

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 885

DATED 1st March. 99

131

[Despatch Abstract.]

Abstract.
Proceedings Public Deptt. adding to the Rules for the submission of petitions addressed to the ^{Madras} Govt. a clause disallowing second and later appeals to Govt. against an order for judicially affecting a public servant who is in receipt of a salary not exceeding Rs. 50 a month. Communicated to the Heads of Deptts. under the Rev. Secretariat with remarks.

99

Government {1899} of Madras.

Recd. }
23rd Feb. } 1899.
Regd. }

Spare copies.

FEBRUARY.

Directing that certain clause be added to Rule V of the rules regarding — addressed to Government of Fort St. George, and communicating to all departments of the Secretary from the Government of India on the subject. Copy to the Government of India.

The letter from the Government of India will be communicated to all departments of the Secretariat with a view to the issue of orders in each department specifying the officers, or classes of officers, in each branch of the public service, drawing a salary of not more than Rs. 25 per mensem in whose case a second appeal is to be altogether prohibited.

(True Extract.)

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—again the following papers:—

- G.O., No. 49, Revenue, dated 22nd January 1894.
 „ Nos. 118, 119, Public, dated 20th February 1894.
 „ No. 1645, Public, dated 14th December 1897.

READ—also the following paper:—

From A. H. L. FRASER, Esq., C.S.I., Officiating Secretary to the Government of India (Home Department—Public), to the Chief Secretary to the Government of Madras, dated Simla, 17th October 1898, No. 2057.

With reference to the correspondence ending with Home Department endorsement No. 2279, dated the 23rd October 1897, regarding the question of restricting the right of appeal against departmental punishments which public servants holding subordinate appointments now enjoy, I am directed to say that it has been decided not to make any alteration in the rules regulating the submission of petitions to the Government of India. The Governor-General in Council has, however, no objection to Local Governments and Administrations making a rule, if they desire to do so, as proposed by the Government of Madras, prohibiting second appeals by Government servants on a salary not exceeding Rs. 50 a month when the appeal is to the Local Government, and Rs. 25 a month when the appeal is to any other authority. I am to ask that, if such a rule is made by the Government of Madras, the fact may be reported for the information of the Government of India.

ORDER—No. 199, Public, dated 17th February 1899.

His Excellency the Governor in Council is pleased to add the following clause to Rule V of the rules regarding petitions addressed to the Government of Fort St. George:—

(11) When a petition is an appeal against any order prejudicially affecting a Government servant who is in receipt of a salary not exceeding Rs. 50 a month, if an appeal against such order has already been decided by an officer superior to the officer passing the order.

2. The letter from the Government of India will be communicated to all departments of the Secretariat with a view to the issue of orders in each department specifying the officers, or classes of officers, in each branch of the public service, drawing a salary of not more than Rs. 25 per mensem in whose case a second appeal is to be altogether prohibited.

(True Extract.)

for Chief Secretary.

To all Departments of the Secretariat.

ENDORSEMENT—No. 200, Public, dated 17th February 1899.

Copy to the Government of India, Home Department (Public).

G. STOKES,
Chief Secretary.

From A. H. L. FRASER, Esq., C.S.I., Officiating Secretary to the Government of India (Home Department—Public), to the Chief Secretary to the Government of Madras, dated Simla, 17th October 1898, No. 2057.

With reference to the correspondence ending with Home Department endorsement No. 2279, dated the 23rd October 1897, regarding the question of restricting the right of appeal against departmental punishments which public servants holding subordinate appointments now enjoy, I am directed to say that it has been decided not to make any alteration in the rules regulating the submission of petitions to the Government of India. The Governor-General in Council has, however, no objection to Local Governments and Administrations making a rule, if they desire to do so, as proposed by the Government of Madras, prohibiting second appeals by Government servants on a salary not exceeding Rs. 50 a month when the appeal is to the Local Government, and Rs. 25 a month when the appeal is to any other authority. I am to ask that, if such a rule is made by the Government of Madras, the fact may be reported for the information of the Government of India.

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(11) When a petition is an appeal against any order prejudicially affecting a Government servant who is in receipt of a salary not exceeding Rs. 50 a month, if an appeal against such order has already been decided by an officer superior to the officer passing the order.

Ed. A. F. Eccleston.

Inserted in all the spare copies of
C.Pet. Rules - 8/3/99

*C Public E. No. 3392 of 98.

To Under Secretary.

The question of the curtailment of the right of appeal by Govt. servants against departmental punishments, was last mooted in this Department in connection with Mr. Meyer's proposals. (vide para 2(14) of G.O. No. 282 Rev. d. 18.5.98). The original of the order is not available, being put up with the file re: the grading of Tahsildars, now in circulation.

A copy of the G.O. is in the file (slipped 5).

2. It is submitted that there appears no objection to the draft order being come as above. It may perhaps be used in the suggested form.

Despr.

Here sketch this with
the G.O. No. 1363 of 99.

Read G.O. No. 199 Public
d. 17.2.99. (Cus. 1363 of 1899^{TT}.)

G.O. ~~Minister~~ Misc No 886 of 1st March 99

The order read above will be communicated to the Heads of Departments under the Revenue Secretariat for information and guidance. The Board of Revenue and the Superintendent, Revenue Survey, will submit to Govt the necessary proposals with reference to paragraph 2 of the order.

Handwritten signature/initials
25/1/88

604-3-99.

- To the B. of Rev. (all Depts).
- " " Inam Commissioners.
- " " Superintendent, Rev. Survey
- " " Director, Govt Cinchona Plantations.

Note.

The Public order has also been counterinitialed. With reference to the order in the reference

department that a reference to the Fort St. George Gazette

may be inserted in para 1 of the draft order as in the case of the notifications the publication of which was ordered in G.O. No. 704 d 4-7-96^x and 11 d 16-2-94^x, Public.

x 7.
x 0

As sometime is likely to elapse before the issue of the Public order, orders are requested as to whether ~~appeals~~ appeals which will be liable to rejection under the clause now proposed to be added to the Petition rules but which are received in the Office prior to the issue of the order, should be allowed to lie over or should be submitted as usual with notes on the merits.

Legal
The draft order may be sent to the Board of Revenue for their consideration before the order is issued. The order should be submitted with the notes on the merits.

Handwritten note:
I am not sure of this. In legal matters new rules of procedure are required. The Public order file is not yet filed.

of the draft order it is sub-
mitted, that as regards the
establishments under the con-
trol of the Inam Commissioner
and the Director of the Govt.
Cutchona Plantations, the
first appeal will be to the
Govt. itself.

25.2.99.

29/5/88

When given for copying _____
When copied _____ } 189
When examined _____
When signed _____

READ AGAIN G.O., No. _____, DATED _____
189 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.