

Public (1898) Department.

ORDINARY MS.

G.O., No. 21

DATED 6.1.98.

INDEX

[Despatch Abstract.]

Considering Mr J. J. Cotton to have
passed the Higher Standard Exam:
& granting him the pay of a
passed Assistant with effect
from the 5th July '97; & requesting
the Board President, Board of
Examiners to report what marks
were received on the Rev: Papers
by the other examinees who failed.

1-1-98

BACK PAPERS.

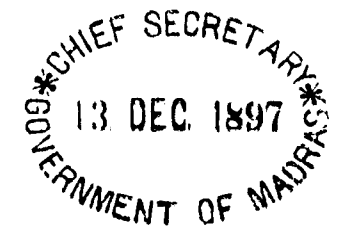
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	Go 102 Pub: 19.1.98						

Public (1897) Department.

CURRENT No.



From The President,
Board of Examiners,
Madras
No. 883

Order

Dated 13th December 1897
Received 13 } 12. 1897
Registered 14 }
Enclosures 1
Spare copies

SUBJECT.

Submitting letter
from Mr Cotton, I.C.S.,
urging his claim to
be considered to have
passed the Higher
Standard examina-
tion in July 1897.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Time—Three Hours.

ASSISTANTS' EXAMINATION.

JULY 1897.

HIGHER STANDARD.

REVENUE.

Without Books.

- Marks.
1. What are the chief points of difference between the principles of Act III of 1895 (Village Offices) and those of Regulation VI of 1831? 16
 2. By what law is land-cess levied upon proprietary land, and how is it calculated? 16
 3. A deputy tahsildar, for the purpose of a revenue inquiry, issues a summons through the Collector to a resident of an adjoining district. The party fails to appear though the summons was personally served. How should the deputy tahsildar proceed? 16
 4. Can a portion of an enfranchised inam be relinquished? If so, under what conditions? 16
 5. What are the chief items constituting miscellaneous land revenue? 16
 6. A private tank adjoining a railway is in bad repair. The owner, when called on by the Collector to repair it, refuses. How should the Collector proceed? 16
 7. What powers of control has a Collector over Local Boards? 16

With Books.

1. A Government tank irrigates the lands of two villages. The ryots have a dispute among themselves as to their share of the supply. They jointly apply to the Divisional officer for an order referring the dispute for adjudication by a panchayat of a third village. How should he deal with this application? 16
2. On the application of the purchaser of a portion of a permanently-settled estate at a court-sale, a Collector notifies in the District Gazette that, unless cause is shown to the contrary within sixty days, he will make separate assessment thereon. No communication is received from the proprietor within that time. How should the Collector proceed? 16
The Collector having taken no action, a suit is brought against him to compel him to make separate assessment. Draft an answer.
3. An appeal is presented to a Collector against the decision of a Divisional officer in a suit under Act III of 1895. What stamp should the petition bear? 16
A cultivator obtains land on a three-years' lease on an annual rental of Rs. 100, and to secure the rent gives the landlord a mortgage on land of his own worth Rs. 500. What stamp, if any, should the lease bear?

Head Assistant Collector
MAGISTRATE'S OFFICE,

Camp, Kogapalam

3rd December 1897.

No.

FROM

J. J. Cotton Esquire,
of Madras ^{Collector} MAGISTRATE OF
Tanjore;

TO

THE Secretary to the
Board of Examiners,

Madras: The Collector of J. J. Cotton Esquire.

SIR,

I beg to acknowledge your letter no 775 dated 30th November 1897 which observes that an objection raised to question 21 touching a repealed regulation set in the Higher Standard Revenue paper last July 1897 is valid and would have been considered if brought to notice at the time of valuing the papers.

A 2. My letter to you bears date 11th November and was written upon receipt of G.O. no 1376, dated 12th October 1897, which reached me through the Tanjore Collectorate only on 9th November. (Please see the original paper, which I enclose to be kindly returned without fail)

3. I have to say that I protested against the injustice in my case immediately after receiving Government's order on the last half yearly Examinations. It is not understood how this paper took so long in transmission: but before then I had no data to go upon, it was only the G.O. item which showed

There was no
unnecessary delay
in going on with in
the office on 20/10/97
and the report to
the Board on 20/10/97

2628
MAGISTERIAL DEPARTMENT.
FROM J. J. Cotton Esq
MAGISTRATE OF

agst asst Collector of
Lauje

To
THE Secretary to the Board
of Examiners
Madras
thru the collector of
Lauje

Dated 3
Despatched
Received December 1897.

Refrence No. 1726
of 81 Ver

ENCLOSURES. - 1 (The rest)

SUBJECT.

Requesting to reconsider the
answer paper in Higher Standard
Revenue paper

Enclosure No 2628 of 1897
Forwarded.

General
Collector
11.12.97

Office of the Board of Examiners
No 883 Madras December 1897

Submitted in original
for the consideration of
Government in connection
with the recommendation
made in para 11 of my
letter dated 19th August 1897,
No 453, that Mr Cotton B
should be declared to have
passed at the examination
held in July last.

2. A copy of the Revenue
paper referred to is enclosed

J. Murrow
President

To
The Honble the Chief
Secretary to Government

[G.]
1,000-19-2-97.

(1897) Department.

D. O. No.

From J. Shirock Esq

No.

Dated 14. 12. 97
Received 14
Registered 15 } 12. 97
Enclosures
Spare copies

SUBJECT.

Re Mr. Cotton's letter urging
his claim to be considered
to have passed the Higher
Standard Examination in July 1897

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Office of the Board of Examiners,

MADRAS.

16/12/97
 1897.
 CHIEF SECRETARY
 14 DEC. 1897
 GOVERNMENT OF MADRAS

My dear Crumley,

I sent on yesterday a
 writ from Cotton with reference to my
 proposal that a reduced minimum
 should be presented with retrospective
 effect. Last time he failed in
 Revenue alone, failing short of six
 marks only - and he understands that
 of the 1st question had not responded to
 the II of 1891 which has been repeated
 he would probably have got the extra six.
 Unfortunately he did not raise his ob-
 jection to the 1st question at the right
 time.

Yours sincerely
 Crumley

NOTE FOR THE C. S.

The G.O. declining to ~~pass~~
give retrospective effect to
the order reducing the
minimum of marks ^{in Assistant's examinations} has just been
passed by the P.S. May it
be held ~~to~~ back pending
the passing of orders on
this case? Regulation VI
of 1831 has been repealed,
hence candidates are not
expected to know it. Question
I. in the Exam. paper
attached relates to that Act.

- Although the general points
raised by Mr. Cotton viz
- 1) The difficulty of the H.S.
Revenue paper.
 - 2) The disadvantages to which
Indians were are put as com-
pared with men who go to
other Presidencies,

have been laid
before Government only recently,
it is submitted that Mr
Cotton's case is so hard
that perhaps Government
might reconsider the above G.O.

This is a separate
matter on wh.
a separate order
must be passed.
Issue the G.O.

At 17.12.97.

D.O.

C. No. 900 & 4813.

Pufke

DEPARTMENT.

SUBJECT.

Mr J. J. Cotton's application
for exemption from part of
H. S. Examination.

~~HIS EXCELLENCY THE GOVERNOR.~~

~~THE HON'BLE SIR HENRY BLISS, K.O.I.E.~~

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

The Hon. Sir Henry Bliss.

The Hon. Mr. Grose.

FOR ORDERS.

There's something wrong
about this file. The Office
note has disappeared from
G.O. 1678 - G.O. 1675
17.12.97 - 15.12.97
insert in the file.

I think Mr. Cotton
has made out a good
A.S.
Perhaps the Pres's letter of 17th
Aug 97 No 453. The
abstract at B is insufficient.

Mt 3.1.98

Teller put up a
logged

MRP.
4 8
1

Case. It should not be
counted against him
that he failed to object
to the question on the spot.
Many reasons may be
given for this. Would hold

The first question in the
Revenue paper in the Higher
Standard Examination set in July
last related to Act VI. 1831
which has been repealed.

Mr. Cotton failed to
pass by a margin of 6 marks
only. As soon as the result
of the Examination was commun-
icated to him in G.O. 1376
1897

Mr. Cotton addressed the President,
Board of Examiners on this point,
which the President admits is
valid, saying however that Mr
Cotton should have brought
this to his notice at an
earlier date, that is at the time
when the papers were being
valued. Submitted, that

P.T.O.

an Examiner who disputes the fairness of a question & before the result of the examination is known might prejudice the Examiner against him. Mr Cotton knew that he had done well in the exam. (as he almost passed), and presumably thought that he had passed. His contention is that had the question been on an Act which is in force, and to which therefore he would have acquainted himself with, he could have obtained the additional 6 marks required.

Moreover, it is respectfully submitted, it is the duty of the Examiners or the President, Board of Examiners, to see that questions are set only on unrevoked Acts. The President admits that this was not done. There is, therefore, a strong presumption that Mr Cotton would have passed but for the omission on the part of the Examiners to take this precaution. The two general

This cannot be admitted. The Examiners are not of that calibre.

MA.

him & have passed

MA

4/1/38

Whether objected to at the time or not, the question was an improper one & the 16 marks assigned to it must be distributed among the other questions (there are 9 other questions each marked 16, & so he had to carry 17 1/2 marks each. In the case of Mr Cotton got no marks for question 1, he wd have passed, & wd be considered now to have passed.

What amount of marks did the other men who failed at the exam get?

5/1/38

points raised by Mr Cotton viz.

- 1.) The extreme difficulty in passing the Reserve paper in the Higher Standard, &

- 2.) The disadvantages to which students are subjected in regard to their Departmental examinations,

have recently been laid before government, and the general question of revising the syllabus of the examinations is still under consideration, and awaiting the reply of the Board of Reserve to the reference made to them.

The present question is, however, a distinct one, namely whether government will consider that redress should be given to an examinee who fails owing to a mistake on the part of the Examiners. 16 marks were allotted to the question. This means that the ~~real maximum~~ maximum attainable for the whole paper was reduced by that amount, while the minimum required for a pass

remained the same. The ~~other~~
maximum ~~in the~~ no. of marks
which could have been gained
by a candidate at the last
Exam. in Persian was ~~144~~ 144
instead of 160, supposing that
he had answered correctly
all the questions which he
was supposed to have
been prepared for.

Thus being the case
~~it~~ it is suggested that
the ratio of the minimum should
be adapted to the attainable
maximum. All candidates, then,
who obtained 90 or over 90 marks
would be held to have
passed the examination. Thus,

$$160 : 144 :: 100 : x$$

$$\therefore x = \frac{144 \times 100}{160}$$

$$= 90$$

Mr Cotton obtained 94 marks.

M.P.
18
xii

See the letter of
Mr. Sturrock the President ~~flag~~ &
with the notes appended to it.

Question I in the Rev. Higher paper of July last

"What are the chief points of difference
between the principles of Act III
of 1895 (Village Offices) and those
of Regulation VI of 1831,"
is open to objection as Mr
Cotton contends and as Mr. Sturrock
admits, on the ground that
Reg. VI of 1831 was repealed
by Act III of 1895, and Assts.
are not expected to read up
repealed Regulations.

Mr. Cotton however ~~was~~ is apparently
the only Asst. who ~~rather~~
preferred any objection to this
question and he waited
until he found he had
not passed before he took
any action.

If Mr. Cotton considered the
question unfair he should
have put in his representation
at once, and if ^{he} or any other
Asst. kept silence for fear
of exciting the resentment of
the Exam^{rs} as suggested in
the Office note, he deserves no
sympathy. As it is he
must be regarded as having
accepted the paper of
questions without objection

from July to November,
and to have raised his
objection because he then
found he not passed.
The claim to retrospective
benefit has already been
disallowed in another case
Mr. Dadaachangji's on the
question of ~~the~~ minimum
for a pass, and it should
I think be disallowed in
Mr. Cotton's case also.

MA 24.1.98

As
571158

notes in question are those on the
question of reduction in the
revision of the exam.
The G.O. no. 1093 had
syllabus.
not disposed of the case of Mr Dada-
change & hence a separate note was
prepared on this case & submitted for
orders. as A.M. has passed orders on
Mr Cotton's case, it is presumed that
there is no need to send him the notes
in question on this return from the Press.

Ref
Depth.

See H. M.'s note
When is the note
for orders in \$0
1678 - Feb 4 17. 12. 97

FA

There appears to have been no other note than the one that - is ~~also~~ already there. The H. A. seems to have ~~thought that the note was~~ been misled by the first sentence of that note. "The note at A" referred to there are apparently the notes with L.S. No 1673 Sub of 15-12-97 now in the press and come back to the office yet. That it is so will be clear by a reference ~~to the~~ to the note of A.S. to the C.S. at NT.

note of H. J. 184
57/198

Mr. Biddle
as marked for
Hon. Mr. Rose
Ad 5

This was brought
to & opened it out
198 indicating that the
envelope was ad-
dressed to the Hon.
Mr. Rose

NOTE FOR THE Chief Secretary.

The Hon. Mr. Goss ^{says} that the 16 marks in the disallowed question are to be distributed amongst the other questions, i.e. the maximum for each of the nine questions which remain is to be $16 + \frac{16}{9} = 17 \frac{7}{9}$

The marks which Mr. Cotton got in each of the other questions are therefore to be raised in the proportion $17 \frac{7}{9} : 16$

The marking of all the other questions being the same (i.e. 16 for each) this means that Mr. Cotton's total is to be raised in the proportion of $17 \frac{7}{9} : 16$, in other words he is to be held to have obtained

$$94 \times \frac{17 \frac{7}{9}}{16} \text{ marks or}$$

$$\frac{94 \times 160}{9 \times 16} = 104 \frac{4}{9}$$

Thus Mr. Cotton has passed.

a draft is put up for approval.

MS
6.7.78

CS

Order
this

In the circum-
stances stated H.E. the
Governor in Council is
pleased to direct that
Mr. J. J. Cotton should be
considered to have passed
the Higher Standard.

Mr. Cotton will be granted
the pay of a passed
Assistant with effect from
the 5th July 1897

2. The Presdt Bd of
Examiners is requested
to report what marks
were received ^{on the Res. paper} by the
other Examinees who
failed.

(from orders)

AT
6.1.98.

aw
6/1/98

m.c.
6/1/98

To the Res Dept
Bd of Res (L.R.) } para 1 and
Acct Genl
Collector of Tanjore
Presdt. Bd of Examiners (v)

* Please see Mr. Lys's
case in G.O. 1688 Pub
d/18.12.97

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

189

READ AGAIN G.O., No.
 189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

A A A A A A A

N.F.—
 A = Copy in full.
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