

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.

970

Press
Mis.

363-64

Dated 30-6-1870. N

Not to be folded or roughly handled

4-3-30

T/H

*Proceedings of the Madras Government, Revenue Department,
30th June 1870.*

No. 363. Read the following Proceedings of the Board of Revenue, dated 29th April 1870, No. 2,853 :—

Read the following letter from the Acting Collector of Trichinopoly, to the Acting Secretary to the Board of Revenue, dated 11th March 1870, No. 54.

WITH reference to the Board's Proceedings, No. 502, dated 24th January 1870, I have the honour to submit, for their favourable consideration and orders, the accompanying communication from the Tahsildar of the Trichinopoly Talook, Pattabhiram Pillay, and who takes exception to the opinion expressed by the Secretary to the Commissioner for the Uncovenanted Civil Service Examinations, viz., that the examination passed by him (Pattabhiram Pillay) in 1859 was of the nature of the *present General Test Examination*.

2. The reasons assigned by the Tahsildar appears to me worthy of consideration, and the subjects of the Test of 1858, compared with those of the present General Test, do not in my judgment bear out the interpretation given in Mr. Duncan's communication.

3. I beg to submit a Statement, showing in juxtaposition these subjects respectively according to the standard of each different examination, and I trust that the Board will be good enough to urge a re-consideration of the opinion given by Mr. Duncan; adverting also to the fact that Pattabhiram Pillay has passed the examination for the higher grades in the Judicial Department, and, further, that he has been a 1st-class Tahsildar for the past five years. I would take leave to recommend that he be exempted from all further examinations.

ENCLOSURE No. 1.—Statement showing the subjects of the Old Test Examination.

ENCLOSURE No. 2.—Letter from Tahsildar.

ENCLOSURE No. 3.—Copy of Testimonial.

THE Board resolve to submit this letter for the favourable consideration of Government.

2. Under paragraph VI. of the Examination Rules of 1858 Pattabhiram Pillay has been declared eligible for any appointment in the service of Government, and he has done nothing since to warrant the withdrawal of that declaration.

3. The examination which he passed was of a very searching description, and was as severe in Law and Revenue Administration as the present Special Tests. It may be considered as analogous to the whole of the General and Special Tests combined.

4. As the institution of the revised rules of 1866 did not make ineligible any one who had been declared eligible for a post under the rules of 1863, so the rules of 1863 could not have been intended to disqualify those who had qualified under the far more stringent rules of 1858.

*Proceedings of the Madras Government, Revenue Department,
30th June 1870.*

No. 364. ORDER THEREON, 30th June 1870, No. 970.

Miscellaneous.

THE Government have given these papers their careful consideration, and are pleased to exempt Pattabhiram Pillay, Tahsildar of Trichinopoly Talook, from any further examination for the office of Deputy-Collector and Magistrate.

2. The Government are not prepared to lay down any rule as to the effect of the examinations conducted under the Notification of March 1858; but the few existing exceptional cases will be disposed of on their merits as they arise.

(True Extract.)

(Signed) R. S. ELLIS,
Chief Secretary.

To the Board of Revenue.
,, the Commissioner for the Uncovenanted Civil Service Examinations.
,, the Accountant-General.

Exd. F. R. Bantlem an.

according

Memo. for Orders
on No 1408.

1. The question at issue is, whether Puttabhiram Pillay, Tahsildar of Trichinopoly Talook, has passed the Special Test required for the office of Dy. Collector or not.

2. He says that he has passed the examination, but the Commissioner for the M. C. Service Examination times contradicts this statement.

3. Puttabhiram Pillay passed the examination according

Telegraph Message from the
Collector of 18th December 1869.

I agree with the view
expressed in the
letter of the 18th December 1869.
I am the Secy to the Commissioner
of 8th January 1870, No. 3.

As Puttabhiram
Pillay has also
passed the tests
of Pleader & Dy.
Mag. I would ex-
empt him from
any further ex-

Govt. of 1870: 311/1870.

REVENUE.

To

THE BOARD OF REVENUE.

Secy, Secy, &c.

Dated June, 30th.

Recd.

Encl.

G. O., 30th June 1870, No. 970.

JUNE.

Nos. 363-364.

Puttabhiram Pillay, Tahsildar of Trichinopoly Talook.—His exemption from passing any further examination for the office of Deputy-Collector and Magistrate, sanctioned.

according to the test laid down in the Notification of Govt. dated 4th March 1858.

This Notification declared - amination for the those persons who passed office of Dy. Collector & Magistrate. The standing rule, I think, has, always been not to require Examination prior to the Special Test for officers not desiring Judicial Revenue English. Existing. If the office of Dy. Collector had been in existence when Puttabharam Pillay passed his Examination he would not have been required to pass again - as it was not then in existence

he would have been required to pass it. Such at least in my rule is the case.

The case of D. C. is not strictly parallel. In it there was merely a modification of an existing test for an existing office.

But the new rule has been in force so long that the best plan is to deal with the few existing Examination cases on their merits, as they arise - not to lay down new rules & principles.

74-11
latter "all appointments below that grade." The subjects were as follows:-

Vernacular Language	} For Judicial and Revenue Depts.
English	
Arithmetic	
History	
Geography	
Algebra	
Euclid	
Law	

Puttabharam Pillay passed the tests for the Rev. Dept. ^{"highest division"} and he was qualified for all Revenue appointments open to the Uncovenanted Service at that time, although the office of Dy. Collector was not created till after he passed the examination. However, the old examination appears

appears ~~to~~ ^{to} have been
as good as tests now laid
down for the post of Dy.
Collector. The subjects under
Law in the former were
"the Law of Evidence, Princi-
ples of Criminal Law, the
Regulations & Acts applicable
to the Rev., Police & Magiste-
rial Offices, the system of
revenue administration as
set forth in the Circular Orders
of the Board of Rev., and the
system of Rev. accounts."
The present rules add
Translation & Precise Writing.
The Commissioner for
Unconquered Civil
Service Examinations
say that the
examination

I agree in the main
to the substance of this suggestion
by the Board. I
consider that every
person who is proposed
for promotion to the
higher than second
posts held in the
rules of 1858 ought
to be eligible for every
appointment for which
that examination is now
held. I do not know that
the question is affected
by the fact that the
Deputy Master Surgeon
was what he was
after the rules in
question were proposed.
The history of their
application has been
worked out before
the rules were proposed
and it was manifestly
in view of the impending
creation of these offices

but the examination
system provided by
Lord Harris' rule
in the rules of 1858 in 1859 was "of
no work at all. This
will be evident from a
reference to the ~~circumstances~~ present General
which took place at
the time.

A.P.
entirely not.
A.P.

75H
examination passed
Test." In this he

is evidently not correct.

As the Board re-
mark, the former

may be considered

as analogous to

the whole of the

General and Special

Tests combined.

The Board also

add

add that "as the
institution of the
revised rules of
1866 did not make
ineligible any one
who had been de-
clared eligible for a
post under the rules
of 1863, so the rules of
1863 could not have
been intended to
disqualify those who
had qualified under
the far more strin-
gent rules of 1858."
The

T6H

The Board's view of the
case seems to be the correction.
The Commissioner does not
point out any authority for
his remark that "any tests
passed prior to 1863 are not
recognized by the present rules".
A similar question arose in
1864 in regard to District
Moonsiff's examination -
The Judges of the High Court
ruled that the examination
test passed in 1857 has become
per se obsolete standard - The Govt
in their letter to the Chief
Justice, dated 10th September
1864, No. 1345, expressed the
following opinion on the subject
"that as a general rule, persons
"who had already passed an
"examination, which has
"been pronounced by Govt
"to be sufficient as a test of
"qualification for a particular
"office should not, on the

Examination

"Examination Rules being
"changed, he required to pass
"a fresh examination according
"to the new test". That after a
"certain time of life the
"obligation to pass examina-
"tions is usually considered
"to be, and in fact is, a very
"serious hardship, and that
"to require a person who has
"already passed what the
"Government of the day
"have declared to be a
"sufficient test of qualifica-
"tion for a particular office,
"is calculated to excite grave
"discontent in the minds of
"public servants, and to
"weaken their confidence
"in the declarations and
"policy of the Government."

Spall

7/10/59

after

Rev^d Department
#970.
Proceedings of the Madras Government
Under date the 30th June /70
Read the following
Proceedings of the Board
of Revenue.

Sub^d for favorable con-
sideration letter from Col^l of
Trichinopoly Dist^o forwarding Com-
munication from Puttappa Pillay,
Tahildar of Trichinopoly Taluk.
Regarding opinion expressed by Secy
to Comm^r for M. C. S. Examinations,
that examination proposed by him
in 1859 is of nature of General
Test Examination & recommending
that he be exempted from all
further examinations

(H. 29th April /70 No. 2853)

The Government
have given these papers
their careful consideration

and

and are pleased to exempt
Puttaram Pillay, Lak-
shidoss of Trichinopoly Gov.
look, from any further
examination for the office
of Deputy Collector
and Magistrate.

2 The Government
are not prepared to
lay down any rule as
to the effect of the
examinations conducted
under the notification
of March 1858, but
the few existing ex-
ceptional cases will
be

T8H

be disposed of on their
merits as they arise.

PAK

14 B.R. of Revd. with 3 Encls. Decr 4 July
5 Comms for W. C. S. Examinations
6 Accountant General.

Let from order

11/11

S. P. Ball

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