

ORDINARY, PRINTED.

Public DEPARTMENT.	
G.O. DATED	1 st Oct. 1874
No.	731

INDEXED.

First copy sent to Press.

Returned for signature..

Despatched in print.

13/10

16/10

[Despatch Abstract.]

Memorials to Her Majesty

Govt

Com^d to depts of the
Sec^y and to all heads of
depts under the Chief
Sec^y notice of the
Gov^t. adding certain
clauses to Rule XII of the
Rules for the transmission
of—

AGAIN ORDER OF GOVERNMENT, DATED
18 No.

FURTHER PAPER, NO.

OF 16

CURRENT NO.

2732

DEPARTMENT WITH 1170.

ER, & C., OF GOVERNMENT—A.

KEPT OUT OF FILE FOR DESPATCH IN ORIGINAL
(not p.g.)

COPIES } Order complete. 500
Letter only.
Order complete with Letter.

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1ST OCTOBER 1894, No. 731, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper:—

Notification of the Government of India, Home Department (Public), dated Simla, the 14th September 1894, No. 1516.

The following clauses are added to Rule XII of the rules for the transmission of memorials to Her Majesty's Government, published in Home Department Notification, No. 707, dated the 29th March 1878:—

(10) When a memorial is an appeal against a decision by any local, municipal, or other authority, which by any law or rule having the force of law is declared to be final.

(11) When a memorial is an appeal against the action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.

(Signed) J. P. HEWETT,
Offg. Secy. to the Govt. of India.

No. 1526.

Despatch to the Secretary of State, No. 26
(Public), dated the 12th June 1894.
Despatch from the Secretary of State, No. 71
(Public), dated the 2nd August 1894.

Copy, with copy of the despatches marginally noted, forwarded to the Government of Madras, with reference to the letter from that Government, No. 46 L., dated the 16th January 1894.

(By order.)

(Signed) L. M. THORNTON,
Offg. Depy. Secy. to the Govt. of India.

To the Government of Madras.

ENCLOSURES.

Despatch from the Government of India, Home Department (Public), to the Right Honor Mr. H. H. FOWLER, Her Majesty's Secretary of State, for India, dated Simla 12th June 1894, No. 26.

We have the honour to forward a copy of a letter from the Government of Madras, No (Local and Municipal), dated the 16th January 1894, in which, for the reasons therein that Government propose certain amendments in the rules for the transmission of mer Her Majesty's Secretary of State for India.

2. We have withheld the memorial addressed to Her Majesty the Queen, Empress by A. R. Rangaswami Nayudu, which was forwarded to us at the same time by the Go Madras, on the ground that he had not previously memorialized the Government of subject, as required by Rule XIII of the Memorial Rules above referred to.

3. In referring for your consideration the amendments in the rules proposed by ment of Madras, we would observe that we see no objection to the addition propos of Rule XII of the rules. do not, how consider that the new clause (10

added to that rule is wide enough to meet all cases which it is intended to cover, and we would accordingly suggest that the following be substituted for it:—

“When a memorial is an appeal against the action of a private individual or of a body of private individuals in a matter connected solely with the private relations of the memorialist and such individual or body.”

Despatch from the Right Honorable Mr. H. H. FOWLER, Her Majesty's Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council, dated India Office, London, 2nd August 1894, No. 71, Public.

I have considered in Council the letter from your Government, No. 26, of the 12th June last, suggesting an addition to clause (8), and the introduction of a new clause (10), in Rule XII of the rules relating to the transmission of memorials addressed to the Queen or to the Secretary of State by persons resident in India.

2. The addition to clause (8) goes beyond the scope of the present clause, and I am of opinion that it should be numbered separately. It is nearly equivalent to clause (8) in Rule 3, section III, of the rules relating to petitions addressed to the Government of India, and might be conveniently expressed in similar language.

3. I accordingly sanction the addition of the following clauses in Rule XII, namely:—

(10) When a memorial is an appeal against a decision by any local, municipal, or other authority, which by any law or rule having the force of law is declared to be final.

(11) When a memorial is an appeal against the action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.

4. I must point out that the Government of Madras are in error in considering that an appeal against dismissal by a Local Fund Engineer might be withheld under clause (9). The refusal of Government to interfere with the order directing dismissal would be tantamount to a confirmation of the order, and go far beyond a refusal to exercise a mere dispensatory discretion.

ORDER—dated 1st October 1894, No. 731, Public.

Communicated to the Departments of the Secretariat and to all Heads of Departments under the Chief Secretary, with reference to G.O., dated 8th April 1878, No. 628, and in continuation of G.O., dated 3rd December 1889, No. 982, Public.

2. The notification will be published in three consecutive issues of the Fort St. George and all District Gazettes, in English and the several vernaculars of the Presidency.

(True Extract.)

J. F. PRICE,
Chief Secretary.

the Local and Municipal Department,
with reference to G.O., dated 16th January 1894, Nos. 45, 46 L.

Revenue Department.

Public Works Department.

Military Department.

Heads of Departments under the Chief Secretary.

Ord

COPIES Lett

Order

pt. of {1894} Madras.
PUBLIC.

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34]

Defn 16/10/84

Pub DEPARTMENT.

List showing the distribution of the Proceedings of Government
dated *1st October 1894* No. 731

Issued

Recd.

Encl.

G.O., 1st October 1894, No. 731.

OCTOBER.

Her Majesty's
Government.

Departments of the Secre-
Departments under the
of the Government
uses to Rule XII of
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ding only.

	Revenue Department	..	..	..	21
	Public Works Department	..	..	..	21
	Military Department	..	..	..	21
	Local and Municipal Department	..	..	..	6
JUDICIAL.	Honorable the Chief Justice with C.L.	..	..	..	31
	Inspector-General of Police	..	..	..	30
	Do. of Jails	..	..	..	30
	Do. of Registration	..	..	..	25
	Chief Presidency Magistrate	..	..	..	3
	Commissioner of Police	..	..	..	3
	Judges of the Madras Court of Small Causes	..	..	..	3
	Advocate-General	..	..	..	1
	Government Solicitor	..	..	..	1
	Administrator-General	..	..	..	1
	Sheriff of Madras	..	..	..	1
PUBLIC.	Government Pleader	..	..	..	1
	Registrar of Joint Stock Companies	..	..	..	1
	Surgeon-General with the Government of Madras	..	..	..	6
	Sanitary Commissioner	..	..	..	1
	Sanitary Engineer to Government	..	..	..	1
	Meteorological Reporter	..	..	..	1
	President, Board of Examiners	..	..	..	1
	Private Secretary to the Right Honorable the Governor	..	..	..	1
	Government Astronomer	..	..	..	1
	Superintendent, Government Central Museum	..	..	..	1
	Chemical Examiner	..	..	..	1
	Superintendent of Stationery	..	..	..	1
	Protector of Emigrants	..	..	..	1
	Superintendent, Government Press	..	..	..	1
POLITICAL.	Tamil Translator to Government	..	..	..	1
	Telugu do to do.	..	..	..	1
	Malayalum do. to do.	..	..	..	1
	Canarese do. to do.	..	..	..	1
	Hindustani do. to do.	..	..	..	1
	British Consular Agent, Pondicherry	..	..	..	1
	Superintendent, Archaeological Survey	..	..	..	1
	Government Engineer	..	..	..	1
	Resident in Travancore and Cochin	..	..	..	1
	Paymaster, Carnatic Stipends	..	..	..	1
ECCLESIASTICAL.	Government Agent at Tanjore	..	..	..	1
	Political Agent at Pudukota	..	..	..	1
	Special Agent, South Arcot	..	..	..	1
	The Right Reverend the Bishop of Madras	..	..	..	3
MARINE.	Venerable Archdeacon of Madras	..	..	..	3
	Senior Chaplain of the Church of Scotland	..	..	..	3
MARINE.	Presidency Port Officer	..	..	..	20
	Chairman, Harbour Tr	..	..	..	20

FINANCIAL.

Accountant-General
 Commissioner of Paper Currency

EDUCATIONAL.

Director of Public Instruction
 Commissioner for the Unsegregated Civil Service Examinations

THE DISTRICT MAGISTRATE OF

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

DISTRICT AND SESSIONS 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)
 Tinnevely (Palamcottah)
 Trichinopoly
 Vizagapatam

No. 26 OF 1894.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

To

THE RIGHT HONOURABLE H. H. FOWLER,

*Her Majesty's Secretary of State for India.**Simla, the 12th June 1894.*

SIR,

WE have the honour to forward a copy of a letter from the Government of Madras, No. 46-L. (Local and Municipal), dated the 16th January 1894, in which, for the reasons therein stated, that Government propose certain amendments in the rules for the transmission of memorials to Her Majesty's Secretary of State for India.

2. We have withheld the memorial addressed to Her Majesty the Queen, Empress of India, by A. R. Rangaswami Nayudu, which was forwarded to us at the same time by the Government of Madras, on the ground that he had not previously memorialized the Government of India on the subject, as required by Rule XIII of the Memorial Rules above referred to.

3. In referring for your consideration the amendments in the rules proposed by the Government of Madras, we would observe that we see no objection to the addition proposed to clause (8) of Rule XII of the rules. We do not, however, consider that the new clause (10) proposed to be added to that rule is wide enough to meet all cases which it is intended to cover, and we would accordingly suggest that the following be substituted for it:—

"When a memorial is an appeal against the action of a private individual or of a body of private individuals in a matter connected solely with the private relations of the memorialist and such individual or body."

We have the honour to be,

SIR,

Your most obedient, humble Servants,

ELGIN.

G. S. WHITE.

A. E. MILLER.

H. BRACKENBURY.

C. B. PRITCHARD.

J. WESTLAND.

A. P. MACDONNELL.

No.

1894.

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

PUBLIC.

No. 26, DATED SIMLA, THE 12TH JUNE 1894.

(C o p y)

LETTER TO HER MAJESTY'S SECRETARY OF
STATE FOR INDIA.

SUBJECT.

Forwards, with the observations of the Government of India, a letter from the Government of Madras in which certain amendments in the rules for the transmission of memorials to the Secretary of State are proposed.

G. C. Press, Simla.—No. 318 H. D.—5-6-94.—16.

India Office,

London, 2nd August 1894.

Public,

No. 71.

To His Excellency The Right Honourable The Governor
General of India in Council.

MY LORD,

*Additions to the Rules relating to the
transmission of Memorials addressed to the
Queen or to the Secretary of State by persons
resident in India.*

I have considered in Council the Letter from your Government, No. 26, of the 12th June last, suggesting an addition to clause (8), and the introduction of a new clause (10), in Rule XII. of the Rules relating to the transmission of Memorials addressed to the Queen or to the Secretary of State by persons resident in India.

2. The addition to clause (8) goes beyond the scope of the present clause, and I am of opinion that it should be numbered separately. It is nearly equivalent to clause (8) in Rule 3, Section III., of the rules relating to petitions addressed to the Government of India, and might be conveniently expressed in similar language.

3. I accordingly sanction the addition of the following clauses in Rule XII., namely,—

(10.) When a memorial is an appeal against a decision by any local, municipal, or other authority, which by any law or rule having the force of law is declared to be final.

(11.) When a memorial is an appeal against the action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.

4. I must point out that the Government of Madras are in error in considering that an appeal against dismissal by a Local Fund Engineer might be withheld under clause (9). The refusal of Government to interfere with the order directing dismissal would be tantamount to a confirmation

1893. I. 1373.

of the order, and go far beyond a refusal to exercise
a mere dispensatory discretion.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

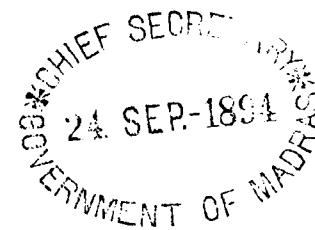
(Signed) HENRY H. FOWLER.

N^o 1

Public.
2nd August 1894.

Copy letter to the Govt. of India

N^o 71.



No. 1516.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

Simla, the 14th September 1894.

NOTIFICATION.

THE following clauses are added to Rule XII of the Rules for the transmission of memorials to Her Majesty's Government, published in Home Department Notification No. 707, dated the 29th March 1878:—

- (10) When a memorial is an appeal against a decision by any local, municipal, or other authority, which by any law or rule having the force of law is declared to be final.
- (11) When a memorial is an appeal against the action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.

J. P. HEWETT,

Offg. Secy. to the Govt. of India.

No. 1517-1525.

COPY forwarded to all Local Governments* and Administrations for information.

* Except Madras.

No. 1526.

COPY, with copy of the Despatches marginally noted, forwarded to the Government of Madras, with reference to the letter from that Government, No. 46-L., dated the 16th January 1894.

Despatch to the Secretary of State, No. 26 (Public), dated the 12th June 1894.

Despatch from the Secretary of State, No. 71 (Public), dated the 2nd August 1894.

No.

COPY forwarded to all Departments of the Government of India for information.

No.

COPY forwarded to the Superintendent of Port Blair, Surgeon-General with the Government of India, Sanitary Commissioner with the Government of India, Secretary to the Board of Examiners, Registrar of the Calcutta University, Bishop's Chaplain, and Registrar of the High Court, Calcutta, for information.

done by usual printed letter.

By order,

L. M. Thornton

Offg. Depy. Secy. to the Govt. of India.

The Secy. to the Govt. of India.

Public Dept.

From

The Govt of India
Home Dept
(Public)
Simla

No 1526

Dated 14th }
Recd 24th } September 1894
Regd 25th }
Encl. two and 7 s.c of the current

Subject

Forwarding copy of the
Notification causing some
additions to Rule XII of
the rules for the transmission
of memorials to Her Majesty's
Government together with
copies of despatches mentioned
within.

mu.
Order 41st October 94
20.731
40
P.S. Comm? to the Dept of
the Secretariat and all Heads
of Dept under the Chief
Secretary with reference
to G.O.d/3-4-78^{Nº 628.} and in
contn of G.O.d/3-12-89.
Nº 982, Pub.

2. The Notification will
be published in three consecutive
issues of the Fort St George
and District Gazette, in
English and the several
vernaculars of the Presidency

S.B.
26/9.
27/9/94

To The L & M Dept. with Refe to G.O.
2716-1-94, Nº 45-46.2.
Rev. Dept. 21
P. W. Dept 21
Mly Dept 21
All Head of Depts under the
Chief Secretary.
Collected 17
Translated 52
Entered in 6
H. C. Assistant in Transm. 6

all the above mentioned
attached to all over copies
the Memorial Rule 5.
to all