

Pub. 31.
10-20-7-95.
Public (1897) Department.

ORDINARY PRINTED.

G.O., No. 1168

DATED 3. 9. 97

[Despatch Abstract.]

Presidency House rent Allowance

Passing orders on the subject of
the grant of — to medical
officers debarred from the
right of private practice.

1/27/97

BACK PAPER

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

FURTHER PAPER

G.O.	No.	Department.	Date.	G.O.
C No 3692897				
316/99 (Major Reeves)				

Government {1897} of Madras.
PUBLIC.

Recd.

Enclosures

Regd.

1897.

Spare copies

G.O., No. 1168, 3rd September 1897.

SEPTEMBER.

Presidency House-rent Allowance.

Passing orders on the subject of the grant of — to medical officers debarred from the right of private practice.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers :—

G.O., No. 304, Financial, dated 1st April 1897.

ABSTRACT—Recording papers connected with the house-rent of the Surgeon to His Excellency the Governor while at the Presidency; and requesting the Surgeon-General to furnish a list, revised up to date, of Medical officers debarred from private practice.

From Surgeon-Major-General C. SIBTHORPE, F.R.C.P.I., Surgeon-General with the Government of Madras, to the Chief Secretary to Government, dated Madras, 17th April 1897, No. 237.

With reference to paragraph 2 of G.O., No. 304, Financial, dated 1st April 1897, I have the honour to subjoin a revised list of executive Medical officers debarred from engaging in private practice—

1. The Principal of the Medical College, Madras.
2. „ Medical Storekeeper to Government, Madras Command.
3. „ Resident Medical Officer, General Hospital, Madras.
4. „ Secretary to the Surgeon-General with the Government of Madras.
5. „ Chemical Examiner.
6. „ Deputy Sanitary Commissioner.
7. „ Superintendent, Lunatic Asylum, Madras.
8. „ Medical Superintendent of a Central Jail.
9. „ Second Surgeon, General Hospital.
10. „ Assistant Physician do.

The last two are only debarred from engaging in private practice when they are granted Presidency house-rent (*vide* G.O., No. 779, Financial, dated 15th August 1893).

G.O., R. No. 553, Public, dated 4th May 1897.

From W. H. MICHAEL, Esq., Officiating Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 17th May 1897, No. 1541.

With reference to paragraph 2 of G.O., No. 553, dated the 4th May 1897, I have the honour to subjoin a list of Medical officers who are at present allowed Presidency house allowance—

1. Secretary to the Surgeon-General.*
2. Chemical Examiner.*
3. Deputy Sanitary Commissioner *
4. Assistant Physician, General Hospital.*
5. Resident Physician do. †
6. Senior Surgeon do. ‡
7. Superintendent, Ophthalmic Hospital. ‡
8. Surgeon, First District. ‡
9. Do. Third do. ‡

* These officers are included in the list furnished by the Surgeon-General.

† Under M. G.O., No. 80, Financial, dated 29th January 1894.

‡ These officers are allowed house-rent as they held appointments entitling them to Presidency house-rent on the date of the Government of India Resolution, No. 2987, Financial, dated 6th June 1888, recorded in M. G.O., No. 497, Financial, dated 22nd June 1888.

Memorandum No. 1375, Public, dated 3rd July 1897.

From F. C. HARRISON, Esq., Officiating Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 12th July 1897, No. 2132.

With reference to your memorandum, No. 1375, dated the 3rd of July 1897, regarding the Presidency house-rent passed by this office to Surgeon-Lieutenant-Colonel Maitland and Surgeon-Major Pope, I have the honour to state that the house-rent to the above officers was granted under the ruling of Mr. Rawlins, the then Accountant-General. The Government of India to

* This office letter, No. 1431, dated 7th May 1897, and the Government of India Financial No. 2763, dated 25th June 1897. whom a reference was made on the subject, did not uphold his view as will be seen from copies * of the correspondence enclosed. The allowance drawn by the above officers from 25th June 1897—the date of the Government of India letter—will now be disallowed.

ENCLOSURES.

From W. H. MICHAEL, Esq., Officiating Accountant-General, to the Secretary to the Government of India, Financial Department, dated Fort St. George, 7th May 1897, No. 1431.

With reference to paragraph 2 of the Government of India resolution, No. 2987, Financial, dated 6th June 1888, regarding the grant of Presidency house-rent to Medical officers in civil employ who on the date of the resolution held substantively appointments entitling them to Presidency house-rent, I have the honour to inquire whether a Medical officer who held a substantive appointment on the date of the Government of India resolution entitling him to Presidency house-rent and was subsequently transferred to an appointment outside the Presidency town is entitled to Presidency house-rent, if he is appointed again acting substantively to the same or a similar appointment in the Presidency town. A claim arose in 1893 when Mr. Rawlins, the then Accountant-General, held that it was admissible. "Otherwise, there would be no sense in the distinction drawn between the status of substantive and of acting officers in paragraph 2. What is referred to in that paragraph is not the right to draw house-rent, for that is lost by substantive as well as by acting officers on leaving the appointment that conveys it, but the vested right to draw house-rent while holding certain appointments which the acting officer loses for good; but the substantive officer retains." I doubt, however, whether the intention of the Government of India resolution was to give a vested right to an officer who was in receipt of house-rent on the date of the issue of the Government of India resolution and allow such right to continue after ceasing to draw the allowance in some other appointment. I make this reference as a case has now arisen.

From W. S. MEYER, Esq., Officiating Deputy Secretary to the Government of India, Finance and Commerce Department, to the Accountant-General, Madras, dated Simla, 25th June 1897, No. 2763-Ex.

I am directed to acknowledge the receipt of your letter, No. 1431, dated the 7th May 1897, in which you inquire, with reference to paragraph 2 of the resolution in this department, No. 2987, dated the 6th June 1888, whether a Medical officer who on the date of the resolution quoted held a substantive appointment entitling him to Presidency house-rent, and was subsequently transferred to an appointment outside the Presidency town, is entitled to Presidency house-rent, if he is appointed again acting or substantively to the same or a similar appointment in the Presidency town.

2. In reply, I am to say that the intention of the order under reference was the usual reservation of existing rights attached to existing Presidency town appointments. Accordingly, an officer who has lost such an appointment by transfer to the mufassil or otherwise cannot claim, on afterwards entering another Presidency appointment, the special privilege allowed in paragraph 2 of the resolution in question.

Memorandum, No. 1552, Public, dated 23rd July 1897.

From the Accountant-General, dated 28th July 1897, No. 2316.

ABSTRACT.—Stating that Surgeon-Lieutenant-Colonel H. D. Cook is not drawing house-rent allowance at present and that it has been stopped from 9th April 1895.

ORDER—No. 1168, Public, dated 3rd September 1897.

The correspondence read above contains lists of the medical officers at the Presidency (a) debarred from private practice, and (b) allowed Presidency house-rent allowance. It is observed that the former list is incomplete, the Surgeon-General having omitted from it the Resident Physician at the General Hospital who under G.O., No. 80, Financial, dated 29th January 1894, is permitted to draw house-rent allowance on condition that he abstains from private practice. A similar condition applies, under G.O., No. 779, Financial, dated 15th August 1893, to the Second Surgeon and the Assistant Physician at the General Hospital. It appears from the Accountant-General's list that the former officer does not exercise his privilege of drawing house-rent: it is presumed therefore that he has chosen to retain the right to private practice. The Medical Storekeeper, No. 2 in the Surgeon-General's list, does not fall under Civil rules.

2. During the course of the present inquiry it was found that certain medical officers at the Presidency, though not debarred from attendance on private patients, continued to draw house-rent, basing their claim to it on the Resolution of the Government of India printed in G.O., No. 497, Financial, dated 22nd June 1888, which provided that vested interests should not be disturbed. On a reference by the Accountant-General the Government of India has recently decided that in the case of these officers the claim is no longer valid, and their privilege has therefore been discontinued.

3. In order that the matter may now be placed on a satisfactory footing, His Excellency the Governor in Council considers it necessary to call attention to the general principle that no medical officer at the Presidency town can claim house-rent allowance unless he is by rule prohibited from private practice. The list printed in the margin shows the officers to whom such a prohibition applies. It is to be observed, however, that all the officers named do not draw house-rent allowance,—the Principal, Medical College,

- (1) Principal, Medical College.
- (2) Resident Medical Officer, General Hospital.
- (3) Secretary to the Surgeon-General.
- (4) Chemical Examiner.
- (5) Deputy Sanitary Commissioner.
- (6) Superintendent, Lunatic Asylum.
- (7) Second Surgeon, General Hospital.
- (8) Resident Physician do.
- (9) Assistant Physician do.

lege, not being entitled to do so under G.O., No. 370, Military Department (India), dated 4th April 1867, as his pay exceeds Rs. 1,400 *per mensem*, while the Resident Medical Officer, General Hospital, and Superintendent of the Lunatic Asylum, are provided with free quarters. As pointed out above, the Second Surgeon, the Resident Physician and the Assistant Physician at the General Hospital are debarred from private practice only so long as they draw house-rent.

(True Extract.)

Chief Secretary.

To the Surgeon-General.
" Sanitary Commissioner.
" Accountant-General.

CURRENT No.

CHIEF SECRETARY
18 MAY 1897
From the Secretary
GOVERNMENT OF MADRAS
Att General
Madras

Order

No. 1541

Dated 17th May 1897

Received 18
Registered 19 } 5-97

Enclosures

Spare copies

SUBJECT.

Furnishing a list of Medical Officers who are at present allowed Presidency house allowance

10-5-97

BACK PAPERS.

G.O.	No.	Department	Date.
for	553	Pub	4-5-97
	80	Finl	29-1-94
	497	Finl	22-6-88
	304	"	1-4-97
	847	"	8-12-96
	1242	Pub	20-11-96
	779	Finl	15-8-93
	384-5	Pub	13-5-93

FURTHER PAPERS.

G.O.	No.	Department.	Date.
	207	"	13-9-88
	497	"	22-6-88
	272	Pub	9-4-90
	543	"	11-8-87

INDIAN TELEGRAPHS.

To			From		
(Office)			(Office)		
Day.	Hour.	Minute.	Official Instructions.		
24	15	27			
To			From		
(Person)			(Person)		

64 Word Form.

Received from the Secretary of the War Office, London, 15th June 1897, a letter dated 15th June 1897, in which it was stated that the above mentioned person was holding a substantive appointment in the Indian Army, and that he was at present in the service of the Government of India. It is requested that you will be good enough to inform the Secretary of the War Office, London, of the above mentioned person's appointment in the Indian Army, and that he is at present in the service of the Government of India. This information is required for the purpose of the above mentioned letter.

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

1 Recd. 22/7/97.

Public (1897) Department.

CURRENT No. 2132



From

The Accountant General,
Madras

CS
In Orders

Please see enclosure of
the note at M.

No. 2132

This amount may it is
submitted to me for
the quarterly limit but
for July is received. That
will show whether D. Cook
is drawing house rent at
present. If he is not the
amount may be recorded.
If he is a further note
will be submitted.

Dated 12 July 1897

Received

Registered

Enclosures

Spare copies

SUBJECT.

Stating that the allowances drawn by
Surgeon Lt Col. Hailland and Surgeon
Major Pope for House Rent from 25th
June 1897 will now be disallowed
as the Govt of India did not
comphold the view of the A.G.

A.K.

20/7/97.

The last time
would be to ask
the Jy whether
the Lt. C. Cook is
drawing house
rent. He is
I think he is
22/7/97.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Public Dept-

C2593

On N^o 1552

The Acct Genl is
requested to enquire
further as to report
whether Surgt. Col. Cook
is now drawing
house rent allowance

from C.S. & order

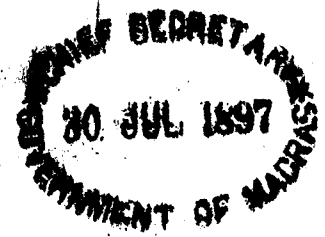
C.S. MK.
22-7-97 25/7/97

G.O. 1882 & 2593-Q.

To
The Acct Genl. Madras despd
22/7/97

Public (1897) Department.

CURRENT No. 2838



From

The Accountant General
Madras

Cl

In Orders

Please see notes on
C2593 Y^{and note of} The Accountant General
reports that D. Cook's ^{to} ~~has~~
ceased in April 95
when he took up the appointment
D. M. S. O., the Nilgiris.

No. 2316

Dated 28 July 1897
Received
Registered } 30-7-97
Enclosures -

Ans
21/7/97

It is submitted that
this, as well as account

Spare copies - recd 28/7/97

SUBJECT.

No 2593 (Y) may
now be recorded, with the
remark that the S.S. has omitted from his list the
H.M. et (P) spread that
is not revised up to date, of
the medical officers in Madras
who are allowed private
practice should be called for, Ref. 6-4 5 PM
39-7-97
but perhaps he will not care to be
bothered with this. The Accountant General
has been informed of the matter and has
been requested to take the necessary steps.

Stating that Surgeon Dr. Cook
Ref. P. H. M. S. O. is not drawing house
rent allowance at present
and that it has been stopped
since 9 April 1895.

P.T.O. (21)

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The main point in the note for order at X has now been disposed of by the AG's final decision. The Surgeon General's list of species obtained from private practice is given as last note (to it must be added the Resident Physician General Hospital) of the C. S. Carder that his formally approved that his matter should go before H.M. Carder should be presented to the Staff G.O., who will list as an appendix, may, it is submitted, be prepared & laid before H.M.

M.
2/8/97

Yes: Mr. Carder will have to see and list for the future generations.
2/8/97

Facetted Audit DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
July 1897.
No. 256

From J. L. Harrison Esquire,
OFF. ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,
To THE Chief Secretary to Government
Public Department

SIR,
With reference to your memorandum No 1552 dated the 23rd July '97, I have the honour to state that Surgeon Lieutenant Col. Cook is not drawing house rent allowances now. It has been stopped since 9th April 1895 when he left the Presidency town to take up the appointment of District Medical and Sanitary Officer, Nilgiris.

I have the honour to be,
Your most obed^t servant,
Harrison
Off. Accountant General.

For Approval

ACS

To the AG.

O.L. no 1375 of 3rd July 1897

In his letter no 1541 d. 17-5-97
the AG. has included in the
list of medical officers allowed
Presidency house allowance
the Senior Surgeon, General
Hospital (Surgeon Lieut. Lt. Martland
and the Supt. Ophthalmic Hospital
(Surgeon Major Pope), explaining
that the privilege of drawing
house rent is enjoyed by these
officers by reason of their having,
on the date of the Govt. of India
Resolution no 2987 Fin^d d. 6 June
1888, held appointments
entitling them to house rent.
It seems clear from the terms
of the resolution that the
concession was only intended
to remain in force, in the regard
to each officer as long as he
continued in the appointment
which he held in 1888. ^{and that alone} Surgeon
Lieut. Lt. Martland & Surgeon
Major ~~Robert~~ Pope have both
vacated their appointments
which they then held -

K. A. C. S.
Nrs 1375
13 July 1897

35/6/97

2/7/87

It seems useless to send up
the Petition as it is.
If Financial is going to
take it would be more
satisfactory to transfer
the currents to that
dept. to which they
properly belong, and let
the whole question be
disposed of once for
all.

Note for Public Dept

The 5th letter is a reply to
a Financial govt. but the reference
was made to the Medical
because the present govt. have
out of the question. The
matters raised in this ~~note~~ note do,
it is thought, concern the Public
Dept. as the Dept. concerned with
the administration of the Medical
Dept. and it is for Public as the
administration Dept. to see that
the rules are worked. The
very often the ~~contention~~ contention
in the present paper that the
is the only Dept. concerned with
the working of the ~~system~~ system
that is the only Dept. concerned with

Note for the Financial Dept

This file does not seem to belong properly to the Public. The S. G.'s letter is a reply to a financial B.O., registered apparently in Public. There is really nothing to be done in Public. In financial however there seems to be a rather complicated question as to the right of the few officers at the end of the A.G.'s list to draw house rent while they enjoy the privilege of private practice.

G.O. no 497 Feb d. 22-6-88
contains the resolution of India
regarding house rent. In
order to avoid hardship to
officers drawing house rent at
the time India ruled that
officers then holding substantial
appointments in India they draw
house rent should be allowed
to continue drawing it. This,
as I read it, means only that
they should draw it as long
as they may hold their appointments.

The A.G. however, (see telephone
attached)

Consider that any official
who in June 1888 happened
to be holding such an appointment
will all things his service
be exempted from this rule.

An example. The Senior
Surgeon (Hastland) was
in 1888 transferred to the
Professor of Berlin's Medical.
In 1889 he became permanently
Surgeon to the Govt; yet then
he again obtained a post
at the ~~University~~ in the
for Hospital for Ag
Consider that he may again
draw house rent

Similarly when the Surg.
Ophthalmic Hosp. (Pope) was
Assistant Physician in 1888,
he became subsequently
Dist. Surg. S. Arch, yet
when he returns to head
he is allowed house rent
as well as private practice.
The cases of Hazlett, Ingham
& Thompson are similar.

These things don't mean
nothing, but as they come up in
regarding into these matters & anti
made of them. 29/5/97

if carried further,
necessitate the disposal
in Financial of a large
number of papers now disposed
of in other depts - e.g. Revenue
Judicial & Marine. It would
be in ^{and questions of acting & travelling allow} all leave applications being
dealt with in Civil service these
applications are granted under
Financial rules. It is thought
that the ~~present~~ present question ~~is~~
is existing stage is ~~not~~ ⁱⁿ pending
Administrative one should be
dealt with in Public, but if
Public objects the point will be
settled for CS's orders.

and
8/6/97

~~Disputations in consequence~~

1886
30.77

CA

Before that
up ~~and~~ ~~the~~ ~~v~~
this will you
Please say
if there is
any thing you
wish to specially
note in

and
22/5/97

CA

I can't say at present
But it will be safer to
send the Public Dept

Who in the present holds
the position of
Hospital ~~at~~
does not draw
house rent
Now in S. L. C. Col
Hazlett draws for
allowance when
he is at home.
Does he draw when
absent?

Heather S. L. C. Cook, Surg. A
Ingham, in S. L. C. Hazlett
was on his duty when my
rule was drafted & actually
drawing house rent, but
they are all entered in the
April list list & entitled
to draw it. Cook being still
(as he was in 1888) Surg. A
Dr. Cook (present) is proposed
entitled in the name of the
Ingham (Hazlett)
who has been included in the
rule in order to show the
principle & that the A.G.
has looked his rules. 14/6/97

NOTE FOR THE

In the reference to the 1887 note on the 20th for order it is submitted that the Ag. should now be asked to state the grounds why these officers who have vacated the appointments should not be held to the privilege of drawing house rent. A Draft memo. is submitted.

AH.
14/6/87

AH.

The history of the officers in question is shown below: — (all permanent posts)

S. C. Cort.

Surgeon (M. Dist.) 15-5-87	do
----------------------------------	----

Dr. J. L. C. Haylett.

Surge. & Dist. 26-1-87	Surge. 3rd Div. (16-2-93)
---------------------------	------------------------------

S. L. C. Maitland

Professor of Med. Medicine. 1882-1888.	Surgeon to H.R. M. Dist. 15/3/09	Asst. Surgeon Cocodora 23-1-91	Surge. 4th Dist. 4-8-93	Senior Surgeon. 7-4-96
--	--	--------------------------------------	-------------------------------	---------------------------

St. Pope.

Asst. Physician, & Prof. of Hygiene. (26-1-88)	Dist. Surge. S. M. Dist. (7-3-92)	Surge. of Police Hosp. 4/4/94
--	---	-------------------------------------

S. A. Sanghi

Asst. Surge. to H.R. 24-12-87

S. J. Thompson.

Dec 15th 91 9/1/86.

P.T.O.

W. G. Fair for commissioning
A. M. M. M.

Card
25/5/87

Thos. M. M.
Card

25/5/87

O.M.

John A.G.

In his letter no 1041 d. 17.5.97
Mr A.G. reported that four medical
officers at the Presidency, namely -
(1) The Senior Surg^t Gen. Hospital
(2) "Supt. Ophthalmic Hosp^t
(3) "Surg^t 10th Dist^t
(4) " " " "

are allowed leave but although
they have not been debared from
private practice. From the
~~circ. dated April 1st it appears~~
~~that two of these officers, viz~~
~~(1) The (senior) Surg^t Gen. Dist.~~
~~(2) " " " " " "~~
~~are enjoying the same privilege.~~
The Surg^t 10th Dist, ^(Dr. Col.) and the ~~senior~~
~~senior~~ holds now the same
opportunities as in 1858. ^{he} ~~has~~
therefore under restoration of the
S. of I. F. d. 6 June 1858 was
2987 ^{to attend to draw 1/2 29/6/97} ~~rightly~~ ~~has~~ ~~rest.~~ The
other officers have all vacated the
opportunities and they held
in 1858, or ~~had~~ ^{temporarily} ~~therefore~~ have
lost the privilege ^(temporarily) ~~temporarily~~ ~~within~~

of the Resolution quoted above.
This seems clear from the
terms of the resolution, but the
A.G. will be reported to
from Gov. with his remarks
on the subject.

A.H.

14/6/97.

[9.]
[73]
2,000-25-1-96

There is something in the
the way of things here.
I am ~~sure~~ ^{sure} that
Dr. Walker has been
forgotten some time
back to the Surgeon
General. I recollect
that it was settled in London
that Dr. Walker was
appointed as Civil Surgeon
at the command (Q) and
Dr. Cook has been appointed
Ag. Surgeon 3rd District
vide J and N. It is
not known whether
possible he will be
made permanent in
Dr. Hazlett's place.
There is correspondence
going on now it is
18/6/97 understood between
the Private Secy of the Surgeon
Genl regarding this matter.
Holloway was sent in to act in
the 1st Dist. Dr. Cook is I know to go
in place in the 3rd Dist. - He has

NOTE FOR THE C.S.

The U.S.'s note
is based on the statement
at page 206 of the Quarterly
Civil List, and No 27
with the list flagged N.A.
both Dr. Cook is shown
as the permanent Surgeon
of the 1st District and
Dr. Walker as Surgeon
1st District sub pro tem.
Dr. Walker has been
appointed as Civil Surgeon
at the command (Q) and
Dr. Cook has been appointed
Ag. Surgeon 3rd District
vide J and N. It is
not known whether
possible he will be
made permanent in
Dr. Hazlett's place.
There is correspondence
going on now it is
18/6/97 understood between
the Private Secy of the Surgeon
Genl regarding this matter.
Holloway was sent in to act in
the 1st Dist. Dr. Cook is I know to go
in place in the 3rd Dist. - He has

He was in the
 house at the time he
 came to the house
 I am not sure that
 it was the first time
 I saw him living and
 hunting. He is walked
 to the house and
 then he has been
 there since then. He
 is going in a search
 of food. He has been
 seen in the house
 & change in the
 house. He is
 found in the house
 & keeps his things
 in his hands.

I cannot for the life
of me comprehend
the Bible.

The Supr of the 1st D. L.
is on paper 20 Ark.
Kant he is now selling
in the 3rd D. L. and
recommends him as

1. 1. The first part of the book is a
2. very good introduction to the
3. subject of the book.

No. 100-
 100-100-
 Page 206
 April 20, 1911

He also said
of it, but was
entitled in his
Civil list co
entitled to

adding a 15th and
was added to
house with three
and 15th Street
the same old

I have not yet heard
the information concerning
Dr. Houghton's conduct
towards the allowance
of. When he is sent
home, with the
proper business which
he does it, I mean
the man before
Dr. Cook could
see to it. 28/6/99

NOTE FOR THE CHIEF SECRETARY.

Please see the A. G.'s list, just before A. It includes officers of two different classes, viz, nos 1-5, who ex-officio draw horse rent because private practice is not permitted to the incumbents of their posts, and nos 6-9 few officers who, not ex-officio, but as a personal privilege, are considered by the A. G. to be entitled to horse rent when in Madras. These four would have been better described by their names than by their official designations.

The four officers are —
 1st Surg^t. 1st Dist. Dr Cook..
 .. 3rd Dist. .. Hazlett
 1st Ensign^t. 1st Dist. .. MacLeland
 1st Apothecary^t. 1st Dist. .. Pope.

Of these Dr. Cook and Hazlett
 are not when the A.G.'s report
 as written actually drawing
 are sent, but they are
 interested in the civil list
 for April 1st (page 206) as
 titled to it. Hence their
 names have been included
 the note for orders, to

illustrate the principle on
which the A.G. has gone.

Dr. Cook

This officer can differ from
those of the other three in
that he holds no, on
paper, the same appointment
as in 1888. If he were to
go back to the 1st Dist.
he would undoubtedly
be entitled to have rank
under the terms of the Fort-
Pike Resolution. The

A.G. goes further and
considers that Dr. Cook may
draw his rank (1) while
serving in the 1st Dist.
though doing his regular

business in the 2nd Dist.
if he is entitled to his
rank in the 1st Dist. The A.G.'s
principle is, it is submitted,
wrong in each instance. Dr.

Cook should be made to
have rank the long duty in
the 3rd Dist. than when he
is in the 1st Dist. he can, it is submitted,

only claim it as long as he is,
& does his duty in, the 1st Dist.

[With reference to Dr. Cook's
rank, it is known of Dr. Cook's
permanent transfer from
the 1st Dist.]

Adm. In (1), compare this case of
Dr. Thompson who is acting Surg.
3rd Dist. draw his rank because
he was permanent Sec. of Surg. Gen. in
1888.

In (2), compare case of Dr. Hamilton
who has changed his appointment
several times since 1888 but
still draw his rank in the 1st Dist.

[G.]
74
300-74-98

NOTE FOR THE CHIEF SECRETARY.

Dr. Haylett

This officer's case is similar
to those of the principle on which
the A.G. looks. As he is not
returning to India it is
not so serious in position. He
did not draw his rank
while at home, but is
entered in the Civil list
for April 1st as entitled
to it.

Dr. Hamilton & Pope

These officers have, it is submitted,
nothing to claim to draw
their rank. Dr. Hamilton
was in 1888 Professor of
Natural History. He has held
three other appointments (including
one at the University of Toronto).
Dr. Pope was Assistant Physician,
and after a time in the 1st Dist.
S. Arct. Station. He obtained
his present post.

If this question is to be
argued into the A.G. may,
it is submitted, be asked first
to explain why Dr. Hamilton

and P. Spe. Dr. have not.
Dr. Cook's position being at
present uncertain he
need not be referred to,
but can be included in
the final order passed.

AK.
30/6/97.

Sept 31. 8. 97

Privy. House rent allowance
and private practice of
medical officers

1/11/97

10.11.97
3-9-97

xx
below the note for orders;
a draft order is appended
with.

In reference to H.M.'s recent
Circular to Secretaries
Re: Draft order in
household and money
sent to
1/8/97

US
For perusal
C. 97

Re.
o You can answer saying
you had the H.M.'s note
yesterday
C. 97
2/9/97

Refer to the US.
Please see D.O. from the HM.
It returned from the Forbes late last evening
2/9/97

Public Department

FOR ORDERS

Please see note for orders
below. The enquiry suggested there was
set on foot, with the result as shown in
the printed correspondence, that the of-
ficers who appeared to be wrongly drawing
(or shown as entitled to draw) house ren-
allowance while engaged in private prac-
tice have now been deprived of the pri-
vilege.

AK.
26/8/97
30/8/97

This matter has I think been now completely
worked out and disposed of

C. No. 1882. 1666

~~H. E. THE GOVERNOR.~~

~~THE HON'BLE MR. BLISS, C.I.E.~~

~~THE HON'BLE MR. GROSE, C.I.E.~~

SUBJECT.

Presidency House rent allowance and
Private Practice of Medical Officers.

FOR ORDERS.

*note for
orders at P*

The Surgeon-General having
in the budget for the current year pro-
vided a sum of Rs. 600 as house rent
for the Surgeon to His Excellency the
Governor enquiries were set on foot
to ascertain the necessity for this
provision, in view of the fact that
the Surgeon to His Excellency at
present occupies quarters at Govt.
House. It was found, on a reference
to the Surgeon-General and the Military
Secretary ^{to His Ex. Govt.} that the Surgeon occupies
quarters only during His Excellency's
pleasure and that no proposal to allot
him permanent quarters has been made.
It was ascertained however in the
Accountant-General's office that since
1888 no house rent had been paid to
H.E. the Governor's Surgeon on the
ground not that he is provided with
quarters, but that he is allowed the
privilege of private practice and is

therefore not entitled to house rent allowance under G.O.No. 497, Financial dated 22nd June 1888. The question of free quarters therefore was dropped, and enquiries were made with a view to putting into force the rules regarding private practice by Medical Officer in Madras. As Dr. Bidie's list, flagged *D* in the file, is practically obsolete, the Surgeon General was requested in G.O. No. 304 Public, dated 1st April 1897, to furnish a list revised up to date of medical officers debarred from engaging in private practice.

4. G.O. No. 1666 furnished this information. The list includes

1. The Principal of the Medical College, Madras.
2. "Medical Storekeeper to Govt., Madras Command.
3. "Resident Medical Officer, {Resident Surgn. General Hospital, Madras. {Gifford.
4. "Secretary to the Surgeon-General.
5. "Chemical Examiner.
6. "Dy. Sanitary Commissioner.
7. "Supt. Lunatic Asylum, Madras.
8. "Medical Supt. of a Central Jail.
9. "2nd Surgeon, General Hospital.
10. "Assistant Physician---do----

The last two are only debarred from engaging in private practice when they are granted Presidency House rent allowance vide G.O.No.779, Financial, dated 15th August 1897.

B²

The Accountant-General was also asked in G.O. No. 553, Financial, dated 4th May 1897 to submit a list of the Medical Officer at the Presidency drawing house rent. The two lists are given below:-

Surgeon-General's list of Medical Officers debarred from Private practice.

Accountant-General's list of Medical Officers drawing Presidency House rent. *allowed*

- (1) Principal, Medical College. ✓
(cannot draw house rent as his pay exceeds Rs.1400 p.m. G.O.Mily.Dept. (India) No.370,d/ 4-4-67.) *read at D*
- (2) Medical Store-keeper ✓
(Not under civil rules)
- (3) Resident Medical officer General Hospital (i.e. Resident Surgeon, Surgn. Capt. Gifford) gets free quarters, therefore does not draw house rent. ✓
- (4) Secretary to the Surgn.-Genl. ✓
- (5) Chemical Examiner ✓
- (6) Dy. Sanitary Commissioner ✓
- (7) Supt. Lunatic Asylum (Gets free quarters) ✓
- (8) 2nd Surgeon, Genl. Hospital (Is entitled to house rent, but does not draw it. It is supposed that he has elected to keep his private practice). ✓
- (9) Asst. Physician, Genl. Hospl. ✓
- (10) Medical Supt. of a Central Jail. ✓

Note

House rent omitted in the Civil list (quarterly) for April 1st, apparently by an oversight. It has been ascertained that this officer actually does draw house rent.

- (1) Secretary to the Surgn.-Genl. ✓
- (2) Chemical Examiner ✓
- (3) Dy. Sanitary Commissioner ✓
- (4) Asst. Physician, Genl. Hospl. ✓
- (5) Resident Physician, Genl. Hospl. (Surgeon Capt. Robertson) ✓
- (6) Senior Surgeon ✓
- (7) Supt. Ophthalmic Hospital ✓
- (8) Surgeon, 1st District. ✓
- (9) ... 3rd District ✓

The Accountant-General has omitted from his list *the* Surgeon 2nd District, (Surgeon Major Smyth) who appears to have

x 2nd District to Surgeon Major Smyth

have been drawing house rent - *unduly*
Civil list, April 1st, page 200.

The Surgeon-General has omitted from his list the Resident Physician at the General Hospital who under G.O. No. 80 Financial, dated 29th Jan. 1894 draws house rent on condition that he takes no private patients. The same condition applies to the 2nd Surgeon and the Asst. Physician, under G.O. No. 779, Financial, dated 15th Aug. 1893, though as mentioned above the 2nd Surgeon does not draw house rent. It appears from the above statement that all the officers at the Presidency who are debarred from private practice either draw house rent, or for a satisfactory reason do not do so.

The Surgeon to H.E. the Governor being debarred from private practice is not entitled to house rent.

It appears from the As Accountant-General's list that there are four Medical Officers ~~not in Madras~~ who though not debarred from private practice still ~~draw~~ *retain the privilege of drawing* house rent. They are

(1) The Senior Surgeon General Hospital (Surgn. Lieut. Col. Maitland)

(2) The Supt. Ophthalmic Hospital (Surgn. Major Pope)

(3) Surgn. 1st Dt. (Surgn. Lt. Col. Cook) (~~Surgn. Major Pope~~)

(4) Surgeon 3rd District (Prig. Surgn. Lt. Col. Hazlett) *Has retired: was at that time of the 1891, but being sent to on furlough*

(5) Surgeon Major Thompson, Acting in 2nd District. *Since transferred to Mysore*

(6) Surgeon Major Smyth (Permanent Resident Surgeon, Genl. Hospital) *Since transferred to Mysore*

In G.O. No. 497, Finl., dated 22nd June 1888 is printed the resolution of the Government of India prescribing rules regarding house rent. In order to avoid

The resolution of the G.O. of 1888 is not very distinct but reading it in the light of the circumstances under which it was passed there cannot be any reasonable doubt as to its intention viz that officers who were on the date at which the resolution was passed ^{permanently or acting} holding appointments entitling them to draw house rent should retain such allowances until they vacated and that in future all appointments to certain posts should, ^{under existing conditions} not carry Presidency House Rent. I cannot see how the appl. of ~~the same~~ ^{the same} ~~rule~~ ^{rule} to the same post as he occupied in 1888, after he had ^{permanently} vacated it can be held to have deprived the right which was clearly only for the time being, created by the Resolution of 1888.

This view is in accordance with that subsequently expressed by the Finl. Dept. of the Govt. of India on a reference from the Asst. Secy. The ~~accordance~~ ^{accordance} of it has accordingly disallowed it in the case of Surgn. Col. Maitland & Surgn. Major Pope.

hardship to officers drawing house rent at the time it was laid down (para. 2 of the resolution) that the decision that house rent should cease to be drawn by officers who are allowed private practice "will not affect officers who on the date of the resolution held substantively appointments entitling them to Presidency house rent, or until they revert to other offices to officers who are acting in such appointments". This the Accountant-General reads as entitling any medical officer who was at the time drawing house rent to draw it all through his service when he is at the Presidency, even in a totally different appointment. For example Surgeon Lt. Col. Maitland was ~~at~~ on the date of the Resolution of the Govt. of India Professor of Materia Medica. In 1889 he became permanent Surgeon to the Governor, vacating his other appointment, yet when he again obtained a post in the General Hospital he again drew house rent.

Similarly Surgeon Major Pope was Asst. Physician in 1888. He drew house rent under the terms of the Resolution till he became District Surgeon of South Arcot in 1892 when it ceased. He returned to Madras in the same year and began again to draw house rent although he was allowed private practice.

It is submitted that it is open to doubt whether the Govt. of

India intended to confer on the officers who happened in 1888 to hold appointments in Madras a personal exemption from the rules of the service. It is not plain why ~~one~~ ^{one} of them who in 1887 drew house rent but vacated his appointment before 1888 should, if he now comes to Madras, be worse off than the man who held the same appointment in 1888. The intention of the Govt. of India was, it is submitted, that the rent should only be drawn as long as officers remained on the appointments which they held in 1888. If this is correct the only two officers who can draw house rent are Surgeon Lt. Col. Cook and Surgeon-Major Thompson whose present appointments now are the same as in 1888, though they are doing other duty. Orders are requested as to whether any further enquiry in this matter should be made.

AK.
8/6/97

Public Department.

ORDER

W. 1168 of 3rd Sep 97

The correspondence read above contains lists of the Medical officers ^{at} ~~in~~ the Presidency (a) debarred from private practice, and (b) allowed Presidency house rent allowance. It is ~~observed~~ ^{observed} that the former list is incomplete, ~~the~~ ^{having} the Surgeon General ~~has~~ ^{has} omitted from it the Resident Physician ^{at} ~~of~~ the General Hospital who under G.O. No. 30, Financial, dated 29th January 1894 is permitted ~~to~~ draw house rent allowance on condition that he abstains from private practice. A similar condition ^{and} ~~applies~~ ^{applies} under G.O. No. 779 ^{and} ~~Financial~~ ^{dated 15 Aug. 1895} to the Senior ~~Surgeon~~ ^{and} the Assistant Physician ^{the} at General Hospital. It appears from the Accountant General's list that the former officer does not exercise his privilege of drawing house rent: it is presumed therefore that he has chosen to retain the right to private practice. The Medical Storekeeper, No. 2 in the Surgeon General's list does not fall ~~under~~ under Civil rules.

2. During the course of the present enquiry it was found that certain medical officers at the Presidency, though not ~~debarred~~ ^{debarred} from attendance on private patients, continued to draw house rent, basing their claim to it on the ~~provisions~~ ^{provisions} of the Resolution of the Govt. of India

printed

printed in G.O. No. 497, Financial, dated 22nd June 1883 ^{which provided that} vested interests should be ^{not} ~~disrupted~~ ^{retained}. On a reference by the Accountant General the Govt. of India has ^{now} ~~decided~~ that in the case of these officers the claim is no longer valid, and their privilege has therefore been discontinued. In order that the matter may now be placed ^{on} in a satisfactory footing His Excellency the Governor ^{in final consideration it is necessary} ~~is pleased~~ to call attention to the general principle that no Medical officer at the Presidency town can claim house rent allowance unless he is by rule prohibited from private practice. The list ^{printed in the margin} ~~appended~~ shows the officers to whom such a prohibition applies. It is to be observed however that all the officers ^{named} ~~included in it~~ do not draw house rent allowance, the Principal Medical College not being entitled to ~~do so~~ under G.O. Military Dept. (India) No. 370 dated 4-4-87, as his pay exceeds Rs. 1400 per mensem, while the Resident Medical Officer, General Hospital, and the Superintendent of the Lunatic Asylum, are provided with free quarters. As pointed out above the 2nd Surgeon, the Resident Physician, and the Assistant Physician at the General Hospital are debarred from private practice only so long as they draw house rent. ~~recognition~~

- xx (1) Principal, Medical College.
 (2) Resident Medical Officer, General Hospital.
 (3) Secy. to the Surgeon General.
 (4) Chemical Examiner.
 (5) Deputy Sany. Commissioner.
 (6) Supdt. Lunatic Asylum.
 (7) 2nd Surgeon General Hospital.
 (8) Assistant Physician " " (8)
 (9) Resident " " "

New para.

xx see below.

Singapore General 3
 Sanitary Comm. 2
 Act. General 4
 16/1/97

20
 35/8/97

First copy sent to Press.

Returned for signature. 15/9/97

Despatched in print.

READ AGAIN G.O. No. 189

DATED

NUMBER OF COPIES REQUIRED. { Order complete. Letter only. Order complete with Letter.

ENCLOSURES to G. No.

VERNMENT

OF GOVERNMENT.

MENT WITH DITTO.

FILED CP. BEING MEANT FOR DISPATCH IN ORIGINAL.

15 Copies

21-3-07 ✓
2/9 17-5-07 ✓
19-11-07 ✓
~~19-12-10~~ ✓
19-12-10 ✓
13-11-12 ✓
19-12-17 ✓
31-7-19 ✓
9-7-28 ✓
11-6-31 BIII ✓
12-8-32 BIII ✓
7-11-34 BIII ✓