

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

} 1911.

Enclosures

Spare copies

G.O., No. 231, 20th April 1911.

Supervisors of Primary Schools.

Declining to issue any general order as to whether the services of inspecting schoolmasters or — who were originally Government schoolmasters and were subsequently transferred to Local fund service are pensionable.

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper :—

Letter—from the Hon'ble Mr. J. H. STONE, M.A., F.R.H.S., Acting Director of Public Instruction, Madras.

To—the Secretary to Government, Educational Department (through the Accountant-General).

Dated—the 11th February 1911.

No.—Ref. on Cur. 8193/10.

According to article 804 of the Civil Service Regulations, teachers of the pensionable establishments of Government schools who are transferred with the schools to which they belong to service under local boards continue to render service qualifying for pension from the general revenues and are entitled to the concession even though they may be moved from the schools with which they are transferred to another school which was formerly under Government management. In the case of C. Ramakrishna Rao who was formerly a teacher in a Government school and was transferred to service under Municipal funds along with his school and who on his subsequent transfer to a local fund school applied for permission to contribute from his own emoluments so as to retain his claim for pension, Government in G.O., No. 238 L., Pension, dated 25th January 1889, concurred with the Accountant-General in his remarks that Ramakrishnayya being one of the teachers originally employed in a Government school and subsequently transferred with it to local bodies carried with him his pensionary rights to all the schools to which he might be transferred, whether of local boards or municipalities, his pension for the entire service being borne proportionately by Municipal funds, Local funds and Provincial funds. Many of these Local fund teachers who were formerly teachers of Government schools and were transferred to service under local boards along with their schools have subsequently been appointed as inspecting schoolmasters or supervisors of primary schools under the same local boards. In accordance with the ruling contained in the Government Order quoted above, they have been under the impression that their services as supervisors under the local boards are also pensionable and have not made any contribution towards their pension. The intention of the Government Order would seem to have been to prevent such teachers suffering by their transfer to service under local boards, and I do not think that it could have been meant to exclude service as inspecting schoolmaster or supervisor of primary schools.

2. From G.O., No. 1303 L., dated 6th October 1910, passing orders regarding the pensionary rights of C. Ramakrishna Rao, it would appear that his services as supervisor of primary schools under the Nellore District Board from 1st April 1893 to 31st March 1905 have been considered by Government as not coming under the ruling laid down in G.O., No. 238 L., Pension, dated 25th January 1889, and have consequently been regarded as not counting for pension. As many such supervisors have been again taken into Government employ on the provincialization of the agency of supervisors in March 1909, I am receiving applications for pension from such of them as have been permitted to retire. I have the honour to request that Government will be pleased to pass explicit orders as to whether the services of such officers as inspecting schoolmaster or supervisor of primary schools under the local boards are not to be treated as qualifying for pension.

Endorsement of the Accountant-General, No. Pen. R. 141-17924, dated 7th March 1911.

Forwarded to Government.

2. The appointment of inspecting schoolmaster (now styled supervisor of primary schools) is one which is not attached to any particular school under Local funds, and, for this reason, a schoolmaster of a Government school, which has been transferred to Local funds, does not continue to render service qualifying for pension, when he is subsequently promoted to be supervisor of primary schools, as the service rendered in such an appointment is non-pensionable.

3. It is, however, open to Government, in view of the assurance which appears to have been erroneously given in G.O., No. 238 L., dated 25th January 1889, to extend to the cases of the supervisors referred to in paragraph 2 of the Director's letter the concession of reckoning such service as pensionable under article 797, Civil Service Regulations, as was done in the case of C. Ramakrishna Rao disposed of in G.Os., No. 1303 L., dated 6th October 1910, and No. 26, Pension, dated 20th January 1911.

4. Should Government be pleased to allow the concession, I would venture to suggest that it might be preferable to grant it specifically in individual cases as they arise, instead of by a general order as requested by the Director of Public Instruction.

5. It seems clear from the correction to article 849 of the Civil Service Regulations (3rd edition) issued in 1900 that the interpretation of the rule given by the Accountant-General (Mr. Kellner) on 20th November 1888 was incorrect, and that it was not the intention of the rule to ordinarily allow service of the nature referred to in paragraph 2 above to count for pension in the absence of contributions, and that permission to allow such service to be reckoned as qualifying can only be given as a concession under article 797, Civil Service Regulations (5th edition).

6. From the last paragraph of the Director's letter herewith forwarded, it would seem that officers who have already retired without pension now wish to be allowed this concession.

A. NEWMARCH,
Offg. Accountant-General.

To the Secretary to Government, Educational Department.

Order—No. 231, Educational, dated 20th April 1911.

The Government are not prepared to issue any general order on the subject as proposed by the Director of Public Instruction. They consider that each case should be dealt with as it arises.

(True Extract.)

L. DAVIDSON,
Ag. Secretary to Government.

To the Director of Public Instruction.
" Accountant-General.
" Local and Municipal Department.
" Pension Department.

NOTES CONNECTED WITH G.O., No. 231, EDUCATIONAL,
DATED 20TH APRIL 1911.

[SUBJECT.—*Pension to Inspecting school-masters or supervisors of primary schools who were originally Government school-masters and were subsequently transferred to local fund service.*]

Previous papers.

G.O., No.	246, Edl.	dated	25th April	1883.
" "	1400, Finl.	"	23rd June	1884.
" "	238 L.	"	25th January	1889.
" "	966, Pen.	"	7th December	1907.
" "	535 "	"	25th August	1908.
" "	392 "	"	1st "	1910.
" "	1303 L.	"	6th October	"
" "	26, Pen.	"	20th January	1911.

From the Director of Public Instruction, dated 11th February 1911, No. 8193.

The Director of Public Instruction requests explicit orders as to whether service under local boards as inspecting school-master or supervisor of primary schools of persons who were originally school-masters in Government schools but were transferred subsequently along with the schools to local boards are not to be treated as qualifying for pension.

2. This question has arisen from the case of C. Ramakrishna Rao, which was disposed of in G.O., No. 1303 L., dated 6th October 1910, to which attention is invited.

3. In their Resolution No. 3-133-44, Education, dated 11th April 1883, the G.O., No. 246, Educational, dated 25th April 1883. Government of India laid down "that teachers now employed in Government schools, which may be transferred to local bodies, should be held to be still rendering service qualifying for pension"—*vide* G.O., No. 246, Educational, dated 25th April 1883.

4. In the year 1888 C. Ramakrishna Rao, referred to in paragraph 2 *supra*, raised the question whether teachers in Government schools transferred to local bodies lost their claim to pension on their subsequent transfer to some other schools under the same or other local bodies. The Government, after consulting the Accountant-General, ruled that teachers originally employed in Government schools and subsequently transferred therewith to local bodies carried with them their pensionary rights to all the schools to which they might be transferred whether of local boards or municipalities and that their pension should be borne proportionately by municipal, local and provincial funds—*vide* G.O., No. 238 L., dated 25th January 1889. In accordance with this ruling many teachers, in similar circumstances, omitted to make any contribution towards their pension.

5. In 1900 the Government of India modified their ruling and restricted the privilege of carrying pensionary rights with them only to teachers belonging to the pensionable establishment of a Government school who were on the establishment of the school at the time of its transfer and to teachers moved from the Government school with which they were

originally transferred to another school which was formerly under Government management. Article 804 of the Civil Service Regulations, fifth edition, which corresponds to article 849 of the third edition runs as follows:—

"Teachers and other members of the pensionable establishments of Government schools, who are transferred with the schools to which they belong to service under local boards, continue to render service qualifying for pension from the general revenues, and are entitled to the concession even though they may be moved from the school with which they are transferred to another school which was formerly under Government management."

6. Under this rule the services rendered as inspecting school-masters or supervisors of primary schools under local bodies by teachers in Government schools who were transferred with the schools to local bodies do not qualify for pension. Many of the local fund teachers who were transferred to local bodies with Government schools have subsequently been appointed as inspecting school-masters or supervisors of primary schools. It is stated that under the ruling in G.O., No. 238 L., dated 25th January 1889, these men were under the impression that their services continued to be pensionable, and that they accordingly omitted to pay any contribution towards their pension. In G.O., No. 1303 L., dated 6th October 1910, the Government declared under article 797 of the Civil Service Regulations that the services rendered by C. Ramakrishna Rao as local fund school-master and supervisor of primary schools should be treated as qualifying for pension. The Director of Public Instruction seems to suggest that a similar concession may be extended to all officers who are in the same position as Ramakrishna Rao and that a general order may be issued on the subject.

7. It does not appear to be advisable to issue a general order as requested by the Director of Public Instruction; it would be better to deal with each individual case on its merits. The Accountant-General also suggests this course and his suggestion may, it is submitted, be accepted. The draft below is for approval. If approved, it may be sent to the Local and Municipal and Pension departments for acceptance.

T.K.—6-4-11.

K. RANGASWAMI AIYANGAR—6-4-11.

G. F. PADDISON—7-4-11.

To the Local and Municipal and Pension departments.

LOCAL AND MUNICIPAL DEPARTMENT.

Submitted that the draft order below may be accepted in this department.

K.V.V.—9-4-11.

Accepted in Local and Municipal.

L. DAVIDSON—11-4-11.

To the Pension department.

PENSION DEPARTMENT.

The draft order may, it is submitted, be accepted in this department.

R.V.S.—17-4-11.

K. SRIKANTA AIYAR—17-4-11.

Accepted.

M. S. MASCARENHAS—19-4-11.

To the Educational department.

EDUCATIONAL DEPARTMENT.

Issue.

M. S. MASCARENHAS—19-4-11.

[G.O., No. 231, Educational, dated 20th April 1911.]

C.No.517, From the Director of Public Instruction, No.8193 d/11-2-1911.

ORDER:-
P.S.

The Government are not prepared to issue any general order on the subject as proposed by the Director of Public Instruction. They consider that each case should be dealt with ~~individually~~ as it arises.

7/4
5-4-11

AD
6-4-11

for
7/4-11

To

The D.P.I.

" A.G.

" L. & M. Deptt.

" Pension Deptt.

by
26-4-11

S. C. M. de
10-5-11

ORDINARY.

PREFERENCE.

URGENT (a).

EDUCATIONAL
DEPARTMENT.

Current No., dated 190 ..

G.O., No. 231, dated 20-4-1911

Number of MS. pages sent

Docket. Supervisors of primary schools

Declining to issue any special order as to whether the services of inspecting schoolmasters or who were originally for schoolmasters were subsequently transferred to local fund service are pensionable

Madras Records	...	30	15
Ooty Records	...	3	3
For filing with original	...	1	1
Total	...	34	19

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Public Department				
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Revenue Department				
Public Works Department				
Local and Municipal Department		5		
Pension Dept.		4		

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The Director of Public Instruction		5		
The Comr. for Govt. Examinations				
The Superintendent, Govt. Museum				
The Surgeon-General				
The Accountant-General		10		
The Collector of				
The P. D. B.				
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INSTRUCTIONS FOR THE SECRETARIAT.

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b¹) For rules regarding printing of notes, see the rules in G.O., No. 1220, Public, dated 30th November 1900.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Deputy Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Deputy Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Members should be printed in full when they occur on the right hand side, but only the first time when they appear on the left side, the initials alone being printed later.

* Copies distributed on (Press Clerk.)

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* To be initialed and dated.

TO PRESS, MADRAS.
OOTY.

A	B	C
Please send proof in triplicate. The papers have been carefully edited.	Proof returned corrected. Please strike off and send number of copies as indicated.	As the matter is clear manuscript and has been carefully edited (b) proof need not be sent. Please print and supply number of copies as indicated.
	Type may be released <u>after usual interval</u> at once.	Type may be released after usual interval.
<i>for</i> <i>24/4/11</i>Clerk.	Clerk.	Clerk.
.....Supdt.	Supdt.	Supdt.

(b) Three copies of proof of all notes should be sent for approval, except when instructions are given to the contrary.

SPECIAL INSTRUCTIONS.

TO BE FILLED IN BY THE PRESS.

Diary.	Initials of Press official.
Received in Press on.....	<i>25-4-11</i> <i>LB</i>
First proof furnished on.....	<i>29-4-11</i> <i>LB</i>
Call for revised proof received on.....	
Revised proof furnished on.....	
Corrected proof received for striking on.....	<i>1-5-11</i> <i>LB</i>
Final copies supplied on.....	<i>9-5-11</i> <i>LB</i>

Account of copies.	Complete copies.	Notes.	Issue copies.
Supplied to Secretariat for Record.....	<i>24</i>		
" " " Issue.....	<i>24</i>		
For Volumes.....	<i>16</i>		
For E. T.....			
Total ...	<i>74</i>		