. *Report on the destruction of wild animals for* 1892 *.—Appendix A and the statement at paragraph 10 of the report give complete information which is repeated in the report. This, the Board thinks, is unnecessary. The report should be confined to comments suggested by the figured statements.

* Board's Proceedings, dated 28th April 1893, No. 209.

11. Again, the distinction between the *fasli* and the official year involves to a certain extent a duplication of reports.

12. Turning now to the *second* item under which correspondence might be reduced—appeals from public servants—the Board ventures to remark that the absence of limit to the intervention of Government involves an amount of correspondence

3. One principal cause of the present length of official reports is that Government reviews them in detail, repeating facts and figures already put before it, and frequently remarks that adequate information has not been furnished, or that further information is required, on certain points. This information being furnished in succeeding reports, some further "omission" is noticed in reviewing them, and thus the volume of such reports goes on gradually increasing. On the other hand matters the discussion of which might be omitted or abbreviated are rarely, if ever, indicated.

4. The Board will give a few illustrations in support of the above remarks :—

(1) In paragraph 5 of Government Order, dated 4th September 1891, No. 827, reviewing the jamabandi report for fasli 1299, the Board was asked to furnish in future reports reliable information on the relation of wages to prices, in regard specially to the wages of agricultural laborers. In paragraph 15 of the next report * the Board stated that laborers were not, therefore, affected prejudicially by the rise in prices. Government then ordered † enquiries to be made from all Collectors as to whether, owing to rise in prices, the old custom of paying field laborers in grain was being superseded by money payments, and whether laborers suffered by the change. In the report ‡ for fasli 1301, the Board devoted half a page to the consideration of this question and called upon Collectors to deal with it in their next reports.

* Board's Proceedings, dated 6th August 1892, No. 554 (Settlement).

† Paragraph 5 of Government Order, dated 20th October 1892, No. 1075.

‡ Board's Proceedings, dated 23rd March 1893, No. 113-A (Settlement), paragraph 17.

(2) In 1879 and 1882 the Secretary of State desired § that statistical information should be furnished in the Court of Wards' report to show the general prosperity or otherwise of the cultivators on the several estates. When this was done, the Local Government desired ‖ that an attempt should be made to calculate the average rent paid by the ryots per acre of dry and wet lands in each estate and to ascertain the extent to which Act VIII of 1865 and civil suits were resorted to for the recovery of rents. The result is that while one page was devoted to this subject in the report for fasli 1298, no less than four and five pages, respectively, were taken up in the reports for faslis 1300 and 1301.

§ Despatches in Government Orders, dated 4th October 1879, No. 2014, and 23rd February 1882, No. 228.

‖ Paragraph 12 of Government Order, dated 15th August 1890, No. 662.

(3) In reviewing ¶ the Salt Administration Report for 1883–84, Government remarked that no information was furnished in it as to the quality of salt passed into consumption. This information was furnished in the reports for 1885–86 and subsequent years with the result that one page was added to the letter portion of the report and five pages to the appendix. When reviewing the report ** for 1888–89, Government observed that the comparative analyses tabulated in Appendix L was of little value as it treated important and unimportant stations alike and desired that magnesium chloride should be exhibited separately in future reports. This resulted in the expansion of Appendix L, which henceforward covered a page and-a-half, while six new columns were added to Appendix K.

¶ Paragraph 17 of Government Order, dated 14th February 1885, No. 186.

** Paragraph 16 of Government Order, dated 21st November 1889, No. 939.

(4) In Government Order, dated 8th November 1888, Mis. No. 6667, the Board was requested to insert a statement in the Salt Administration Report showing the cost of salt imported on the West Coast. When this was furnished in the report for 1888–89 (paragraph 60), Government directed †† that information should be given in future reports as to the places in which the imported West Coast salt met the salt of the East Coast. If there was considerable difference in the prices of the

†† Paragraph 15 of Government Order, dated 21st November 1889, No. 939.

two salts in the same markets, the special circumstances which enabled the higher priced salt to compete with its cheaper rival were to be ascertained. This led to the addition of a fresh paragraph in the report for 1889–90 and subsequent years, and in the report for 1890–91 the discussion of the question took up nearly two pages (21—3).

5. The Board has given the foregoing illustrations, not of course to suggest that the further information desired need not have been called for, but to show that the tendency to amplify official reports is not counterbalanced by any suggestions for curtailment.

6. The only way the Board can see of effecting a reform is to take two or three reports individually and suggest abbreviations or elimination of particular portions thereof. If the Government in passing orders on these suggestions will indicate to the Board what information it regards as essential and what not, other reports and budgets will be taken up and dealt with similarly by the various departments of the Board. It may be added that the recent Proceedings* submitting to Government the budget of Land Revenue receipts and charges for 1894–95 have been materially curtailed as compared with those of the preceding year with reference to the Secretary of State's remarks ; and that in the Forest Administration Report for 1892–93 a considerable amount of statistical and other information which last year figured in the body of the report has been relegated to the appendices.

* Board's Proceedings, dated 29th September 1893, No. 560, and 3rd October 1893, No. 567.

7. To take first the Administration Report of the Court of Wards for fasli 1301 (1891–92)—

(1) The Board observes that the result of the Court's management in the case of estates restored to wards who attain majority is exhibited in the statement at page 2 of the report, and that the facts contained therein are repeated in paragraphs 3 to 6. This is unnecessary, and an explanatory note or two to the statement would suffice.

(2) In the same statement, columns 4 and 6 appear to be unnecessary, the result of management being deducible from the current demand and the other items shown therein. Columns 15 and 16 again appear to be required only to show the period during which the estates were under management, and may be omitted as the information is furnished in column 17.

(3) Paragraph 10 of the report may be omitted, as the "number of villages" therein dealt with is never a matter of importance.

(4) Paragraphs 14 and 15 may also be omitted, brief explanations being furnished in their place for *large* variations in the revenue demand of individual estates.

(5) The statement at page 10 may be omitted by recasting Appendix Statement No. III in the form attached to these Proceedings. Paragraphs 16 and 18 of the report should deal with the net balance as shown in column 9 of this revised statement, in which case much repetition in the way of references to subsequent collections and remissions would be avoided.

(6) The whole of paragraph 19, excepting the first sentence, may be omitted as the description of the circumstances under which arrears became irrecoverable in each individual estate is of no interest either to the Government or the Secretary of State and as sanction for writing them off can be accorded in separate Proceedings.

(7) Subject to a brief reference to Appendix Statement No. IV, the whole of paragraphs 20 and 21 of the report, with the exception of the clause at the top of page 14, may be omitted as complete information is furnished in that statement. The receipts are chiefly dealt with under demand, collection and balance, and, with the exception of expenditure on works and de[redacted]iewed separately in paragraphs 23 and 26 of the report), the several ite[redacted]are more or less fixed and are scrutinized month by month in the Cour[redacted]

(8) Paragraph 25 of the report [redacted]ed for the reason assigned with reference to paragraph 19.

(9) Paragraphs 27 and 28 of the [redacted] omitted, the subject not being of sufficient importance to deserve separ[redacted] The two statements contained therein can be put together and printed [redacted].

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Land Revenue), dated 27th November 1893 No. 675 :—

FULL BOARD.

Read—the following Government Order, dated 26th July 1893, Mis. No. 2747, Revenue —

Read—the following Despatch from the Right Honorable the Secretary of State for India, dated 22nd June 1893, No. 10, Revenue :—

* * * * *

4. I observe that the Revenue Board remark on the wearisome prolixity of some of the papers in the present case. In a recent despatch, on the subject of proposed additions to the Secretariat of the Revenue Board, I referred to the undesirable length of some of the letters and reports prepared by your officers; and I hope that your Government will take effective steps to curtail the unnecessary length of official papers.

Order—dated 26th July 1893, Mis. No. 2747, Revenue.

* * * * *

2. Paragraph 4 of the despatch will be communicated to the Board of Revenue with the request that it will expedite the submission of the report called for in Government Order, dated 20th April 1893, No. 311, paragraph 3.

(True Extract.)

(Signed) C. A. GALTON,
Secretary to Government.

To the Board of Revenue (Land Revenue).

Resolution—dated 27th November 1893, No. 675.

The report called for in paragraph 3 of Government Order, dated 20th April 1893, No. 311, to which Government refers in the order read above, was to deal, after consultation with the Inspector-General of Forests for India, with the subject of "simplifying forest business and expediting its despatch". The Board communicated this order to Mr. Ribbentrop and asked for his suggestions, but they have only lately been received. The Board gathers, however, from paragraph 4 of the Secretary of State's Despatch read in the Government Order at the head of these Proceedings that what is now required is the proposal of measures to "curtail the unnecessary length of official papers" generally, and on this supposition it now proceeds to deal with the question, leaving for further and separate consideration Mr. Ribbentrop's proposals for the reorganization of the Forest Department.

2. The unnecessary length of correspondence that the Secretary of State complains of occurs mainly under two heads :—

(1) In the Annual Administration Reports and the principal departmental budgets; and

(2) In connection with appeals preferred by public servants who have been reduced, suspended or dismissed.

[G / 11]
2,000—11-12-03.

ORDINARY, MS.

Public Department.
G.O., Dated 20-2-94
No. 118
119

INDEXED.

When given for copying. 20/2

[Despatch Abstract.]

Covg 4 alls heads of depts under the Chief Secretary for opinion pro & Revs depts with reference to para 4 of Sir. Ripley that the standing or-ders & circulars in force in the several depts be examined with the object of ascertaining what powers of pro- can be dele-gated to heads of depts & whether powers of heads of depts can be delegated to they subor-dinates in connection with appeals from public servts & directs that the pro- & directs be addressed by Govt to be addressed on the question of limiting the right of appeal-

23/12/04
22.4.03
11-11-04
8-7-05
6-1-11
7-9-11
25/2/13
27-6-13 B11
4-8-13 B11
26-7-16
21-5-17
5.3.27