

Public (1895) Department.

ORDINARY MS.

G.O., No. 144-45.

DATED 26th Feb. 1895.

INDEXED

SINGLE PRINTED.

NOTES
PRINTED.

[Despatch Abstract.]

STATUTORY CIVILIANS.

Directing that a reference be made to the Government of India
as to whether any change should be made as regards the--- in this
residency who are at present ranked for promotion, relatively to
members of the Indian Civil Service, according to the date of their
information.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
80	302. 1367		24-4-95 1895		352 ~~521 595~~		

Government {1895} of Madras. PUBLIC.

Recd.

Regd.

} 1895.

Enclosures

Spare copies

G.O., &c., Nos. 144, 145, 26th February 1895.

NP

FEBRUARY.

Statutory Civilians.

Directing that a reference be made to the Government of India as to whether any change should be made as regards the — in this Presidency who are at present ranked for promotion, relatively to members of the Indian Civil Service, according to the date of their confirmation.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—again the following paper :—

G.O., R. No. 1036, Public, dated 1st November 1894.

Read—the following letter from P. RAJAGOPALACHARIYAR, Esq., Acting Head Assistant Collector, Madura, to the Chief Secretary to Government, dated 23rd October 1894 :—

I have the honour to acknowledge the receipt of G.Os., No. 661, Public, dated 8th September 1894, and No. 680, Public, dated 14th September 1894, regarding the claims of Statutory Civilians to promotion.

2. I respectfully submit that, if Government sees no objection, I may be furnished with a copy of the letter of the Government of India on which the local Government has issued its order, No. 661, Public, dated 8th September 1894.

3. In the letter of the Government of India in the Home Department, dated 17th July 1894, No. 14—1231, Public, it is stated that the "Secretary of State has now expressed the opinion that the claims of these officers to promotion should not be considered with reference to the list of such posts alone, but with reference to the conditions which were understood to regulate their promotion when they were first appointed to offices in the Indian Civil Service".

4. If the Secretary of State has expressed the opinion above quoted, I submit that it follows that a Statutory Civilian's claims to promotion, relatively to members of the Indian Civil Service should be considered according to the date of his first appointment, *as that was one of the conditions which regulated his promotion when he was first appointed to an office in the Indian Civil Service.* I need hardly remind the local Government that, till the middle of 1890, Statutory Civilians in this Presidency were placed in the gradation list according to the dates of their first appointments and promoted accordingly.

5. I beg the favour of early orders on this reference, as I fear I have no other alternative but to appeal to the Secretary of State against the decision putting me two years down in the gradation list.

Order—R. No. 1036, Public, dated 1st November 1894.

Mr. Rajagopalachariyar will submit his letter, dated 23rd October 1894, through the proper channel.

(True Extract.)

LIONEL DAVIDSON,
Ag. Assistant Secretary
for Chief Secretary.

To the Collector of Madura.

No. 154-Govt.

Forwarded to Mr. P. Rajagopalachariyar, Acting Head Assistant Collector, for compliance.

10th November 1894.

L. C. MILLER,
Ag. Collector.

READ—also the following papers :—

From MÍR SHUJÁ'AT 'ALÍ KHÁN, Esq., Head Assistant Collector on leave, to the Chief Secretary to Government, dated Fairfield, Bangalore, 8th February 1895.

I have the honour to enclose an extract of a question asked by the Hon'ble Mr. Ferozeshah Mehta and the reply given thereto by the Hon'ble Sir Antony Patrick MacDonnell at the meeting of the Council of the Governor-General of India held on Thursday the 24th January 1895 from a report thereof published at page 6 of the *Madras Mail* of the 28th idem. Sir Antony Patrick MacDonnell's reply shows that the Government of India has no objection to the Government of Bombay counting the service of their Statutory Civilians from the date of their first appointment for the purpose of promotion, unless they were appointed on condition that they should be transferred to the Provincial Service should such a service be formed. As there appears to be no reason why the Statutory Civilians of this Presidency should be treated differently, I believe that the Government of India, as at present constituted, is prepared to reconsider and modify its decision declining to allow the Statutory Civilians in this Presidency to rank with the Indian Civilians for promotion from the date of their first appointment—G.O., No. 661, Public, dated 8th September 1894. I beg therefore that you will kindly place before the Government of Madras my humble request to move the Government of India kindly to show to me the concession which they have been pleased to show to my brother officers in Bombay.

ENCLOSURE.

The Hon'ble Mr. Mehta put the following questions :—

(3) Will Government be pleased to state if the Secretary of State has now ruled that these officers (Statutory Civilians) should, for the purpose of promotion, rank from the date of appointment as they did for a period of ten years from 1880 to 1890 and in conformity with Government of India notification No. 1187 of 8th June 1880 and not from date of confirmation as was subsequently ruled; and, if so, whether these officers will be restored to their original positions from which they were retrospectively put back two years?

The Hon'ble Sir Antony MacDonnell replied as follows :—

The reply to the third question is that the Government of Bombay have been informed that there is no objection on the part of the Governor-General in Council to the issue by the Governor in Council of orders whereby the rule of 1890 to which exception is taken shall be held not to apply to the Statutory Civilians of the Bombay Presidency, except those (if any) who were appointed on condition that on the constitution of a Provincial Service they would be transferred to it.

From P. RAJAGOPALACHARIYAR, Esq., Head Assistant Collector, Madura, to the Collector of Madura, dated Ramnad, 10th February 1895.

Adverting to your endorsement, dated 10th November 1894, No. 154-Govt., on G.O., R. No. 1036, Public, dated 1st November 1894 (herewith submitted for reference), I have the honour to submit a copy of my letter to Government, dated 23rd October 1894, and to request that the communication may be forwarded to Government and its orders obtained thereon at an early date.

R. on C. No. 861-Gl.

Forwarded to the Chief Secretary to Government, Public Department, Madras.

MADURA,
14th February 1895.J. TWIGG,
Ag. Collector.NOTES CONNECTED WITH G.O., Mrs. Nos. 144, 145, PUBLIC, DATED
26TH FEBRUARY 1895.*From Mir Shujá't 'Alí Khán. Esq., Head Assistant Collector, Madura, dated
8th February 1895.**For the Chief Secretary—*

The last communication received by this Government from the Government of India on the subject of the rank of Statutory Civilians is contained in G.O., No. 661, dated 8th September 1894. It is not known whether the circumstances of the Bombay Statutories are in any way peculiar, but the line now taken up by the Government of India as regards them is, in face of its previous rulings on the subject, peculiar. The question has been discussed on several occasions—please see the correspondence noted in the margin. It was understood to have been finally closed by India's letter of July last.

Page 453 of the book file.
G.O., No. 8, Public, dated 7th January 1890.
(Page 93 of P.C.S. Vol. I).
G.O., No. 583, Public, dated 24th August 1892.
(Page 223, *ibid.*)
G.O., No. 512, Public, dated 3rd July 1893.
(Page 303, *ibid.*)
G.O., No. 869, Public, dated 26th October 1893.
(Page 385, *ibid.*)
G.O., No. 661, Public, dated 8th September 1894.

C. M. SCHMIDT—12-2-95.

The reply given in the Supreme Council is certainly a very peculiar one seeing what they said to this Government in their last communication. Should India be addressed with regard to Mir Shujá't 'Alí Khán's request?

J. F. PRICE—13-2-95.

I should say a reference to India was desirable.

H. W. B[LISS]—14-2-95.

J. G[ROSE]—16-2-95.

W[ENLOCK]—17-2-95.

Draft is submitted to Honourable Member for approval as it is understood that no opinion is to be expressed one way or the other.

J. F. PRICE—22-2-95.

C.M.S.—20-2-95.

Right,

H. W. B[LISS]—25-2-95.

ORDER—No. 144, Public, dated 26th February 1895.

The Government of India will be addressed.

(True Extract.)

J. F. PRICE,
Chief Secretary.

Letter—No. 145, Public, dated 26th February 1895, to the Secretary to the Government of India, Home Department.

With reference to the correspondence ending with Mr. Hewett's letter of the 17th July 1894, No. 1229, I am directed to state that a Statutory Civilian in this Presidency has drawn the attention of this Government to the reply given by the Hon'ble Sir Antony MacDonnell to the third question in regard to the position of Statutory Civilians asked by the Hon'ble Mr. Mehta at the meeting of the Legislative Council of the Governor-General of India held on the 24th ultimo.

2. I am to inquire whether any change should be made as regards the Statutory Civilians in this Presidency who are at present ranked for promotion, relatively to members of the Indian Civil Service, according to the date of their confirmation.

J. F. PRICE,
Chief Secretary.

The Hon. Mr. Mehta put the following questions:—

x x x x x x x

(3) Will Government be pleased to state if the Secretary of State has now ruled that these officers ^(Statutory Civilian) should, for the purpose of promotion, rank from the date of appointment as they did for a period of ten years from 1880 to 1890 and in conformity with Government of India Notification No 1187 of 8th June, 1880 and not from date of confirmation, as was subsequently ruled; and, if so, whether these officers will be restored to their original positions from which they were retrospectively put back two years?

The Hon'ble Sir Antony Macdonnell replied as follows:—

x x x x x x x

The reply to the third question is that the Government of Bombay have been informed that there is no objection on the part of the Governor-General in Council to the issue by the Governor in Council of orders

3
whereby the rule of 1890 to which exception
is taken shall be held not to apply to the
Statutory Civilians of the Bombay Presidency,
except those (if any) who were appointed on
condition that & on the constitution of a
Provincial Service they would be
transferred to it.

True Extract

Wm. Stewart Hill

Fairfield, Bangalore

8th February 1895

From

Mir Shujaet Ali Khan Esq
Head Assistant Collector
on leave

To

The Hon'ble Mr J. T. Price
Chief Secretary
Government of Madras

Sir

I have the honour to enclose
an extract of a question asked by the
Hon'ble Mr Ferozeshah Mehta and the
reply given thereto by the Hon'ble Sir
Antony Patrick Mac Donnell at the meeting
of the Council of the Governor-General of
India held on Thursday the 24th January 1895
from a report thereof published at page 6
of the Madras Mail of the 28th Idem. Sir
Antony Patrick Mac Donnell's reply shews
that the Government of India has no ob-
jection to the Government of Bombay counting

the service of their Statutory Civilians
from the date of their first appointment
for the purpose of promotion, unless they
were appointed on condition that they
should be transferred to the Provincial
Service, should such a service be formed.
As there appears to be no reason why the
Statutory Civilians of this Presidency
should be treated differently, I believe that
the Government of India, as at present
constituted, is prepared to reconsider and
modify its decision declining to allow the
Statutory Civilians in this Presidency
to rank with the Indian Civilians ^{for} promo-
tion, from the date of their first appointment.
(G.O. dated 8th September 1894 No 661 Public)

I beg, therefore, that you will kindly place
before the Government of Madras my humble
request to move the Government of India
kindly to shew to me the concession which
they have been pleased to shew to my
brother officers in Bombay

I have the honour to be
Sir

Your most obedient Servant
Mir Shujat Ali

Pub.
423

Pulgo no 66128-9-94 nyl

From

Mir Shujat Ali Khan
Head Assistant
Collector

L.

The Honble W. J. F. Price
Chief Secretary
Madras Govt.

Dated 8 Feb 1895.

Recd 9th

Encl 1.

Subject.

9 FEB. 1895

GOVERNMENT OF MADRAS

Praying that the
concession of counting
service for promotion
from the date of
first appointment
shown by the Govt of
India to the Statutory
Civilians of Bombay
may be extended
to himself

[G.]
25.

00-26-11-94.

2

Public DEPARTMENT

C. No. 423

W. J. F. Price

From Mir Shujat Ali Khan
Head Assistant Collector
100-5-10-94

FOR ORDERS.

100-5-10-94

Should say refer to India
was desirable

RS

14/2/95

16/2

W

17 Feb

The last communication received
by this Government from the Government
of India on the subject of the rank of
Statutory Civilians is contained in G.O.
of 8th September 1894 No 661 [page
453 of the Book file]. It is not
known whether the circumstances
of the Bombay Statutory Civilians are in
any way peculiar, but the line now
taken up by the G. of I. as regards
them is, in face of its previous
pulings on the subject, peculiar.
The question has been discussed on
several occasions - please see the
correspondence on pages 93, 223, 303,
4385 of the Book file - It was
understood to have been finally
closed by India's letter of July
last [page 453 of the file].

C.S.
12.2.95

The reply given in the Supreme
Council is certainly a very peculiar
one. It seems that they feel that the Govt. of India
should have been adhered to in the
last communication.
Signed by Mr. Shujat Ali Khan's agent.

LP

13/2/95.

10
Publ no 66188-9-94 nyl
Pank of Statist...

FOR ORDERS.

Man & Co.

[$\frac{G}{9}$]
9,000-23-1-95.

Current No. 500

Pub DEPARTMENT.

From

The ag. Coll.
Madura.

No. $\frac{861}{861}$

Dated 14.2.95

Received 15/2.

Enclosures 3.

SUBJECT.

Forward the letter of Mr. P. Raja
Gopalachari, dt 23rd Oct '94,
asking for a copy of the letter
of the Govt of India on which
the local govt has issued its
order dt 8th Sep. '94 No 661, Pub:

Publ no 1130828 11-9-94 Pub.
66188-9-94 Press

[G.]
53
2,500-14-8-94.

3676
Current No. 154
Date 11-9-94
Public Department.



GP
humb

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—

From the Ag. Head Assistant Collector of Madras, dated 23rd October 1894, No —, asking for a copy of the letter of the Government of India on which the Local Government has issued its order dated 8th September 1894, No 661 Public.

Order, 1st November 1894 R No 1036.

Mr. Rajagopalachari will submit his letter dated 23rd October 1894 through the proper channel.

[True Extract]

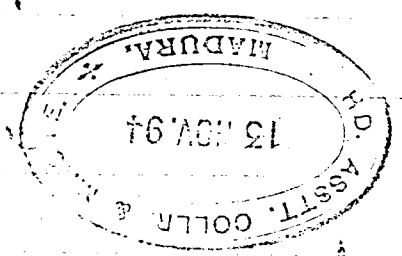
Leon Davidson
6-11

Ag. Assistant Secretary
for Chief Secretary.

To
The Collector of Madras.



154
 Forwarded to Mr. P. Raja
 Palachanar, ag Head
 Asst Collector for Compliance
 here
 ag collector



5
 Pub
 1

500

P. Raja
 Palachanar

105
 48

Copy of letter from Mr. P. Raja
 Palachanar ag Head
 Assistant Collector of Madurai,
 dated 23rd October 1894, No. —

I have the honour to acknowledge
 the receipt of the orders of Govt.
 dated 8th September 1894, No. 661
 Public, and 14th September 1894,
 No. 680 Public, regarding the claims
 of Statutory Civilians to promotion

2. I respectfully submit, that,
 if Government sees no objection, I
 may be furnished with a copy
 of the letter of the Government
 of India on which the Local
 Government has issued its order
 dated 8th September 1894, No. 661
 Public.

3. In the letter of the Government
 of India in the Home Department
 dated 17th July 1894, No. 14 Public
 1231, it is stated that the Secretary
 of State has now expressed the
 opinion that the claims of
 these officers to promotion should
 not be considered with reference
 to the list of such officers posted at
 but

but with reference to the conditions which were understood to regulate their promotion when they were first appointed to offices in the Indian Civil Service?

4. If the Secretary of State has expressed the opinion above quoted, I submit, that it follows that a Statutory Civilian's claims to promotion relatively to Members of the Indian Civil Service should be considered according to the date of his first appointment, as that was one of the conditions which regulated his promotion when he was first appointed to an office in the Indian Civil Service. I need hardly remind the local Govt., that, till the middle of 1890, Statutory Civilians in this Presidency were placed in the graduation list according to the dates of their first appointments, and promoted accordingly.

5. I beg the favour of early orders on this reference, as I fear I have no other alternative but to appeal to the Secretary of

State against the decision putting me two years down in the graduation list.

(True Copy) 6P

W. J. P. S. S.
Asst. Secy. to Govt.
of India
10/4/90

Current No.	861
Date	13. 2. 95

Head of the Commission
 Command
 10. February 1895.

From

P. Rajagopalachari Esq.
 Head Assistant Quarter
 Madras.

To, The Collector of
 Madras.

Sir

Adverting to your Permeent
 dated 10 November 1894 No 154 on
 Government order dated 1st November
 1894 No 1036 (hereinafter Submitted
 preference) I have the honor to Submit
 a copy of my letter to Government dated
 23rd October 1894, No — and to
 request that the Communication may
 be forwarded to Government and its
 orders obtained thereon at an early
 date.

I have the honor to be
 Sir

Yours most obt Servant

P. Rajagopalachari

5
 Pub
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 500

16

10

meeting

R one do 86/295

Forwarded to the
Chief Secretary to
Government Public
Department
Madras.

Madras
Collector
14 Feb 95

W. S. S. S.
S. S. S. S.

CHIEF SECRETARY
GOVERNMENT OF MADRAS

[G.]
[24]
503-8-2-95.

Public DEPARTMENT.

Papers to be read in proceedings:-

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. 423 of 1895, dated 8 Feb. from Mr. Shujaat Ali Khan, Head
Assistant Collector (on leave)

Current No. 500 of 1895, dated 14 Feb. from the Ag. Collector, Madras.

ORDER. 26 Feb. 95, No. 144

The Government of India will be

addressed.

CS. 10.2.95

22/2/95

LETTER. 26 Feb. 95, No. 145

TO

The Secretary to the Govt. of India,

Home Department.

decd 25/2

SIR,

With reference to the correspondence
ending with Mr. Hewett's letter of the
17th July 1894, No. 1329, I am directed
state that a Statutory Civilian in this
Presidency has drawn the attention of the
Government to the reply given by the Hon.
Sir Antony MacDonnell to the third question
in regard to the position of Statutory
Civilians asked by the Hon. Mr. Mehta at the
meeting

Meeting of the Legislative Council of the Governor-General of India held on the 24th ultimo.

2. I am to enquire whether any change should be made as regards the Statutory Civilians in this Presidency who are at present ranked for promotion, relatively to members of the Indian Civil Service, according to the date of their confirmation.

(From orders)

CS
20.2.95

LS
22/2/95

Note.

Mr. Rajagopala Chari has come up. (vide C.No.500) It is proposed to await India's reply before disposing of this letter.

CS
10.2.95

STATUTORY CIVILIANS.

(From orders)

H.M.
Mis.

When given for copying
When copied
When examined
When signed

189

READ AGAIN G.O., No.
189

DATED

CURRENT

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

A A A A A A A

A = Copy in full.
B = Not to be copied
P = Copy abstract only.
- Copy heading only