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Government of Madras.

EDUCATIONAL DEPARTMENT.

MISCELLANEOUS.

Recd.

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} 1913.

Enclosures

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G.O. No. 790, 23rd August 1913.

Establishment.

Recording papers relating to the question of the payment of daily allowance to the peons accompanying the Director of Public Instruction to Ootacamund.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

Read—Papers relating to the question of the payment of daily allowance to the peons accompanying the Director of Public Instruction to Ootacamund.

Order—No. 790, Educational, dated 23rd August 1913.

Recorded.

(True Extract.)

W. FRANCIS,
Ag. Secretary to Government.

To the Financial Department, with copy of notes.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O. No. 790, EDUCATIONAL,
DATED 23RD AUGUST 1913.

[SUBJECT.—*Batta to the peons accompanying the Director of Public Instruction to Ootacamund.*]

Demi-official—from the Hon'ble Sir ALFRED GIBBS BOURNE, D.Sc., F.R.S., K.C.I.E.,
Director of Public Instruction, Madras.
To—the Hon'ble Mr. W. FRANCIS, I.C.S., Acting Secretary to Government,
Educational Department.
Dated—Madras, the 13th June 1913.
No.—T. 35.

Would you kindly have the matter of batta to my two peons investigated? I asked Moir about it last year and you will see his reply attached. This year I did as he suggested and the Accountant-General has objected.

If there is any difficulty, I will pay the batta myself, but I really do not see why I should be called upon to do this.

ENCLOSURE.

Demi-official—from T. E. MOIR, Esq., I.C.S., Acting Secretary to Government,
Educational Department.
To—the Hon'ble Mr. A. G. BOURNE, D.Sc., F.R.S., C.I.E., Director of Public
Instruction, Madras.
Dated—Ootacamund, the 9th May 1912.

I have made enquiries as to the batta to your peons. Reilly, the Registrar, says that the question as to whether they are entitled to hill allowance does not appear to have been settled with reference to G.O. No. 354, Educational, dated 21st August 1909. He suggests that you should bill for them on the supposition that they get Rs. 5 *per mensem* and if the Accountant-General objects, raise the questions. They are not entered in the Hill Allowance Code. Any time you are here I shall show you the Government Orders.

I mislaid this last year and continued to pay the batta myself. But this year we may try the Accountant-General as Mr. Moir suggests.

A. G. BOURNE—20-5-13.

EDUCATIONAL DEPARTMENT.

In G.O. No. 820, Educational, dated 9th December 1907, the Director of Public Instruction was permitted to spend four months of the year with Government at Ootacamund and to travel to and fro at the public expense, and the provisions of the Hill Allowance Code were extended to one clerk and two peons accompanying him to the hills. But in 1908, it was decided that the provisions of the Hill Allowance Code should not be made applicable to any officer or his establishment outside the staff of the Government Secretariat "unless the officer concerned is ordered by Government to proceed to Ootacamund", and that the Director of Public Instruction and other officers who were permitted to spend a portion of the year at Ootacamund should draw travelling allowance for themselves and for their establishment in accordance with the ordinary travelling allowance rules and not

according to the Hill Allowance Code. In G.O. No. 354, Financial, dated 21st August 1909, it was made clear, for purposes of article 1115 of the Civil Service Regulations, that the Director of Public Instruction's stay at Ootacamund was required in the interests of the State. This Government Order did not in any way modify the orders already passed in regard to the travelling and daily allowances for the Director of Public Instruction and his establishment. The peons who accompany the Director of Public Instruction to Ootacamund are therefore eligible for these allowances only in accordance with the ordinary rules of the Civil Service Regulations.

2. Article 1056 of the Civil Service Regulations permits officers to draw daily allowance only for the first *ten* days of their halt at one place. Though all menial servants are exempt from the provisions of this article, still this *general* exemption does not hold good in the case of halts in hill stations. The stay of the Director of Public Instruction's peons at Ootacamund is not therefore covered by this general exemption either.

Rule 10 (a) under article 1056.

Page 186 of Madras Supplement to the Civil Service Regulations.

Please see note under article 1114 of the Civil Service Regulations.

3. From the Accountant-General's objection slip forwarded by the Hon'ble Sir

* Rs. 11-4-0 for two peons.

For one peon for a day Rs. 11-4-0 ÷ 2 ÷ 30 = 3 annas.

† Rule 1 under article 1140 in Madras Supplement to the Civil Service Regulations.

peons should get this allowance for periods in excess of ten days, they should be specially exempted by Government from the provisions of article 1056 of the Civil Service Regulations. Orders sanctioning such exemptions should issue in the Financial Department. The file may, therefore, be transferred to that department for the investigation of the claim preferred by the Director of Public Instruction.

S.K.—19-6-13.

C. RAMANUJA ACHARI—19-6-13.

Yes.

W. FRANCIS—20-6-13.

To the Financial Department.

FINANCIAL DEPARTMENT.

The Director of Public Instruction and the Surgeon-General have been permitted in the interests of the State to spend four months each year at the head quarters of Government on the hills; and these officers are allowed to travel to and from Ootacamund at the public expense. Before 1908, the provisions of the Madras Hill Allowance Code were extended to the office establishment accompanying these two officers which were restricted to one clerk and two peons. In the case of other heads of departments, e.g., the Inspector-General of Police, the Sanitary Commissioner, etc., whose presence at the head-quarters of Government at Ootacamund is not required in the interests of the State, the condition is imposed that no extra expense to the State is incurred thereby; i.e., the travelling allowances of the officer and the travelling and daily allowances of his establishment (if any) will not be borne by Government.

† G.O. No. 1022, Public, dated 8th October 1901, and No. 820, Educational, dated 9th December 1907.

Cf. page 208 of the Madras Supplement to the Civil Service Regulations, notes 3 and 4 to article 1110.

2. In G.O. No. 575, Financial, dated the 8th December 1908, the following ruling was laid down by this Government:—

"The Government direct that for the future the provisions of the Madras Hill Allowance Code shall not be applicable to any officer or his establishment outside the staff of the Government Secretariat proper unless the officer concerned is ordered by Government to proceed to Ootacamund. In those cases in which an officer is permitted to spend a portion of the year at Ootacamund, subject to the condition that the extra expense is borne by the State, the travelling allowance * of himself and the establishment which he may be permitted to take to the hills will be governed by the ordinary travelling allowance rules."

This ruling is embodied as note 1 to article 1110 on page 208 of the Madras Supplement to the Civil Service Regulations.

3. The present case, viz., the grant of daily allowances to the two peons who accompanied the Director of Public Instruction to Ootacamund this year, which is held under objection by the Accountant-General, is therefore governed by the foregoing rule; and the Director of Public Instruction may, it is submitted, be told so by the Educational Department.

4. The question has been raised by the Educational Department whether the daily allowance of the peons can be sanctioned by the Director of Public Instruction himself, in view of the provisions of article 1114 of the Civil Service Regulations. [For claiming daily allowances for halts at hill stations, the general exemptions from the rule laid down in article 1056†—menials in all departments have been exempted‡ wholly from the operation of article 1056—shall be held to be inapplicable.]

† A daily allowance may not be drawn for more than ten days of a halt at one place.
‡ Page 186 of the Madras Supplement to the Civil Service Regulations, note 10 to article 1056.

It may be contended that, in view of the fact that peons have been exempted wholly from the operation of article 1056 of the Civil Service Regulations, a certificate from the Director of Public Instruction (the head of the department) to the effect that his peons were required on duty at Ootacamund is sufficient authority for the Accountant-General to admit the charge. It is submitted that the Director of Public Instruction and the Accountant-General may be left to settle this question between themselves and to come up to Government if they do not agree.

5. The case may be returned to the Educational Department.

V.G.K.—14-7-13.

Chief Secretary—

C. REILLY—14-7-13.

Honourable Member—

Under G.O. No. 354, Financial, dated 21st August 1909, the Director of Public Instruction "is required, in the interests of the State, to spend four months in each year with Government at Ootacamund" and during that period he is considered as on duty. Under G.O. No. 820, Educational, dated 9th December 1907, the Director of Public Instruction is allowed to have one clerk and two peons with him during these four months. It follows necessarily that the clerk and peons must be allowed halting allowance for the period during which they have to stay with the Director of Public Instruction at Ootacamund. If he is required by Government to stay here for four months, so are they, they must clearly get halting allowance, though not under the Hill Allowance Code.

I think, therefore, we must either rule that the Director of Public Instruction's clerk and two peons are entitled to halting allowance for the periods of their stay with the Director of Public Instruction at Ootacamund or we must alter G.O. No. 354, Financial, dated 21st August 1909, and revert to the position that the Director of Public Instruction is allowed to spend four months at Ootacamund but is not required to do.

A. G. CARDEW—15-7-13.

I do not understand why the Director of Public Instruction and Surgeon-General are required to spend four months on the hills. We manage to get on without the Board of Revenue, the Inspector-General of Police, the Sanitary Commissioner and all the other heads of departments. I would, therefore, place these two officers on the old footing and allow them, but not require them, to come to Ootacamund; and I would reduce the period to two months. If they are wanted at any other time they can always be sent for.

H. A. S[UART]—16-7-13.

A draft order is submitted for approval.

2. Before the issue of G.O. No. 354, Financial, dated 21st August 1909, the position in regard to the Director of Public Instruction was that he was allowed to spend four months in each year with Government at Ootacamund and that he could travel to and from Ootacamund at the public expense. It is, however, presumed that the Honourable Member's intention is that both this officer and the Surgeon-General should revert to the position

G.O. No. 820, Educational, dated 9th December 1907. originally in existence, viz., that they should be permitted to spend not more than two months in each year with Government at Ootacamund, provided that no extra expense to the State is incurred thereby either on account of themselves or on account of the establishment they take up with them. If they are called up at any time by Government, they will, of course, be entitled to travelling allowance.

3. The draft order, if approved, may be sent u.o. to Educational and Public Departments for acceptance.

C.K.—28-7-13.

T.H.R.—29-7-13.

Chief Secretary (through Public).

C. REILLY—31-7-13.

PUBLIC DEPARTMENT.

Deputy Secretary—

Attention is invited to the Hon'ble Sir James Thomson's and His Excellency Lord Amthill's notes on pages 4-5 of Notes to G.O. No. 1022, Public, dated 8th October 1901, wherein the Surgeon-General's presence at headquarters of Government on the hill was considered a convenience. Accordingly, in G.O. No. 1022, Public, dated 8th October 1901, the Surgeon-General was required, in the interests of the State, to spend four months each year at the headquarters of Government on the hills and he has been coming up to Ootacamund ever since. In 1907, when the question of giving the Director of Public Instruction a similar concession was under consideration,

Paragraph 1 on page 2 of Notes to G.O. No. 820, Educational, dated 9th December 1907.

the Hon'ble Sir George Forbes noted that he found it much more important to have the Director of Public Instruction at hand for consultation than the Surgeon-General. The latter, he said, he had had no occasion at all to consult personally. In 1909, the Hon'ble Sir Murray Hammick also expressed the opinion that the Surgeon-General was not wanted so much but that the orders requiring his presence need not be altered—vide paragraph 2 of his notes, dated 11th August 1909, on page 7 of Notes to G.O. No. 354, Public, dated 21st August 1909.

2. It is now proposed in Financial to restrict the stay of the Surgeon-General at the hills to two months every year and this too is to be left to his option, without making it compulsory on him as ordered in G.O. No. 1022, Public, dated 8th October 1901, or in other words, the proposal is a reversion to the orders contained in G.O. No. 877, Public, dated 9th July 1898. It is for orders whether the proposal will be

As Sir James Thomson pointed out, if expense is the consideration it is more expensive to send for him twice than to allow him to stay for four months.

A. J. CURGENVEN—7-8-13.

Page 4 of Notes to G.O. No. 1022, Public, dated 8th October 1901.

accepted. When any necessity arises to consult the Surgeon-General personally on any matters connected with the Medical Department, he may perhaps be sent for and no administrative inconvenience is therefore likely to result.

P.R.R.—6-8-13.

Sir Gabriel Stokes noted that "it would be a distinct convenience and advantage

Page 3 of Notes to G.O. No. 1022, Public, dated 8th October 1901.

Page 7 of Notes to G.O. No. 354, Financial, dated 21st August 1909.

"at any rate in the Chief Secretary's work "if the Surgeon-General were close at hand and could be personally consulted." Sir Murray Hammick considered that "he is in quite a different position from the "Inspector-General of Police."

That has no special significance.

H. A. S[UART]—11-8-13.

2. The designation of this officer is "Surgeon-General with the Government of Madras."

A.J.C.—7-8-13.

Honourable Member (Financial)—

There are of course both advantages and disadvantages connected with the presence of the Surgeon-General and Director of Public Instruction at Ootacamund for four months. The question of expense is, I submit, too small a matter, in view of the large interests involved, to be allowed to weigh very much either way. The more important considerations are whether the absence of the Surgeon-General and the Director of Public Instruction from their own offices is a greater disadvantage than the advantage which the Government gain from being able freely to consult these officers when difficult or important questions arise.

2. As regards education, which at present occupies so very prominent a position in all public discussions, there is no doubt, I think, that Sir Murray Hammick, both as Honourable Member in charge of Educational Department and last year as Governor, frequently found it desirable to consult the Director of Public Instruction in person. It is also the case, I believe, that His Excellency the Governor now follows the same practice, and a short time ago His Excellency suggested that the Director of Public Instruction should be regarded as the Secretary in the Educational Department, but various difficulties prevented the suggestion being proceeded with.

3. As regards medical matters, the Honourable Member in charge of Public has, I believe, had occasion several times to see the Surgeon-General, but does not refer to him so frequently as the Director of Public Instruction. Personally, I have certainly found it a convenience to be able to discuss important proposals with the Surgeon-General, but the occasions have not been perhaps very numerous.

4. As regards the absence of these two officers from their offices, it is obvious that there are objections to the prolonged absence of the head of the office. These are probably stronger in the case of the Surgeon-General, whose Personal Assistant is a comparatively junior officer than in that of the Director of Public Instruction who has a very senior special deputy in Mr. Stone, in addition to his regular Deputy (Mr. Grieve), but the disadvantage is part of the result of the Government itself being on the hills.

5. On the whole, as no serious evils have at present appeared from the stay of the Director of Public Instruction and Surgeon-General on the hills, and as there is some evident gain in being able to get first-hand confidential and intimate information

from these officers, it might, I venture to suggest, be well to follow the direction of the maxim *quæta non movere*, and leave the present position as it is, merely telling the Director of Public Instruction by demi-official that he must pay himself the *batta* of his poems. If any official order is, however, to be issued, might it not be limited to a declaration that in future the stay of the Director of Public Instruction and the Surgeon-General at Ootacamund will be optional and not compulsory? It will then necessarily follow that the Director of Public Instruction must pay the poets' *batta* himself.

A. G. CARDEW—8-8-13.

Very well.

H. A. S[TUART]—11-8-13.

A. G. CARDERW—12-8-13.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Draft demi-official as at A above.

W. FRANCOIS—14-8-13.

A draft demi-official is submitted below for approval.

S.K.--14-8-13.

C.R.—15-8-13.

Approved.

W. FRANCIS—18-8-13.

Demi-official—from the Hon'ble Mr. W. FRANCIS, I.C.S., Acting Secretary to Government, Educational Department.

To—the Hon'ble Sir ALFRED GIBBS BOURNE, D.Sc., F.R.S., K.C.I.E., Director of Public Instruction.

Dated—Ootacamund, the 18th August 1913.

No.—2488-1, Educational.

With reference to your demi-official of the 13th June last regarding the payment of batta to two of your peons brought up with you to Ootacamund, I am to state that the Government consider that the batta must be paid by yourself.

Submitted that the notes in this case may be recorded and brought on the index so that they may be readily available for future reference.

A draft order is placed below.

S.K.—21-8-13.

C.R.—21-8-13.

C. S. ANANTARAMA AYYAR—22-8-13.

[G.O. No. 790, Educational, dated 23rd August 1913.]

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