M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

71-72 and 78

G.O. No. 1389-90 Press Mis.

Dated October 12, 1859.

Not to be folded or roughly handled

No. 71. Read the following Proceedings of the Board of Revenue, dated 23rd September 1859, No. 3850.

Read the following letter from the Collector of Malabar, dated 25th August 1859, No. 208.

(In Con. 31st August 1859, No. 4333.)

Read also letter from the Officiating Post Master General, dated 30th June 1859, No. 792.

(In Con. 1st July 1859, No. 3146.)

Read also Proceedings of the Board of Revenue, dated 21st June 1859, No. 2361.

The Collector of Malabar complains of the inconvenience he experiences from the refusal of the postal authorities, to receive as free within the limits of the district, letters franked by his subordinates. Similar inconvenience had been reported by the Collector of Bellary, and complaints of the same kind will no doubt arise where the postal authorities in other districts refuse to receive for transmission free within the district, letters franked on the public service by subordinate authorities.

2. The Board had trusted that the question whether subordinate officers mentioned in list II of the Post Office Rules were authorised to frank official correspondence or not had been finally set at rest by the decision of the Government of India of 28th March 1858, which clearly, the Board think, ruled that the subordinates mentioned in list II, were authorised to send letters on the public service to *all authorities superior or otherwise* within the same district, with whom they have to correspond on the public service. To this general permission allowed by the rules, and specially sanctioned on a reference by the Government of India, the Officiating Post Master General took exception and ruled that, "only such subordinate Civil officers, of the departments specified as are in *independent charge* are competent to frank under list II."

Letter from Secretary to Government of India, to Officiating Director General of the Post offices in India, No. 830, dated 26th March 1858, in E. M. C. dated 15th May 1858, R. D., No. 634, in Con. 1st June 1858, No. 2039.

3. The Board in their proceedings of 21st June, No. 2361, requested the Post Master General to re-consider this order, and expressed a hope that the Post Master General would agree with them in considering the restriction imposed by the words "in independent charge" upon the previous order of the Government of India, (No. 830 of 1858,) as unnecessary and inconsistent with the spirit of the order, and that he would recall the same.

In E. M. C. 15th May 1858, R. D., No. 634, in Con. 1st June 1858, No. 2039.

4. To this request, Mr. Fane the Officiating Post Master General in his letter of 30th June, No. 792, paragraph 8, declined to accede. The reason for so declining assigned by Mr. Fane is "that he does not imagine that the Government of India in ordering "that the subordinates in list II. were authorised to send letters on the public service to *all "authorities superior or otherwise*, with whom they may have to correspond on the public ser- "vice,' ever intended that other than officers in independent charge were to frank." But what right the Officiating Post Master General has to assume that the intentions of the Government of India were in direct opposition to their express order, the Board cannot perceive, and the rule itself would be useless if construed as Mr. Fane, would interpret it, for it would prevent that numerous class of subordinates scattered over a district in the Revenue, Police and Public Works Department for whose benefit the privilege of franking was intended, from sending their official correspondence, free of charge.

In Con. 1st July 1859, No. 3146.

5. Mr. Fane, adduces as a reason for not allowing the privilege, which the Board think the subordinates referred to undoubtedly have, and which has been, moreover, conceded by the express decision of the Supreme Government, that "the weight of the mails would be much in- "creased, and it would be difficult to say where the line should be drawn, and why it should "not include every petty Goomashtah."

6. In the Board's opinion the line does actually embrace every Gomastah, whose letters, to the authorities *with whom they have to correspond* on the public service, are entitled to pass free; it does not of course include every Gomashtah while with the superior in the office. But with regard to the argument, that the weight of the mails would be much increased, the Board do not see what that has to do with the question; it is the duty of the Post office to provide for the conveying of all official correspondence. Neither is it at all clear that the weight of the mails would be increased. For the official letters will have to be sent at all events; the only difference is that if not permitted to pass free, they will be posted, paid or bearing, and the charge debited to Government, who will have to provide unnecessarily a large supply of postal stamps for the several departments of Government, or to pass contingent bills for postage in every district, and provide their subordinates with funds for the immediate payment of postage.

Letter from Officiating Post Master General 30th June in Con. 1st July 1859, *No.* 3146, *p.* 2.

* *Government orders dated September 29th* 1854, *&c., mentioned in a Note to List No. II.*

7. With respect to the power of the Head Clerk to frank as a subordinate, the Board are of opinion that he comes under the general designation of "subordinates" but being expressly mentioned in a subsequent list* of persons authorized to frank under the denomination of the Head Assistants or Clerks, it has created a doubt, whether as Head Clerk, (the new denomination for Head Accountant,) he can now frank to any one but to the officer to whom he is immediately subordinate.

8. As the Post Master General has refused to concede the right of subordinates to frank "to the authorities with whom they may have to correspond on public service within their respective districts" distinctly given in list II, and subsequently affirmed by the Government of India, and as continual inconvenience is occurring from the consequent refusal of the Provincial Post Masters to pass free such letters, the Board must leave the matter in the hands of the Government, to pass such orders as may be deemed proper.

(A true Extract.)

(Signed) W. HUDLESTON, *Acting Secretary.*

No. 72. ORDER THEREON, 12th October 1859, No. 1389.

With these Proceedings the Board of Revenue submit for the orders of Government correspondence relating to the question at issue between them and the Post Master General of Madras on the subject of the right of all subordinate officers of the Revenue, Judicial, Engineer and other departments, to frank service communications within their respective districts.

2. In their order of the 26th March 1858, the Government of India ruled, in general terms, that the persons in question are competent so to frank their own public correspondence. But the Post Master General, on what grounds the Government are not aware, has restricted the power to frank to parties "in independent charge."

3. The Government fully concur in the views expressed by the Board of Revenue on the subject. As the Post Master General has declined to withdraw his objections to allow all subordinates of the departments specified to frank, there is no course but to refer the question for the decision of the Government of India.

4. The Government are also of opinion that the Head Clerk of a Collector's office should be allowed to frank to all officers with whom the head of the office corresponds and will submit this point also for the consideration of the Supreme Government.

(Signed) T. PYCROFT,
Chief Secretary.

Ordered in consequence that the following letter be despatched.

No. 73. From T. PYCROFT, Esq., Chief Secretary; to the Secretary to the Government of India; dated 12th October 1859, No. 1390.

Pro. Bd. of Rev. dated 23rd Sep. 1859, *No.* 3850, *with enclosures.*
Order thereon, 12th October 1859, *No.* 1389.

Referring to Mr. Cecil Beadon's letter in the Home Department (Post Office) dated the 26th March 1858, No. 487, I am directed to forward to you for submission to the Governor General of India in Council the papers specified in the margin, relating to the refusal of the Post Master General of Madras to admit the frank, generally, of subordinate officers of the Revenue, Judicial, Engineer and other Departments to the authorities within their respective districts.

2. The order of the Government of India on the subject is general. Nothing is said in it about the parties referred to being in independent charge. The Post Master General, has, however, restricted it to persons so situated. This Government are not aware on what grounds this has been done; but as the Post Master General has, in reply to a reference from the Board of Revenue, declined to withdraw his objections to allow all subordinates of the departments specified to frank, there seems no course but to refer the question at issue for the consideration and decision of the Supreme Government.

3. I am directed to state that the Honorable the Governor in Council fully concurs in the views expressed on the subject by the Board of Revenue in their Proceedings of the 21st June, No. 2831, and 23rd September 1859, No. 3850. He is also of opinion that the Head Clerk of a Collector's office should be allowed to frank to all officers with whom the head of the office corresponds, and I am to request that this point may be also brought under the consideration of the Supreme Government.

REVENUE DEPARTMENT.
Fort Saint George,
12th October 1859.

No. 1390.

From

T. PYCROFT, Esq.,
Chief Secretary.

To

The Secretary to the Government of India.

SIR,

Pro. Bd. of Rev. dated 23rd Sep. 1859, *No.* 3850, *with enclosures.*
Order thereon, 12th October 1859, *No.* 1389.

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I have the honor to be,
Sir,
Your most obedient Servant,

(Signed) T. PYCROFT,
Chief Secretary.

Exd. H. M. Elliot.

No. 3850.

PROCEEDINGS of the BOARD of REVENUE, dated 23rd September 1859.

Read the following letter from the Collector of Malabar, dated 25th August 1859, No. 208.
(In Con. 31st August 1859, No. 4333.)

Read also letter from the Officiating Post Master General, dated 30th June 1859, No. 792.
(In Con. 1st July 1859, No. 3146.)

Read also Proceedings of the Board of Revenue, dated 21st June 1859, No. 2361.

The Collector of Malabar complains of the inconvenience he experiences from the refusal of the postal authorities, to receive as free within the limits of the district, letters franked by his subordinates. Similar inconvenience had been reported by the Collector of Bellary, and complaints of the same kind will no doubt arise where the postal authorities in other districts refuse to receive for transmission free within the district, letters franked on the public service by subordinate authorities.

2. The Board had trusted that the question whether subordinate officers mentioned in list II of the Post Office Rules were authorised to frank official correspondence or not, had been finally set at rest by the decision of the Government of India of 28th March 1858, which clearly, the Board think, ruled that the subordinates mentioned in list II, were authorised to send letters on the public service to *all authorities superior or otherwise*, within the same district, with whom they have to correspond on the public service. To this general permission allowed by the rules, and specially sanctioned on a reference by the Government of India, the officiating Post Master General took exception and ruled that, "only such subordinate Civil officers of the departments specified as are in *independent charge* are competent to frank under list II."

Letter from Secretary to Government of India, to Officiating Director General of the Post offices in India, No. 830, dated 26th March 1858, in E. M. C. dated 15th May 1858, R. D., No. 634, in Con. 1st June 1858, No. 2039.

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In Con. 1st July 1859, No. 3146.

5. Mr. Fane adduces as a reason for not allowing the privilege, which the Board think the subordinates referred to undoubtedly have, and which has been, moreover, conceded by the express decision of the Supreme Government, that "the weight of the mails would be much increased, and it would be difficult to say where the line should be drawn, and why it should not "include every petty Gomashtah."

6. In the Board's opinion the line does actually embrace every Gomashtah, whose letters, to the authorities *with whom they have to correspond* on the public service, are entitled to pass free; it does not of course include every Gomashtah while with the superior in the office. But with regard to the argument, that the weight of the mails would be much increased, the Board do not see what that has to do with the question; it is the duty of the Post office to provide for the conveying of all official correspondence. Neither is it at all clear that the weight of

the mails would be increased. For the official letters will have to be sent at all events; the only difference is that if not permitted to pass free, they will be posted, paid or bearing, and the charge debited to Government, who will have to provide unnecessarily a large supply of postal stamps for the several departments of Government, or to pass contingent bills for postage in every district, and provide their subordinates with funds for the immediate payment of postage.

Letter from Officiating Post Master General, 30th June in Con. 1st July 1859, No. 3146 p. 2.

*Government orders dated September 20th 1854, &c., mentioned in a Note to List No. II.

7. With respect to the power of the Head Clerk to frank as a subordinate, the Board are of opinion that he comes under the general designation of "subordinates," but being expressly mentioned in a subsequent list* of persons authorized to frank under the denomination of the Head Assistants or Clerks, it has created a doubt, whether as Head Clerk, (the new denomination for Head Accountant,) he can now frank to any one but to the officer to whom he is immediately subordinate.

8. As the Post Master General has refused to concede the right of subordinates to frank "to the authorities with whom they may have to correspond on public service within their respective districts" distinctly given in list II, and subsequently affirmed by the Government of India, and as continual inconvenience is occurring from the consequent refusal of the Provincial Post Masters to pass free such letters, the Board must leave the matter in the hands of the Government, to pass such orders as may be deemed proper.

(A true Extract.)

1859 [illegible]
Acting Secretary.

To,

J. D. BOURDILLON, Esq., Secretary to Government, R. D.
Copy to Collector of Malabar.

Revenue Depart.

No. 1389

Proceedings of the Madras Government
Under date the 12th October 1859

Read the following

Proceedings of the Board of Revenue:

Submitting for orders correspondence respecting the inconvenience experienced from the refusal of the postal authorities to receive as free within the prescribed limits letters franked by Revenue and other Subordinates.

(Received 23rd September 1859 No. 3850)

W. M.

W. H. Theseger Esq.
Proceedings of the Board of Revenue submitting for the orders of Govt correspondence relating to the questions at issue between them and the Postmaster General of Madras on the subject of the right of public subordinates employed in the Revenue Dept

departments to frank
service communications
within their respective
districts.

In their order
of the 26th Mar. 1858, the
Govt of India ruled,
in general terms, that
the previous question
are competent to
frank their own public
correspondence. But
the Postmaster Genl on what
grounds the Govt are
not aware - has restricted
the power to frank to
Post Offices "in independent
charge".

The Govt fully
concur in the views
expressed by the Bd
of Rev on the subject
& to the Postmaster Genl
has declined to withdraw his objection to
allow all Tahsildars

of the departments specified
to frank, there is no
course but to refer
the question for the
decision of the Govt of
India.

The Govt are also
of opinion that the Head
Clerk of a Collectors
Office should be allowed
to frank to all Officers
with whom the Head
of the Office corresponds
and will submit this
point also for the
consideration of the
Supreme Govt.

JP

6 Copies. Board of Revenue. Dispt 13
6 — Govt of Madras

Rev. Dt

No 1390.

To
The Secretary to the
Govt. of India

Sir,

Referring to Mr. Cecil Beadon's letter in the Home Dept. (Post Office) dated the 26th Mar. 1858 No 487. I am directed to forward to you for submission to the G. G. of India in C. the papers specified in the margin relating to the refusal of the Postmaster General of Madras to admit the franks generally of the subordinate officers of the Rev. Judicial Engr. and other departts to the authorities with-in

Copies Desp. Copied

Pro. Bd. of Rev. dy 23 Sept/59 No 3850. with Retn

Order thereon 12 Octr. 1859.

Cons: 18th May/58 No 20 [illegible]

Revenue/59 Dept.
Pro. of Govt. 21st Octr.
No. 1389
Pro. of the Madras Govt.
Of 12th October/59.
From the Bd. of Rev.
18th Nov/59. No 2138
in Con.
From the Court of Judicy.
Dec/59 [illegible]
Objections to allow [illegible] all subordinate [illegible] Departments [illegible] to frank letters [illegible]

[illegible]

Octr. 10th

in their respective
districts.-

The order of
the Govt of India on the
subject is general.
Nothing is said in it
about the parties defend
ts being in the independent
charge of the Postmr
Genl. Govt has therefore
restricted it to persons
so situated. The
Govt are not aware
of what grounds
this has been done, but
as the Petitioner has
not applied for a reference
from the Board of Rev.
declined to withdraw
his objections, & allowed
discriminate of the
departments specified
by Govt. there seems

no cause but to refer
the question at issue
for the consideration
and decision of the
Supreme Govt.

I am directed
to state that the H
the Govr General entirely concurs
in the views expressed
in the subject by the
Bd of Rev. in their
Proc: of the 21st June No 2845
and 23d Sep 1859 No 3850
He is also of opinion
that the Head Clerk of
a Collectors office should
be allowed to print to
all offices with whom
the Head of the office
corresponds, and does
to request that this
Petition may be also
brought under the con-
sideration of the Supreme
Govt.

Govt

Hist Dept. Govt. 12 October 1859.

Revenue 1859 Dep^t.
Rec^d of Govt. 2^nd Collr.

No. 1390.

To the Secretary to the
Govt. of India.
Dated 12^th October 1859.

From — Do. — 17^th Dec^r 59
C. No 649. of 1860 in Rec^d.

No. 7.

Regarding the objections
to allow all subordinates
of the Deccan Districts
to [illegible]

Rw. Cons. 18th May 1858 Nos. 20. 21

Revenue Dept. of Govt. Nos. 1859 Dehart 21st Octr. 1813

Proceedings of the Board of Revenue.

Dated 23rd
Recd 30 } September
Read 1st October 1859.
Encl. Nos. Orig. Letter 17 Returned 2-11-59
No. 3850.

No. 1389 - 12th Oct.

Submitting for orders correspondence from the Collector of Malabar and the Offg. Post Master General, complaining of the inconvenience experienced from the refusal of the postal authorities to receive as free within the limits of the district letters franked by his subordinates.—

Copy to the Govt. of Madras with Govt. No. 12 Oct. 1859. No. 590. ——

No. 71

7th October 1859