

1c (1887) Department.

ORDINARY PRINTED.

G.O., No. 767

DATED 12-7-88

INDEXED.

[Despatch Abstract.]

Chemical Examiners

According letter from the
Sd/- replying to that from this post
on the subject of the selection of an
Officer to officiate as — & the
scheme introduced by the Sd/- for the
training & selection of Chemical
Examiners.

T.
12/7/88

BACK PAPERS.

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

[G.]
[124]
250-2-2-99.

Government {1899} of Madras. PUBLIC.

FURTHER PAPERS.

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

Recd.

Enclosures

Regd.

1899.

Spare copies

G.O., No. 767, 12th July 1899.

JULY.

Chemical Examiner.

Recording letter from the Government of India replying to that from this Government on subject of the selection of an officer to officiate as — and the scheme introduced by the Government of India for the training and selection of Chemical Examiners.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper:—

From A. H. L. FRASER, Esq., c.s.r., Officiating Secretary to the Government of India, Home Department (Medical), to the Chief Secretary to the Government of Madras, dated Simla, 4th May 1899, No. 756.

I am directed to reply to your letter, No. 1545, Public, dated the 22nd December 1898, stating the views of the Government of Madras on the subject of the selection of an officer to officiate as Chemical Examiner, and requesting a reconsideration of the scheme introduced by the Government of India for the training and selection of Chemical Examiners.

2. The scheme was prepared after careful deliberation, and, in the opinion of the Government of India, it has introduced a much needed reform. No medical officer is fit to be a Chemical Examiner unless he has a natural taste and liking for the work, and has paid special attention to chemical studies. His work is of the most responsible kind. On the medico-legal side it may involve issues of life and death, and on the commercial side results of the greatest importance to mercantile interests. It is, therefore, essential that competent men should be appointed. The scheme recently introduced will help greatly to secure this end, whilst the alternative suggested in paragraph 5 of your letter is much less satisfactory and would amount practically to reverting to the condition of affairs which the resolution reorganizing the staff of Chemical Examiners was intended to remedy.

3. Guided by these considerations the Government of India have already, in paragraph 5 of my letter, No. 660, dated the 20th April 1899, issued general orders to the effect that the procedure for the selection of an officer for the post of Chemical Examiner will, in future, be the same as that laid down for the Jail department in Home Department Circular No. 8-Jails—343-351, dated the 22nd June 1896. That is to say, a list of trained candidates for the Chemical Examiner's department will be kept by the Director-General, Indian Medical Service, and communicated periodically to Local Governments. When a Local Government has need for the services of a Chemical Examiner, they will apply to the Government of India unless a selected candidate is at the time serving under them. The place of training will not necessarily be the place where the next vacancy is likely to occur as suggested in paragraph 5 of your letter. A fresh probationer will be trained every year, and the place of his training will be settled on general grounds of expediency. When the scheme has been in force for some years all the principal Local Governments will probably have trained candidates in their employ, and in such cases no reference to the Government of India will be required.

4. Paragraph 4 of your letter continues the discussion about the deputation of Captain Bourke, I.M.S., to Madras. With reference to the remarks in that paragraph, I am to say that this department letter, No. 173, dated the 14th February 1898, meant, as was stated in the letter, that Captain Bourke would be sent to Madras as a probationer. The subsequent remark, in paragraph 3 of this department letter, No. 1041, dated the 3rd August 1898, that Captain Bourke was required as a Chemical Examiner when he went to Madras, was made with regard to the reference by the Surgeon-General with the Government of Madras to the Director-General, Indian Medical Service, and the action taken on it, and meant merely that Captain Bourke was sent to act as Chemical Examiner because it was understood that the Government of Madras desired his services in that capacity.

5. In paragraph 6 of your letter a further representation is made about the allocation of the charges on account of Captain Bourke's training. The deputation of officers to study for the appointment of Chemical Examiner is an integral part of the scheme of improving the Chemical Examiner's staff. The expenditure entailed by the training of these officers falls under a Provincial head and there are, in the opinion of the Governor-General in Council, no grounds for departing from the ordinary rule of classification and classing it as Imperial. His Excellency in Council must, therefore, adhere to the orders on this subject passed in paragraph 5 of Mr. Hewett's letter of the 3rd August 1898.

ORDER—No. 767, Public, dated 12th July 1899.

Recorded, with reference to G.O., No. 759, Public, dated 11th July 1899.

(True Extract.)

G. STOKES,
Chief Secretary.

G.
124
20-2-20.

Public (1897) Department.

CURRENT NO.

20

Order No. 767 of 12-7-99

P.S. Recorded with ref. to
G.O. no 757. d. 11-7-99.

M.
11/7/99

From
The Govt of Madras
Home.

No. 756

Dated 14 July 99

Received 12. "

Registered 16 "

Enclosures -

Spare copies - of current

SUBJECT

Replying to letter of 5-5-99 from
the Secy to Govt. relating to the
of the Govt. of Madras in the subject of
the selection of an officer to represent the
Government in the committee
concerning the scheme of the
of the Govt. of Madras for the
selection of an officer.

BACK PAPERS.			
G.O.	No.	Department.	Date.
	1544-5	Pub.	22.12.98
			1881
			12901222
	20-557	Pub.	18.12.97
			1881
	489	Pub.	19.9.97
FURTHER PAPERS.			
G.O.	No.	Department.	Date.
	290	Pub.	2.12.98
	714-5	"	8.7.9
	325-6	Pub.	14.2.90

G.
124

9-2-99.

OM

No. 756

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

THE CHIEF SECRETARY TO THE GOVERNMENT OF MADRAS.

Home Department.
Medical.

Simla, the 5 May 1899.

SIR,

I AM directed to reply to your letter No. 1545-Public, dated the 22nd December 1898, stating the views of the Government of Madras on the subject of the selection of an officer to officiate as Chemical Examiner, and requesting a reconsideration of the scheme introduced by the Government of India for the training and selection of Chemical Examiners.

2. The scheme was prepared after careful deliberation, and, in the opinion of the Government of India, it has introduced a much needed reform. No Medical Officer is fit to be a Chemical Examiner unless he has a natural taste and liking for the work, and has paid special attention to chemical studies. His work is of the most responsible kind. On the medico-legal side it may involve issues of life and death, and on the commercial side results of the greatest importance to mercantile interests. It is, therefore, essential that competent men should be appointed. The scheme recently introduced will help greatly to secure this end, whilst the alternative suggested in paragraph 5 of your letter is much less satisfactory and would amount practically to reverting to the condition of affairs which the Resolution reorganizing the staff of Chemical Examiners was intended to remedy.

3. Guided by these considerations the Government of India have already, in paragraph 5 of my letter No. 660, dated the 20th April 1899, issued general orders to the effect that the procedure for the selection of an officer for the post of Chemical Examiner will, in future, be the same as that laid down for the Jail Department in Home Department Circular No. 3100, dated the 22nd June 1896. That is to say, a list of trained candidates for the Chemical Examiner's Department will be kept by the Director General, Indian Medical Service, and communicated periodically to Local Governments. When a Local Government has need for the services of a Chemical Examiner, they will apply to the Government of India unless a selected candidate is at the time serving under them. The place of training will not necessarily be the place where the next vacancy is likely to occur as suggested in paragraph 5 of your letter. A fresh probationer will be trained every year, and the place of his training will be settled on general grounds of expediency. When the scheme has been in force for some years all the principal Local Governments will probably have trained candidates in their employ, and in such cases no reference to the Government of India will be required.

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25.4.98

Co 1544 M
22-12-98

be sent to Madras as a probationer. The subsequent remark, in paragraph 3 of this Department letter No. 1041, dated the 3rd August 1898, that Captain Bourke was required as a Chemical Examiner when he went to Madras, was made with regard to the reference by the Surgeon General with the Government of Madras to the Director General, Indian Medical Service, and the action taken on it, and meant merely that Captain Bourke was sent to act as Chemical Examiner because it was understood that the Government of Madras desired his services in that capacity.

5. In paragraph 6 of your letter a further representation is made about the allocation of the charges on account of Captain Bourke's training. The deputation of officers to study for the appointment of Chemical Examiner is an integral part of the scheme of improving the Chemical Examiner's staff. The expenditure entailed by the training of these officers falls under a Provincial head and there are, in the opinion of the Governor General in Council, no grounds for departing from the ordinary rule of classification and classing it as Imperial. His Excellency in Council must, therefore, adhere to the orders on this subject passed in paragraph 5 of Mr. Hewett's letter of the 3rd August.

I have the honour to be,

SIR,

Your most obedient Servant,

Altrasser

Offg. Secretary to the Government of India

G.
124

R13.5.99

C 23.5.99
R 23.5.99

Public DEPARTMENT

1416 From the Govt. of India 756, dated 11.5.99

For reference

The Govt. of India now explains further the scope of the scheme for the training & education of Chemical Examiners. It is stated that when a trained candidate is available under a local Govt., no reference to the Govt. of India will be made in future.

2. The Govt. of India adheres to its decision that the charges in connection with Capt. Bourke's deputation to Madras for training were

3. Orders are requested
as to whether any rejoinder
to the Govt of India is
necessary.

Mr. I think not.

This is a petty detail
which may be dropped in
view of the larger issues

which we are submitting
for the views of the Secy
State. Mr.

Mr. 17.5.57 This matter will, it is
submitted, form a
fitting portion of the despatch
to the Secy of State on the
General Question.

One point appears to call
for special notice. The Govt
of India practically says that
it will itself appoint the
probationers, but that Local
Govts will have to appoint
as Chemical Exam this

probationers who happen to be
"in its service". But it is not
enough that the Govt
of India has to make such
an arrangement. If the appt
is to be made by the Govt. in
Council it is the duty of
H.E. the Govt to propose
the officer whom he considers
best fitted for the post. I think
H.E.'s proposal no appointment
can apparently be made.

yes. It is referred to
my rough draft - at
end. Mr.

It is quite a fiction, and
is a breach of the Statute.
Mr.

That is today the direction
of India to in this & the
S.B. case are practically
decisions to be made
member of the Govt, on
a matter which for the
future must be a matter
of personal opinion. If
India is to make sure
that its own nominees should
be appointed the only
way of doing so is by
is submission for it to
take the appointment into
its own hands. The idea
that the appointment will
remain in the gift of the
Govt is little more than
a fiction, designed probably
to avoid the appearance
of excessive centralisation
& to justify the imposition
in the Govt of the issue
of the probationers.

The financial question
appears open to further
consideration. India is a
country with a large
population.

in this case, which it
will still retain the power
of appointment. It still
remains for the
how such an appointment
can be a change in the
power. But such has not
been the appointment to
be created.

It is not stated how
candidates for training
will be selected: presumably
the matter will rest entirely
with the D. G.

Mr.
18/5/99

Please see but annexed.

Mr. J. J.

Can

The financial
question is mixed up
with the general que
stion

Of course
Mr.

CS. Please see the
correspondence with the
S. of S. at page XV in
G.O. 1524
22. XII. 98 and the
H. is at III. The
S. of S. has sanctioned
the scheme, but the local
interpretation of it, which
affects the cost, appears
to be India's own.

Mr. The proposals
25/5/98 have been
approved without comment.

Mr. J. J.

NOTE FOR THE Under Secy

CS

In slip 4 of the
accy. rough, the
C.S. directs the office to
verify the remarks that
"the Secy. of State has not
yet we are now maintaining
the centralization of the
Chemical Secy. dept.,
not of domestic
or even of foreign."

With reference to
this, please see the copy
of course, marked with
red tape in the file of G.O.
No 1189 Public of 19.9.98.
It is then stated that
the proposals of the S. of S.
for the recruitment &
training of Chemical
Examiners "have been
sanctioned by the
Secy. of State."

Somewhat similar
arrangements were proposed
by the S. of S. for the
recruitment of officers
for the field dept., &

though it was not stated
 that the proposals had
 been made with the
 sanction of the Secy. of State,
 they were accepted by
 the Govt. - please see S.O.
 no 359 dated 17.3.97
 & papers forwarded therewith.
 4. As regards domestic
 airplanes, we have nothing
 definite beyond a
 foreshadowing of a similar
 centralization in letter
 from the Secy. of S. no 660
 of 20.4.24 - In this
 letter some details also,
 in which a uniform
 scale of staff salary is
 proposed for Supls. of
 domestic airplanes, there
 are hints of a general
 establishment of trained Supls.
 who will be available
 for transfer from one
 Province to another.
 5. With regard to the
 remarks in the Ch. Secy's
 rough note regarding
 the replacement of Comm.
 staff officers by private

See Mr. Cawson in
 2 of that letter.
 Rep. off.

Yes. But why not
 all in the list and the
 Secy. of State has not
 seen the Resolution.
 Rep. off.

men for civil duties,
 please see S.O. 575 dated
 20.11.71, under
 which no one has
 a Comm. staff officer,
 can be appointed to
 any of the listed posts
 without the sanction of
 the Secy. of S.

C.S. 11
 20.11.71

Lu-

The question seems to me to resolve itself into this whether the arrangement proposed is the best from an administrative point of view. Administration is the province of the local Govt. admittedly and it is as an encroachment on this province that India's orders are so objectionable. We hold that from an administrative point of view, the Chemical Examiner should be a local officer locally appointed and locally supervised. If India's arguments in para. 3 of their letter are to be admitted it would seem obvious that the best and proper course would be to get the requisite specialist out from ^Europe. There is no special reason why he should be found in the ranks of the Medical Dept. with which chemistry has no special connection. It is only a minor branch in the medical curriculum.

2. To my mind it is a question whether the time has not come when from an administrative point of view it would not be well to get rid of the incubus of Commissioned Military Medical officers from the Civil Dept. Military officers have been removed from the Police. We could get men of the same qualification for less pay and men who would have some incentive

to

to work. Civil medical work being necessarily local it follows that it should be locally controlled and I think that in this question and in the case of the Surgeon-General's appointment the Local Govt. should put in the forefront of its argument the aspect of the question from an administrative point of view. The truth is that in this matter the needs of the Civil administration are being put after those of the Army instead of before, and that the medical comfort and advantage of the great mass of the people - a matter to which they are every day attaching more importance - is being jeopardised in order that the military expenditure may look better on paper. There is no doubt that 9/10ths of our Civil Surgeons are absolutely unfit for military employ and that we are having these men forced on the Civil Administration in order that the Army figures may shew a better reserve. The existing arrangement is not good either for the Civil Dept. or the Army.

3. The Madras Govt. have put forward a compromise in endeavouring to get a fixed service of military men under their own control and in trying to make the Chemical Examiner's Office a local one to which a locally trained officer should be appointed. I think it might now go further ~~and~~ and press in addition for a reduction of the number

of

In regard to the S.G. we did this in our letter to India pointing out the superior qualifications of Col. Bramfoot, & this argument of course be reproduced in despatch. H.A. 954

of appointments set aside for the
Commissioned Medical Officers and
absorb into what might be called the
Civil Medical Service the number of
appointments so reduced from the
Commissioned Medical Service Cadre
and in addition press for the local
appointment of the Medical Supts. of
Hails and Lunatic Asylums as well as
the Chemical Examiner. These may all
be medical men as at present.

4. In this connection the im-
portant Resolution is that of 1377.

In regard to this Resolution the

first point on which I would observe
that it seems to be
is ultra vires in that it has not

received the sanction of the Secre-
tary of State. But accepting the Re-

solution for what it is worth it is
to be noted that the principle it

lays down is not that the Civil
Medical appointments are to be re-

served for ~~Commissioned~~ Medical
Officers ^{Civil} ~~but that if any Commissioned~~

Medical appointments are put into
the Cadre of appointments reserved ~~for~~

for that service then none but Com-
missioned Medical Officers should be

appointed to them. The thought sug-
gested by this seems to be that as

at present India is totally unable to
provide for the full cadre of Civil

Medical appointments being filled by
Commissioned officers, the number of

appointments in that cadre should be

reduced

G.O. 20th Nov 1877
no. 1575. Flag XII
MA

We can hardly object
to it on that ground
after 22 years. But see
below. MA.

What it wants and what is essential to administration is to know them. Hence it wants to have to deal with a man throughout his service. It wants him earmarked for this Presi-

dency. In regard to para. 5 the question may well be asked why we are likely to find the special qualifications or technical experience referred ^{to} specially in the medical service. There are not wanting signs for example in the Mail Dept. that the medical officers appointed to it will not stay to acquire that special experience and the same will be the case in Lunatic Asylums. These specialists will desire variety or may be called to the front and hence from an administrative point of view the limiting of these lines ^{of employment} to the military medical Dept. is much to be deprecated. It would yield administratively much better results if men were specially recruited for these services at home and sent out to be solely under the orders of the local Govt.

M.
21/5/11.

8. I agree generally with the Secy. I think the policy of centralization is a mistake that the interests of the Civil Administration are being sacrificed to secure economy in military expenditure. For the present it will I think be enough in our despatch to the Secy. of S. to point out that the executive orders of the G. of S. re jails, Lunatic Asylums & Chem. Exam^s infringe the statutory power of H.C. and G. in C. & that until resolutions have been framed by the Secy. of S. in Council they are without validity. See last paras of my rough draft. In concluding the despatch we should I think refer

reduced and the appointments so made available should be filled by Uncovered Medical Officers appointed by the Local Govt. These appointments might be arranged for in this way - viz. the number of appointments to be recruited for might be intimated to the authorities in England holding the Military Examination and the offer of the Civil appointments run down the list of successful candidates till the number was filled up.

5. I would submit that for a local Medical Service the Madras Govt. should still continue to fight and take the matter to the Secretary of State if necessary. It should not allow the present

see below.
MA

letter of India to snub it out of time. The Secretary of State has not yet, we may contend, sanctioned the centralization of the Chemical Examiner's Dept. nor one of that of the Lunatic Asylums or even of Jails. ~~which are the~~

~~Government put its views before the Secretary of State in time.~~ As to the letter

of the Govt. of India flagged // I would point out that it affords us powerful arguments. Para. 1 may be read thus "the Govt. of India have made a mess of the medical administration in every Province in India hence Madras must bear

a share in the general deficiency. ~~it may be pointed out that~~ In para. 4 of that letter this Govt. does not ~~I think~~ want to pick its officers.

what

We do propose to point out that the Executive orders of the Govt. of India on the subjects are an infringement of the Statutory powers of H.E. the G. in C. MA. A.S.H.

Para 5 of this letter repeats the executive instructions wh. infringe the Statute. MA. A.S.H.

to the importance of the
general question of the
recruitment & control of the
D. M. S. I express a hope
that before the Secy. of S.
passes orders rendering valid
the executive orders of his,
this Govt may be allowed
the privilege of explaining
its views with regard with
to this very important branch
of the Civil Administration.
Then will be the time for
criticizing the policy of the
Govt. Res. of 1877 referred
to above.

At 22.5.99.

I am prepared to agree
I have no useful remarks
to offer H.S. -
22-5-99

I am with the Hon. Secy. of S.

J. H.

25.5.99

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for signature.
ed in print.
G O. No. 189
DATED
No. 189
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Office of Government.
Office of Government.
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