

Public (1895) Department.

ORDINARY MS.

G.O., No. 686

DATED 14th Aug. 1895

INDEXED.

[Despatch Abstract.]

THE CHEMICAL EXAMINER.

Passing orders on letter from-----explaining his action in forwarding his application for privilege leave direct to Government instead of through the Surgeon-General and the Director of Public Instruction; and referring, for the opinion of the Surgeon-General and the Director of Public Instruction, the question of the advisability of placing-----directly under the Surgeon-General for all purposes.

32^d

Feb 6 175 Public

BACK PAPERS.

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

FURTHER PAPERS.

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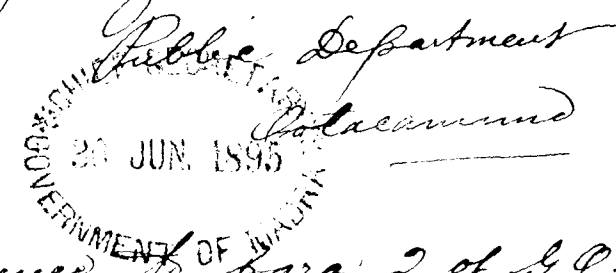
CHEMICAL EXAMINER'S OFFICE,

No. 687

Madras, 28 June 1895

From Surgeon Major J. L. Van der ... M. B. C. M. F. L. ...
CHEMICAL EXAMINER,
Madras,

To
THE Chief Secretary to Government
Public Department
Palacammund
SIR,



With reference to para 2 of G.O. dated 24th May 1895, No. 652 Public, I have the honor to bring, most respectfully, to the notice of Government that my action in forwarding my privilege leave application direct to the Chief Secretary to Government, instead of through the Director of Public Instruction and the Surgeon-General, was in accordance with the practice which has existed for close on 30 years. G.O. No. 191 of 13th June 1881, was not communicated to the Chemical Examiner to Government,

and I beg to submit that it does not
apply to him when he applies for leave
during the College vacations.

Applications, from Professors
of the Medical College, for privilege leave
during the long vacation of the College,
are not sent through the Director of
Public Instruction in accordance with
his wishes expressed in his Proceedings
No. 6490, dated 23rd September 1886. Dr. Duncan
has there laid down that:-

"The Director extends to the Professors of
"the Medical College the rule, regarding
"privilege leave during the long vacation,
"which holds good in all other Colleges
"under his control. During the long vacation,
"the Professors of the Medical College will
"be considered to be on privilege leave,
"as far as the Educational department
"is concerned. Should a Professor wish
"to leave Madras during this time

"It will not therefore be necessary for him
to obtain through the Director of
Public Instruction the sanction of Govern-
ment in the Educational department."

My applicant being for privilege leave
during the College vacation
in accordance with the Director's
instructions in the matter. Applications
for leave from the Chemical Examiner
and Professor of Chemistry, involving the
appointment of an acting incumbent
to the professorship also, have invariably
been forwarded to Government through the
Director, in accordance with the above
named G.O.

(3) I would further beg to point
out that the Chemical Examiner was
dissociated from the Professor of
Chemistry in ~~1857~~ 1857, and the appointment
was separately instituted by G.O. G.
dated 26th June of that year. Until

then he forwarded all his communications through, and was controlled by, the Medical Board, which at that time exercised the administrative power which in 1858 passed to the Director-General and more recently to the Surgeon-General. In a reference from the Chemical Examiner, soliciting the views of Government in regard to his position with relation to the Medical Board, it was laid down in L.O. No. 1589 Pub. of 11th November 1857, that the Chemical Examiner "is not subject to the Medical Board". The Chemical Examiner is included in the list of heads of departments under the Chief Secretary in the Public Department, which is published in Circular No. No. 2146 Pub. of 10th November 1883, and subsequently in L.O. No. 1748 Pub. of 8th August 1884; — that he is "directly under the Chief Secretary".

is further confirmed by E.P. No: 163 Pub.
dated 4th March 1882; Government orders
communicated to 'Heads of departments
under the Chief Secretary' have ever
since been invariably supplied to
the Chemical Examiner direct. ~~Ever~~
since 1857, the Chemical Examiner
has been recognised as the "head
" of a department under the Chief
" Secretary", he has since then
corresponded in all matters direct
with the heads of other departments,
and with the Chief Secretary to Government,
and the Surgeon-General from that
time discontinued issuing to the
Chemical Examiner his departmental
orders and circulars. Consistently with
these circumstances the Chemical
Examiner has since June 1868
forwarded all his leave applications
addressed to the Chief Secretary
with the request that he would be

and

good enough to submit them to Government,
only applications for leave during the
Medical College terms, involving change
in the professorship also, being forwarded
through the Director of Public Instruction.
Further, the Chemical Examiner has
on all occasions of his applying
for short leave during the College
vacation, like in the present instance,
nominated his locum tenens for the
approval of Government; in certain
cases the Assistant Chemical Examiner
was nominated to act and Govt.
consenting the leave was granted
at once, while in cases in which
a Commissioned Medical Officer was
nominated the Surgeon General
was consulted by Government.

(4.) This, as far as I can
trace from the office records, has
been

been the practice for nearly 30 years,
during eight of which it has been
adopted on 3 occasions within my own
experience, and I beg to submit that
it is consistent with the practice
in the case of the heads of other
departments under the Chief Secretary,
for I understand that the Chemical
Examiner is as much so as the
Government Astronomer, the Government
Archaeologist, the Meteorologist, or the
Sanitary Commissioner. I venture to
express the hope that the Government
will not now deprive the Chemical
Examiner of a privilege which has
been attached to his office for
30 years - a privilege similar to
that enjoyed by other experts under
Government, who are heads of their
departments, and one which has
caused no public inconvenience of
any

my kind thoughts so long a period

(5) In conclusion, I would respectfully beg that the censure passed on me in para 2 of G. O., dated 24th May 1895 No. 652, may be withdrawn, and that it may be ruled that in future similar cases, in which the period of absence falls within the Medical College vacations, applications for leave from the Chemical Examiner may be submitted direct to Government in accordance with the existing custom, all other leave applications being, as heretofore, submitted as directed in para 2 of G. O., dated 13th June 1881, No. 191 Educational.

I have the honor to be
Sir,

Your most obedient servant

W. S. S. S. M. B. E. M. F. R. S.
F. R. S.
Surgeon Major.
(Chemical Examiner)

1895.

From, Public Dept.
The Chemical Examiner
Madras

To, The Chief Secretary to Govt.
Public Dept.
Cotacaimund

No. 657

Sd/- 28 } June 1895.
Recd 30 }
Apt 2 July.

Enclosure Nil

Subject.

Explaining that his action
in submitting his recent
application for privilege leave
during the College vacation
direct to Govt. was in accordance
with practice for nearly 30 years,
and begging that the censure
passed in para 2. of G.O. No. 652
dated 24-5-95 may be withdrawn,
and that the practice, which
has been privileged for so long
a period without causing
public inconvenience, may
be permitted to be continued
in future similar cases,
in which the period of
leave applied for falls
within the College
vacation.

1895.

From, Public Dept.
The Chemical Examiner
Madras

To, The Chief Secretary to Govt.
Public Dept.
Cotacamund

No. 687

Sd/- 28 } June 1895.
Recd 30
Ad 2 July.

Enclosure Nil

Subject.

Explaining that his action in submitting his recent application for privilege leave during the College vacation direct to Govt. was in accordance with practice for nearly 30 years, and begging that the censure passed in para 2. of G.O. No. 652 dated 24-5-95 may be withdrawn, and that the practice, which has been privileged for so long a period without causing public inconvenience, may be permitted to be continued in future similar cases, in which the period of leave applied for falls within the College vacation.

NOTE FOR THE C.A.

In connection with the Chemical Examiner's leave application disposed of in L.O. dated 18 July 90. A.D. 809 the Honble Mr. Harten raised the question whether the application should not have come up through the Surgeon General. It was then thought he need not have done so. The point was not then fully gone into as the application was urgent. But in para 2 of L.O. 9-7-90. stitched with the order, the Chemical Examiner was informed that any proposals of his which affected the duties of an officer under the Surgeon General should be made through him. The question as to the position of the Chemical Examiner as regards the Head of the Medical Dept. (then the Medical Board) came up to Govt. in 1887. (L.O. 11-11-87 A.D. 1889) - but in connection with a different point.

2
 It was whether the
 Chemical Examiner could
 reply direct to a party
 with reference to com-
 munication received through
 the Medical Board. He
 first observed 'that though
 the Chemical Examiner
 is not subject to the
 Medical Board it is
 his duty to forward
 through them his re-
 ply to any party sub-
 mitting a case for
 analysis through the
 channel of the Board.'

The L.O. noted he
 has certain cases of
 leave sanctioned to
 the Chemical Examiner

- (1) 8-12-64-A 1394
 15-2-65-A 170
- (2) 23-6-68-A 768
- (3) 18-6-69-A 811
- (4) 11-7-71-A 1039
- (5) 10-7-73-A 754
- (6) 16-7-75-A 907
- (7) 20-6-76-A 683
- (8) 20-4-77-A 853-4
- (9) 11-6-84-A 7259

- 3
- (12) 23-6-86-A 1300
 - (13) 15-11-86-A 2871
 - (14) 3-8-87-A 424
 - (15) 15-6-88-A 484
 - (16) 10-7-90-A 809

In the cases above referred
 to it will be seen that
 the application disposed
 of by (1) was addressed
 to the head of the me-
 dical dept. Those
 disposed of by (3) & (6)
 were forwarded through
 the Departmental Head.
 Those in (4), (7), (10) & (13)
 were disposed of by Govt
 in consultation with
 the Surgeon General.
 While the remaining
 (2), (5), (8), (9), (11), (12) & (14)
 of which (12) relates
 to a party who
 had sanctioned leave
 without reference to the
 Surgeon General.

The question whether
 the Chemical Examiner
 should be subject to the

through the Director
Pub Instruction is settled
& the proceeding of
the latter office is
28-9-86 & 6490
under which it is
not necessary that
he should do so.

6/1
15/7/95

[G.]
25.
no 26-11-94

I don't think I should
before now file in this
as a question

Public DEPARTMENT
Cs No. 1584, 1617, & 2073.

FOR ORDERS.

It seems to me that the
Chem. Examr. should
be placed directly under
the S.G. for all purposes
& should cease to correspond
directly with the D.P.I.
* vide Pros. of the D.P.I. No 6490 d/23/4/86

I do not see what wd. be
gained by this. Before we make
a change we had better ask
the S.G. his opinion. The
expression of the order of
the 24th May is in part & the
is communicated to Dr
Van Geyzel.

27/7

I agree with the hon. Mr. Foster. I
think that the S.G. should first be
consulted - and the D.P.I. too -
because what we have to consider is
the question of a vacancy occurring in
the C.E. ship at all times of the year - &
not only during the vacation of the
medical college.

21 July

as Hd. of a Dept the Chem.
ical Examiner is directly under
the C.S. - as a lecturer in the
Medl. College under the D.P.I.
The latter desired that appli-
cations from Professors of the
Medical College for privilege
leave during the long vacation
need not be sent thro him
Recently Dr Van Geyzel
the Chem. Examiner applied for
3 months' privilege leave on
urgent private affairs. Both
the D.P.I. and the S.G. considered
the reasons assigned in his
D.O. valid, but the latter took
exception to the application
not being forwarded in
accordance with the rules
in G.O. EN. No. 191 d/13th June 81
which lays down that appli-
cations for leave from the
Principal & Professors should
be made to the D.P.I. after
obtaining assurance from the S.G.
that there is no objection.

in the Medl. Dept.

The "irregularity" was pointed out to Dr. Van Geyzel, who replies that the G.O. in question was not communicated to him and that his action is in accordance with the mamool of the last 30 years and requests that Govt. will not deprive him, as Hd. of a Dept. of the privilege of addressing it direct.

Re But it is clear that in his capacity as a lecturer he is not a Hd. of a Dept. and therefore not entitled to the privilege. The Chem. Examiner however states that the G.O. does not apply to him when requesting leave during the College Vacation.

Dr. Van Geyzel's statement is not quite correct but it is true that for the last 30 years in the majority of cases applications for leave from the Chem. Examiner were submitted direct to Govt. and sanctioned by it without reference to the S.G. But not in all cases.

The following G.Os relate to the granting of leave to the Chem. Examiner.

- (1) 8.12.04 No. 1344 } Printed
5.2.06 No. 171 }
(2) 23.6.08 No. 765 } 111

* para 2 of G.O. of 24/5/95 No. 652

FOR ORDERS.

[G.
25.]
00 2611-91

DEPARTMENT

(C. No.

FOR ORDERS.

- (3) 15.6.69 No. 811 Miscellaneous
(4) 11.7.71 No. 1039 "
(5) 18.7.73 No. 754 "
(6) 16.7.75 No. 907 "
(7) 23.6.76 No. 683 "
(8) 23.4.77 No. 5338, 5374 "
(9) " 6.84 No. 1259 "
(10) 23.6.86 No. 1300 "
(11) 13.11.88 No. 1371 "
(12) 27.5.87 No. 424 "
(13) 15.6.88 No. 484 "
(14) 18.7.90 No. 809 "

In the above cases the applications disposed of in (2), (3), (8), (9), (11), (12) & (14), of which (12) relates to furlough, were addressed direct to Govt. and leave was sanctioned by it without any reference to the S.G. - (1) was addressed to the Hd. of the Medl. Dept. - (5) & (6) were forwarded thru the Departmental Hd. & (4), (7), (10) & (13) were disposed of by Govt. in consultation with the S.G. & the Hd. of the Medl. Dept.

In 1890* the Hon. Mr. Garstin raised the question as to whether the application should not come through the S.G. Owing to the urgency of the case the question was not fully gone into but it was then thought that it need not. In para 2 of the D.O. however the Chem. Examiner was informed that any proceedings of his affecting the duties of an officer under the S.G. should be conducted thro' him.

* G.O. d/18-7-90 No 809.

FOR ORDERS.

* stitched with the Order above

* vide Mch. G.O. d/27/6/57 No. 2095
" " d/19/1/58 No. 256

Ad propos of the Chem Examiner's relation to the S.G., as Hd of the Medl. Dept, it is noted that in 1857* the question was discussed as to whether the Chem. Examiner could reply direct to a party without ref. to communications received through the Hd. of the Medl. Dept. - then the Medl. Board.

* G.O. d/11-11-57 No. 1589.

The Govt observed that though "the Chem Examiner is not subject to the Medl. Bd. it is his duty to furnish through them his reply to any party submitting a case for analysis through the Channel of the Board".

In referring to this the Chem Examiner mentions the former but omits the latter

the latter portion of the above decision.

In para 3 of his letter Dr. Van Geypel refers to the Chem. Examiner being disassociated from the Professor of Chemistry in 1857* and states that until then all his communications were forwarded through the Medical Board.

That the Chemical Examiner is immediately under the Chief Secretary is further confirmed by G.O. No 163 Public d/4th March '82 which directs the discontinuance of the practice of the S.G. countersigning the contingent bills of the Chem. Examiner.

The Chem. Examiner also states that G.O.s communicated to Hds of Depts have since 1852 been invariably supplied him direct and that the S.G. discontinued issuing to the Chem Examiner his departmental orders and circulars ever since 1857.

In the concluding part of the same paper

explains that in case
(10) H(3) referred to above
the S.G. was consulted
because a Commissioned
Medical Officer was
nominated as the locum
tenens of the Chem. Examiner

He concludes by
requesting that a definite
ruling might be issued
in accordance with
the existing custom,
and that the censure
passed on him might
be withdrawn.

* vide G.O. of the 24th March 95
No. 652.

H Please see G.O. 191 Ed
2 13.6.81. As Chemical Examiner.

Dr. Vaulgnyzel is directly under
the Chief Secy; as Professor of
Chemistry he is under
the D.P.I. He cannot obtain
leave without first making
arrangements for the conduct
of his duties - that means entrust-
ing them to some other officer
of I.M.D. who is immediately
under the S.G. Accordingly the
H.C. & S. should inform the S.G. of the
arrangement he proposes and
upon obtaining his assurance
that it is unobjectionable he
should address the D.P.I.

But for leave during the College
vacation the D.P.I. has practically
granted a general approval
he has directed that applica-
tions need not be submitted to him.

After obtaining the S.G.'s assurance
which should be submitted to the
D.P.I. where Dr. Vaulgnyzel
is. Capt. Robertson is proposing to look
after the work if the S.G. will permit - he
has addressed the S.G. for his approval
and the S.G. has given his approval.
24/7/10

Public Department.

G. Nos. 1584, 1617 & 2073.

ORDER, 7/14th August 1895 No. 686.

The Chemical Examiner is
directly under the Chief Secretary to
Govt. as head of a department, but as
Professor of Chemistry he is under the
Director of Public Instruction. He
cannot obtain privilege leave without
first arranging for the conduct of his
duties, which practically means entrust-
ing them for the time to some other
officer of the Indian Medical Service
who is immediately under the Surgeon
General. Accordingly the Chemical
Examiner should inform the Surgeon
General of the arrangement he proposes
and after obtaining that officer's
assurance that it is unobjectionable he
should address the Director of Public
Instruction. But in respect of leave
within the vacation of the Medical
College the Director of Public Instruc-
tion has practically granted a general
approval or he has directed that
applications for it need not be

submitted

THE CHEMICAL EXAMINER.

submitted to him. The Chemical Examiner

should, therefore, in such a case address

Government direct after obtaining the

Surgeon-General's assurance referred to

above which should at the same time

be reported to Govt.

The Surgeon-General

Major Vangezel in his application for

privilege leave No. 540, dated 16th

was in proposing that Surgeon

Robertson should perform his

analytical work during his absence

if the Surgeon-General will permit. He

should first have obtained the Surgeon-

General's approval of the arrangement

and then have submitted his application

Government direct. Para. 2 of G.O.

No. 352, dated 17th May 1895 was not

clearly worded and should

be read in the light of the foregoing

remarks.

The question of the advisability

of placing the Chemical Examiner

directly under the Surgeon-General

for all purposes will be referred to

the opinion of the Surgeon-General and

the Director of Public Instruction.

to

The Surgeon-General, F.S.C.

Chemical Examiner, F.S.C.

Surgeon Major J. L. Vangezel, M.B.C.M., F.S.C.

When given for copying

When copied

When examined

When signed

189.

READ AGAIN G.O., No.

189.

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.:-

A = Copy in full

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22-5-13 ✓

[G.
4C]

,009 -22-5-00.

Paper taken out of the Records from the charge of the Referencer.

Press
Miscellaneous No. , dated 190
Routine

Date taken	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender
	Department.	C. No.	Year.			

22-5-13 Dub. 2701
M.L. 1716 / 13 78

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned	Initials of attender.
	Department.	C. No.	Year.			