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Public DEPARTMENT.

G.O., DATED 20. 11. 89

No. 934.

Confidential 168
1889

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[Despatch Abstract.]

Appointments Communion

to Secularies to Genl. M. M. M.

14.5.189

to the Right Honble the Genl.
regarding the ^{name} ~~method~~ of

proceeding in which proposals

are laid before regarding

are placed before him

HEADQUARTERS ORDER OF GOVERNMENT, DATED
189. No.

ENCLOSURES

CURRENT No.

STATEMENT WITH DETAILS

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[9]

Public DEPARTMENT.

From
Minute by the Rt. Hon.
the President

No.

Dated 7 } November.
Received 13 }

Enclosures

SUBJECT.

Specifying the manner
in which proposals for
posting officers & filling up
vacancies should be laid
before His Excellency.

with order

The Hon. Mr. Secretary C.S.I.
The Hon. Mr. Secretary C.S.I.

MS 13/11
MS 16/11
O.D. 9.20.10.89 No. 934
Send to Secretaries to
Govt. for information and
guidance
14/11

The Secretaries to Govt.

13/11.

R 20/11

CHIEF SECRETARY
13 NOV 89
GOVERNMENT OF MADRAS

Read the following

MINUTE BY HIS EXCELLENCY THE GOVERNOR.

IN regard to the manner, in which proposals for posting officers and filling vacant appointments, are laid before the Governor.

Some time ago I introduced a change, whereby the Secretary in charge of the Department to which such posting or appointment relates, circulates his proposals for the information of my Hon'ble Colleagues before they are submitted to myself.

I wish to say, that I find that the change I then introduced does not work as well as I had expected. I further think that it is capable of being misconstrued, so as to appear to clash with the clear and emphatic rulings of the Court of Directors to the effect that nominations and selections rest with the Governor, that his nominations should be given effect to, and that concurrence with such nominations should not be withheld, unless there are specific objections to the persons selected.

I therefore desire that the proposals and suggestions of the respective Secretaries to Government shall be forwarded to me in the first instance in writing, together with any applications which may have been made to such Secretaries in regard to the appointment or posting in question, and with notes on conflicting claims, if any.

I shall then be in a position to give the Secretaries such orders as appear called for, to ask my Hon'ble Colleagues to give me their opinions when necessary, or to direct the preparation of the official minute of appointment for their concurrence in order that effect may be given to the nomination by the Governor in Council.

It is always my wish to avail myself, when I desire it, of the advice of my Hon'ble Colleagues in making selections and nominations, but at the same time to avoid introducing a procedure, which, by lapse of time and by force of custom, might insensibly impair, that initiative in nomination and selection by the Governor himself, to which the Court of Directors attached such high importance.

MADRAS,
7th November 1889.

Commence

Govt. of {1889} Madras.
PUBLIC.

CONFIDENTIAL.

Issued.

Recd.

Encl.

G.O., 20th November 1889, No. 934.

NOVEMBER.

Appointments.

Communicating to Secretaries to Government Minute by His Excellency the Right Hon'ble the Governor regarding the manner in which proposals regarding — are placed before him.



GOVERNMENT HOUSE.

13. xi. 89.

Dear Sir

His Excellency desires
me to send you the
enclosed minute, with
six spare copies

Yours sincerely

J. F. Price

Yours
J. F. Price

20TH NOVEMBER 1889, No. 934, PUBLIC.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.
PUBLIC DEPARTMENT.

READ—the following paper :—

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ORDER—dated 20th November 1889, No. 934, Public.

Communicated to Secretaries to Government for information and guidance.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Secretaries to Government.

Exd. E. Fernandez.

870
Correspondence
with Mr Rees
regarding ap-
pointments.



FORT ST. GEORGE,

Oct. 31st 1890.

My dear Rees.

Adverting to the concluding portion of your D.O. of the 24th - I enclose an Office Note from Mr. Pringle.

He has taken by him as to ^{advising} connecting the Minutes of 188 embodied in G.O. No. 934 dated 20th Nov. 1889 appears to be correct.

Yours sincerely
F. de Vries



2 Nov 20

My dear Sir

I am pleased to say
that the Secretary has forwarded
Mr. Pugh's note of your letter, and that his
reply only aimed to explain what
was the meaning of his minute
I do not think it worth while to
record another on the subject.

CHIEF SECRETARY
25 NOV 20

5 Nov 20

My dear Sir

I am pleased to say

that the Secretary has forwarded
Mr. Pugh's note of your letter, and that his
reply only aimed to explain what
was the meaning of his minute
I do not think it worth while to
record another on the subject.

Yours sincerely J. R. R.

2
NOTE FOR THE CHIEF SECRETARY.

revise the terms of G.O. No. 934 of 1888, so as to provide for the change in the procedure. I understand, however, that this change relates to H.R. the Governor's private arrangements for receiving communications from the Chief Secy. to Govt. on their reaching Govt. No. & if so, it would scarcely be in order for the Governor in Council to pass orders on the point until H.R. the Governor records a Minute.

31/10

J.H.

Minute.
This - the second Minute on the subject can then be recorded, & the desire of H.R. the Governor can be given effect to by an order of the Governor in Council.
If it were to be admitted that the G. in C. (by his Secretaries) could alter the wording of a Minute recorded in the present or the past by the President or by any other individual Member, even at his wish or by his consent, it would follow that he - the Governor in Council - could alter the wording of such a Minute against the consent of the Writer. It will probably be thought that it is better not to ~~admit~~ seem to admit what might some day or other be ~~turned into~~ a dangerous precedent if possible made of carrying out H.R. the Governor's wishes as to the to

NOTE FOR THE CHIEF SECRETARY.

31 OCT 90

H.R. the Governor wishes, I understand, to make an addition to his Minute recorded in J.O. No. 934, Nov. 20th 1889, & it is left to the Chief Secy. to give effect to H.R.'s desire.

I beg to suggest that the impossibility of correcting a recorded Minute of the past by means of an addendum or a Government Order should be brought to H.R.'s notice.

Any addendum issued by the Chief Secretary is issued under the orders of the Governor in Council, & the latter is not competent to alter the wording of a Minute under the signature of H.R. the President or any other individual Member of the Executive Govt. I think the only proper course is for H.R. to record a Minute stating that he desires such & such changes in the procedure

but would be considered

Members are

CHIEF SECRETARY
24 OCT 1900

GOVERNMENT HOUSE.

24th October 1900

My dear Sir

Many thanks for your letter of Oct. 23rd 1900:—

By His Excellency's order I pointed out that the usual procedure was, when vacancies occurred in the Legislative Council for the Chief Secretary to forward a blank minute to the Private Secretary to the Governor, who places the blank minute before His Excellency, and I asked, by His Excellency's order that this ~~custom~~ custom might be followed.

In your under reply you point out that you did not follow this procedure.

By His Excellency's order I further asked that His Excellency's instructions, contained in para 4 of his

* minute [to the effect that proposals / suggestions of ~~respective~~
Sectaries to go to, should be forwarded to him in writing,]
should be literally carried out.

I think on several occasions you have
not sent up proposals in writing, but have yourself
taken His Excellency's verbal orders, so that the instructions
His Excellency's Private Secretary has had of
a vacancy, has been. It being filled up in the
 Gazette.

However, I merely said what

did I H. R. The Governor's orders I was not
desired to give reference to any case.

I am desired to say, that
the words "through my Private Secretary"
may be added to para four of His Excellency's
minute of 7th November, after the word
"we" in the second line of that paragraph.

Yours are

Yours sincerely

J. R. R.

Wm. G.
J. F. P. R.



FORT ST. GEORGE,

October 22 1890.

My Dear Res.

I am fully cognizant of the duties of the Chief Secretary as regards appointments which have to be made before 11th the Govt. and of the relative position of the Chief & Private Secretaries in such matters.

In this particular instance the action taken was as far as I can see perfectly correct. When I went to see H.E. on the 13th Inst. I reminded him that these vacancies would occur in the Leg Council on the 22nd Inst.

and that these would have to be filled. I told him the names of the incumbents who would vacate which HE noted down and handed to him blank minutes of app'ts and the original of the app'ts which were to become vacant. HE said that he would think over the matter.

On the 21st: after Council I mentioned to him that no app't had been made and that I had left the papers with him.

He then said after consulting his Justice & speaking to the Gov. that the new vacancies were to be reappointed and with his permission I sent orders according to the Gazette in anticipation of the appointments (which are made by the Gov. alone) being signed and sent to the Office for record.

I am not aware of any instance in which HE's instructions evoked by me have been disregarded by me. If any such have occurred I shall be glad if you would kindly particularize them.

Yours sincerely

X

Wm

a blank minute with an
instruction, that certain members
term expires on a certain date.

His Excellency desires me to
ask that the usual procedure may
be followed, that para 34 of his
minute of 7th Nov^r 1889 may be
literally followed, so that

GOVERNMENT HOUSE.

22.X.90.



Yours P^rer,

with reference to

Wobfⁿ Bd^r 22nd 1890 defⁿ
defⁿ - a blank minute

was sent up, for use to

be before His Excellency.
On my bringing this to his notice
His Excellency says that he

have orders yesterday at
Council, so it does not
matter. But the usual
procedure has been that
the Chief Secy sends up

His Excellency may be able to deal
with proposals in writing. I am sure

you are that have to of the said minute
does not govern this case, inasmuch as
these "black minutes" are in the case of Council in success
of the case. Where we find success of the case.

London 11. 12. 1898

CHIEF SECRETARY
29 MAR 90
GOVERNMENT OF MADRAS

GOVERNMENT HOUSE

9/3/90.

Dear Mr. Goss,

I am desired to say

that His Excellency will be very
happy to see you on Wednesday
at 10.30 am. to office at about
about the above mentioned.

I am to ask

you to kindly forward the
proposals before you come
in order that I may see

being made to yourself. It was
arranged with Mr. Price in
1888, that all proposals for app^{ts}
transfers should be sent to His
Ex^{ty} in circle for the purpose of
the registers of his office being checked
before they are disposed of. If this
is not done & such papers are often
disposed of before the existence is noticed

whether any applications
have been made to
His Excellency for these
appointments.

Such applications
are frequently made

verbally, in which case only
a note made at the time
exists. ~~It is not~~ in many
cases such applications
— both for ^{off} ~~off~~ ^{posts} ~~posts~~
are made without
duplicate applications

of applications & notes which
I have His Excellency's order
to bring to notice

when certain vacancies occur
or app^{ts} are made.

He has

J. Brown

Instruction

J. Brown

1871-1872

of off section to the north
from the center of the
group to the south

then certain has been
in effect are made.

from the center
of the group

of off section to the north
from the center of the
group to the south

then certain has been
in effect are made.

from the center
of the group

for the purpose of the registers
of his office being searched
before they are disposed of.

On receipt of this letter
I sent the note containing
my proposals, most of which
were in an alternative
form to Rees.

This morning I went
to Gov^r House, and found
Rees in the Governor's room.
He handed me my note &
I read it and took the Governor's
orders. Rees never spoke unless
he was spoken to except
when the proposal for filling
up the Sarcot collection was
under discussion: he
then produced a letter from
Mr Austin asking for the district
on the ground of ill health.
The Governor decided that
it could not be dealt with
now, but would be considered

This note was read by the Hon
Members at

1 1
On 8.3.90 ^{Saturday} I wrote to
Rees telling him that I wanted
to see the Governor about
some appointments on Monday
& asking at what time His
Excellency would see me.

On 9.3.90 I got a letter
from him which contained the
following passages: "I am to
ask you to kindly forward
these proposals before you come
in order that I may see whether
any applications have been
made to H.E. for these
appointments. Such appli-
cations are frequently made
verbally in which case a
note made at the time
suffices. It was arranged
with Mr Price in 1888
all proposals for appoin-
ments & transfers should

my names and
initials



OOTACAMUND.

Sept. 8th 1888.

My Dear Mr. H. H. H.

Trife the enclosed do?

Yours sincerely

H. H. H.

Yes search last word
on first page
H. H. H.



OOTACAMUND.

Sept. 8. 1888.

My dear Sir.

Thanks for yours of the

4th.

14th the Governor gave me in Council yesterday instructions on the subject to which it refers.

These I understand to be that all proposals that Mr. H. G. G. or I have to make regarding appointments should be circulated first to Hon. Members and afterwards to H. G. G.

This course will in future be ~~the~~

followed.

Yours sincerely
Edmund

Yours sincerely
Edmund

6th Sep^r/08

GOVERNMENT HOUSE

My dear Mr. Price

Your note of last night. I have no

copy of my letter but think it referred to the
late Judicial app^{ts} - My intention was however
to ask you if you would kindly let me know when
you were making proposals for appointments to his
Excellency, so that I may know for what appointments
you are making proposals & may extract from my
records, and place before his Excellency my
applications made directly to himself. His Excellency
considers, that he cannot give adequate consideration
to your proposals without also taking into consideration
applications made directly to himself.

Again applications are occasionally

made verbally, and I am told to
remind his Excellency of such at the
proper season.

The ~~instructions~~ "orders" I
was "to carry out", (I assume from your
my words) were orders to produce these
papers, or make these reminders at
the proper season.

I need hardly add that

I wrote the order. When I do

...not I shall say so as a
matter of course.
Believe me

Yours sincerely

James

Frederick Price Esq^r

of Chief Justice to premedial

soon as we have the six months
estimate an order ought to issue
to H. Co. to transfer the available
provincial money to Taish Reste
so as to avoid borrowing. We get
the whole in case of Land Rev.

Please send me, first thing,
your letter to Finnis dated 24th
Aug^t. This reply 27th. I have
not seen them & have just got
a note from Hutchins with a
further letter from Finnis which
I can't understand. Had you ever
received the letter of mine to Mr
Pat. w^t. Cunningham Esq^r?

Y^rs truly
J. H. Hutchins



GOOTACAMUND.

2 Sep. 1888.

My dear Price

I return your draft to
Rees & this note to you. I went to
the office yesterday to tell you about
it but you were gone. I think
yours is a little too aggressive and
I would advise you to substitute
something like what I have
written in pencil.

I have been sweating the
bundle a little. I think
I have worked it out all right

as far down as C. Stokes; but
it seems as if there will be no
place for him or J. Thomson.
I think you had better tell the
Latter & Davies that they must
waited before the expiry of their
term. E. C. Johnson might
go to Gairam via Strifall. &
if E. Turner is going J. Thomson
would do well to Madras. I
would write such E. Turner. whether
he has thought of going next year,
also the Watters. C. Stokes I know
wants Salew, but 'Gange' won't

so before April what is to be done
with C.S. in Dec? God knows. We
have to make a pig of him I fear!

Please tell Pingle to make the
Fico budget order to come to me
after Solicitors have seen them.

There is a thing to be remembered
at I may as well mention now.
Owing to the rejection of Sanstui's
scheme, I am utilization of reserve
& steamer funds we have a large
sum in reserve and need not
borrow anything from India for
Tank Restoration. Presently, as

Dear Prui

I think Stokes' draft
will do very well. I do not
myself think that Rees means
anything very deep as you
apprehend. as to Madam
H.E. himself spoke to me about
it on Monday. Mr. had written
to him & said he had been
promised Comibatore by the late
Genl. but that unfortunately
he was not quite approved of
by the present Genl. Hence probably
Rees wrote, Gordon, to ask about
such promise.

Yrs

FRH

5th



Drift

OOTACAMUND.

Sept 4.

1888.

My dear Res.

As regards what you
have written to me on the subject of
letting you know when I am proposing
any appointments, I presume as I
already transfer to you all recommendations
from other Heads of Departments after
satisfying myself that there is nothing
to be said by me with reference to them,
that you attend to appointments of
Officers of the C.B.
I find on looking that with respect to



OOTACAMUND.

Sept. 1st. 1888.

My dear Stokes

I enclose a draft of
a reply which I propose sending to Rees.
Will you kindly advise me regarding
it and back me up if he tries to fight
the question. I don't think that he
has written under orders and believes
that in this matter he is playing off
his own bias and wishes to get the
C.S. appointment into his own hands.
Old Thomas in a letter to G. Allen last

right evening after his precious Fink
• Bill said that if he was again named
over to Council he would forthwith retire.
God grant that he keeps his promise!
I wish Old Whiteside would do likewise.
I fear though that he won't -

Yours sincerely

Frederick White

In all the proposed cases
applied so that I can search
my records & carry out
His Highness's orders, if any
in regard to them, there
will be no difficulty.
Yours sincerely
Frederick



COOTACAMUND,

Aug. 28. 1888

My Dear Sir

No arrangement or suggestion
has been made that I should answer the
applications to which you allude. As
far as I know the Secretariat does not
reply to "refused addresses".

I am quite content to leave Mr. Grant to
your pen.

I presume that you are aware that
the matter of the appl. of Ad. General is
not yet settled. That of the Gov. Headquarters

Yours sincerely
Frederick

CHIEF SECRETARY
30 AUG 88
DEPARTMENT OF MAJARS

30th August 68

Lyda W. Price

To the National dog

and answer I know, but I imagined
as you were arriving there a p.p.
in concert with this Ex. J. M. Ketchum,
you might have in this case.

for the ship & crew
about P. P. ship & A. ship.

It is answered in front.

If you let me know when