

Public (1896) Department.

ORDINARY MS.

G.O., No. 626

Dated 13th June 1896.

INDEXED.

[Despatch Abstract.]

SIGNING PAPERS AT MADRAS.

Recording papers on the subject of Public Works Under Secretaries ----whilst Government is on the Hills.

1

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C	2306		1896				
C	2496		1896				

(B). Form No. 9.

800-10-4-95.

PUBLIC WORKS SECRETARIAT,

RAILWAY BRANCH.

Station Ootacamund date 5th May 1896

OFFICE NOTE.

From R.

To W.

I
With reference to Office --
Note No.1 D. of 16th April 1896, I -
think there is a practical difficulty,
as the Under Secretary Railways, can-
not guarantee that he will remain in
Madras continuously for any length -
of time.

2. He is also Deputy Consulting --
Engineer and Government Inspector, --
and as such is liable to have to go
out at short notice to enquire into
accidents, inspect new works &c, &c, -
which may occupy from 2 or 3 days to
a week or more.

3. When this occurs it would be --
necessary for papers requiring his -
signature to await his return or to
be sent to Ooty.

4. But it seems to me very anomalous
to require the Under Secretaries of
the P.W.D. to sign papers at all for
the other Departments, and the anomaly

is much increased when they are expected to stop ~~in~~ in Madras for the purpose of doing so. My work at any rate, would get on much better if I had one of my Deputies up here, -- and any way would undoubtedly suffer by one of them being kept in Madras.

Their signature to documents emanating from other Departments is an absolute farce, for of course they -- know nothing of what is put before them, and I see that it has been -- authoritatively laid down in 1888, --

"that no responsibility" for the contents of papers so signed attached to the Under Secretary. Under those circumstances I submit that any intelligent clerk of the Department concerned -- might be ordered to sign them, or -- that the printed signature of the -- proper Under Secretary at Ooty might be attached to them, or a facsimile stamp might be used.

At one time it was ruled that the Under Secretary P.W.D. would only be expected to sign a "few urgent papers", but of late years this has been extended to "all papers whether urgent or otherwise", and I am assured that the number of such papers that are put before them is very great, and -- that the mere labour of signing them is very heavy, occupying sometimes as much as two hours a day. Many of the papers also are a mere matter of -- routine, and of apparently no particular urgency, so that the plea that -- valuable

Gm. 2990 8 6-9-88

valuable time would be wasted by sending them up to Ooty for signature falls. Also I understand that many of the papers are printed -- ~~over~~ ^{ones}, on which the signature might just as well have been printed also.

7. Last year the Under Secretary Railways signed nothing but P.W.D. papers, and I am not aware -- why any alteration was made this year. I was not consulted; if I had been I should have protested, and in fact, I now protest against his being expected to sign anything -- but "a few urgent papers" for -- other Departments, and against his being expected to remain at Madras for the purpose of even that.

8. There is nothing in the -- file to show that the arrangement last year caused any real inconvenience, and I think it would be well to revert to it again this year -- and in future.

9. I suggest that you and "I" -- might add such remarks as you think fit, and obtain the views of the -- other Secretaries, and then if necessary bring the matter up to Council on Friday.

10. As regards the question of any particular Under Secretary -- coming up to Ooty, I submit that -- this should be settled on consideration of his own work, and that of -- the particular Department to which

he

he belongs; and as it actually saves money to bring an Under Secretary up to Ooty I think there is no reason - why we should not deal liberally in such matters.

ERM
5/5/96 R.

No 1222 of 6 May 1896
To S.I.

For favor of remarks.

[Signature]
1/5/96
W.

I Agree with the remarks made by R. *Prasad*
7.5.96 J.
He 1222 of 6 May 1896.
My opinion as expressed in para 2 of my note No 1948 dated 10.8.94. My suggestion in para 3 that the Under Secretary & Railway branches should be left to remain in Madras, was made under protest
[Signature]
7/5/96

Recd 7/5/96.

P.W. CN. Public Works
CURRENT No 1589

Pub go. 502 of 30-4-96 ms
292 of 12-3-95 Roulh
323 of 22-3-93
713 of 14-7-92
250 of 13-3-91
302 of 30-3-89 ms
418 of 2-4-90 Roulh
266 of 12-3-88 ms
Dm. 2990 of 6-9-88

Received 6/5/96

with file of papers.

Recd 7/5/96
By 8/5/96

To
The Honorable the Chief Secy
Secretary to Govt. P.W. Deptt

CURRENT No 1589
No 258 D.

Government of Madras.

PUBLIC WORKS DEPARTMENT.

Ootacamund, 28 May 1896

OFFICE NOTE.

From *[Signature]*
The Joint Secretary to Govt.

To The Chief Secretary.

My office note No 1222, dated 7 May 1896, on the subject of Public Works Under Secretaries signing papers at Madras. I shall be obliged if the matter can be disposed of at an early date.

[Signature] Col. R.E.
Joint Secretary to Govt.

Public Dept

CURRENT NO. 178

Pub No. 502 D 30-4-96

From the P. W. Dept.

No. 258-D.

Date 28/5/96

28/5/96

Registered 28/5/96.

Endor. nil

Subject.

Requesting to dispose of,
at an early date, the matter
of Public Works Under
Secretaries signing papers
at Madras.

Decided in Council
that until the PWD
can suggest some workable
plan in relation to this
as they are

I should like to discuss this in Council.

ASH

3.5.96

* These go to the Laurence
Argue Press at Ootacamund
& Govt. Co. to pay for all
printing done there.

* For the order in this case
see please S.O. No. 266 dated
12th March 1888. The order
was repeated every year except
in 1895 when in consequence
of a difference with Col.
Jenkinson, I let matters stand.

Slip C

Note on pp 1-2 of S.O. 7136

Dated 12.7.92

2 Council

(6)

C.No. 1589.

In view of some of the remarks
the office notes in C.No. 1589, Public,
seems as well to recapitulate briefly
facts connected with the signing of pa
pers at Madras whilst Government is on
the Hills.

In consequence of the necessity f
keeping expenditure on the move of Gov
ment to the Hills as low as possible th
smallest office establishments, with whi
it is possible to cope with work at
Ootacamund, accompanies Government to th
Hills. The Press is at Madras and the
printing and copying of orders are, ex-
cept in urgent cases, carried out there.
To send these orders up to Ootacamund fo
signature would involve delay and post-
age.

2 Government after due consideration
decided, therefore, that papers issuing in
Madras should be signed by one of the
Under Secretaries in the Public Works De
and this practice has been in force for many years
partment. The papers in the file show
that the practice was followed in 1888,
1889, 1890 and 1891. Earlier papers have
not been called up as the above are suf
ficient to prove that the practice is a
long-established one.

3. In 1892, the Secretary to Government
Public Works Department, requested that
Major Boddy R.E., Under Secretary to

Government,

Government, P.W. Dept., might be allowed to accompany Government to Ootacamund, for at least a portion of its stay there, as that officer was in need of a change. Mr. Henry Stokes, who then had the Public Works portfolio, remarked on this application that it was necessary for some Under Secretary to stay in Madras, that he did not remember under what circumstances it was decided that the P.W.D. Under Secretary should be the officer and that the arrangement was, he thought, of very old standing. Col. Pennycuick, the Secretary to Government, Public Works Department. In forwarding these ^{notes} to the Chief Secretary, remarked that "the Under Secretaries ^{in the} with Irrigation and Railway Branches must in any case remain in Madras". As there would be two Under Secretaries in the Public Works Department, one of whom would always, and the other often, be at head quarters, no objections were raised to the proposal ^{that} Major Boddy ^{should} accompany Government to the Hills but the arrangement was sanctioned on the understanding that Mr. Lewis, the other Under Secretary in the P.W. Dept., do the signing work at Madras, and the customary order issued.

4. In 1893, the Secretary to Government P.W. Dept., enquired whether the arrangement for one of the D.P.W. Under Secretaries going with Government to Ootacamund was to be considered as established and, in reply, was informed in G.O. No. 44, Final, dated 24-1-93, that there was no objection to one of the Under Secretaries in the

Public

Notes in page 24

30-1-93

70-1-93

* slip D

G.O. 713 R Public 16-7-92

Page 5.

* slip E

R.

* slip F

Slip F.

To which attention is particularly invited

Public Works Department accompanying Government to the hills provided the usual arrangements were made for signing fair copies of G.O's. at Madras. this year the customary order as to signing in Madras issued without any objection being raised. 5. In 1894 the customary order was issued. During the stay of Government at Ootacamund, however, the question was raised whether Mr. Ashpitel, Under Secretary, Irrigation Branch, who was unwell and had been doing extra work in connection with lighthouses, might be allowed to do duty at Ootacamund for two months. Lord Wenlock remarked that it would be only fair that, if Mr. Ashpitel ^{to Ootacamund} came up, Mr. Burlton, the Under Secretary, Public Works Department, General Branch, should go down to Madras. Col. Pennycuick, however, did not think this at all desirable, as there were many matters on which constant communication between himself and Mr. Burlton ^{was} absolutely necessary, whereas, the work of the Under Secretary in the Irrigation Branch being more of a technical character, his communications with his Chief would be almost entirely in writing. It was clearly on private grounds, Col. Pennycuick further remarked, that sanction to Mr. Ashpitel's going to Ootacamund was desired, and it was no grievance for a junior officer to do the work which all his Seniors had had to do in their time - that he himself (Col. Pennycuick) had never spent a day at a Hill station (with the exception of a month on privilege

leave

have) during the first 25 years of
s service- and that all Mr. Ashpitel's
predecessors in the same office, without
exception, had been kept at Madras. On
an enquiry from the Chief Secretary as
to what arrangements were relative to
an officer to sign papers issuing at
Madras, Col. Pennycuick stated that Captain
Shelly had undertaken to remain in
Madras to do the work in question, but
remarked that it was the business of
the Depts. concerned to arrange for their
own work.

As regards Mr. Ashpitel H.E. Lord
Wenlock remarked that it was really, as
pointed out, a personal matter, but as
Mr. Ashpitel's health was precarious, it
would be advantageous to the public
interests if he were permitted to do
duty at Ootacamund for two months, August
and September. Ultimately Mr. Ashpitel
was deputed to Ootacamund for two months
from the 7th July 1895. He remained
however, it is understood, somewhat longer.

6 The customary order as regards
signing at Madras did not issue in 1895.
The reasons for this are not on record,
but, it is understood, that Col. Pennycuick
objected to the practice, and it was
agreed to try the system of signing at
Ootacamund. The results were delay in
the issue of papers and increase in
postage charges.

7. In connection with a Revenue G.O.,
which issued from Ootacamund in May
1895, the Honorable Mr. Bliss remarked
"I cannot see why an order sent down
to Madras to be copied need be delayed
by

Slip G

slip H.

(No. 2475 W/8-10-95) slip K

Slip L

"by being sent back for signature. I
understand the P.W. Under Secretary sig
in Madras. If some arrangement of this
kind cannot be made, whereby delays of
this kind can be avoided, I think an Un-
der Secretary should be left in Madras"

The Revenue Secretary remarked that
on that he was unaware of the reason for
the procedure, which the H.M. referred to,
being departed from in 1895, and thought
that information on the point would be
available in the Public Department.

The Chief Secretary then explained
that the procedure had been departed
from because Col. Pennycuick, who had an
idea that P.W. Department Under Secretaries
should not sign papers for other depts.,
was inclined to magnify the difficulties
caused by the system which had worked
satisfactorily for years and that there-
fore the C.S. had assented to a change
being tried. The particular ground of
exception in 1895 was, that only the Rail-
way Under Secretary being at Madras and
he having a great deal of touring and
inspection to do and ample office work to
attend to, it was a great tax on
his time to have to sign papers for the
Chief and Revenue Secretaries which took
on an average over an hour per diem. The
C.S. remarked that there was something to
be said as regards the Railway Under
Secretary as he had a good deal of tour-
ing. The difficulty had arisen from a
change having taken place of recent
years in the arrangements regarding the
move of the P.W.D. offices to Ootacamund.
Formerly, the C.S. believed, no Under
Secretaries

Secretaries in the P.W.D ever went up. Then the senior was allowed to come up and of late years both had come.

The remedy for the state of things which existed in 1895, the C.S. thought, was distinctly to keep one of the Under Secretaries ^{in the} P.W. Dept, in Madras to sign.

Honorable Members remarked thereon that they thought that one of the Public Works Under Secretaries should, as in former years, be left in Madras.

His Excellency the Governor thought it would be well to have the opinion of the Public Works Secretary.

In reply the Honorable Colonel McNeill Campbell stated in his office note No. 1949 C d/ 10-4-96 that the presence of the Under Secretaries, Irrigation and Railway Branches, at Ootacamund was not essential, but that he did not consider it just that they should be kept in Madras for the purpose of signing papers for other depts. But as the C.S. had asserted definitely that he could not spare any of his Under Secretaries he suggested that the Under Secretaries Irrigation and Railway Branches, should take turns in remaining in Madras and coming to Ootacamund. This proposal was approved and I and E were requested to arrange accordingly,

8 The present Current No. 1589 is the reply to this order.

"E" states that ^{there} is a practical difficulty as the Under Secretary, Railways, cannot guarantee that he will remain in Madras continuously for any length of time. He is also Deputy

Consulting

End of paper marked with slip L.

slip M

Slip N

(Office Note No. I D /23-4-96)

I have many times signed papers for the Military Secy. Lt. Col. when he has been absent from Madras as Col. K. M. M. when he has been absent from Madras and he took so called casual leave.

slip O

Consulting Engineer and Government Inspector and as such is liable to go out at short notice to enquire into accidents, inspect new works &c - which may occupy from two or three days to a week or more. It would therefore be necessary for papers requiring his signature to await his return or to be sent to Ootacamund.

"E" further comments on the anomaly of the Under Secretaries of the Public Works Department having to sign papers for other departments, which anomaly, he thinks, is much increased when they are expected to stay in Madras for the purpose.

9. As regards the responsibility of the Under Secretary who signs papers, it is submitted that he is in no way more responsible than any other Under Secretary who signs "for Chief Secretary". The Assistant Secretary, Local and Municipal Department, when at Madras, signs papers for the Chief Secretary in the Public, Ecclesiastical, Financial and Political Departments, and he cannot have the time to read through each paper he signs nor is he expected to. All that is required of him is to see that each paper is initialled by the Examiner.

As regards facsimile stamps, attention is solicited to the papers so labelled in the file. ~~en~~ The officiating Accountant General objecting in 1879 that the practice only applied to cases where a person is absolutely incapacitated from signing his name ^{and} the (then)

Government

Government Solicitor considered ^{that} the using of dies was by no means to be recommended. The Government ^{has} was of opinion (vide G.O. No. 1611, Judicial d/11-7-79) that "to sign" means "to affix a name in writing or by means of a stamp". It is essential therefore that the stamp should be applied by the person whose signature it professes to be.

10. From the facts above stated it will be seen that the practice now called in question is no innovation but has obtained for many years, and indeed the Public Works Department, in seeking to do away with it, is attempting to deviate from a long established custom. Sanction has so far been accorded to only one Under Secretary in the P.W. Dept. accompanying Government to the hills and this sanction has been coupled with the condition that the arrangements for signing should not be interfered with.

~~It is not to be understood that the Government is in any way interfering with the arrangements for signing of papers by the Under Secretary in the P.W. Dept. accompanying Government to the hills.~~

Attention is specially invited to Col. Pennycuik's remarks in paras 3 and 5 supra (which have been underlined)

(i) to the effect that the Under Secretaries in the Irrigation and Railway Branches must in any case remain in Madras, and (ii) in regard to the nature of the Irrigation Under Secretary's work. It is understood

~~In regard the signing of papers issuing at Madras.~~

Slip 0

The full establishment of the Irrigation Dept. is not yet decided it is believed however precludes the idea that it was ever intended that both the Secy. shd. should accompany the G.O. to Ootacamund

"If so it should have been communicated as it reverses the arrangement made as Govt was leaving for the hills."
H.A.

Understood that this officer is in charge of the office in connection with the Tank Restoration Scheme located permanently at Madras.

C.S. 25.5.96 In: When U.S. in the
Jy. Branch has I believe
Come to Ootacamund. I am not
aware of any order of Govt permitting
this. There may of course be one in
the P.W.D.

Before saying what I wish to say to
the note of the Office I would repeat
what I already said stated in my
note to Col. Pennycuik marked P.
by that letter I got my Subordinates
have any wish to shift any portion
of our work leaving much worrying and
travelling as it is. If I could honestly
say that either my Under Secretary or
Asst. Secretary could be left down in
Madras without serious impediment to
the work of my Office I would say
so at once. I cannot. I have served
long in the Secretariat and I can
realize from the experience which I have
had of work in it how very much
it would be hindered by the Chief
Secretary being separated from his
Under and Asst. Secretaries. They have
frequently to see him about business
in hand and the number of slips
asking questions and a flood of
answers which pass between them
- I may say almost daily - is by itself
with me in Madras and the others
here beyond of these "chits" will
have to go by post with a resulting

delay of at least three days - whereas
a reply to a question asked can very
frequently does not take ten minutes
if even that. So much for the
personal side of the question. There
is another aspect. The drafting
of a very large proportion of orders
- certainly all those on large and
important subjects is done by
the Under Secretary & Asst. Secretary.
If letters of these Officers remain
in the hands of any bundle of any
importance which returns from
circulation will have to go down
to Madras with in a large number
of cases all reference papers in order
that the U.S. or A.S. as the case may
be should prepare the drafts.
This done the whole thing has to
be sent back to Madras in
order that the drafts may be passed
by the Chief Secy and not infrequently
by one or all the members of Govt.
After this has been through the
drafts with its accompaniments
will have to go back to Madras
to be fair copied or rechecked
printed and then the fair
will be signed by the subordinate
Secy unless of course it is a
letter to the Govt. of India which
has always to be signed by a
Secretary or something of a like
nature. The ~~prolonging~~ cost of
sending large files backwards
and forwards would be very
heavy and the knocking about

In re the signing of papers
issuing at Madras

G.
25 A.
1,903-21-3-96.

C. No.

DEPARTMENT

FOR ORDERS.

which they would have in the Govt.
would not conduce to their preservation.
There would also be considerable delay
in issuing orders as here the Under
Asst. Secretary send up to the Chief
a draft which as soon as it is passed
goes to Madras - unless it is a small
one when it is dealt with here - and
returns there.
If an Under Secretary or Asst. Secretary
is to be left in Madras in addition
to the other duties, I suppose papers which
I submit neither by subordinates
nor the Under Secy require Dept.
who should remain. If some of
these are to stay behind when Govt.
move up to Madras the only
Under Secretary who can be left
is one belonging to the P.W.D.
If they are all to come ^{up} to Govt.
consider the anomaly of an Under

FOR ORDERS.

H. M.

x This is for the Chief Secretariat
close.

Verständnis f. an sich Man.

[G.]
[25 A.]
1,000-218-96

DEPARTMENT

C. No.

FOR ORDERS.

There is no other suggestion that I can
offer.

22/6/56.

I can only add that my work would be seriously blocked and inordinate delays brought about if my U. Secy. were not with me.

MA 1. 6. 96

I asked the Revenue Secy to look
him over through and add anything
that he might wish to say

12
1/6/86

E

FOR ORDERS.

H. M. & Co.

Secretary of
the Board

C.S. C. No. 1589 & 1762
100
ORDER No 626.813 June 1896
Recorded

C.S. 9.6.96 hd
9/6/96

The Secy Rec. Dkt (in Original
in Journal)

Alt
11.6.96.
Not in CS
That, if it is intended, it
all that is necessary
CS
9/6/96

C1/6

When given for copying _____
When copied _____
When examined _____
When signed _____

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO O. No.

ORDER OF GOVERNMENT.

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DUTY.

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

N.B.—

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