

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

} 1911.

Enclosures

Regd.

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777

G.O. No. 776, 9th November 1911.

Mr. Murray Stuart.

Referring to the Government of India for orders letter from — in regard to enhancement of his pay.

Government of Madras.

EDUCATIONAL DEPARTMENT.

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G.O. No. 776, 9th November 1911.

Mr. Murray Stuart.

Referring to the Government of India for orders letter from — in regard to enhancement of his pay.

GOVERNMENT OF MADRAS.
EDUCATIONAL DEPARTMENT.

Read—the following papers :—

I

G.O. No. 545, Educational, dated 14th September 1910.

ABSTRACT.—Informing the Director of Public Instruction that the Secretary of State has sanctioned the proposals to fill the professorship of geology at the Presidency College, Madras, by the deputation of an officer of the Geological Survey of India and that Mr. Murray Stuart, Assistant Superintendent of the Geological Survey, has been selected for the post.

II

G.O. Mis. No. 382, Educational, dated 19th June 1911.

Read—the following papers :—

(i)

Letter—from MURRAY STUART, Esq., B.Sc., F.G.S., F.C.S., Professor of Geology,
Presidency College.
To—the Director of Public Instruction.
Dated—March 1911.
No.—M.I.

I have the honour to ask you what decision has been arrived at by the Government of Madras with regard to free quarters being provided for me. In the last demi-official letter I had on the subject from the Director, Geological Survey Department, Government of India, I was informed that the Government of Madras had left the matter open until my arrival in Madras and that I would probably be able to arrange the matter with them on my arrival.

The point at issue is, if the Government of Madras do not provide free quarters for me then one of the essential conditions of the temporary transfer of myself to the Education Department of the Government of Madras is not fulfilled, unless my income is made equal to that which I should receive in my own department.

The essential condition referred to is the first in paragraph (2) of the Government of India's letter in the Home Department No. 17, dated 26th May 1910, which was confirmed by the Secretary of State's letter, Public No. 93, dated 5th August 1910, viz.:—

“The two essential conditions of such an arrangement are :—

(1) That the officer selected from time to time should not suffer any pecuniary loss either on his temporary transfer to the Education Department or on his subsequent reversion to his own department.”

The latter portion is covered by paragraph 3 of the same letter where it says—

“On his reversion to the Geological Survey after three years he would be treated as regards pay, increments and pension as if he had remained in that department.”

My salary on leaving my own department was Rs. 440 *per mensem* in addition to which I received house allowance of Rs. 100 *per mensem*.

I am therefore at present suffering a pecuniary loss owing to my transfer to the Education Department.

The total difference between what I should receive here for the next three years, if I receive neither free quarters nor allowance in addition to my salary, and what I should have received in my own department in the same time is Rs. 2,410 not allowing for income tax which is an average pecuniary loss of approximately Rs. 67 *per mensem* during the three years it was proposed I should stay here.

I have the honour to ask therefore that the above facts be brought to the notice of the Government of Madras and that I may be informed of their decision.

N. Ref. on Cur. No. 1533/11, dated 27th March 1911.

Submitted to Government.

J. H. STONE,
Ag. Director of Public Instruction.

(ii)

Memorandum No. 719-1, Educational, dated 15th April 1911.

With reference to his endorsement N.R.C. No. 1533, dated 27th March 1911, submitting a letter from Mr. Murray Stuart on the subject of the provision of free quarters for him, the Director of Public Instruction is requested to ascertain and report whether Mr. Murray Stuart drew a fixed house allowance wherever he was stationed or whether he drew it only when he was stationed in Calcutta. He is also requested to report how the house allowance was calculated and under what rules it was drawn.

L. DAVIDSON,
Ag. Secretary to Government.

To the Director of Public Instruction.

(iii)

Letter—from the Hon'ble Mr. J. H. STONE, M.A., F.R.M.S., Acting Director of Public Instruction, Madras.
To—the Secretary to Government, Educational Department.
Dated—the 22nd May 1911.
No.—Ref. on C. 1533.

With reference to Government Memorandum No. 719-1, Educational, dated 15th April 1911, I have the honour to report that Mr. Murray Stuart, Professor of Geology, Presidency College, has written as follows on the subject of house allowance which was paid to him while at Calcutta :—

“The Calcutta house allowance was calculated as follows :—

Salary.	House allowance.	
	November—March.	April—October.
Rs.	Rs.	Rs.
350-499 <i>per mensem</i>	100 <i>per mensem</i>	65 <i>per mensem</i>
500-999 ”	175 ”	90 ”

“It was paid during residence in Calcutta and also during absence from Calcutta provided that the absence did not exceed two clear calendar months exclusive of the month of departure or return. That is to say, I could leave Calcutta on 2nd January, be away February and March and return on any day during the month of April and draw the allowance for and during the whole period. During absence from Calcutta, I drew travelling allowance at the rate of Rs. 10 a day.

“The house allowance was drawn under the Calcutta house allowance rules. My pay on the Geological Survey would be—

	Rs.
1st October 1911	470
” 1912	500

and rise from that by Rs. 50 increments to Rs. 1,000.”

Order—No 382, Educational, dated 19th June 1911.

Mr. Murray Stuart should be informed that the Government regret that they are unable to provide him with free quarters or to grant him a house allowance.

(True Extract.)

L. DAVIDSON,
Ag. Secretary to Government.

To the Director of Public Instruction.

III

Letter—from MURRAY STUART, Esq., B.Sc., F.G.S., F.C.S., Professor of Geology, Presidency College.

To—the Director of Public Instruction (through the Principal, Presidency College).

Dated—the 14th August 1911.

No.—M. 3.

In reference to your letter No. 3416, dated 29th June 1911, I have the honour to refer to the letter of the Government of India in the Home Department, dated 26th May 1910, to His Majesty's Secretary of State for India, and to the reply from His Majesty's Secretary of State, No. 93, Public, dated the 5th August 1910, true copies of both of which I enclose.

In the above it is expressly laid down as an essential condition that I should not suffer any pecuniary loss on my temporary transfer.

I am suffering a pecuniary loss continuously owing to the fact that I am not receiving the house allowance or the field establishment allowance which I received monthly in Calcutta.

My last pay certificate from Calcutta showed a house allowance of Rs. 100 which was not continued in Madras.

The consequence is that instead of the temporary transfer being a nett gain of Rs. 60 a month, as it appears to be on considering salary alone, it is actually a considerable pecuniary loss month by month, the loss being the value of the house allowance, an average of Rs. 127-1-4 *per mensem* plus the value of the field establishment allowance Rs. 10 *per mensem*, that is, Rs. 137-1-4 per month.

I have the honour to ask therefore that you bring this matter before the Government of Madras and ask them to make up this loss to me in some way so that I may remain on here on the same terms from a pecuniary point of view that I shall receive if I return to Calcutta.

I would point out that I am only asking for what I can obtain by transferring back to my own department, and it seems to me that the only possible reading of the Government of India's letter is that it was intended that I should receive that.

As to whether the addition I ask for is called an allowance or whether it is called salary on account of some of my past service is a matter of no present consequence to me.

I, at present, find that the income paid me is insufficient to meet the expenses of living even in the most economical manner consistent with my position. On the other hand the income I shall receive on going back to my own department is sufficient, and reluctant though I am to do so, I see no way other than to go back if I cannot receive this income here. I am not in a position to continue on in this post at my expense.

In reference to the last part of paragraph 2 of the Government of India's letter I beg to ask what the Government consider due notice of my intention to revert to my own department, should such a step be forced upon me to avoid pecuniary loss. I assume that three months' notice would be considered sufficient.

ENCLOSURES.

Despatch—from the Government of India, Home Department (Education).

To—His Majesty's Secretary of State for India.

Dated—Simla, the 26th May 1910.

No.—17.

We have the honour to refer to the correspondence ending with our telegram, dated the 21st January 1910, regarding Sir Thomas Holland's suggestion that, in place of appointing a new recruit from England to the recently sanctioned chair of Geology at the Madras Presidency College, the post should be filled by an officer of the existing staff of the Geological Survey of India, either permanently or by periodical deputation.

2. Sir Thomas Holland urges what appears to us to be strong reasons in favour of recruiting for the post from the Geological Survey department, and after consulting the head of that department and the Government of Madras, we are also disposed to agree with him in thinking that it would be preferable to limit the tenure of the appointment to three years. The two essential conditions of such an arrangement are:—

(1) that the officer selected from time to time should not suffer any pecuniary loss either on his temporary transfer to the Education Department, or on his subsequent reversion to his own department; and

(2) that the staff of the Geological Survey of India should be increased by one appointment.

We do not anticipate any difficulty in complying with the first condition; and as the Geological Survey department could ill-afford to spare an officer who would not be replaced, we trust that Your Lordship will be prepared to approve of the second condition. The selection of the officer for the Geological professorship would be made by the Government of Madras on the recommendation of the Director of the Geological Survey. The Government of Madras would have the power of reverting the officer selected to his own department after reasonable notice, within the term of three years, if he proved to be unsuitable for the post, and similarly, if the selected officer himself felt dissatisfied with his position, he would have the option of resigning the appointment after giving due notice of his intention.

3. It is proposed to appoint to the professorships Mr. Murray Stuart, an Assistant Superintendent in the Geological Survey, in the grade Rs. 350—30—500, at present drawing Rs. 410 *per mensem* who has been strongly recommended by the head of his department. Under article 156 (b), Civil Service Regulations, he would be entitled to receive on his appointment the minimum of the sanctioned pay of the post, viz., Rs. 500 a month, and on his reversion to the Geological Survey after three years he would be treated as regards pay, increments and pension, as if he had remained in that department. Should the arrangements described above meet with Your Lordship's approval, we request you to take the necessary steps to recruit an officer to fill the resulting vacancy in the Geological Survey of India.

Despatch—from the His Majesty's Secretary of State for India.

To—His Excellency the Right Honourable the Governor-General of India in Council.

Dated—India Office, London, the 5th August 1910.

No.—93, Public.

Having considered in Council the letter of Your Excellency's Government in the Home Department, No. 17, dated 26th May 1910, I approve your proposals for filling the recently sanctioned professorship of Geology at the Madras Presidency College by the deputation of an officer of the Geological Survey of India, and I will take steps to recruit an officer to fill the vacancy in that service.

N. Ref. on Cur. No. 6052/11, dated 18th September 1911.

Submitted to Government for favour of orders with reference to G.O. Miss. No. 382, Educational, dated 19th June 1911.

2. Mr. Murray Stuart calculated his loss at Rs. 67 *per mensem* in March last, but in his present letter he has estimated it at Rs. 127-1-4. The reasons for claiming the higher rate will be found in the accompanying copy of his note, dated 4th September 1911. It has also been ascertained that the amount of Rs. 127-1-4 is wrong and should be Rs. 125-6-8, which is the average arrived at by calculating the house allowance at the rate allowed to officers drawing a salary of Rs. 500 and above, viz., at Rs. 90 *per mensem* for seven months (April to October) and at Rs. 175 *per mensem* for five months (November to March).

3. It does not seem to me to be desirable to revert Mr. Stuart, nor does it appear possible to give him his Calcutta allowance. He should, I think, be allowed to draw the pay in the Educational Department that he would have got if he had been in it all his service. It seems impossible to retain the services of a suitable officer of the Geological Department on the terms laid down in G.O. No. 545, Educational, dated 14th September 1910, and it is suggested for the consideration of Government whether the Secretary of State may not be asked to revise the terms in the above sense.

J. H. STONE,
Ag. Director of Public Instruction.

ENCLOSURE.

Telephonic message—from MURRAY STUART, Esq., Professor of Geology, Presidency College, Madras.

Dated—the 4th September 1911.

Former calculation was based on the assumption that I should not be allowed to revert under Civil Service Regulations. The Comptroller of India Treasuries has decided, however, that I can do so, if I do not count the time served as service for the *reduced* pension on the Survey obtainable after twenty years' service; but only as service for *full* pension after twenty-five years' service. The latter figure is calculated, therefore, on the latter basis that I revert under Civil Service Regulations on Rs. 500 and get the full house allowance instead of the reduced one for salaries below 500. Particulars for house allowances are with the Director of Public Instruction.

IV

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

To—the Secretary to Government, Educational Department.

Dated—Madras, 1st November 1911.

No.—R.C. 6052/11.

I have the honour to invite your attention to this office endorsement N.R.C. No. 6052/11, dated 18th September 1911, regarding the house allowance of Mr. Murray Stuart, Professor of Geology, Presidency College, and to enquire when the orders of Government thereon may be expected in this office. A copy of Mr. Stuart's letter No. P. 14, dated 27th October 1911, addressed to the Director, is enclosed.

ENCLOSURE.

Letter—from MURRAY STUART, Esq., B.Sc., F.G.S., F.C.S., Professor of Geology, Presidency College.

To—the Director of Public Instruction.

Dated—the 27th October 1911.

No.—P. 14.

I have the honour to request that you will expedite the reply to my letter requesting that my income be made such that I suffer no pecuniary loss on my temporary transfer here. It is now three months since that letter was sent and during this time you are aware that I have suffered a considerable pecuniary loss.

It seems to me unfair that I should be kept on this condition of suffering a steadily increasing loss if the matter can be expedited, as if your decision is in the negative I shall still have to stay on for a further period between the time when I give notice of my intention to revert to the Government Survey and the time when I actually do so.

I have the honour to request therefore that an answer be sent me on this point or failing this that the second paragraph of my letter be answered.

Order—No. 776, Educational, dated 9th November 1911.

Mr. Murray Stuart's claim will be referred for the orders of the Government of India.

(True Extract.)

L. DAVIDSON,
Ag. Secretary to Government.

To the Director of Public Instruction.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

No. 777.

From

THE HON'BLE MR. L. DAVIDSON, I.C.S.,

Acting Secretary to the Government of Madras,

Educational Department,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

DEPARTMENT OF EDUCATION.

Dated Fort St. George, the 9th November 1911.

SIR,

In submitting the accompanying copy of a letter, dated 14th August 1911, from Mr. Murray Stuart, Professor of Geology at the Presidency College, Madras, I am directed to request the favour of the orders of the Government of India in regard to the claim preferred by that officer for the enhancement of his emoluments.

2. Mr. Murray Stuart is an Assistant Superintendent of the Geological Survey of India, but while in the grade of Rs. 350—30—500 was appointed to the professorship of geology in the Presidency College under the arrangement sanctioned by the Secretary of State in his Despatch No. 93, Public, dated 5th August 1910, communicated with Mr. H. G. Stokes' endorsement No. 892, dated the 29th idem. In pursuance of that sanction he was on appointment in Madras assigned a salary of Rs. 500 *per mensem*. In March 1911 he enquired what decision had been arrived at by the Government of Madras with regard to the provision of free quarters for him, stating that in his last demi-official letter from the Director of the Geological Survey Department he had been informed that the Government of Madras had left the question open and that he would probably be able to arrange the matter with them on arrival. When making this enquiry Mr. Stuart represented that, if he did not receive free quarters, the refusal of this concession would involve a breach of one essential condition of his appointment, viz., that he should not suffer any pecuniary loss on his temporary transfer to the Education Department. This condition will be found in paragraph 2 (1) of the Government of India's Despatch to the Secretary of State No. 17, dated 26th May 1910, and the argument put forward was based on the fact that in Madras Mr. Stuart was ineligible to draw the special house-rent allowance which he had previously received in virtue of his residence in Calcutta.

3. On examination of the earlier correspondence relating to the case it was ascertained that the question of the provision of quarters had been specifically examined and that such an arrangement had been definitely negatived as impracticable for the time being. This conclusion, it may be stated, was communicated

to the Government of India in a telegram No. 366, dated 20th June 1909, sent in reply to a telegram from the Government of India No. 531, dated 17th idem. In these circumstances Mr. Stuart was informed in Proceedings No. 382, Educational, dated 19th June 1911, that this Government regretted their inability to provide him with free quarters, and his alternative request for a house-rent allowance was similarly rejected as inadmissible on the ground that the special Calcutta rules are applicable solely to officers resident in that city, while officers living at the Presidency town of Madras are not as a rule granted any such concession.

4. The representation from Mr. Stuart, which accompanies this letter, is virtually an appeal against the decision of the Local Government, and it is for this reason that the case is referred for the orders of the Government of India. It will be observed that Mr. Stuart apparently contemplates giving notice of his intention to revert to the Geological Survey Department, if, as he puts it, such a step should be forced upon him in order to avoid pecuniary loss. He has also referred to the deprivation of a field establishment allowance of Rs. 10 *per mensem*; this allowance was presumably drawn on account of the upkeep of an establishment, which he is not required to maintain in his present appointment.

I have the honour to be,

Sir,

Your most obedient servant,

L. DAVIDSON,

Ag. Secretary to Government.

ANNEXURE.

Please see Mr. Murray Stuart's letter No. M.-3, dated 14th August 1911, and its enclosures printed with G.O. No. 776, Educational, dated 9th November 1911.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O. Nos. 776-77, EDUCATIONAL,
DATED 9TH NOVEMBER 1911.

[SUBJECT.—*Free quarters for Mr. Murray Stuart, Professor of Geology,
Presidency College.*]

Previous papers:

G.O. No.	366, Edl.,	dated 20th June	1909.
" "	545	" " 14th September	1910.
" "	946, Judd.	" " 8th June	1911.
" "	382, Edl.	" 19th "	"

I

From the Director of Public Instruction, dated 27th March 1911, No. 1533.

The Director of Public Instruction submits for the orders of Government a letter from Mr. Murray Stuart, Professor of Geology, Presidency College, in which the latter raises the question of his being provided with free quarters.

2. Mr. Murray Stuart represents that he is suffering a pecuniary loss by his transfer from the Geological Survey department to the Educational department, although an essential condition of his transfer was that he should not suffer any pecuniary loss either on his temporary transfer to the Educational department or on his subsequent transfer to his own department—*vide* paragraph 2 of the Government of India's letter No. 17, Education, dated 26th May 1910, on page 2 of G.O. No. 545, Educational, dated 14th September 1910. Mr. Stuart's salary in the Geological department was Rs. 440 and he was receiving in addition a house allowance of Rs. 100 per mensem. His present pay in the Educational department is Rs. 500 per mensem and he receives no house allowance. He is thus receiving Rs. 40 less than in the Geological department. Mr. Stuart, however, calculates that he would lose a sum of Rs. 2,410 during the three years of his deputation to the Educational department, if he is not provided with free quarters or granted a house allowance.

3. Mr. Stuart states that when leaving the Geological Survey department, he was informed by the head of that department that this Government had left the question of free quarters open until his (Mr. Stuart's) arrival in Madras and that he could arrange the matter with this Government. He accordingly asks what decision has been arrived at by this Government in regard to the provision of free quarters for him.

4. The question of free quarters to the Professor of Geology was considered when the Government of India proposed to depute an officer of Geological Survey department for the post. In paragraph 3 of Mr. Stokes' demi-official No. 27, dated 25th January 1910, on page 1 of the notes with G.O. No. 545, Educational, dated 14th September 1910, the Government of India enquired whether the Geological department officer selected would be provided with free quarters. In paragraph 3 of Mr. Wynch's demi-official No. 179-2, dated 7th February 1910, the Government of India was informed that free quarters could not be provided for the present.

5 If Mr. Stuart was getting Rs. 540 (pay Rs. 440 and house allowance Rs. 100) in the Geological Survey department, he seems to have an equitable claim for a house allowance. It is for consideration whether he may be granted a house allowance and if so, at what rate. The sanction of the Government of India will be necessary for the grant of the allowance.

T.K.—8-4-11.

K. RANGASWAMI AIYANGAR—8-4-11.

Do the members of the Geological Survey get a house allowance always or only while at Calcutta? Please look up the rules on the subject. House allowances at Calcutta and Madras should be very different.

G. F. PADDISON—10-4-11.

The Calcutta house allowance scheme, which is given in appendix X to the Pages 276 to 283 of the Manual. "Manual of Appointments and Allowances under the Audit of the Controller of "India Treasuries" applies to the appointments of Assistant Superintendents in the Geological Survey of India. Please see page 282 of the above Manual. The members of the Geological Survey get house allowance only while at Calcutta.

T.K.—10-4-11.

K. RANGASWAMI AIYANGAR—11-4-11.

It is submitted that if the office are right and Mr. Stuart draws house allowance only under the Calcutta house allowance scheme, this cannot in any way be considered as part of his pay.

I think the Director of Public Instruction had better be asked whether Mr. Stuart draws a fixed house allowance wherever he was or whether he draws it only in Calcutta and how it was calculated and under what rules it was drawn. Put up an official memorandum.

G. F. PADDISON—11-4-11.

Draft submitted for approval.

T.K.—12-4-11.

Issue.

G. F. PADDISON—15-4-11.

[Memorandum No. 719-1, dated 15th April 1911.]

From the Director of Public Instruction, dated 22nd May 1911, No. R.C. 1533.

Mr Stuart was receiving a house allowance under the Calcutta house allowance rules. This cannot be considered as part of his pay; nor can it give him any claim for free quarters or house allowance in Madras.

T.K.—3-6-11.

Please see paragraph 3 of the demi-official from Mr. H. G. Stokes on page 1 of the notes to G.O. No. 545, Educational, dated 14th September 1910 and the reply thereto on page 5 of the same. The question of providing free quarters was there specially considered and was decided against. Attention is solicited to paragraphs 3 and 4 of the office-note on page 4 of the notes to that Government Order, from which it will be observed that it would be impossible to provide quarters for the Professor of Geology or to any other members of the Presidency College staff until the new College of Engineering had been constructed and the quarters now occupied by the Principal of that institution are vacated and become available.

K. RANGASWAMI AIYANGAR—6-6-11.

Please put up the Manual referred to *supra*.

M. S. MASCARENHAS—6-6-11.

The Manual of Appointments and Allowances referred to is obtained and put up. The rules relating to the Calcutta house allowance scheme are given on pages 276 to 283 of the Manual.

T.K.—8-6-11.

K. RANGASWAMI AIYANGAR—8-6-11.

Please see the preamble to the Calcutta house allowance rules (page 276 of the Manual put up). The allowances under these rules are admissible for residence in Calcutta only and not outside.

M. S. MASCARENHAS—9-6-11.

From page 277 I gather that Mr. Stuart's allowance on Calcutta was Rs. 65 from April to October and Rs. 100 per mensem only from November to March. He thus loses only Rs. 80 per mensem on the whole year, and must gain quite that by reduced expenditure. I do not see that he has any case, especially as at the time of the discussion regarding terms it was expressly stated that free quarters could not be provided at present.

L. DAVIDSON—10-6-11.

Mr. Stuart is, I should say, monetarily a distinct gainer by living in Madras rather than Calcutta, even if he does not get his house allowance, and there is this, moreover, that for three months he is in vacation and probably spends it away from Madras. He did not draw the allowance when on duty in Burma unless he stayed there only two months including the journey to and from Calcutta.

We distinctly told India we could not give a house or free quarters, though we said nothing about a house allowance—but India know well enough we do not give house-rent allowance in Madras as a rule.

Mr. Stuart must be told that Government regret they cannot sanction a house allowance. He will appeal no doubt and we shall have to explain the matter to India.

M. H[AMMICK]—12-6-11.

Draft submitted for approval.

T.K.—14-6-11.

K. RANGASWAMI AIYANGAR—14-6-11.

M. S. MASCARENHAS—16-6-11.

L. DAVIDSON—18-6-11.

[G.O. Mis. No. 382, dated 19th June 1911.]

II

From the Director of Public Instruction, dated 18th September 1911, No. 6052.

Please see G.O. No. 382, Educational, dated 19th June 1911, and the notes therewith. In that order the Government declined to provide Mr. Murray Stuart with free quarters or to grant him a house allowance.

2. Mr. Stuart now represents that it was expressly laid down as an essential condition of his appointment to the professorship of Geology that he should not suffer any pecuniary loss on his temporary transfer to Madras and points out that although considering salary alone, there appears to be a net gain of Rs. 60 * a month, he is actually incurring a considerable pecuniary loss (Rs. 127-1-4 per mensem being the average value of the house allowance which he would have drawn had he remained in Calcutta and Rs. 10 per mensem being the value of the field establishment allowance). He therefore requests that he may be reimbursed this loss in some way, and that if this request cannot be granted, would prefer to revert to the Geological department to continuing in the present post at his expense.

3. The Director of Public Instruction, while pointing out that the average house allowance should be Rs. 125-6-8 and not Rs. 127-1-4 as calculated by Mr. Stuart, observes that it is not desirable to revert Mr. Stuart to the Geological department and that it is not possible to grant him the Calcutta house allowance. He considers it impossible to retain the services of a suitable officer of the Geological department on the conditions laid down in paragraph 2 of the despatch from the Government of India to the Secretary of State, No. 17, Education, dated 26th May 1910, and suggests that Mr. Stuart may be allowed to draw in the Educational department the scale of pay which he would have got if he had remained in the department from the commencement of his service.

Page 2 of G.O. No. 545, Educational, dated 14th September 1910.

4. The Director of Public Instruction's proposal amounts to allowing Mr. Stuart to count his service in the Geological department towards increments in the Indian Educational Service. Mr. Stuart is an officer of three years' standing in the Geological department and according to the Director of Public Instruction's proposal, Mr. Stuart will draw a salary of Rs. 650 per mensem in the first year of his service in the Presidency College, Rs. 700 in the second year and Rs. 750 in the third year.

But he was drawing only Rs. 440 in the grade of Rs. 350-30-500 at the time of his leaving the Geological department

and the average house-rent allowance drawn by him was Rs. 79½ (calculated at Rs. 65 from 1st April to 31st October and at Rs. 100 per mensem from 1st November to 31st March). In other words, Mr. Stuart would, if he had continued in the Geological department, have drawn a salary including house-rent allowance (average) of Rs. 520 in 1911-12, Rs. 550 in 1912-13 and Rs. 625* in 1913-14. Under existing arrangements he will draw Rs. 500 in 1911-12, Rs. 550 in 1912-13 and Rs. 600 in 1913-14, so that the actual loss incurred by him in consequence of his transfer to Madras will be Rs. 20 a month on an average in 1911-12 and Rs. 25 a month in 1913-14. In 1912-13, he will lose nothing. The Director of Public Instruction's proposal to start Mr. Stuart on Rs. 650 would give him much more than what is required to recoup the actual amount of loss sustained by him. But inasmuch as the Director of Public Instruction considers it desirable to retain Mr. Stuart and in view of the possibility of providing the Professor of Geology with free quarters when the buildings now occupied by the Principal of the College of Engineering are vacated, it is for consideration whether some temporary arrangement may not be made to compensate Mr. Stuart for the loss of emoluments actually sustained by him, by granting, with the sanction of the Government of India, a small monthly house allowance of, say, Rs. 25 or Rs. 30 per mensem. There seems, however, to be no justification whatever for the claim made by Mr. Stuart on the ground of loss of "Field establishment allowance".

Dr. Bourne's note dated 19th June 1909 on page 2 of the notes with G.O. No. 366, Educational, dated 20th June 1909.

5. The papers may, it is submitted, be first sent u.o. to the Financial department for remarks.

K. RANGASWAMI AIYANGAR—29-9-11.

Yes, Mr. Stuart ignores the difference between the cost of living in Calcutta and expenses in Madras, but Educational does not want to lose his services or to retain him in a discontented frame of mind. I don't think he is really a loser.

L. DAVIDSON—30-9-11.

To the Financial Department.

FINANCIAL DEPARTMENT.

At the instance of the Government of India, this Government agreed to the arrangement of filling the post of the newly sanctioned professorship of Geology at the Madras Presidency College by an officer of the existing staff of the Geological Survey of India for a period of three years to be replaced by another Geological Survey officer at the end of his deputation. One of the conditions of the arrangement is "that the officer selected from time to time should not suffer any pecuniary loss either on his temporary transfer to the Educational department or on his subsequent reversion to his 'own appointment'."

Paragraph 2 (i) of Government of India despatch to the Secretary of State, No. 17, dated 26th May 1910, on page 2 of G.O. No. 545, Educational, dated 14th September 1910.

2. Under this arrangement Mr. Murray Stuart, an officer on Rs. 440 in the grade of Rs. 350-30-500, was recruited from the staff of the Geological Survey of India to fill the professorship of Geology at the Madras Presidency College in September 1910. During the discussion of the terms of Mr. Stuart's appointment, the Government of India were informed that free quarters could not be given at any rate for the time being. Mr. Stuart made a representation in March 1911 for the grant of house-rent allowance on the ground of pecuniary loss, but Government then held that there was no case for the grant of house-rent allowance.

G.O. No. 545, Educational, dated 14th September 1910 and page 5 of G.O. No. 382, Educational, dated 19th June 1911.

Paragraph 2 of this Government's demi-official No. 179-2, dated 7th February 1910, on page 5 of notes to G.O. No. 545, Educational, dated 14th September 1910.

Pages 2-7 of G.O. No. 382, Educational, dated 19th June 1911.

Please see Honourable Member's note dated 12th June 1911 on page 3 of notes to G.O. No. 382, Educational, dated 19th June 1911.

3. The officer again represents that he suffers considerable pecuniary loss by the transfer to the Educational department. The Educational department office-note calculates the loss sustained by him at Rs. 20 per mensem in 1911-12, and at Rs. 25 per mensem in 1913-14, while in 1912-13 he will not suffer any loss. The estimate of loss arrived at above is correct and the average loss during the three years works to only Rs. 15 per mensem. This loss will be more than counterbalanced by the comparatively cheap cost of living in Madras, and as observed by the Educational Department Secretary, Mr. Murray Stuart is really no loser. The Director of Public Instruction's proposal to allow Mr. Stuart to count his service in the Geological department towards increments in the Indian Educational Service is clearly beside the point.

4. If, however, in the circumstances stated by Mr. Stuart in the last paragraph of his letter, dated 14th August 1911, Government consider that an increase of emoluments is called for, it is submitted that there is no objection to the grant of a house-rent allowance of Rs. 15 per mensem for the period of deputation till free quarters are available. The sanction of the Government of India will be necessary to the grant of house-rent allowance.

T.C.N.—11-10-11.

T.H.R.—11-10-11.

It is evident that Mr. Murray Stuart is dissatisfied with his present income, and it is doubtful whether the allowance which is proposed in the preceding note, viz., Rs. 15 a month, will put him in any more contented frame of mind. The method by which it is proposed to supplement his emoluments seems open to objection, for Calcutta house allowance is, like travelling allowance given for the purpose of reimbursing an officer for actual outlay incurred and is not intended to be a source of profit to Cf. article 995, Civil Service Regulations.

him. It is therefore unreasonable for Mr. Murray Stuart to claim Calcutta house allowance and field establishment allowance when he is no longer in Calcutta and Quite inadmissible in my opinion.

H. A. STUART. The necessity for a scale of house-rent allowances for officers doing duty in Madras has not been recognized, as it has been considered that living is far cheaper in Madras than in Calcutta.

C. REILLY—13-12-10.

Perhaps it would satisfy Mr. Stuart if the admissibility of house allowance and field establishment allowance were referred to the Government of India. He seems to be a discontented grasper and it would probably be best to get rid of him and engage an officer of our own who would not threaten the Government with his intentions to revert to the Geological department.

H. A. STUART—17-10-11.

Educational department.

EDUCATIONAL DEPARTMENT.

Orders are solicited whether the Government of India should be addressed for sanction to a house-rent allowance to Mr. Stuart and if so, what should be the amount of such allowance.

K. RANGASWAMI AYYANGAR—21-10-11.

L. DAVIDSON—24-10-11.

We had better refer the matter to India, but not suggest any house-rent allowance. We can send our order and treat this as an appeal and ask for the orders of India upon it.

M. H[AMMICK]—26-10-11.

A draft letter to India is submitted for approval.

T.K.—4-11-11.

R. SUNDARAM AIYAR—6-11-11.

Revised draft dictated.

L. DAVIDSON—9-11-11.

[G.O. Nos. 776-77, Educational, dated 9th November 1911.]

Recd. 20. no. 545-Ed-14-9-10
 -- " 382 " 19-6-11
 -- Cont. no 2334- from the S.D.O. no 6052 B 18-9-11
 -- " 2715- " " " 8-1-11-11

ORDER :- No 776 B. 9. 11. 11
 P.S.

Mr. Murray Stuart's claim will be referred for the orders of the Government of India.

To the D.P.O.

LETTER. No 777 B. 9. 11. 11.

To The Secretary to the Government of India,
 Department of Education

Sir,
 In submitting the accompanying letter dated 14th August 1911 from Mr. Murray Stuart, Professor of Geology at the Presidency College, Madras, I am directed to request the favour of the orders of the Government of India in regard to the claim preferred by that officer for $\frac{1}{2}$ enhancement $\frac{1}{2}$ his emoluments.

2. Mr. Murray Stuart is an assistant superintendent of the Geological Survey of India, but while in the grade of Rs.350-30-500 was appointed to the professorship of Geology in the Presidency College under the arrangement sanctioned by the Secretary of State in his Despatch No.93 Public, dated 5th August 1910 communicated with Mr.H.G. Stokes' endorsement No.892 dated the 29th idem. In pursuance of that sanction he was on appointment in Madras assigned a salary of Rs.500 per annum. In

March

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March 1911 he enquired what decision had been arrived at by the Government of Madras with regard to the provision of free quarters for him, stating that in his last semi-official letter from the -- Director of the Geological Survey Department he had been informed that the Government of Madras had left the question open and that he ~~will~~^{might} probably be able to arrange the matter with them on arrival. When making this enquiry Mr. Stuart represented that if he did not receive free quarters the refusal of this concession would involve a breach of one essential condition of his appointment, viz., that he should not suffer any pecuniary loss on his temporary transfer to the Education Department. This condition will be found in paragraph 2(1) of the Government of India Despatch to the Secretary of State No. 17 dated 26th May 1910, and the argument put forward was based on the fact that in Madras Mr. Stuart was ineligible to draw the special house ^{rent} allowance which he had previously received in virtue of his residence in Calcutta.

2. On examination of the earlier correspondence relating to the case it was ascertained that the question of the provision of quarters had been specifically examined and that such an arrangement had been definitely negatived as impracticable for the ^{time being} ~~present~~. This conclusion, it may be stated, was ~~incidentally~~^{presented} communicated to the Government of India in a telegram No. 366 dated

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20th June 1909 sent in reply to a telegram from the Government of India, No.531 dated 17th idem. In these circumstances Mr. Stuart was informed in Proceedings No.382 Educational dated 10th June 1911 that this Government regretted their inability to provide him with free quarters, and his alternative request for house ^{allowance} was similarly rejected as inadmissible. ^{on the ground} ~~that the Calcutta house rules~~ ^{that the Calcutta house rules} are applicable solely to officers resident in that city, while officers living at the Presidency Town of Madras are not as a rule granted any such concession.

4. The representation from Mr. Stuart, which accompanies this letter, is virtually an appeal against the decision of the Local Government, and it is for this reason that the case is referred for the orders of the Government of India. It will be observed that Mr. Stuart apparently contemplates ^{giving} notice of his intention to revert to the Geological Survey Department, if, as he puts it, such a step should be forced upon him ^{now} to avoid pecuniary loss. He has also referred to the deprivation of a field establishment allowance of Rs.10 ~~per month~~ ^{per annum} - this allowance was presumably drawn on account of the upkeep of an establishment, which he is not required to maintain in his present appointment.

I have etc.

15.
J.M.

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G.O., No. 777, dated 9. 4. 1964

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Spencer, Professor of Zoology, Cambridge,
Colchester, Mass.

Murray Stuart Reference

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