

549

ORDINARY, MS.

Pub DEPARTMENT.	
G.O., DATED	27 th July 1894
No.	549

INDEXED.

When given for copying.

[Despatch Abstract.]

Directing that it be notified
that the third word in the
first line of Rule 10 of the
Petition Rules C. should be
~~"must"~~ not "should"

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Note Please return
me after issue
1/5

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

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

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$\left[\frac{G}{9} \right]$
790-24-7-04.

Current No. 2723

Public DEPARTMENT.

From

The Educational
Department

Office Note No. 1477

Dated 21/7 }
Received 25/7 } 1894
Enclosures

SUBJECT.

Inviting attention to the
within mentioned remarks
of H. E. the Governor regarding
the Petition Rules C

25/7
26/7

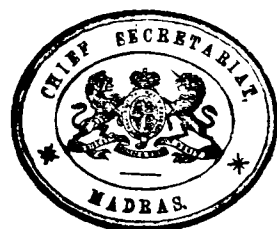
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27/7/94

25/7/94
Depts under the Chief Secy. 25/7/94
Heads of Depts under the Secy 25/7/94
2 copy to the P. & D. Secy } 25/7/94
to the Secy. }
Printed in the Dept
Printed 21/7

For H. E.

Please have all the copies of Petition
Rules at Madras corrected + return them
to me to correct. Only office copies.

Order of 27th July 1894, No. 549.
The following Erratum
will be published :-
Erratum
The third word in
the first line of rule 10
embodied in the notice
issued with G.O. of 16.2.94,
No. 111, and published at
page 213 of the 3. St. G. Gazette
of the 27 July 1894, should be
"must" and not "should".

Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

~~Read the following paper:—~~

Govt. of {1894} Madras.

PUBLIC.

Issued

Recd.

Encl.

G.O., 16th February 1894, No. 111.

FEBRUARY.

Petition Rules.

Communicating to departments and heads of departments under the Chief Secretary, with special reference to paragraphs 4 and 5, order in the Revenue Department prescribing, with remarks, rules for the submission of appeals to Government by civil officers and directing that they be published as an addition to those promulgated in G.O., dated 6th January 1890, No. 2.

Madras, 21st July 1894

OFFICE NOTE. No. 1477

From

Educational Department
THE CHIEF SECRETARY,

To

The Public Department

Attention is invited
to the following remarks of
His Excellency the Governor
relative to the Petition Rules
C:-

"Rule I should be
altered as to the third word
'should' which should be
'must'."

A. V. S. Shetty
Capt RR
under Secy P. & O.
for chief Secy.

16TH FEBRUARY 1894, No. 111, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper:—

G.O., dated 8th January 1894, No. 4, Revenue.

Read—the following Proceedings of the Board of Revenue (Land Revenue), dated
30th August 1893, Mis. No. 5032:—Read—the following letter from the Collector of Trichinopoly, dated 25th July 1893,
Dis. No. 200-Revenue:—ABSTRACT.—Submitting records of enquiry conducted in March 1892 into the conduct of
the Tahsildar of Musiri.

Resolution—dated 30th August 1893, Mis. No. 5032.

In its Proceedings, dated 22nd September 1892, Mis. No. 6060, the Board ordered the reduction of Kuppusami Aiyar, Tahsildar of Musiri, Trichinopoly district, and, in connection with the charges made against him, having occasion to consider the conduct of his magisterial clerk—one Srinivasa Aiyar—directed his dismissal. The grounds of that decision are set forth in the Board's Proceedings quoted above, which was the outcome of a very careful examination of most voluminous records, some of which have now been returned by the Collector, and many of them bear members' notes on the margin.

2. By G.O., dated 25th May 1893, Mis. No. 1916, the Government, upon the appeal petition of the said Srinivasa Aiyar, set aside the Board's decision in his case as "based upon erroneous assumption and on no evidence" and directed his restoration to office "with arrears of pay in full." This order was duly communicated to the Collector with Board's Proceedings, dated 6th June 1893, Mis. No. 3422.

3. The Board has no wish to dispute the Government Order—indeed it has already been carried out—but it observes that the decision of Government was passed, without any reference to the Board, upon the *ex parte* statement of the appellant and (so far as the Board knows) without any records, except such as the clerk thought fit to produce, being before Government. It is to this mode of procedure that—apart from the merits of this particular case—the Board ventures to take exception. The Government Order, speaking as it does of the Board's erroneous assumptions and findings unjustified by evidence, practically amounts to a severe censure on that body, and this is passed without allowing it an opportunity of justifying its action and without (as it believes) a full examination of the records on which the decision censured was based. The Board is even now unaware of what the appellant said in his appeal petition, and it would respectfully urge upon Government that in cases of appeal it will be more conducive

to the interests of the public service if a reference is made to the Board before its decisions are set aside. Had this been done in the present instance, the Board ventures to believe that the decision of Government might have been different.

(True Extract.)

(Signed) W. S. MEYER,
Acting Secretary.

To the Secretary to Government, Revenue Department.

Order—dated 8th January 1894, No. 4, Revenue.

Miscellaneous.

In its Proceedings read above, the Board of Revenue urges that in all cases in which an appeal is presented to Government

against any decision of the Board, that authority should be consulted before its decision is reversed or modified.

2. The case which has given rise to the above reference is that of a clerk in the Trichinopoly district who was dismissed by the Board of Revenue but was subsequently reinstated by Government on appeal. The Board takes exception to the issue of this order on the *ex parte* statement of the appellant, and argues that, as the full records of the case were not before Government, the decision arrived at was liable to be unduly influenced by the appellant's assertions and by the selections from the records which he thought fit to produce. It is further urged that the language of the Government Order practically amounted to a severe censure on the Board.

3. The matter cannot be reopened now, but His Excellency the Governor in Council desires to disavow any intention of conveying any censure to the Board of Revenue for its action by the order passed in this case and has no doubt that the matter received the most careful attention at the hands of the Land Revenue members of the Board.

4. Turning now to the general question stated in paragraph 1 *supra*, the Government is not prepared to admit that a reference should in all cases be made to the Board before an order is issued interfering with one of its decisions. His Excellency the Governor in Council is, however, of opinion that whenever an officer wishes to appeal against any order passed upon him, the appeal petition should invariably be submitted through the officer against whose decision the appeal is filed. It is believed that this rule is already followed in most offices, although no general rules to this effect have been promulgated in this Presidency. The rules regarding the submission of petitions to the Government of India already contain provisions of this nature (section II, rules 1, 2 and 3), and His Excellency in Council resolves to prescribe similar rules for the submission of petitions to the local Government. These rules will issue in the Public Department as an addition to those published in the *Fort St. George Gazette* of 6th January 1890 and will apply to all officers in civil employ.

Rule 1.—Every officer wishing to petition the Government should do so separately.

Rule 2.—Every petition should be submitted through the head of the office or department to which the petitioner belongs or belonged. But there is no objection to the petitioner transmitting a duplicate copy of his petition direct to the Government, provided that he marks it as a "duplicate."

Rule 3.—The head of the office or department will at once forward the petition to the Government through the ordinary official channel, and may make such remarks as he may consider necessary in regard to the accuracy of the statements made and inferences drawn in the appeal petition; he will also forward such records, not submitted by the appellant, as should properly be consulted in order to the disposal of the appeal.

Rule 4.—No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in such matter.

5. The Government considers that the adoption of the above rules will meet the objections raised by the Board in the Proceedings read above. The system will afford

to Heads of Departments an opportunity of explaining the reasons which led to the passing of the orders in question, and, if carefully worked, will obviate the necessity for subsequent references by Government. The nature of the remarks to be made on a petition must, of course, be left to the discretion of the officer whose order is under appeal, and it will in some instances be unnecessary for him to record any remarks at all. His Excellency in Council trusts that all Heads of Departments will endeavour so to work Rule 3 of the above rules that appeal petitions may be submitted to Government in a state fit for immediate disposal.

(True Extract.)

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

To the Board of Revenue (Land Revenue).

„ the Public Department.

„ other Heads of Departments under Revenue Secretariat.

ORDER—dated 16th February 1894, No. 111, Public.

Communicated to Departments and Heads of Departments under the Chief Secretary with special reference to paragraphs 4 and 5.

2. The rules will be published in *three* successive issues of the *Fort St. George Gazette* as an addition to those promulgated in G.O., dated 6th January 1890, No. 2.

NOTIFICATION.

The following rules, in addition to those published at page 35 of the *Fort St. George Gazette*, Part I, dated 14th January 1890, regarding petitions addressed to the Government of Fort St. George, are published for general information:—

Rule 9.—Every officer wishing to petition the Government should do so separately.

Rule 10.—Every petition should be submitted through the head of the office or department to which the petitioner belongs or belonged. But there is no objection to the petitioner transmitting a duplicate copy of his petition direct to the Government, provided that he marks it as a "duplicate."

Rule 11.—The head of the office or department will at once forward the petition to the Government through the ordinary official channel, and may make such remarks as he may consider necessary in regard to the accuracy of the statements made and inferences drawn in the appeal petition; he will also forward such records, not submitted by the appellant, as should properly be consulted in order to the disposal of the appeal.

Rule 12.—No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in such matter.

(True Extract.)

Chief Secretary.

To Departments under the Chief Secretary.

„ Heads of Departments under the Chief Secretary.

Copy to the Public Works Department.

„ „ Military Department.
Gazette.

Exd. A. Baith.

FINANCIAL

Accountant-General
Commissioner of Paper Currency

EDUCATIONAL

Director of Public Instruction
Commissioner for the Uncovenanted Civil Service Examinations

THE DISTRICT MAGISTRATE OF

Anantapur
North Arcot (Chittoor)
South Arcot (Cuddalore)
Bellary
South Canara (Mangalore)
Chingleput (Saidápet)
Coimbatore
Cuddapah
Ganjam (Chatrapur)
Godavari (Cocanada)
Kistna (Masulipatam)
Kurnool
Madura
Malabar (Calicut)
Nilgiris (Ootacamund)
Nellore
Salem
Tanjore
Tinnevelly
Trichinopoly
Vizagapatam

DISTRICT AND SESSION JUDGE
OF

North Arcot (Chittoor)
South Arcot (Cuddalore)
Bellary
South Canara (Mangalore)
Chingleput
Coimbatore
Cuddapah
Ganjam (Berhampore)
Godavari (Rajahmundry)
Kistna (Masulipatam)
Kurnool
Madura
North Malabar (Tellicherry)
South Malabar (Calicut)
Nellore
Nilgiris (Ootacamund)
Salem
Tanjore (Tanjore)
Tinnevelly (Palamcotta)
Trichinopoly
Vizagapatam

DEPARTMENT.

dated 27 July 1894 No. 549

	Revenue Department	Public Works Department	Military Department	Local and Municipal Department
JUDICIAL.	Honorable the Chief Justice with C. L.	..	..	..
	Inspector-General of Police	..	..	..
	Do. of Jails	..	..	..
	Do. of Registration	..	..	..
	Chief Presidency Magistrate	..	..	..
	Commissioner of Police	..	..	..
	Judges of the Madras Court of Small Causes	..	..	..
	Advocate-General	..	..	..
	Government Solicitor	..	..	..
	Administrator-General	..	..	..
PUBLIC.	Sheriff of Madras	..	..	..
	Government Pleader	..	..	..
	Registrar of Joint Stock Companies	..	..	..
	Surgeon-General with the Government of Madras	..	..	..
	Sanitary Commissioner	..	..	..
	Meteorological Reporter	..	..	..
	President, Board of Examiners	..	..	..
	Private Secretary to the Right Honorable the Governor.	..	..	..
	Government Astronomer	..	..	..
	Superintendent, Government Central Museum	..	..	..
POLITICAL.	Chemical Examiner	..	..	..
	Superintendent of Stationery	..	..	..
	Protector of Emigrants	..	..	..
	Superintendent, Government Press	..	..	..
	Tamil Translator to Government	..	..	..
	Telugu do. to do.	..	..	..
	Malayalum do. to do.	..	..	..
	Canarese do. to do.	..	..	..
	Hindustani do. to do.	..	..	..
	British Consular Agent, Pondicherry	..	..	..
ECCLESIASTICAL.	Resident in Travancore and Cochin	..	..	..
	Paymaster, Carnatic Stipends	..	..	..
	Government Agent at Tanjore	..	..	..
	Political Agent at Pudukota	..	..	..
	Special Agent, South Arcot	..	..	..
MARINE.	The Right Reverend the Bishop of Madras	..	..	..
	Venerable Archdeacon of Madras	..	..	..
	Senior Chaplain of the Church of Scotland	..	..	..
MARINE.	Presidency Port Officer	..	..	..
	Chairman, Harbour Trust Board	..	..	..