

Public (1897) Department.

ORDINARY MS.

G.O., No. 1503

^f
DATED 19-11-97

INDEXED.

[Despatch Abstract.]

Making Certain appointments
Affecting Messrs: Forbes, Tremblett
and Stuart of the Indian Civil
Service.

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

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

~~00TACAMUND 12-10-97~~

C. S. with fair

Public Dept:

CHIEF
SECRETARIAT,
D. C.
No. 445
Dated 14.10.1897

My dear Sir,

With reference to your telegram regarding Stokes' leave and the consequent appointments, will you please let me know whether I am right in understanding that the arrangements will be that Forbes will act as Revenue Secy. continuing to perform Local and Municipal work and that Tremmenheere will act as Secy., Local and Municipal, ~~continuing to~~ perform Revenue work. Please let me know soon as the minute of appointment has not yet been circulated.

Yours sincerely,

Recd
H.A. Sam Esquire, I.C.S.)

Cms.
14/10/97

14/10/97

Recd LCA after despatch

Submitted to the CH.

14/10/97

14/10/97 for the CH
The file is submitted
as the case is closed

14/10/97
C. S. with fair



Ootacamund,

14 October 1897.

My dear Sir,

With reference to your telegram regarding Stokes' leave and the consequent appointments, will you please let me know whether I am right in understanding that the arrangements will be that Forbes will act as Revenue Secretary continuing to perform Local and Municipal work and that Tremenneere will act as Secretary, Local and Municipal, performing Revenue work. Please let me know soon as the minute of appointment has not yet been circulated.

Yours sincerely,

Redruphica

H. A. Sim Esq. J. C. S.

CHIEF SECRETARY
28 OCT 1897
GOVERNMENT OF AUSTRALIA

CHIEF SEC.
16 OCT. 1897
GOVERNMENT OF AUSTRALIA

Now that a vacancy is about to occur in the Secretariat in consequence of Mr. Stokes' taking leave, I desire to reopen a question which I raised when the app't of a third Chief Secretary to this Govt. was under discussion, but which, if I remember right, was not then decided. This is whether the officer who will now be newly appointed shall as Secretary of Govt. and who will presumably be junior to the officer already employed as Secretary, should take over the work of the Secretary whose departure on leave makes the vacancy, or the work of the Secretary who draws the lowest rate of pay; and what rate of pay he should draw. The system hitherto in force in our Secretariat has been that, on a vacancy occurring in the pay was highly paid office of Chief Secretary, the Revenue Secretary should succeed both to his pay and his work, with the result that both the promoted Rev. Secretary and the officer brought in to officiate in his place have to undertake entirely new work. I do not think that this is to the advantage of the public service. The Hongkong system seems to me preferable, under which, while the Senior Secretary gets the higher pay, as is fair, the work is distributed among the Secretaries as men, convenient & suitable with reference to their previous work and Secretariat experience; and, as a rule, the incoming newly appointed officer takes over the work of the outgoing officer. It is not necessary at present to consider what should be done in the case of a vacancy in the office of Chief Secretary, that is, whether a newly appointed Chief Secretary promoted from another Secretaryship, or whether not take over the dept. ^{at the time} ~~work~~ ^{at the time} the Chief Secretary, or whether he should retain the Dept. therefore under him leaving the incoming officer to take the

* Public, Political, Financial, Judicial, Medical
etc.

dep. to them for under the Chief Secretary.
 But it does seem necessary at once
 to consider and decide what should be
 done in the case of the vacancy in the
 office of Revenue Secretary (on Rs 5125 p.m.)
 which will occur next month. Assuming
 that the office is brought into the frame-
 work will be junior to Mr. Forbes, the
 Secretary in charge of the L. & M. and other
 depts on Rs 2500 p.m., it would not seem
 fair that he should draw the higher em-
 ployment of the Rev. Secretary. On the other hand,
 if in order that Mr. Forbes should draw
 the higher emolument, he must take charge
 of the depts under the Rev. Secretary,
 it seems better that it will be very wise.
 Instead of one office only (the incoming
 Secretary) having to take up new work, two
 will have to do so; and we shall lose Mr.
 Forbes' services in the Legislative Dept. just
 at a time when it is unusually heavy. In
 addition, Mr. Forbes, with unusually heavy busi-
 ness before him in the Dept. of L. & M., will
 find it difficult to do so. I desire therefore to sug-
 gest that while Mr. Forbes should draw
 the pay of a Rev. Secretary and should, if re-
 quired for this purpose, be actually fac-
 ing the duties of a Rev. Secretary, he should retain
 his present duties, there now discharged
 by Mr. Stokes being assigned
 to the incoming (presumably junior)
 officer, who should be formally ap-
 pointed to act as Secretary in the L. & M.
 Dept., but should take charge of the
 Rev. Dept. There is no harm in this.
 It is the same system that has for
 long been followed, under an
 office order, in the case of the Under
 Secretaries.

Circ:

16/10/97

See P.S.'s reply to Mr. Price's note
 28.10.97

I have understood that
 this is intended, & have
 no doubt it is the right
 course.

16/10/97

C.A.

The Secy. Mr. Price's note
 with Mr. Price's note
 makes the matter
 clear. Arrange & circ.
 for inf. 28.10.97



GOVERNMENT OF MADRAS
 28 OCT 1897
 CHIEF SECRETARY
 17

16/11/97

My dear Sir,

His Excellency wishes
 we today that you are
 right in your supposition
 in the enclosed. His Ex-
 cellency understands of
 course that this is in
 accordance with the
 wishes of Hon'ble members
 appointing
 C. A. Price

Public Dept:

John. St. George
2nd November 1897

D.O.

To *The Honourable Mr. J. Montagu* C.S.
~~The~~ Chief Secretary to the Govt. of
Bombay.

Dear Sir,

I should feel much obliged if you would be so good as to inform me at an early date as to the practice ^{which} ~~which~~ obtains with the Govt. of Bombay in regard to vacancies in the office of ~~Civil~~ Secretaries to Govt. It is understood that in your Presy. there are, as at present in Madras, three Civil Secretaries, and that when ^{a vacancy occurs in any} one of these offices, the officer newly appointed to act as Secy. to Govt., who is as a rule junior to the officers already employed in the Sectt; takes over the work of the Secy whose departure makes the vacancy and not the work of the Secy. who draws the lowest rate of pay. Will you please let me know if this is correct, and, if so, whether when the Secretaries are gazetted in vacancies such as the above, any mention is made in the gazette notification ~~of~~ to the departments over which they will retain charge.

Yours truly,

Curd

RA

1.11.97

CHIEF
SECRETARIAT,

D. O.

No. *462*

Dated, *2-4* 1897

NOTE FOR THE CHIEF SECRETARY.

D.O. No. 462 22.11.22

The following is sub? for
approval:

To.

Chief Secretary

Bombay

823. Should be much obliged if by
a very early reply ~~sent~~ to my
semi official of second regarding
appointment Secretary

Cmb
10/11/22 M.A. 11.11.97.

Return file to CA. after
despatch

Cmb

(1894.) Department.

D. O. No. 830.

From

The chief Secy to
the Govt of Bombay

No.

Dated 8-11-97.

Received 12 }
Registered 12 } 11-97.

Enclosures

Spare copies

SUBJECT.

Stating that the practice
of filling vacancies in the
posts of Secretaries is as described
& that the Secretaries in the Rev.
& Finl. Dept., in the Pol. & Just. Dept.,
& that in the Finl. & Ed. Dept. are
quite distinct; that it is understood
that the last will always carry
the lowest pay & that the Senior
of the other two is the chief Secy
without regard to the department
he is in charge.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

DEPARTMENT.

No. 5220.

ASA RAGHAVAIYANGAR, AVARGAL,

DEWAN BAHADUR,

INSPECTOR-GENERAL OF REGISTRATION,

Madras,

able J. F. Price

CHIEF SECRETARY TO GOVERNMENT,

Fort St. George

Madras. 4th November 189

Referring to the Government Sec
ed 30th Ultimo on re De
Public Department and
order to submit copy
the Registrar of
Companies furnishing
tion called for.

I have the honor to be,

Sir,

Your most obedient servant,

Shunmuga Reddy
Genl of Regn.

CHIEF SECRETARY
12 NOV. 1897
GOVERNMENT OF MADRAS

Dear Sir

I
filling vaca
in this Presi
in your letter
offices of Sec
Financial &
Political and
Secretary in
Departments
distinct. The
long ago an
will always
The senior of
is the Chief

C 17/11/7
R 17/11/7
C 18/11/7
R 19/11/7

Public DEPARTMENT.

No. 830

SUBJECT.

- (3) HIS EXCELLENCY THE GOVERNOR. (Thro' the P.S.)
- (1) THE HON'BLE SIR HENRY BLISS, K.C.I.E. ✓
- (2) THE HON'BLE MR. GROSE, C.I.E. ✓

Vacancy in Revenue Secretariat.

FOR ORDERS.

In accordance with the instructions contained in the accompanying papers a minute of appointments of Messrs. Forbes, Tremenhare and Stuart is submitted. With reference to the Hon: Sir Henry Bliss's note flagged A, attention is solicited to the D.O. to the Private Secretary, dated 14th October 1897 and his reply dated 24th October 1897 (flagged B). The Bombay Govt. was referred to (D.O.) as regards the practice there, but Mr. Monteath's reply does not elucidate the matter and the difficulty still remains that whilst Mr. Forbes must be gazetted to act as Revenue Secretary in order to admit of his drawing the pay of that appointment, his retention of his work as Local & Municipal Secretary must also be mentioned, creating what is seemingly a contradiction. The form of the Minute appears to get ^{over} the difficulty best.

K
L

I see no objection to this. I have initialed the M/A in course of H.B.'s signature, to save time

17/11/97
A.S.H. 18.11.97

Cms
10/11/97
MA 16.11.97

Despatch
Cms 19.11.97

50.

W. S. S. S.

My dear Sir,

In the ~~second~~ vacancy
in the Secretariat caused by the
grant of ^{5 1/2 months} furlough to the Hon. Mr. Stokes
it is proposed to appoint Mr. G. B.
Forbes to act as ^{in the highest paid app't. of} Revenue Secretary ~~Rev. Secy.~~
Mr. Fremantle as ^{is not} Secy. to Govt. Local
and Municipal, Educational and
Legislative departments. Mr. Forbes
will, however, retain charge of his
present duties, Mr. Fremantle
taking over the Revenue work. The
enclosed is a copy of the proposed
gazette notification. I ~~now~~ wish
to ask ~~for~~ your opinion as to whether
^{under} the notification, if published as now
drafted, will support the legality
of Mr. Forbes' with ~~legally~~ ^{continue to} be legally
competent to conduct the duties of
Secretary to the Legislative Council,
and, if not, what plan you would
suggest for getting over the difficulty.
I may explain that as Mr. Stokes is
the Senior Officer (both in ~~rank and~~ ^{seniority}) in the
Secretariat Service it is necessary ~~from~~
for account reasons, to gazette him
to act in the office carrying this pay

*has been decided to
give him the highest
pay and it is therefore*

*Forbes & Co's
have for signature
to dispatch
20/11/97*

The Hon. Mr. V. Bhaschayam Aiyangar C.S.
Din. Bahadur

*Ans
20/11/97*

*Yours truly
Mr. Forbes of course*

retains his permanent post
of Secy in the L. M. Educ. &
Legis. Depts. although for
purposes of salary he is apptd
to act ^{temporarily} as Secy Res. Dept.

It was decided when the
new appt. of Secretary was
made that a change of
nominal appt. whether permanent
or temporary should not
necessarily involve a change
of work. It would for instance
be very inconvenient for
Mr. Forbes to relinquish
the legislative work for a
few months just to make
way for a novice in that
particular Dept.

Act 20.11.97

22-11-97

mt

Mylapore

21st November 1897

Confidential

D.O

My Dear Sir,

In reply to your D.O's of yesterday's
date and of date, I have to state as follows:—

The offices of Chief Secretary and other Secre-
taries to Government do not seem to have been
created by any statute though such offices are
recognized both in the Imperial Statutes and
Indian enactments, and the existence of Secretaries
of different departments of Government is also
therein referred to. (vide Statutes 33 Geo. III. c. 52. ss
37 & 39, 53 Geo. III. c. 155. s. 79, & 24 & 25 Vict. c. 54. schedule
and (India) Act II of 1834). In accordance with
Custom, such appointments, whether permanent
or acting, are made by the Governor in Council
under Sec 30 of st 21 & 22 Vict. c. 106. In notifying
in the official Gazette the appointment of a
Secretary to Govt, it may not be legally necessary
to

to refer to the department, the duties of which are to be assigned to him, and the question of pay and his duties may legally be regulated by a departmental order of Govt. In this view, it will be necessary only to notify in the official Gazette the acting appointment of Mr. Tremenhare simply as Secretary to Government and assign to him by departmental instructions the duties hitherto discharged by the Honble Mr. Stokes as Revenue Secretary to Govt, but give him, Mr. Forbes's pay. Mr. Forbes might by an order be given promotion in the matter of pay which by law is not annexed to the discharge of particular Secretariat duties. Neither the salaries of the different Secretaries nor their duties are fixed or regulated by any Statute or Act.

The draft notification enclosed in your D.O. even with the note appended to it will not at all do. If Mr. Forbes be appointed

to act as Secretary to Govt, Revenue Dept, and Mr. Tremenhare as Secretary to Govt, Local and Municipal, Educational and Legislative Departments, then under the rules framed for the conduct of business at meetings of the Local Legislative Council, as they now stand, the latter would ex officio become (temporarily) Secretary to the Legislative Council, and the former would cease (temporarily) to be such Secretary. I suggest the notification of Mr. Tremenhare's appointment in the official Gazette simply as Secretary to Government not because there will be anything irregular or illegal in notifying his appointment as Secretary to Govt, Revenue Dept while giving him only Mr. Forbes's pay, but simply to avoid any departmental hitch or difficulty ^{in the matter of pay} which may be suggested or caused by notifying his appointment as Secretary to Govt.

Govt., Revenue Dept.

If the plan above suggested be found not feasible for departmental reasons, which I may not be acquainted, the only other course would be to alter the definition of "Secretary" in the Rules, at the next meeting of the Council as follows:— "Secretary" means any Secretary to the Government of Madras whom the Governor may appoint specially as Secretary to Council. If the rule be thus amended, Mr. Forbes may be gazetted as Ag Revenue Secretary to Government and Mr. Tremere here as Ag Secretary to Government in the Local & Municipal, Educational & Legislative Departments, without any note appended to the notification; and under the new rule, Mr. Forbes will be also separately gazetted as Secretary to Council, that is, Legis-

labine council. This, no doubt, will be the best plan if it be feasible to get the rule amended in time at the next meeting.

If after referring at my office tomorrow to the revision which was made in the definition of the term "Secretary" in the Legislative Council rules, when the new appointment of Secretary to Government was created about a year ago, I see reason to change my opinion, I shall communicate the same to you.

I return the enclosure to you

Yours truly

W. H. Schuyler & Junger

The Hon. Mr. A. T. Arundel

J. C. S.

Chief Secretary to Government:-

P. T. O.

P.S. If it be decided that the rule should be altered as suggested above, that can be done at the next meeting, only by a suspension of the rules of procedure. If this course be resolved upon, I shall, if required, send you a more precise and complete draft of the rule to be substituted.

Statute 33 Geo III. c. 52 s. 39 prescribes that all orders and proceedings of Government should be signed by the Chief Secretary. But in the absence of the Chief Secretary and only in his absence it was provided by St. 53 Geo III. c. 168 s. 79, that an order of Government may be signed by the Secretary of the Dept. of Govt. to which such order relates; and under India Act II of 1834, any Secretary

Secretary to Government may sign any order of Government even if the Chief Secretary be present, and it is under this Act that most of the orders of Government are signed by a Secretary to Govt. instead of by the Chief Secretary. The correct designations of the principal Secretariat Offices are only "Chief Secretary to Government" and "Secretary to Government".

H. Bhasgama
22-11-97

22.11.97.
JKA

ACCOUNTANT-GENERAL'S OFFICE,
FORT ST. GEORGE,

the 22nd of Nov 1897.

My dear General

The appointment of Mr. to
act as Rev. Secretary and get to
continue to do his own work and
the appointment of Mr. to act
as local ill. and Reg. Secy. and
to do the Revenue Secy's work will
be irregular. If Govt. desire to say it
not I should only request that the
confirmation of the Secretary of the
be obtained through the G.O. Perhaps

Sgt. may prefer to act as they desire
in anticipation of their action being
primarily enforced.

Yours sincerely
W. H. H. H.



22nd 97.

At

Private

22nd Nov.

My dear General

I trust a line in confidence
to say that my doc. is written
after ascertaining Sir James
Guthrie's view as to the matter
in a question of audit i.e. the
only point of view I can look
at it from. Yrs sincerely
H. Harris

D. O.



FORT ST. GEORGE,

22nd Nov. 1897.

My dear Sir,

A difficulty has arisen
in connection with the arrangement
that Immenhoere is to do
Rev. work & ^{that} Forbes is to
continue to do L & M. & Legislation
as provided by the addendum
to the minute of appt. enclosed.
Forbes is by rule under Statute

The objection to this is that we shall be acting in a hurry & that it is possible though improbable that the Council might object to sanction the suspension of the Rules. Moreover the Acct. Genl. wd. still object & require sanction of India Govt.

I took the papers over to Sir H. B. & to Mr. Brose today. Sir H. B. proposes another course to which Mr. Brose agrees, namely to request Mr. Menzies to act as Secy. L & M. & Legislative & to let him assume the duties.

We can then at leisure ask sanction of India to call our Secretaries Chief Second & Third, or other suitable designations, and to arrange their work by Executive order as is done in Bombay.

Sir H. B. says that Forbes already knows a lot about the famine

administration from orders communicated to him & with this knowledge and his secretarial experience which Mr. Menzies does not possess, will be better fitted to carry through the orders for winding up famine affairs & for criticizing the Famine Commr's report when it comes in.

It seems to me that Sir H. B.'s suggestion had better be adopted. It is not very seemly to rush things

through at the Legislative Council
more especially as we are trying
stress on a strict compliance
of rules by non-official
members. The change
of designation of the Secretaries
& the method of arranging
their work can be effected
deliberately & Govt. can
then ^{order} ~~effect~~ any changes
that may be desired ~~without~~

~~difficultly~~ I remember
can easily work up the
Legislative rules &c. &
Foster will be at hand to
help him if necessary.

Please let me know
by telephone if His
Excy. approves of this
course and of the
omission from ~~the~~
tomorrow

Exhibit of the notification
marked [:]

Yours sincerely

A. J. Arnold

Let me have this letter back
as to save time I am keeping
no copy.

Mr. George Stuart Forbes to act
as Secretary to Govt., Revenue Dept.

Mr. James Henry Apperley
Tremenheere to act as Secretary to
Govt., Local and Municipal, Educational
and Legislative Departments.

[With reference to the foregoing
appointments it is notified that
Mr. Forbes will retain charge of the
Local & Municipal, Educational and
Legislative Departments, Mr. Tremeneere
taking charge of the Revenue Dept.]

U.S. F-No. 528 T-7 2.7-240000

Sept 1897

APPOINTMENTS.

Fort St. George, November 19, 1897.

No. —Mr. George Stuart Forbes to act as Secretary to Government, Revenue Department.

No. —Mr. James Henry Apperley Tremenhoe to act as Secretary to Government, Local and Municipal, Educational and Legislative Departments.

With reference to the foregoing appointments of Messrs. Forbes and Tremenhoe, it is notified that Mr. Forbes will retain charge of the Local and Municipal, Educational and Legislative Departments, Mr. Tremenhoe taking charge of the Revenue Department.

A. T. ARUNDEL,
Chief Secretary.

Or. H.A.

no 1503 & 19-u-97

MINUTE.

Am

FORT ST. GEORGE, November 1897.

THE PRESIDENT proposes the following appointment:—

Mr. George Stuart Forbes to act as Secretary to Government, Revenue Department.

Mr. James Henry Apperley Tremenheere to act as Secretary to Government, Local and Municipal, Educational and Legislative Departments.

Mr. Harold Arthur Stuart to act as Collector and Magistrate and Additional Sessions Judge, the Nilgiris.

With reference to the foregoing appointments of Messrs Forbes and Tremenheere, it is notified that Mr. Forbes will retain charge of the Local and Municipal, Educational and Legislative Departments, Mr. Tremenheere taking charge of the Revenue Department.

A. E. Harlock

BS
17/11/97
28
17/11/97

Garrett 23/11/97

DEPARTMENT.

189

MINUTE OF APPOINTMENT.

When given for copying

When copied

When examined

When signed

189

READ AGAIN G.O., No.

189

DATED

RENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DETTO.

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

A A A A A A A

N.B.—

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