

Public (1896) Department.

ORDINARY MS.

G.O., No. 14-15

Dated 8th Jan. 1896.

INDEXED.

[Despatch Abstract.]

PROVINCIAL SERVICE.

Requesting an interpretation by the Government of India of the ruling relating to the filling up of vacancies in the-----, on such having occurred by the death of Mr. Mir Shujaat Ali Khan.

ENTERED IN G.O. BOOK

18th March 6 1896

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	434		29/6				

Pub. No. 632 of 22-5-95.

[9]
2,000-2,405.

Current No. Public DEPARTMENT.

From Mr. Mir Shujat Ali Khan
Madras Statutory Civil Service

Telegram

To The Resident,
Hyderabad.

No.

Dated 23 }
Received 26 } August 95
27 }
Enclosures 3

SUBJECT.

Requesting that a part of his
extraordinary leave may be counted
into leave on medical certificate.

535 Could you kindly
arrange for assembling
Medical Board to examine
Mr. Shujat Ali Statutory
Civilian at Chaddargah
applicant furlough
Medical Certificate

Council Box

CS
29/8

There will be no objection
provided that he complies
with the requirements of
the CSB (see enclosed)

Pub. No. 632 of 22-5-95 given to S on 11/8/95
11/8/95

30/8/95.

File intact

Gazetted audit DEPARTMENT.

FORT ST. GEORGE,

Accountant-General's Office,

16th August 1895.

No. 2155

From

G. C. Harrison Esqre,

Off^r ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

Mr Shujaut Ali Khan Esqre,
Chaddergah, Hyderabad.

SIR,

With reference to your letter dated the 10th August 1895, I have the honour to state that you need not join your appointment if the unexpired portion of your extraordinary leave without allowances be converted into leave on medical certificate.

I have the honour to be,

Sir

Your most obedt. servant,

W. S. S. S. S.
Chief Superintendent

INDIAN ELEGGRAPHS

Monthly Number.

Code Class.

To

(Office)

Words.

Day.

Hour.

Minute.

Official Instructions.

From

(Office)

To

(Person)

From

(Person)

Accounts

32 Word Form.

Recd. from

LN.

Sent to

At

Time

By

HYDERABAD

21-8-95

G. O. P. - No. 29 T-25-8-95 - 0.00.000

Mr 16/8.

(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE

No.

Dated

Received

No.

SUBJECT.

[3]
2,000-2-4-05.

Current No.

Public DEPARTMENT.

Telegram

From Resident Hyderabad.

No.

Dated 2

Received 3

Enclosures

SUBJECT.

Submitting that Mr Mir Shujat Ali
be instructed to address the Residency
Surgeon who will assemble Board.
Board.

Telegram to

Mr Mir Shujat Ali Khan
Chunddurg
Hyderabad (Dist)

545 + your letter 23rd ult.
applying for ~~the~~ leave
on med^l certificate. ~~leave~~
first ~~part~~ certificate for
medical Board. ~~leave~~
address Residency Surgeon
who will assemble Board
at your request. ~~at~~

4/9/95

Chas
Hyderabad
21st Aug 95

I Ahmednirza M.D.C.M. BSc (Edinburgh)
Health Officer City of Hyderabad,
do hereby certify that Mr.
Mir Shyab Ali Khan
of the Madras Civil Service
is in a bad state of health
& I solemnly & sincerely de-
clare that according to
the best of my judgement
a change of air is essenti-
ally necessary to his recovery
I do therefore recommend, that
leave be granted, leave of
absence for six months from the
1st Sept-95.

Ahmednirza
M.D.C.M. BSc (Edin)
Health Officer
Lecturer Medical Jurisprudence
S.M.H.

CURRENT NO.

Unemployment at
London (Dec 1895)
T. 1895
26-AUG. 1895
Minister of the Navy
Mr. Chamberlain
of course it must
be a matter of
the Government
of Lord's. I am
of course
to the Government
that I am
an extraordinary
case of full pay but
with permission to serve

the Mysore Service
I have the honor
to inform the Government
that in consequence of
illness I have taken
leave from the Mysore Government or 6 months out of it.
which leave in Medical
Certificates. I am
informed by the
Account General that
such prospective con-
sideration of extraordinary
leave with leave in
work for 6 months more
but as I do not belong
to the Mysore Service
I am not entitled to
leave in Medical
Certificates from the
Government. I beg to

say that the Government
may be pleased
to connect the un-
expired portion of my
Extraordinary leave
with leave in Medical
Certificates. I am
informed by the
Account General that
such prospective con-
sideration of extraordinary
leave with leave in
Medical Certificate is
allowable under the
Local Rules. I beg to
submit his answer
for the information
of the Government
I have the honor to be
Sir, My servant Ali
J. C. S.

Code Class.

105

INDIAN



CURRENT No. TELEGRAPHS

Monthly Number.

139

To

(Office)

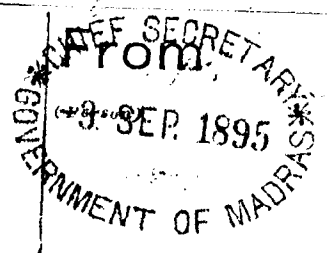
To

(Person)

From

(Office)

From



Words Day Hour Minute

Official Instructions

47 - Mr. Mir Shujah Ali should be instructed to address Residency Surgeon who will assemble Board

F.C.I.

Recd. from

LN.

Sent to

LN.

At

Hrs.

Mts. by

At

Hrs.

Mts. by

Telegraph Master.

DI B. P. - No 34 T - 25-5-94-10,000.00

CURRENT No. 277

COPY OF TELEGRAM.

Public Dept

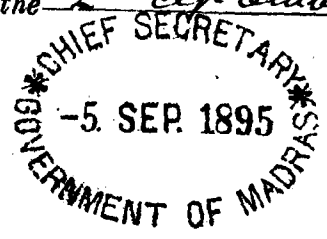
From Resident

To Madras

From Hyderabad Deccan To Ootacamund

No. 4773.

DATED HYDERABAD RESIDENCY, the 2nd September 1895.



Your 535. Mir Shujah Ali should be instructed to address Residency Surgeon who will assemble Board

Forwarded by Post.

HYDERABAD RESIDENCY,

2nd September 1895

R.G.P. - No. 539-1895.

CD Shapur

For Extra Assistant Resident.

Public Dep.

Hydrabad
Telegram

To Resident at Hyderabad

Newspapers report ~~Madras~~
Statutory Civilian Mir Shujaat
Ali Khan's death. Please say
if report correct. When did he die

24/10/95

Current No.

DEPARTMENT.

From

*The Resident
Hyderabad*

No.

Dated 26th

Received 27th

Regd 28th

Enclosures

} October 1895

SUBJECT.

*Stating that Mr. Shujaah
Ali Statutory Civilian Madras
died there on the 9th inst.*

C.No. 3575.

FOR ORDERS

The Resident at Hyderabad confirms the announcement of the death of Mr. Mir Shujaat Ali Khan, a Statutory Civilian, on the 9th of October. Mr. Clogstoun having died in Sept. - no confirmation of his death has yet been received from the Secy. of State - his vacancy will have to be filled before that of Mr. ~~Ali~~ Mir Shujaat Ali Khan. As there is a doubt connected with the manner in which the appointment held by the latter should be dealt with, the question is now submitted for orders.

2. In the sanction of the Govt. of India has been requested to the promotion of Mr. Muhammad Raza Khan to a permanent Sub-Collectorate in the vacancy dating from the 13th July last caused by the appointment of Mr. Thomson to be Resident in Travancore and Cochin, and it has been decided that the Head Assistantship vacated by him shall be transferred to the Provincial Civil service. This will leave Provincial service officers and Statutory Civilians occupying the following permanent Sub-Collectorates and Head Asst-ships;

Sub-Collectors	{ Mr. Manavedan Raja	} . . . 2.
	{ , , Muhammad Raza Khan	
Head Assts.	{ Mr. T.M. Swaminatha Aiyar	} . . 2
	{ Provincial service officer	
		4.

CHIEF SECRETARY

27 OCT. 1895

14447

INDIAN TELEGRAPHS. Monthly Number.

To Madras

From Hyderabad

26/4 26 16 9

To Chief Secretary

From Resident

No 6065 your telegram twenty fifth Mr Shujaat Ali statutory civilian madras died here ninth instant of consumption.

MADRAS 26-10-95

Recd. from	LN.	Sent to	LN.		
At	Hrs.	Mts. by	At	Hrs.	Mts. by

Telegraph Master.

U. G. P. - No. 126 T - 22-9-94 - 14,00,000.

x It has since been revised

The post occupied by Dewan Bahadur Rajaratna Mudr. is excluded from the calculation under para 3 of India's letter on page 490 of the Book-file.

3. At the time of Mr. Cogstoun's death, which occurred in Sept., Mr. Mir Shujaat Ali Khan was holding a permanent Head Assistantship which makes the total number of Sub-Collectorates and Head Assistantships held by Statutories and Provincial service officers five. According to the Govt. of India reading of the table on page 342 of the Book-file, the Indian Civilians of 1888 can claim that the maximum number of posts held by Statutories and Provincial service officers before their claims are considered shall not exceed 5.075

103 Mr. Davidson is the first Indian Civilian of 1888 and is the next for promotion to a permanent Head Assistantship. At the time of Mr. Cogstoun's death there were five appointments superior to his held by Statutories and Provincial service officers combined. -- [This includes the appointment of Mr. Mir Shujaat Ali Khan and that of the Provincial service officers which will be made on receipt of India's sanction to Mr. Muhammad Raza Khan's promotion.] It would seem therefore that Mr. Davidson is entitled to get his permanent step in the late Mr. Cogstoun's vacancy.

The

4. The death of Mr. Mir Shujaat Ali Khan will lower the total number of appointments superior to permanent Asst. held by Statutories and Provincial service officers to 4 and the question is whether the Head Assistantship held by him should be transferred to the Provincial service or should be kept in the Indian Civil service. Attention is solicited to condition ^{"fourth"} in para 2 of India's letter on pages 255 and 256 of the Book-file, under which the claims of all Indian Civilians of each year should apparently be satisfied before the question of the claim of the Provincial service to listed posts is considered. Again in para 4 of its letter on page 491 of the Book-file, the Govt. of India interpreted this condition as meaning "that the claims of members of the Provincial service to posts which may become open to them in a particular year are not to be considered until all those of Indian Civilians of that year have been considered." ^{under} ~~reading,~~ ^{reading,} ~~this~~ ^{this} Mr. Davidson having received promotion in the late Mr. Cogstoun's vacancy, the claims of all Indian Civilians of 1888, that is, down to and including 107 Mr. W.E. Jardine, must be satisfied before the question of the transfer of another Head Assistantship to the Provincial service can be taken up, i.e. 104, Mr. W.B. Ayling would get his permanent step in Mr. Mir Shujaat Ali Khan's

Papers to be read in proceedings:—

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No. 2810

of 189 5, dated 23rd , from Mr. Mir Shujaat Ali Khan
August Madras Statutory Civil Service.
" 189 5, " 2nd , " The Resident, Hyderabad.
Sept. 26th , " The same officer
Octr.

" " 2877

" " 3575

Mr. Mir Shujaat Ali
Khan's Vacancy

For Order

H.E. the Governor General

ORDER.

Recorded.

2. The following letter will be
despatched to the Government of India.

To

The Accountant General

(3575-A)

Letter to

The Secretary to the G. of I.,
Home Department.

Sir,

In accordance with the
sanction conveyed in Home Department
letter No. 707 d/ 1895, Mr.
Muhammad Raza Khan, ~~Statutory Civilian~~
~~in this Presidency~~, has been promoted to
the post of Sub-Collector and Joint
Magistrate with effect from the 13th
July 1895. Mr. A. T. Forbes having previous-
ly been promoted to a permanent Head
Assistant, the appointment in that grade
vacated by Mr. Muhammad Raza Khan has,
with reference to the remarks in para. 4
of your letter No. 407 of the 10th July
1895, been transferred to the Provincial

vacancy. There is however a passage
in para. 7 of India's letter on page
338 of the Book-file which seems to
throw some doubt on this point. Here
the Govt. of India said " Suppose for
instance that after the two Dt. head-
ships and four judgeships have been
made over to the Provincial Service,
all six officers holding these posts
go on leave, the Local Govt. will be
able to appoint six other members of
the Provincial Service to act in their
absence" This remark was made in
connection with another question, but
it seems to have some bearing on the
present point, for if the leave vacan-
cy created by a Provincial Service
Officer must be filled by another
officer of the same service, it seems
to follow that a permanent vacancy
created by the death of a Statutory
Civilian ^{who} ~~should~~ for the purposes of
the rule is the same as a Provincial Service
Service officer must likewise be filled
up from the Provincial Service.

Orders are solicited whether
the instructions of the Govt. of
India should be obtained.

C.B. 11/12/95
I submit that it would
be advisable to take the
instructions of the Govt. of
India as that will prevent
possible mistakes
11/12/95

It is such a puzzle that it will
be safer to consult India.
There is no doubt that Mr.
Davidson shd. tel. his step.

W
19/12/95 18 Dec
23/12/95

Service as a Dy. Collectorship 3rd Class.

2. There are at present two unfilled vacancies ~~in the Indian Civil Service list of this Presidency~~ caused by the deaths of

M. K. N.

(1) The Honorable Mr. Clogstoun ~~on~~ *16/5* Sept. 1895
& (II) Mr. Mir. Shujaat Ali Khan, a Statutory Civilian, on the 9th Octr. 1895.

3. At the time of Mr. Clogstoun's death the listed posts of Head Assistant and superior grades held by Statutory Civilians and officers of the Provincial Civil Service in this Presidency, excluding the Secretaryship to the Board of Revenue occupied by Diwan Bahadur Rajaratna Mudaliyar (vide para. 3 of Home Department letter of the 10th July 1895 referred to above), stood as follows-

Sub-Collectors	{ Mr. Manavedan Raja
Head Assistants	{ Mr. Muhammad Raza Khan
	{ Mr. Mir. Shujaat Ali Khan
	{ T. M. Swaminadha Aiyar
	{ Post transferred to the Provincial Civil Service.

4. Column 5 of the Statement forwarded with my letter No ~~601~~ ⁶⁰¹ of the 3rd August 1893 shows that the maximum number of appointments which can be transferred to the Provincial Civil Service before the claims of Indian Civilians belonging to the year 1888 are satisfied is 5.075 (or 5 omitting fractions). Mr. L. Davidson, the first Indian Civilian of that year and the next officer of that Service for promotion to a permanent Head Assistantship, should therefore receive his step in Mr. Clogstoun's vacancy which ~~will~~ ^{is about} be filled up ~~as soon~~ as confirmation of

the death of the latter ~~is~~ ^{has been} received from the India Office. *N*

5. The death of Mr. Mir. Shujaat Ali Khan however reduces the total number of occupied listed appointments shown in para. 3 Supra to four, and as four Head Assistantships have been listed in this Presidency the question arises whether the post of that class rendered vacant by his death should be transferred to the Provincial Service.

6. From the condition "fourthly" in para. 2 of Home Dept. letter No 1535 dated 27th May 1892 and from para. 4 of your letter of the 10th July last, it would appear that the claims of members of the Provincial Service to posts which may become open to them in a particular year are not to be considered until after those of all the Indian Civilians of that year have been considered.

Accordingly, Mr. Davidson having been promoted in September, the Head Assistantship which fell vacant in October should be filled by Mr. W. B. Ayling the next Indian Civilian, and no appointment of this grade should be transferred to the Provincial Service until the claims of all the Indian Civilians of 1888 to permanent Head Assistantships have been considered.

7. The following passage in para. 7 of Mr. Lyall's letter No 746 Public of the 23rd May 1893 appears however to ~~show~~ ^{show} some doubt on ~~the~~ ^{this} ~~above~~ interpretation of the rulings:-

"Suppose for instance that after the two district headships and four judgeships have been made over to the Provincial Service all six officers

*80 875/6
16.12.92*

*80 600/1
16.12.92*

"holding these posts go on leave, the
"local Government will be able to
"appoint six other members of the
"Provincial Service to act in their
"absence".

This remark was, it is true, made
in connection with another subject
but it appears to have some bearing
on the present point, for if the leave
vacancy created by a Provincial Service
officer can be filled by another officer
of the same class, it seems to
follow that a permanent vacancy caused
by the death of a Statutory Civilian
(who for the purposes of the rule is
the same as a Provincial Service Officer)
can likewise be filled by a member of the
Provincial Service.

8. I am to request the early
instructions of the Government of
India on the question raised above.

CS
6.1.96

(From Order)

82
7/1/96

an given for copying _____
an copied _____
an examined _____
an signed _____ } 189

AGAIN G.O., No.
189

DATED

RENT No.

ICOL-VERS TO O. No.

EDER OF GOVERNMENT

A A A A A A A

ETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.-

A = Copy in full.
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P = Copy abstract only.
Q = Copy heading only.