

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	538	Press Mis.
Dated	19.4.	1859.

Not to be folded or roughly handled

1

Fort Saint George, Revenue Consultation of 19th April 1859.

No. 29. Read the following Extract from the Minutes of Consultation in the Military Department under date the 7th April 1859.

Read the following letter from Surgeon A. N. MAGRATH, Director General Medical Department, Fort St. George; to the Chief Secretary to Government Fort St. George; dated 18th February 1859, No. 31.

SIR,

I have the honor to forward for the information of Government copies of correspondence as per margin, with reference to the position of Medical subordinates when employed under the orders of Civil and Judicial Officers.

Between Superintending Surgeon Lovell and Mr. Cherry, Acting Collector, Coimbatore.

2. It appears from the correspondence that Mr. Cherry Acting Collector of Coimbatore, fined a 1st Dresser employed under his orders named Armoogum (No. 84) ten Rupees for alleged neglect of duty in the month of July last.

3. The Dresser complained of this act to the Civil Surgeon of the division, and requested that the instance of neglect of duty, for which he was fined, might be enquired into.

4. Mr. Cherry informed the Superintending Surgeon and Civil Surgeon that the Dresser was entirely under his orders and declined receiving any communication through those officers on the subject, unless "specific authority" could be shown by them, entitling them to interfere in the matter. Mr. Cherry at the same time desired that, the whole question should be submitted for the decision of Government.

5. There can be no doubt, I think that the Dresser Armoogum a Military man, whose services were temporarily lent to the Civil Department, should have been held amenable to Military discipline for neglect of duty, and that the stoppage of his pay as a punishment was irregular.

6. It is I think very desirable, that the question of control of Medical subordinates in Civil employ, should be more definitely settled than it is at present.

7. I would propose for the consideration of Government, that all Dressers or Subordinates in Civil employ be posted to do duty under the Civil Surgeons attached to the various Collectorates, and that they should be under the direct control of the Civil Surgeons. Each Dresser should be detached for duty with the Collector and Sub-Collector, in regular order.

The medicines, &c., now supplied for the Civil Department should be under the control and management of the Civil Surgeon, and the Dressers should at the end of each tour of duty, account for the proper expenditure of the same.

All complaints of neglect of duty, &c., on the part of Dressers should be forwarded in the 1st instance to the Civil Surgeon, whose duty it would be to investigate the complaint, and if necessary transmit his observations on the same through the Superintending Surgeon of the division for the information of the Director General, Medical Department.

8. The advantages of this arrangement would be simply these:

A. Dressers now employed under Collectors, &c., would have an opportunity, in their turn, of performing the duties at Jail Hospitals, and Civil Dispensaries, and their professional knowledge would be thus increased, and kept up to the requisite standard.

B. Being directly under the orders of the Civil Surgeon, the Dressers would be regularly examined as to their professional qualifications, and be placed on the same footing, as regards professional improvement as the Dressers now attached to Civil Dispensaries and Jails.

C. The medicines would be used for the purposes intended, viz. for the sick of the Cutcherry servants, and others employed under the Collector. I have reason to suppose that in many instances, under the present arrangement, Cutcherry servants are told to apply when sick at the Civil Dispensaries, and that the Medicines really intended for their use, are expended by the Dressers on their private patients.

9. I trust Government may be pleased to sanction the arrangement proposed in para. 7, in order to improve the efficiency of the Subordinate Medical Department, and to avoid all necessity for further reference on the subject.

From Captain H. RIGG, Acting Deputy Assistant Adjutant General S. D.; to the Superintending Surgeon Southern Division Trichinopoly; dated Trichinopoly; 28th January 1859, No. 54.

SIR,

I have had the honor to submit to the Officer Commanding the Division your letter No. 43 of 25th Instant with its enclosures.

2. In reply I am directed to acquaint you that the Major General is of opinion that the best course will be for you to refer the matter of 1st Dresser Armoogum's complaint to the Director General Medical Department.

(A true Copy.)

(Signed) C. G. E. FORD,

Surgeon in charge of the Superintending
Surgeon's Office Southern Division.

Fort Saint George, Revenue Consultation of 19th April 1859.

From Acting Superintending Surgeon J. LOVELL; to the Deputy Assistant Adjutant General Southern Division; dated Trichinopoly, 25th January 1859, No. 43.

SIR,

In the absence of Major General R. Budd, Commanding the Division, I have the honor to forward you for submission to him the accompanying copies of correspondence which I trust will sufficiently explain the circumstances under which I have deemed it my duty to submit the subject for his consideration.

2. I am unable to submit the identical Petition which the 1st Dresser Armoogum (recently Pensioned) forwarded to me, and referred to in my letter marked A, as Mr. Cherry has retained it also, copies of other papers the latter a counterpart I believe of documents marked D.

3. Mr. Cherry's letter in reply to mine is marked B from which it appears he questions my authority as well as the Civil Surgeon for calling upon him for some explanation and enquiry into the matter of the Dresser's complaint; viz. the stoppage by Mr. Cherry's order of ten days' pay in October for an alleged neglect of duty in July preceding.

4. After the despatch of my letter to Mr. Cherry it occurred to me to make some enquiry of Dr. Miller, Officiating Civil Surgeon of Coimbatore, as the immediate Medical superior of the Dresser and at hand and to whom complaints are directed to be made. Vide the Medical Code paras. 103-104 and 107, Section VI. page 84, though ignored by Mr. Cherry as to his reasons for refusing to forward through the prescribed channel the Dresser's complaint having failed to obtain a hearing or redress from the Collector, and accordingly wrote to him a note to that effect; copy of his reply, I beg to forward marked C.

5. The subject being one of importance, and Mr. Cherry's view of it at variance with the opinions I hold and have expressed to him, and being unable to satisfy him of the propriety of Heads of Departments reporting acts of misconduct or neglect of duty on the part of Dressers or others attached temporarily to the Civil Department, I beg to commend the subject to the consideration of the Major General Commanding.

(True Copy.)

(Signed) C. G. E. FORD,

*Surgeon in charge of the Superintending
Surgeon's office Southern Division.*

A.

From Acting Superintending Surgeon J. LOVELL; to the Collector of Coimbatore; dated Trichinopoly, 21st December 1858, No. 818.

SIR,

* Requested to be returned.

I have the honor to forward for your perusal the accompanying letter* to my address from pensioned 1st Dresser Armoogum, No. 84, and accompaniments received some days ago, but I have been unable till the present to notice the subject of the petition.

2. May I beg you will be good enough to allow of the enquiry being made, which the Dresser solicits and enable him to satisfy you, of there having been some mistakes as to his non-attendance to his duty in the month of July last.

3. I beg to observe for your information that the Dresser having been in the Military Establishment of Government was amenable to the laws established for their rule and governance only for slight offences or faults, reprimand from Medical Superiors on any acts of misconduct being brought to notice, and for graver offences trial by Court Martial is the usual course pursued; the infliction of fines by loss of pay by immediate superiors under whom Medical Subordinates do duty not being recognized, or allowed, as far as my experience enables me to say.

4. I trust that the enquiry solicited may lead to the exoneration of the Dresser from the blame imputed with the restoration of his pay, and that I may be favored at your convenience with a few lines of explanation.

B.

From J. W. CHERRY, Esq., Acting Collector of Coimbatore; to J. LOVELL, Esq., Acting Superintending Surgeon Southern Division; dated Coimbatore 6th January 1859, No. 18.

SIR,

1. I beg to acknowledge the receipt of your letter of the 21st December which reached me during the time my office was closed for the Christmas Holidays.

2. I shall be glad to furnish the explanation you request me to give you, but before doing so, beg you will be good enough to put me in possession of the specific authority, by which you consider it is your duty to thus call upon me.

3. An important principle is involved in the question, and it will be more satisfactory to have the matter of this kind put upon a footing less undecided and less undefined than it appears to be at present.

Fort Saint George, Revenue Consultation of 19th April 1859.

4. The Dresser Auroomoogum, though belonging to the Military Establishment is transferred to the Civil authorities, he is in every way under the orders of the Collector and can only draw his pay through that officer, and not through the Military Head of the station; but should his immediate superior have occasion to punish him according to what your experience enables you to say, any instance of the dresser's misconduct must be reported for the consideration and decision of an officer in another Department, and one from which he has been long ago detached.

5. If this is the present anomalous state of procedure, the sooner it is rectified the better for the interests of the Public service, and I have to request that you will, in the absence in your office of any superior ruling upon a case of this kind, submit this correspondence to the higher authorities for their orders.

6. I take this opportunity of stating that though I learnt from the Government Gazette that 1st Dresser Auroomoogum had been pensioned, no reference whatever was made to me as the Head of the office to which he has been for some time attached as to how he had been performing his duties, or whether his character and conduct had been such as to deserve the bounty of Government.

(True Copies.)

(Signed) C. G. E. FORD,

*Surgeon in charge of the Superintending
Surgeon's Office Southern Division.*

C.

MY DEAR SIR,

I send enclosed for your information copies of the correspondence that took place regarding Armoogum's Petition. The circumstances which led to my declining to forward his complaint were briefly these.

In the first place, I received a bad impression of the man from his first petition to me being intemperate and disrespectful in allusion to Mr. Cherry. However I myself eliminated the objectionable portions of it, and forwarded it to Mr. Cherry in the form you now see it in (No. 1) along with my letter No. 2. Previous to doing so I had endeavoured to elicit from Armoogum something more of the matter than appeared in his statement, not believing that Mr. Cherry would fine him without just cause. But with true native duplicity he would admit nothing that did not go to shew Mr. Cherry's act to be an arbitrary and unjustifiable one. Mr. Cherry was at the time absent from the station, and on his return I learnt from him, as I suspected I would, a version of the affair wholly at variance with the first Dresser's. It appeared that the Dresser did not accompany Mr. Cherry's camp to Bowahny according to orders, or at any rate that he was not to be seen there, he did not report himself, nor did he do any duty. It also came out that on another occasion, having obtained leave to go to Trichinopoly for the purpose of appearing before a pensioning Committee, the Dresser remained a fortnight in Coimbatore in the pursuit of his private affairs, neither proceeding on his leave nor performing his duty. Finally, Mr. Cherry said, his whole conduct had been inefficient and unsatisfactory in the extreme. I could not hesitate to believe Mr. Cherry's statement in preference to the native's, and as my own short experience of the man was far from favorable. I declined having any thing more to do with his grievance. I was sorry for it, because I should have liked exceedingly to try the question how far Mr. Cherry's opinion, as expressed in his letter to me (No. 3) regarding the position of a Collector's Dresser towards the Collectors and the Medical Officer respectively was correct. I do not believe the Dresser is wholly beyond the control and protection of the Medical Officer. But conceiving that I had a bad case and an unworthy client in Dresser Armoogum, I resolved to defer bringing that matter to issue till a more favorable opportunity. It may perhaps be open to question also whether Mr. Cherry has any power to fine a Medical Subordinate, but I don't know.

COIMBATORE,
January 7th.

Your's &c.,

(Signed) J. MILLER, M. D.

D.

From 1st Dresser ARMOOGUM; to J. MILLER, Esq., M. D., Civil Surgeon Coimbatore; dated 29th November 1858.

SIR,

I very humbly beg to bring to your kind notice that according to the order of J. W. Cherry, Esq., the Acting Collector of this District, I accompanied him in last July to Bowahny on duty. Now I learn an order was issued by the said gentleman to the cash-keeper to stop a 10 days' pay from my salary of October last, because I did not accompany him as he permitted, and absent for sometime without leave. If enquiry be made it will be found that I had been to Bowahny with the Acting Collector, and also he certified to that effect in my batta list to the Civil Auditor which I hope will prove you by his official record, I cannot say how he came to understand to suspect on me for having not obeyed his order, my pay abstract for October has been signed and passed by the Civil Auditor to the full amount in which I am sorry to say was deducted the said 10 days pay; as you are my immediate superior and benefactor I beg to bring this circumstance to your kind consideration.

Fort Saint George, Revenue Consultation of 19th April 1859.

From Surgeon J. MILLER; to J. W. CHERRY, Esq., Acting Collector of Coimbatore;
dated 2d December 1858, No. 62.

SIR,

I have the honor to forward a copy of a letter addressed to me by 1st Dresser Armoogum, No. 84, and to request that you will be so good as permit the further enquiry which he solicits regarding the circumstances under which you fined him last month.

From J. W. CHERRY, Esq., Collector; to J. MILLER, Esq., M. D., Officiating Civil Surgeon of Coimbatore; dated 2d December 1858.

SIR,

With reference to your letter of the 2d Instant, No. 62, I have the honor to inform you that 1st Dresser Armoogum has entirely misled you, as to the fact that he is under the Civil Surgeon. He is under the sole and immediate control of the Collector, and is merely directed to be in attendance at the Civil Dispensary when his services are not actually required by the Collector.

2. This arrangement is made in order that he may not only be fully and usefully employed, but that he may have the advantage of improving himself in the knowledge of medicine and surgery under the Zillah Surgeon. With this explanation you will I trust excuse my declining to do any thing in the matter, and refer the Dresser to me if he has any further representation to make.

(True Copies.)

(Signed) C. G. E. FORD,

Surgeon in charge of the Superintending
Surgeon's Office Southern Division.

Referred to the Revenue Department for the purpose of ascertaining whether there is any objection to the Rules proposed in paragraph 7 of the letter from the Director General respecting Dressers in Civil employ, and Medicines &c., supplied to the Civil Department.

(Signed) H. MARSHALL, Colonel,

Acting Secretary to Government.

No. 30.

ORDER THEREON, No. 538; dated 14th April 1859.

Referred to the Board of Revenue for consideration and early report.

(Signed) W. C. SIM,

Acting Deputy Secretary to Government.

Extract from the Minutes of Consultation

Under date the 7th April 1859.

Read the following letter

N^o 31

From

The Director General

Medical Department

Fort St. George.

To

The Chief Secretary to Government.

Fort St. George.

Sir

I have the honor to forward for

*Between Sup^{ts} Surg^{ts} the information of Government Copies of
Letter N^o 84, Cherry
Acting Collector Coimbatore.*

*reference to the position of Medical subordinates
when employed under the orders of Civil and
Judicial officers.*

2 *It appears from the correspondence
that Mr. Cherry Acting Collector of Coimbatore,
fined a 1st Dresser employed under his orders
named Armoogum (N^o 84) ten Rupees for
alleged neglect of duty in the month of July
last*

3

*The Dresser complained of this act to
the*

to the Civil Surgeon of the Division and requested that the instance of neglect of duty, for which he was fined might be enquired into.

4 Mr. Cherry informed the Superintending Surgeon and Civil Surgeon that the dresser was entirely under his orders and declined receiving any communication through those officers, on the subject, unless "specific authority" could be shown by them, entitling them to interfere in the matter. Mr. Cherry at the same time desired that the whole question should be submitted for the decision of Government.

5 There can be no doubt, I think that the Dresser Armoogum a Military man, whose services were temporarily lent to the Civil Department, should have been held amenable to Military discipline for neglect of duty and that the stoppage of his pay as a punishment was irregular.

6 It is I think very desirable, that the question of control of Medical subordinates in Civil employ should be more definitely settled

settled than it is at present.

7 I would propose for the consideration of Government, that all Dressers or subordinates in Civil employ be posted to do duty under the Civil Surgeons attached to the various Collectorates, and that they should be under the direct control of the Civil Surgeons. Each Dresser should be detached for duty with the Collector and Sub Collector, in regular order.

The Medicines now supplied for the Civil Department should be under the control and management of the Civil Surgeon, and the Dressers should at the end of each tour of duty, account for the proper expenditure of the same.

All complaints of neglect of duty on the part of Dressers should be forwarded in the 1st instance to the Civil Surgeon, whose duty it would be to investigate the complaint, and if necessary transmit his observations on the same thro the Superintending Surgeon of the Division for

the information of the Director General,
Medical Department.

8. The advantages of this arrangement would be simply these.

A. Dressers now employed under Collectors ~~via~~ would have an opportunity, in their turn, of performing the duties at Sail Hospitals, and Civil Dispensaries, and their professional knowledge would be thus increased, and kept up to the requisite standard.

B. Being directly under the orders of the Civil Surgeon, the Dressers would be regularly examined as to their professional qualifications, and be placed on the same footing, as regards professional improvement as the Dressers now attached to Civil Dispensaries and Sails.

C. The Medicines would be used for the purposes intended viz for the sick of the Futcherry Servants, & others employed under the collector. I have reason to suppose that in many instances, under the

the present arrangement, Futcherry servants are told to apply when sick at the Civil Dispensaries, and that the Medicines really intended for their use, are expended by the Dressers on their private patients.

9. I trust Government may be pleased to sanction the arrangement proposed in para 7, in order to improve the efficiency of the Subordinate Medical Department, and to avoid all necessity for further reference on the subject.

Office of Director General
Medical Department
Fort St. George
18th Feb. 1859.

(Signed) A. N. Macrath
Director General
Medical Department

Referred to the Revenue Department for the purpose of ascertaining whether there is any objection to the Rules proposed in paragraph 7 of the letter from the Director General respecting Dressers in Civil employ & Medicines ~~are~~ supplied to the Civil Department.

(Signed) T. Marshall Secy
To The Revenue Department.

Courtesy D. M.

Revenue 1859 Rept.
Dated 19th of April.

No 617

Extract from the
statement of funds in the
Military Department.

Dated 7th of April 1859

Recd. 9th of April 1859
1st Inst. 22nd of Nov^r 51 29th
from the 22nd of Nov^r 51 29th
Apr 1859 Lk 2968 ind.

Referring a letter from
the Director Genl. Inverness
Dept. in view to ascertain
whether there is any objection
to the Rules proposed by him
respecting Dragoons and
Cavalry Employment & provisions
then supplied to the Civil
Department.

No 538. 14th of April 1859
With an order

No 538.

Referred to the
Board of Revenue for con-
sideration and early
report.



Total 24-400-0
14th of April 1859

3 Copies to the 22nd of Nov^r 51 29th
Apr 1859

No 29 + 30.