

Public (1897) Department.

ORDINARY MS.

G.O., No. 182

Dated 13-2-99

INDEXED.

[Despatch Abstract.]

Recording letter from the
govt declining to comply with the
request of this govt that the restrictions
placed upon the number of appointments
as collectors or as judges open to the
Madras Provincial Service may be
removed.

T/11

BACK PAPERS.

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

FURTHER PAPERS.

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

Order

Public (1899), Department.

CURRENT No.

From

The Govt. of India
(Public)

No. 2523

Dated 21 December 1898

Received 26 — " —

Registered 3rd Jan 1899

Enclosures

Spare copies 7

SUBJECT.

Stating that the proposal
to remove the restrictions placed
upon the no of the two
classes of appointments
open to the Madras Provincial
Service cannot be complied
with

21

No. 2523

A. H. L. FRASER, Esq., C.S.I.,
Offg. Secretary to the Government of India,

THE CHIEF SECRETARY TO THE GOVERNMENT OF
MADRAS.

Calcutta, the 21st December 1898.

I AM directed to acknowledge the receipt of your letter No. 1160, dated the 14th September 1898, on the subject of the orders contained in Home Department Resolution No. ^{2-Public} 1342-1353, dated the 21st April 1892, entering in the list of appointments ordinarily held by members of the Indian Civil Service as open to the Madras Provincial Service two headships of districts and four District Judgeships. The Government of Madras now propose that the restriction placed upon the number of these two classes of appointments should be withdrawn, and that the Local Government should be given discretion to fill six listed posts by the appointment to them of Statutory Civilians and officers of the Provincial Civil Service either as Collectors or as Judges. The reasons for this proposal are that inconvenience is experienced in filling the listed posts in question owing to the fact that at present, while it is easy to find officers suitable for appointments in the judicial posts, it is not possible to find officers who are fit for the executive charges. The Governor in Council anticipates that the reverse may be the case in course of time.

holding the executive charge of districts, and accordingly recommended the removal of certain district charges from the Schedule of the Statute of 1861.* The orders of the Secretary of State upon the subject were that there should be placed on a separate classified list, in each Province, certain offices in the different grades and departments as open to the Provincial Service.

3. Great importance is to be attached to the experiment of trying native officers in the executive charges of districts, and the Government of India therefore consider that the orders listing two headships of districts in Madras as open to the Provincial Service should not be disturbed. If no officer of the Statutory or Provincial Service is, in the opinion of the Local Government, qualified or competent to hold charge of a Collectorship, whilst more than four such officers are considered by the Governor in Council to be fit to be District Judges, it is open to the Government of Madras to recommend, under sections 3 and 4 of the Statute of 1861, that a Statutory or Provincial officer may be appointed as a District Judge, in addition to four such officers already holding District Judgeships. The recommendation of the Local Government would then be considered in each case by the Government of India and the Secretary of State.

I have the honour to be,

SIR,

Your most obedient Servant,

Alta Fraser

Offg. Secy. to the Govt. of India.

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printed below
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Page 1

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C. No. 21

HIS EXCELLENCY THE GOVERNOR.
THE HON'BLE MR. ARUNDEL, C.S.I.
THE HON'BLE MR. WINTERBOTHAM.

SUBJECT.

*Permanent Local Collectors
and Judgeships*

FOR ORDERS.

The remedy suggested in the last paragraph of India's letter is to apply the provisions of 24 and 25 Vic., Cap. 54, Sections 3 and 4 (page 51 of the Handbook of Procedure and Precedents). India seems to have misread the Statute which does not contemplate a recommendation to the Government of India and the Secretary of State for the approval of those authorities, as understood by India, but a report of an appointment already made. The Statute seems to have been intended to meet the cases of permanent rather than of acting appointments. The sanction of the Secretary of State to acting appointments made under this Statute would, in the case of acting appointments in short vacancies, be a mere formality, for the majority of such acting appointments would terminate before the Secretary of State's sanction could be received. India's reply leaves

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leaves matters exactly where they were.

cut 11-1-99

I think it was intended

to have them. I doubted

at the time whether any departure

from the existing arrangement

w'd be allowed by the room fur.

Is any further action to be taken

in the matter.

*It wd be useless to write
to India again at present*

*When an actual case
arises we can point*

*out the true reading
of the Order as given*

in the O. 14. above

H. 14. 12-1-99

*H. 14.
12-1-99*

Very well.

J. H. 1

9.2.99

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copy to H. 14. 12-1-99

HEAD OFFICE G.O., No. 129, DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITO.

PAPER NOT FILED UP, BEING MEANT FOR DELETION IN ORIGINAL.

N.B.

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