

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Enclosures

Regd.

1908.

Spare copies

G.O., No. 283, 17th April 1908.

Allowances.

Directing that the Government of India be addressed on the subject of the payment of travelling and other allowances to native teachers permitted to attend training institutions and the grant of the concession to Gangadhara Sahu, Acting Second Assistant in the Government Training School, Russellkonda.

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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 20th February 1908.

No.—Ref. on C. No. 8075 of 1907.

I have the honour to submit herewith a petition addressed to His Excellency the Governor in Council by Gangadhara Sahu, Acting Second Assistant in the Government Training School, Russellkonda, in which he appeals against my orders declining to sanction travelling allowance for his journey to Rajahmundry for the purpose of undergoing training and to permit him to draw a moiety of his pay during the period of his training.

2. As the petitioner held no permanent appointment in the department when he made the journey to Rajahmundry, his claim for travelling allowance is inadmissible under the Civil Service Regulations. The claim for a moiety of pay has been rejected, as such concession can be given only to persons holding a *substantive* appointment—*vide* Madras Educational Rules, 4th Edition, rule 102, and 5th Edition, rule 122. The petitioner is under a misapprehension in thinking that Sub-Assistant Inspectors in the probationary grade are only acting officers.

ENCLOSURE.

Petition—from GANGADHARA SAHU, Acting Second Assistant Master of the Government Training School, Russellkonda, Ganjam district.

To—His Excellency the Governor in Council (through the Director of Public Instruction).

Dated—the 31st January 1908.

May it please your Excellency,—I, Gangadhara Sahu, Acting Second Assistant of the Government Training School, Russellkonda, most humbly and respectfully beg to lay a few lines before your Excellency for consideration and favourable orders.

1. That, under orders No. R.O.C. 5416, dated 30th June 1905, of the Director of Public Instruction, Madras, and No. Tr. 1580, dated 11th July 1905, of the Inspector of European and Training Schools, Madras, I underwent training in Training College, Rajahmundry, during 1905. On my repeated requests to the Inspector of European and Training Schools, Madras, to allow my travelling allowance to and from Rajahmundry as per Civil Service Regulations, section 1183, clause "a", exception 1, he refused it in his Memorandum No. 586, dated 18th October 1906, with a final resolution that he was prepared not to hold further correspondence on the subject. Then I implored the Director of Public Instruction, Madras, to pass my travelling allowance but in vain—*vide* Memorandum No. 137, dated 4th July 1907, of the Inspector of European and Training Schools, Madras, who was referred to and *vide* Proceedings, Ref. C. No. 807, dated 20th December 1907, of the Director of Public Instruction, Madras.

2. Had I known any such precedent, I would not have gone for training and contracted a debt of Rs. 100 on that wise. If I am not entitled for the travelling allowances because of my acting service, then no one in the department would ever be able to get it as they would never be confirmed without being trained and professionally qualified. Moreover, the word "acting" applies only to such as are undergoing training with their own accord but does not apply to such as are undergoing training under orders of Government—*vide* section 103 of the Educational rules of 1905, 4th Edition.

3. Unlike my case, I can quote technical instances where acting men were and are allowed these allowances without any difficulty. Even now the Sub-Assistant Inspectors of Ganjam who were just relieved from Training College in December last were allowed these, although they were in probationary class like myself.

4. In accordance with section 102 of the Madras Educational rules of 1905, I expected a moiety of my pay also but all in vain. The Sub-Assistant Inspectors of Ganjam that were under training were allowed each Rs. 37-8-0 + Rs. 15 stipends.

Under the circumstances, I most humbly and respectfully beseech and pray that your Excellency will be graciously pleased to give me full justice in allowing me—

Travelling allowance and moiety of my pay during my training period and for this act of charity I shall ever remain grateful.

Order—No. 283, Educational, dated 17th April 1908.

The following letter will be addressed to the Government of India.

(True Extract.)

H. D. TAYLOR,
Secretary to Government.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT

No. 284.

From

H. D. TAYLOR, Esq., I.C.S.,

Secretary to the Government of Madras,

Educational Department.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

HOME DEPARTMENT.

Dated Ootacamund, the 17th April 1908.

SIR,

I am directed to address the Government of India on the subject of the payment of travelling and other allowances to native teachers permitted to attend training institutions.

2. In Home Department letter No. 890, Education, dated 31st October 1904, the Government of India accepted the proposal of this Government to grant to teachers under training, in addition to their stipend, a portion of their pay not exceeding one-half, and approved the grant to them of travelling allowance under the rules of the Civil Service Regulations in respect of journeys to and from the training institution.

3. Article 1138-A of the Civil Service Regulations lays down that teachers in pensionable Government service who are selected to undergo a course of instruction at any training school or college may be granted the travelling allowance of their classes for the journeys to and from the training institution.

4. The above rule has been interpreted by the Accountant-General, Madras, as applicable only to teachers who hold a permanent appointment in Government service, as the expression "pensionable service" denotes a permanent appointment—article 368 of the Civil Service Regulations.

5. A case has recently occurred in which the Acting Second Assistant in the Government Training School, Russellkonda, in the Ganjam district, was selected to undergo training at the Training College, Rajahmundry. The Accountant-General holds that as the teacher had no permanent appointment and had therefore no lien on any appointment when he underwent training, he is not eligible under the rules either to a half of his pay or to travelling allowance for his journey to and from the training institution. The Governor in Council is of the opinion that the strict enforcement of the rule is undesirable as it would prevent many candidates from

undergoing training. In these circumstances and in view of the fact that it is necessary to afford every possible encouragement to teachers to qualify themselves, the Government consider it desirable to extend the concessions now granted to teachers in pensionable service who may be sent for training, to those teachers who do not hold permanent posts in the Government service, but hold only acting or temporary appointments.

6. I am accordingly directed to request that the Government of India will be pleased to modify the rule so as to admit teachers under training who hold temporary or acting appointments to the privileges in regard to stipends and travelling allowances now granted to teachers in permanent employ. In the event of this proposal being favourably considered by the Government of India, I am to request that sanction may be accorded to the grant of the concession to the Acting Second Assistant Master of the Government Training School, Russellkonda, whose case has given rise to this reference.

I have the honour to be,

Sir,

Your most obedient servant,

H. D. TAYLOR,
Secretary to Government.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., Nos. 283, 284, EDUCATIONAL, DATED 17TH APRIL 1908.

[SUBJECT.—*Claim of Gangadhara Sahu, Acting Second Assistant, Government Training School, Russellkonda, for travelling allowance and pay while undergoing training at the Training College, Rajahmundry.*]

Previous papers.

G.O., No.	963, Finl., dated	19th November	1897.
" "	632, Finl. "	21st July	1898.
" Nos. 396-397, Edl. "	"	28th June	1904.
" No. 700, Edl. "	"	28th November	"
" " 94, Edl. "	"	17th February	1905.
" " 519, Edl. "	"	8th August	1907.
" " 32, Edl. "	"	15th January	1908.

From the Director of Public Instruction, dated 20th February 1908,
No. 8075.

* The salary of the Second Assistant is Rs. 20 per mensem. The petitioner Gangadhara Sahu is Acting * Second Assistant, Government Training School, Russellkonda.

2. The petitioner states that under the orders of the Director of Public Instruction and the Inspector of European and Training Schools he underwent training at the Training College, Rajahmundry, during 1905, but that the Director of Public Instruction has refused to sanction travelling allowance for his journey to Rajahmundry and to permit him to draw a moiety of his pay during the period of his

† Fifth Edition (1906).

training—concessions to which he is entitled under articles 122 and 123 of the Madras Educational Rules.†

3. The Director of Public Instruction states that as the petitioner held no permanent appointment in the department when he underwent training, he is not entitled under the rules to travelling allowance or to a moiety of his pay.

4. Under article 1008 of the Civil Service Regulations, however, a person employed temporarily by competent authority is entitled to travelling allowances under the rules applicable to officers of corresponding rank with permanent appointments.

5. Under this article, Gangadhara Sahu seems to be eligible for travelling allowance for his journey to Rajahmundry, as there appears to be no doubt that he was appointed to act as Second Assistant, Government Training School, Russellkonda, by competent authority. The Accountant-General may be consulted u.o. as to whether this view is correct.

6. As regards the moiety of pay claimed, Gangadhara Sahu does not appear to be entitled to it, as he held no substantive appointment. Please see article 122 of the Educational Rules, 5th edition. He might perhaps be eligible for it if he had been appointed sub. *pro tem*.

T.K.—27-2-08.

It is submitted that the Accountant-General may be consulted u.o. as to whether the claim of Gangadhara Sahu for travelling allowances or for moiety of pay during the period he was under training, is admissible under the rules.

K. RANGASWAMI AIYANGAR—27-2-08.

C. A. SOUTER—28-2-08.

To the Accountant-General.

ACCOUNTANT-GENERAL'S OFFICE.

Under article 1138-A, Civil Service Regulations, a teacher in pensionable Government service if selected to undergo training is eligible for travelling allowance for the journey to and from the training institution according to the class to which he belongs.

2. The petitioner who did not hold a permanent appointment in Government service when directed to undergo training is accordingly not eligible for the travelling allowance claimed, since pensionable service denotes a permanent appointment—article 368, Civil Service Regulations.

3. For the same reason he is not entitled to half pay, as he had not a lien on any appointment when he proceeded on training.

Article 1008, Civil Service Regulations, does not apply.

J. F. GRAHAM—5-3-08.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Apparently nothing can be done for the man, but if this sort of thing goes on, candidates for training who have no permanent appointment will become very scarce.

C. A. SOUTER—6-3-08.

We want to encourage the training of teachers by every means in our power. India might be asked to make an exception to the general rule in these cases if Financial agree.

H. D. TAYLOR—7-3-08.

To the Financial Department.

FINANCIAL DEPARTMENT.

(a) and (b) correspond to paragraph 3, clauses (a) and (c) of Government of India Home Department letter, No. 890, dated 31st October 1904, in G.O., No. 700, Educational, dated 28th November 1904.

* *Vide* paragraph 2 of Accountant-General's note, dated 5th March 1908, *supra*.

articles of the Civil Service Regulations seem therefore to be for teachers in permanent * employ only.

Please see articles 411 (a) and 1138-A (b) of the Civil Service Regulations in which the concessions to teachers in training schools are restricted to those in pensionable Government service. The concessions in G.O., No. 700, Educational, dated 28th November 1904, of which a part is reproduced in the above

2. Under Government of India, Home Department letter, No. 861, dated 14th December 1904, travelling allowance for journey to the school can be granted to private students selected for education at a normal school. The petitioner in the present case can, it is submitted, be treated as a private student as he has no permanent employment, and travelling allowance passed for his journey to Rajahmundry. His claim for travelling allowance from Rajahmundry and for the payment of a moiety of his pay during the period of his training is not admissible under the rules as they stand now.

3. There is, it is submitted, no objection to the proposal of the Educational Department to address the Government of India to make an exception in the case of acting teachers, in the matter of pay and travelling allowance.

A.S.—16-3-08.

V.G.K.—17-3-08.

C. M. SCHMIDT—18-3-08.

It is for Educational to say whether there is a case on which to go up to India—there is no Financial objection.

J. N. ATKINSON—20-3-08.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Draft please.

C. A. SOUTER—21-3-08.

The draft letter to India placed below is for approval. It may issue with the concurrence of the Financial Department.

K. RANGASWAMI AIYANGAR—24-3-08.

C. A. SOUTER—25-3-08.

To the Financial Department for acceptance.

H. D. TAYLOR—26-3-08.

FINANCIAL DEPARTMENT.

The un-official note from the Accountant-General, dated the 5th March 1908, (page 2 *supra*) may perhaps be treated as official and a copy of the same may accompany the letter to the Government of India (*vide* Resolution of the Government of India, Finance and Commerce department, No. 3009 S.R., dated 9th July 1898, in G.O., No. 632, Financial, dated 21st July 1898).

2. If it is the intention that the concession asked for should extend to the petitioner Gangadhara Sahu, Acting Second Assistant in the Government Training School, Russellkonda, a sentence to this effect may, it is submitted, be inserted in the last paragraph of the draft letter, as India's sanction will take effect from the date of their order only and will not have retrospective effect.

V.G.K.—31-3-08.

C. M. SCHMIDT—6-4-08.

Educational will no doubt consider the above suggestions.

J. N. ATKINSON—7-4-08.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

H.D.T. | The suggestion in paragraph 1 of the
Financial note above may be accepted.

2. It is for consideration whether, with reference to the remarks of the Financial Department in paragraph 2 of their note on page 3 *supra*, the case of Gangadhara Sahu should be submitted to Government of India for special sanction. Please see in this connection the Secretary's note, dated 7th March 1908, on page 2 *supra*.

K. RANGASWAMI AIYANGAR—8-4-08.

Yes. Revise the draft please.

C. A. SOUTER—8-4-08.

Please see the addition made at the end of paragraph 6 of the draft. It will be inked in after approval by the Assistant Secretary.

K. RANGASWAMI AIYANGAR—10-4-08.

C. A. SOUTER—10-4-08.

For approval.

H. D. TAYLOR—13-4-08.

Approved.

M. H[AMMICK]—14-4-08.

Issue.

H. D. TAYLOR—15-4-08.

[G.O., Nos. 283, 284, Educational, dated 17th April 1908.]

CURRENT FILE.

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Papers of the department to which the current belongs.

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Papers of other departments.

Department.	Number.	Date.	Original (=O.) or spare copy (=S. C.).	Despatcher to note the return of the papers to the departments concerned.

Stock For No. 135.
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EDUCATIONAL DEPARTMENT.

Ed. No. 417

Received 190 , Registered 22/2 1908.

Subject.

Submitting with remarks a petition from one Gangadhara Sahu, Ag. Second Assistant, Government Training School, Russelkonda, in connection with the travelling allowance for his journey to Rajahmundry and to permit him to draw a moiety of his pay during the period he was under training.

ENCLOSURES.	
No.	1
Spare copies	

Ref. No. 8075/07

Station Madras, Dated the 20 February 1908.

From (Name) The Hon'ble Mr. A.G. Pourné, T.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 submit herewith a petition addressed to H.E. the Governor in Council by Gangadhara Sahu, Ag. Second Assistant in the Government Training School, Russelkonda, in which he appeals against my orders declining to sanction travelling allowance for his journey to Rajahmundry for the purpose of undergoing training and to permit him to draw a moiety of his pay during the period of his training.

2. As the petitioner held no permanent appointment in the Department when he made the journey to Rajahmundry, his claim for travelling allowance is inadmissible under the Civil Service Regulations. The claim for a moiety of pay has been

rejected

Educational Department.

ORDER:- No. 283 of 17-4-08.
P. S.

The following letter will be
addressed to the Government of India.

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26-3-08

S. C. S. S. S.
8/5/87

Sp
17-4-08

Despd in m
8/18/4/08.

LETTER:- No. 284 of 17-4-08

To

The Secretary to the
Government of India,
Home Department.

Sir,

I am directed to address the
Government of India on the subject
of the payment of travelling and other
allowances to native teachers permitted
to attend training institutions.

2. In Home Department letter No.
890, Education, dated 31st October 1904,
the Government of India accepted the
proposal of this Government to grant
to teachers under training, in addition
to their stipend, a portion of their pay
not

Not
Page 2 of 80. 700-82 - D.
24. 11. 04

2.

6P 10

not exceeding one-half, and approved the grant to them of travelling allowance under the rules of the Civil Service Regulations in respect of journeys to and from the training institution.

3. Article 1138-A of the Civil Service Regulations accordingly lays down that teachers in pensionable Government service who are selected to undergo a course of instruction at any training school or college may be granted ^{the} travelling allowance of their classes for the journeys to and from the training institution.

4. The above rule has been interpreted by the Accountant-General, Madras, as applicable only to teachers who hold a permanent appointment in Government service, as the expression "pensionable service" denotes a permanent appointment. Article 368 of the Civil Service Regulations.

5. A case has recently occurred in which the acting second assistant in the Government Training School, Russelkonda, in the Ganjam District, was selected to undergo training at the Training College, Rajahmundry. The Accountant General holds that as the teacher had no permanent appointment

and

From the
Copy of A.G. ~~Madras~~ 5.3.08
(Enclosed) *Part 2-3 of note file*

3.

and had therefore no lien on any appointment when he underwent training, he is not eligible under the rules either to a ~~salary~~ ^{half} of his pay or to travelling allowance for his journey to and from the training institution. The Governor in Council is of ^{the} opinion that the strict enforcement of the rule is undesirable as it would prevent many candidates from ~~going in for~~ ^{undergoing} training. In these circumstances and in view of the fact that it is necessary to afford every possible encouragement to teachers to ^{qualify themselves} ~~undergo training~~, the Government consider it desirable to extend the concessions now granted to teachers in pensionable service who may be sent for training, to those teachers who do not hold permanent posts in Government service, ^{the} but hold only acting or temporary appointments.

6. I am accordingly directed to request that the Government of India will be pleased to modify the rule so as to admit teachers under training who hold temporary or acting appointments ~~also~~ to the privileges in regard to stipends and travelling allowances, now granted to teachers in permanent employ.

I have etc.

Clk
25.3.08

Hoo
26.3.08

In the event of this proposal being favourably considered by the Govt of India, I am to request that sanction may be accorded to the grant of the concession to the acting Season Assistant Master of the Govt Training School, Roshal-Konda, whose case has been referred to this reference.