

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

1908.

Enclosure.

Spare copies

G.O., No. 320, 29th April 1908.

Delegation of Powers.

Recording notes connected with the question of the delegation to the Director of Public Instruction of the powers of Government with regard to the correspondence relating to the Lawrence Asylum, Ootacamund.

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers :—

I

G.O., No. 689, Educational, dated 22nd December 1900.

ABSTRACT.—Approving, with certain modifications, the revised rules of the Lawrence Asylum, Ootacamund.

II

Letter No. 653, Educational, dated 1st October 1907.

ABSTRACT.—Forwarding to the President of the Decentralization Committee a memorandum showing the principal references made by the Director of Public Instruction on points which the Governor in Council can deal with on his own responsibility.

III

Notes connected with the question of the delegation to the Director of Public Instruction of the powers of Government with regard to the correspondence relating to the Lawrence Asylum, Ootacamund.

Order—No. 320, Educational, dated 29th April 1908.

Recorded.

(True Extract.)

H. D. TAYLOR,
Secretary to Government.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 320, EDUCATIONAL,
DATED 29TH APRIL 1908.

[SUBJECT.—Correspondence relating to the Lawrence Asylum, Ootacamund.]

Under the rules for the working of the Lawrence Asylum issued with G.O., No. 689, Educational, dated 22nd December 1900, the following matters relating to the Asylum should be referred to the Government for orders :—

Rule 11.—Appointment of Principal.

Rule 13.—Removal of Principal.

Rule 60.—Budget estimate.

Rule 61.—Alteration in budget.

Rule 64.—Annual report.

2. In connection with the proposals regarding delegation of powers, the Honourable Member (the Hon'ble Mr. Forbes) noted that the following might be delegated to the Director of Public Instruction :—

“ * * * * *

* On page 9 of G.O., No. 653, Educational, “ No. 17. * Correspondence about dated 1st October 1907. Lawrence Asylum ”.

3. In paragraph 2 of the note, dated 11th November 1907, on page 5 of the notes it was pointed out that it was not clear whether the Honourable Member intended that the correspondence regarding Lawrence Asylum need not be submitted to Government at all and that the powers of the Government under all the above rules should be delegated to the Director of Public Instruction. The Secretary noted on the margin of this note—

“ The Honourable Member has underlined “ correspondence ”. This will not “ cover the appointment or removal of Principal or the annual report ”.

In his later note the Secretary accepted the Assistant Secretary's suggestion that the Government should retain the appointment and removal of the Principal in their hands.

4. In the statement furnished to the Decentralization Commission, it was stated that “ all correspondence relating to subjects other than the appointment and removal of Principal ” might be delegated to the Director of Public Instruction. Presumably it is intended that the annual report under rule 64 should continue to be submitted to Government.

5. It is submitted that in rules 60 and 61 the words “ the Director of Public Instruction ” may be substituted for the words “ the Governor in Council ” and “ Government ” wherever they occur.

6. A draft order is placed below for approval.

T.K.—14-3-08.

K. RANGASWAMI AYYANGAR—20-3-08.

C. A. SOUTER—21-3-08.

Draft Order.

The Governor in Council is pleased to direct that all correspondence from the Committee of the Lawrence Asylum, Ootacamund, relating to subjects other than the appointment and removal of Principal and the annual report shall in future pass between the Committee and the Director of Public Instruction.

2. Rules 60 and 61 of the rules approved in G.O., No. 689, Educational, dated 22nd December 1900, for the working of the Asylum will accordingly be amended by substituting the words "the Director of Public Instruction" for the words "the Governor in Council" and "Government" wherever they occur.

T.K.—20-3-08.

K. RANGASWAMI AIYANGAR—20-3-08.

C. A. SOUTER—21-3-08.

I think that the proposed order goes somewhat too far.

I would certainly reserve to Government the power to sanction gratuities to employes other than payments under the Provident Fund rules, except perhaps in the case of employes who do not come under the Provident fund, in which case the Director of Public Instruction might sanction gratuities up to a maximum of six months' emoluments in the case of all employes who draw Rs. 50 and less.

So again every alterations in the Provident Fund rules, or as to the constitution of the Committee, should come to Government. I think it would be better to state precisely the subjects with which the Director of Public Instruction might deal; there may also be some cases which the Inspector of European Schools might dispose of without reference to the Director of Public Instruction.

The Director of Public Instruction can best draw up a list of the correspondence which passes through his office from the Lawrence Asylum, and his suggestions for delegation of powers to him may be invited in the first instance.

H. D. TAYLOR—23-3-08.

To the Director of Public Instruction.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

The proposed order vests considerable direct control over the Committee in the Director of Public Instruction. This really puts this Committee upon a different footing and I doubt whether it is a desirable one.

I suggest that any delegation considered necessary should be from Government to the Committee itself. The Committee might be empowered to sanction transfers of allotments from one head of the budget to another, to utilize savings in the budget allotment and to carry on correspondence with the Public Works Department in the matter of alterations and additions to the building.

A. G. BOURNE—4-4-08.

Please see the Director's remarks above. He suggests that the following powers may be delegated to the Committee of the Lawrence Asylum instead of to him as proposed in the draft order:—

Rule 61 of the Lawrence Asylum rules on page 13 of G.O., No. 689, Educational, dated 22nd December 1900.

(1) Power to sanction transfer of allotments from one head of the budget to another and to utilize savings in the budget allotment.

(2) Power to correspond directly with the Public Works Department of Government in the matter of alterations and additions to the buildings instead of through the Educational Department as is the practice at present.

I certainly think that Government should see it. The Committee has not distinguished itself in business methods.

H. D. TAYLOR.

of Public Instruction, the correspondence from the Lawrence Asylum Committee relating to the following matters will still come up to Government:—

2. The Director is apparently of opinion that the submission to Government of the Committee's budget need not be discontinued. If this is so, then according to the proposals of the Director

Rule 11 on page 8 of G.O., No. 689, Educational, dated 22nd December 1900.

Rule 13 on page 9 *ibid.*

Rule 60 on page 9 *ibid.*

Rule 64 on page 9 *ibid.*

I would add audit report.

H.D.T.

- (1) Appointment of Principal.
- (2) Removal of Principal.
- (3) Budget estimate of the Committee.
- (4) Annual report.

3. The correspondence which will then cease to come up to Government will relate to the following subjects:—

Rule 61 on page 13 of G.O., No. 689, Educational, dated 22nd December 1900.

- (1) Alterations in budget allotments; and

(2) Proposals relating to establishments.

At present, proposals relating to establishments come up to Government, because they involve alterations in budget allotments.

(3) Correspondence relating to additions to and alterations in buildings will in future pass between the Committee and the Public Works Department of Government.

4. It is submitted that the Director of Public Instruction's proposals may be approved, with the concurrence of the Public Works Department.

K. RANGASWAMI AIYANGAR—10-4-08.

C. A. SOUTER—11-4-08.

Please put up the last audit report. Have the Committee resolved to adopt the Civil Service Regulations in regard to acting allowances?

Please put up also a complete list of establishment. Does the contribution get building, etc., grants under the Code for European schools?

H. D. TAYLOR—14-4-08.

The report on the audit of the accounts of Lawrence Asylum, Ootacamund, for the calendar year 1906, which is the last report which has been received, is put up.

2. The Committee have resolved to adopt the Civil Service Regulations in regard to acting allowances—*vide* paragraph 4 of the Sub-Committee's report on page 2 of G.O., No. 231, Educational, dated 25th March 1908. In paragraph (4) of the same order, the Committee have been requested to follow the Civil Service Regulations in regard to acting and travelling allowances.

3. A complete list of the establishment of the Asylum is given on pages 9 and 10 of G.O., No. 240, Educational, dated 27th March 1908.

4. The Lawrence Asylum being an institution managed by Government does not get any grant either under the Grant-in-Aid Code or under the European Code. The expenditure on buildings (annual repairs) is met out of the Public Works Department budget.

K. RANGASWAMI AIYANGAR—21-4-08.

C. A. SOUTER—22-4-08.

Under Rule 3 of the Lawrence Asylum rules, the management is vested in a Committee which is directly responsible to Government and is bound to carry out all orders of Government.

2. The Committee has not, in the past, proved itself to be at all a business-like body, and it has been extremely lavish in the grants of extra allowances. With the adoption of the provisions of the Civil Service Regulations the audit officer will be able to keep an eye on all matters of this sort. The Asylum's income is derived mainly from the profits of the Lawrence Asylum Press, and from capitation, etc., grants given by the Government of India, and from investments.

3. I do not think that there is really very much correspondence in matters relating to the Asylum which can be delegated. The following must be reserved to Government:—

- (1) Alteration in rules as to constitution and working of the Asylum.
- (2) Approval of non-official members of the Committee—rule 6.
- (3) Appointment or removal of Principal, and fixing his pay.
- (4) Budget estimate, annual report and audit report.
- (5) Sanction to grant of gratuities, other than gratuities payable under the Provident Fund schemes, and revision of Provident Fund rules.

4. I doubt whether there is much to be gained by delegation of powers to the Committee, except by allowing it to correspond direct with Public Works Department officers in regard to repairs and new works, within the budget provision, but I think they can do this at present.

All proposals for additional establishment other than menial establishment should, I think, continue to come up to Government. The Director of Public Instruction is at present nearly a Post office between Government and the Committee and he does not ask for delegation of powers to himself. On the whole perhaps matters may rest where they are and the question of delegation dropped.

H. D. TAYLOR—23-4-08.

I agree. There is nobody in Madras, I think, less fitted to be left uncontrolled than this Committee. I would not delegate anything myself that I know of at present. The work entailed is not very heavy.

M. H[AMMICK]—28-4-08.

Record.

The notes may be printed.

H. D. TAYLOR—29-4-08.

Please see draft below.

K. RANGASWAMI AYYANGAR—29-4-08.

Issue. Print up.

C. A. SOUTER—29-4-08.

[G.O., No. 320, Educational, dated 29th April 1908.]

Papers to be read in Proceedings:—

Again G.O., No. 68958 dated 22. 12. 1900.

Again G.O., No. 65358 dated 12. 10. 1907.

Current No. _____, From the _____, No. _____, dated _____ 190

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ORDER. No 320, dated 29-4-1908.

28

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