

Government of Madras.

EDUCATIONAL DEPARTMENT.

7

order
page no. 7

Recd.

Enclosures

1908.

Regd.

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G.O., No. 168, 9th March 1908.

Casual leave.

Stating that the absence on the 17th January 1908 of the members of the staff of the Government Arts and Training College, Rajahmundry, will be treated as —.

Government of Madras.

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper :—

Letter—from the Hon'ble Mr. A. G. BOURNE, D.Sc., F.R.S., Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—Madras, the 4th February 1908.

No.—Ref. on C. 613.

I have the honour to report that on the 17th January last, the date on which the Rajahmundry Arts and Training Colleges reopened after the last Christmas vacation, the members of the staff named below were not able to be present :—

Arts College.

1. A. Subrahmanya Aiyar, Lecturer.
2. A. Arulanandam, Assistant Lecturer.
3. Abdul Aziz Sahib, Mechanic.

Training College.

4. T. K. Sundararaja Rau, Temporary Assistant.
5. C. Narayanaswami Nayudu, Drawingmaster.
6. V. J. Moses, Assistant.
7. V. Appa Rau, Temporary Assistant.
8. N. Subrahmanyam „

The first five could not attend the college until 5 P.M. that day, as they were detained on their way to Rajahmundry from Madras where they were spending the Christmas vacation, owing to an accident on the Madras Railway which delayed the train by which they travelled eight hours. The other three were candidates for the L.T. degree examination in Madras which extended till that date and did not, therefore, attend college that day, having already applied to the Principal for the necessary leave of absence. Under G.O., No. 710, Educational, dated 19th October 1907, casual leave cannot be granted to them for the 17th January as the total period of absence exceeds ten days and I, therefore, beg to request the favour of orders as to how their absence for the day should be treated.

Order—No. 168, Educational, dated 9th March 1908.

In the special circumstances represented by the Director of Public Instruction the absence on the 17th January 1908 of the members of the staff of the Arts and Training Colleges, Rajahmundry, mentioned in his letter read above, will be treated as casual leave.

(True Extract.)

H. D. TAYLOR,
Ag. Secretary to Government.

To the Director of Public Instruction.
„ Accountant-General.
„ Financial Department.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 168, EDUCATIONAL,
DATED 9TH MARCH 1908.

[SUBJECT.—Combination of casual leave with the Christmas vacation of the Rajahmundry College.]

From the Director of Public Instruction, dated 5th February 1908, No. 613.

In G.O., No. 710, Educational, dated 19th October 1907, the Director of Public Instruction was informed that casual leave could not be combined with the summer or Christmas vacation of Educational officers, as under G.O., No. 424, Public, dated 2nd May 1903, the period of absence from duty on casual leave combined with any authorized holiday should not exceed ten days. He was also informed that the Government saw no reason to modify this rule in favour of educational officers.

2. The Director of Public Instruction (Dr. Bourne) now reports that eight members of the staff of the Rajahmundry Arts and Training Colleges—three of the Arts College and five of the Training College—whose names are given in his letter, were not able to be present on the day of reopening of the college, viz., 17th January last—vide G.O., No. 785, Educational, dated 22nd November 1907. Five of them were detained on their way back from Madras where they were spending the Christmas vacation, owing to an accident in the Madras Railway which delayed the train by which they travelled by eight hours; while the other three were candidates for the last L.T. degree examination held in Madras which extended till that date, and did not therefore attend college that day, having already applied to the Principal for the necessary leave of absence. The Director of Public Instruction requests orders as to how their absence for the day should be treated.

3. Attention is solicited to paragraph 7 of the office-note on page 2 of K.W. G.O., No. 710, Educational, dated 19th October 1907. It is for consideration whether in the special circumstances of the case, the absence of the eight teachers referred to on the 17th January 1908 (the day of reopening of the college) may be treated as casual leave. Perhaps the Public Department may be consulted unofficially in the matter.

P.R.—8-2-08.

K. RANGASWAMI AIYANGAR—12-2-08.

The absence was unavoidable in each case, or at any rate good reason has been shown for it.

C. A. SOUTER—13-2-08.

The absence may be treated as casual leave, if Financial see no objection to pay being drawn for the full period.

H. D. TAYLOR—13-2-08.

To the Financial Department.

FINANCIAL DEPARTMENT.

The Rajahmundry Arts and Training Colleges closed for the last Christmas vacation on Monday the 23rd December 1907 (inclusive) and reopened on Friday the 17th January 1908. Eight members of the staff were prevented from attending the college on the reopening day. The absence in the case of five teachers was due to an accident on the Madras Railway which delayed the train from Madras, in which they travelled. The other three were candidates for the L.T. degree examination in Madras which extended till the 17th January 1908. The Educational Department propose to treat the absence in these cases as casual leave.

2. The cases of the three teachers whose presence at Madras was necessary on the 17th January to attend the L.T. degree examination (which is a University * examination and not a departmental examination) may be dealt with under article 285 of the Civil Service Regulations according to which leave of absence without entailing loss of allowance may be given by the local Government.

* The provisions of article 284 (a) of the Civil Service Regulations are therefore inapplicable in this case.

But such leave of absence would be casual leave.

C. M. SCHMIDT—3-2-08.

3. As regards the other five teachers referred to at A *supra*, it is submitted that "though casual leave for short periods is not recognized and is not subject to "any rule" the note to article 332 of the Civil Service Regulations lays down that "it must not be given so as to cause evasion of the rules regarding (iii) commencement and end of leave (iv) return to duty } (see articles 220 to 231)

K "or so as to extend the term of *privilege leave* or *other leave* beyond the time admissible by rule." In the present case the period overstayed was the Christmas

† *Vide* at C *supra*.

vacation lasting for 25 days. Although the local Government can permit † the affixing or prefixing of casual leave for short periods to *authorized or gazetted holidays*, such as the Christmas holidays and Sundays, yet, as a regular vacation granted to Educational and Judicial officers is in the nature ‡ of *leave* and not in the nature of *gazetted holidays*, the proposal in the Educational Department to treat the overstay of the vacation as casual leave seems to be a contravention of the ruling at K *supra*. Please see in this connection paragraph 2 of Government of India, Home Department, letter No. 946, dated the 31st May 1897, in which they state that "If an officer chooses to remain "absent till the extreme end of public holidays following his privilege leave, he "deliberately risks the consequences of unforeseen delay."

4. The absence on the 17th January 1908 will have therefore to be treated in the case of these officers in either of the two ways mentioned by the Director of Public Instruction in his letter No. 7104, dated the 24th September 1907, *viz.*,

(1) the whole vacation and the day overstayed in continuation of it (23rd December 1907 to 17th January 1908) will be counted as privilege leave on half § pay

§ Article 271 (i) of the Civil Service Regulations.

|| Article 277 of the Civil Service Regulations.

or (2) the absence on the 17th January 1908 will have to be treated as leave || without allowance.

A.S.—22-2-08.

V.G.K.—24-2-08.

Casual leave is subject to no rule in the Leave Regulations. It has been sufficiently hedged round in this Presidency and in the particular cases here which are *special* we may, it is submitted, agree with Educational that their absence be treated as casual leave.

C. M. SCHMIDT—2-3-08.

Yes.

J. N. ATKINSON—4-3-08.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Draft please.

C. A. SOUTER—6-3-08.

The draft order placed below is for approval.

K. RANGASWAMI AYYANGAR—6-3-08.

C. A. SOUTER—7-3-08.

Issue.

H. D. TAYLOR—9-3-08.

[G.O., No. 168, Educational, dated 9th March 1908.]

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Vol. Cuo. 263

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Received.....190 , Registered..... 5/2 1908

LOCAL & MO
5 - FEB 1908
SECRET

Subject.

Requesting instructions as to how, in the circumstances stated, the absence of certain members of the Rajahmundry College, Arts and Training Sections, on the re-opening day of the college after Christmas holidays should be treated.

No. _____

No.

Spare copies

Ref. on c. No. 613 of 08

Station Madras, Dated the 4 February 1908.

From (Name) The Hon'ble Mr. A.C. Pourné, D.Sc., F.R.S.,

(Designation) Director of Public Instruction.

To the Secretary to the Government of Madras,
Educational Department.

Sir,

I have the honour to report that on the 17th January last, the date on which the Rajahmundry Arts and Training Colleges reopened after the last Christmas vacation, the members of the staff named below were not able to be present:-

- | | | | |
|----|---|---|-------------------|
| 1. | A. Subrahmanya Aiyak, Lecturer. | { | Arts College. |
| 2. | A. Arulanandam, Assistant Lecturer | | |
| 3. | Abdul Azeez Sahib, Mechanic. | | |
| 4. | T.K. Sundararaja Rau, Temporary Assistant | { | Training College. |
| 5. | C. Narayanaswami Nayudu, Drawing master | | |
| 6. | V.J. Moses, Assistant | | |
| 7. | V. Appa Rau, Temporary Assistant | | |
| 8. | N. Subrahmanyam | | |

The first five could not attend the college until 5 P.M. that day, as they were detained on their way to Rajahmundry from Madras where they were spending the Christmas vacation owing to

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DEPARTMENT

READ AGAIN G.O., No., dated..... 190

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READ ALSO:—

C. No. 263, From the S. P. S., No. 613, dated 4. 2. 1908

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ORDER

No. 108, dated 9/3 1908

In the Special Circumstances represented by the D.P.G., the absence on the 17th January 1908 of the members of the Staff of the Arts & Training Colleges Rajahmundry, mentioned in his letter read above, will be treated as casual leave.

6.3-08

Oct
7.3.8.

To The S. P. S.
" Accountant General
" Financial Dept.