

Edl (1915) Department.

Mis SERIES.

G.O. No. 880*Edl*

DATED 13-8-15

5

[Despatch Abstract.]

Delegation of powers

Recording notes Connected with the
question of delegating to the D.P.S. the
power to sanction acting appoint-
ments in place of officers sent
for training.

C.No.292.

S u b j e c t.

Revision of acting ~~xxxx~~ allowance rules
in Chapters V to VII of the Civil
Service Regulations.

(with this forwarding
note to be
placed at the
bottom of the
note)

c.f. para. 3 of page 19
of the notes to G.O.
No. 829 Finl., d/
26-11-13.

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①

The Financial Department have sent to this depart-
ment a copy of G.O.No.829-30 Financial, dated 26th
November 1913 with notes with a view to its taking
separate action on some of the points raised ~~by it~~
~~that are raised~~ in the notes, if considered necessary.
The points for consideration are contained in para. 2
of the D.P.I.'s letter R.C.No.18, dated 21st January
1913 on page 16 of G.O.No.829 Finl., dated 26th
November 1913.

2. In this the Director ~~xxx~~ made the following
two requests :-

(1) that the several grades of the Provincial
Educational Service, the Subordinate Educational
Service, (Collegiate Branch) and Supervisors of Elementary
Schools ~~might~~ be officially declared as constituting
distinct classes so as to admit of acting promotions
being made in leave vacancies; and

(2) that rule 1 to article 86 ~~might~~ be so modified
as to authorize the Local Government to delegate
to the D.P.I. the power to allow acting appointments
to be made in the place of officers ordered or
permitted to undergo training in a school, college
or other institutions.

3. (1) Constituting several grades of a service
into distinct classes.

On this point the office then noted as
follows :-

Page 9 of the notes
with G.O. no. 829 dated
24-11-13

Para. 4C of G.O. no.
33 dtd 8.21.1-93.
- page 24

Page 5 of G.O. no.
646 Ed. & A-9-93

Page 4 of G.O. no.
829 dated 24-11-13

" The existing rule on this subject is contained in ----
" article 140 of the Civil Service Regulations which provides
" that no officer may be appointed to officiate in a higher
" grade of his own class. In first submitting proposals for
" the constitution of the Provincial Educational Service this
" Government was strongly of opinion that the various grades
" of that service should be treated as distinct classes for
" the purposes of article 155 (now 140) of the Civil Service
" Regulations and desired that ~~xx~~ this point should not be
" overlooked. But in paragraph 15 of their letter No. 259,
" Educational, dated 22nd August 1893, that Government ^(The Govt. of India) dec-
" lined to sanction this proposal observing that they had ---
" given their careful consideration to the proposal but were
" unable to accept it. In paragraph 3 of their letter No. 831,
" Educational, dated 13th November 1893, this Government ---
" requested the Government of India to reconsider their deci-
" sion. The Government of India did not, however, accede to
" the request.

" When the Subordinate Educational Service, Collegiate
" branch and the cadre of Supervisors of elementary schools
" were constituted, this question was not raised. Please see
" G.Os. Nos. 680-81, Educational, dated 23rd October 1906, and
" Nos. 393-94, Educational, dated 20th June 1907. Hence all
" these three services are now governed by the general rule in
" article 140.

" In support of the Director's proposal it may be observ-
" ed that in this Presidency the different grades of District
" Munsiffs, Tahsildars, Deputy Tahsildars, Sub Magistrates
" and Stationary Sub Magistrates and Sub Assistant Inspectors
" of schools are treated as distinct classes, and there seem-
" to be no reason why the same provision should not be extended
" to the members of the Subordinate Educational Service, Colle-
" giate branch, and Supervisors of Elementary Schools. More-
" over the Director's proposal is in accordance with the sug-
" gestion in the concluding paragraph under chapter VI in the
" notes accompanying the Government of India letter. For these

Page 21 of the
note with G.O. no. 4
529 Fined, 26-11-13

② This was based on
the ruling of the Govt.
of India in connection
with a similar proposal
regarding appointment of
Inspector of Salt, Atkin-
gton, Mysore. They
stated that they would
extend the public school
services in view of the
addl. cost & trouble in such
cases.

Page 9 of the notes
with G.O. no. 529 Fined
26-11-13

Page 2 of G.O. no.
244 Fined 8/12-12

reasons the Director of Public Instruction's proposal
may be supported in this department."

4. The Secretary, Mr. Davidson, supported the Director's
proposal.

5. The Financial department thereupon noted :-

"The Director of Public Instruction suggests that the
present opportunity may be taken officially to declare the
several grades of the Provincial Educational Service, the
Subordinate Educational Service (Collegiate Branch) and Super-
visor of Elementary Schools to constitute distinct classes.
He says that this suggestion, if adopted, will not only make
the proposed rules 110 and 111 simpler, but also will admit
of acting promotions being made in leave vacancies in the
same class. The Educational Department supports the above
proposal. x x x x

"It is not likely that the Government of India will view
favourably this proposal of the Educational Department. More-
over this is not the place for discussing the question."

6. The Chief Secretary, Mr. Horne, agreed with the Financial
note, ~~and that the proposal be dropped.~~

The proposal is against the general rule and the Govt.
of India have twice refused to sanction it in connection
with the Provincial Educational Service. It is therefore ~~xx~~
very unlikely that they would sanction it now and extend it
to the various Subordinate educational services. The pro-
posal may therefore be dropped.

7. (2) Delegation of power to the D.P.I. to sanction
acting appointments in places of officers sent for training.

On this point the office then noted as follows:-

"This is not a new proposal. It was raised by the Director
of Public Instruction in 1911, and the Government of
India were addressed on the subject in Financial letter No.
4493/11-5, dated 5th January 1912. The Government of India
then said that the general question of delegation was under
correspondence with the Secretary of State; that they were
therefore not empowered to authorize the proposed delegation
and that the proposal would be taken up for consideration

Page 19 of the notes
with G.O. No. 829 Fin D
26-4-13

with the general question-wide correspondence recorded with G.O.No.244, Financial, dated 19th April 1912. The Director's proposal may therefore be commended to the Government of India for consideration. The file may be returned to Financial with these remarks.

8. The Secretary Mr. Davidson agreed and the file was sent to the Financial Department.

9. The Financial Department then noted:-

"The Director of Public Instruction suggests that this rule may be so modified as to authorize the local Government to delegate to the Director at their discretion the power to allow acting appointments to be made in the place of officers ordered or permitted, to undergo a course of training in a school, college or other institution. He invites attention to G.O.No.244, Financial, dated 19th April 1912. The Educational Department support the above suggestion. For orders. The matter appears to be one for separate action. xxx

"All ameliorations of the rules, extension of privileges to special departments, or alteration of operation are outside the terms of the present reference, which deals solely with the elimination of the ambiguous and the obsolete and a rearrangement of articles with a view to simplification. Some heads of departments have not understood this, and their suggestions for an alteration of the operation of the present rules or for new privileges need not be considered."

10. The Chief Secretary Mr. Horne agreed and no action was taken on the suggestion of the D.P.I. The Financial Department have send a copy of the notes on the subject and suggested that separate action may be taken on the point, if --- considered necessary. Under article 86 (1) of the C.S.R., as it now stands, Government alone can sanction acting appointments in place of officers sent to undergo a course of training in a school, college or other institution and the Director, who sanctions the deputation of officers for training has to come up to Government for making acting appointments in their places. In these cases the Government sanction the acting appointments made by the D.P.I. as a matter

G.O. No. 4778 dt 27.8.13 (2)
H.M. 504 dt 24.6.13 (2)
G.O. No. 1277 dt 21.8.13 (K)

of course and never question them. In these circumstances nothing is gained by reserving the power of sanctioning acting arrangements in such cases to Government. The --- Financial Department may therefore be requested to have the rule altered as suggested by the D.P.I. It is that Department which addressed the Government of India on the subject in 1912. Please see Sir Harold Stuart's letter No. 4493/11-4 dated 5th January 1912 on pages 2 and 3 of G.O No. 244 Fndl. dated 19th April 1912.

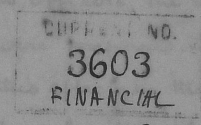
MR.
22/5

V

TK. CA
18.5.14 1914

Final
22/5

Edlus 292-1
23/5/14



Ref 12.5.14

mo



22.5.14

3603
FINANCIAL

22.5.14

22.5.14

Financial Dept.

For the Asst. Secy.

The Educational Dept. apparently

request this dept. to remind the Govt. of India about the further orders promised in para 2 of the Finance Dept. letter No. 2339 C.S.R. B. 4-4-12.

2. Recently in connection with the question of delegating to local Govts powers in respect of the grant of tentage to officers, the Govt. of India stated that they were prepared to include a proposal to this effect in the delegation schedule to be submitted to the Secretary of State. It will thus appear that the general question of delegation, which, the Govt. of India stated in 1912, was the "subject of correspondence with the Secretary of State for India" has not yet been finally disposed of by the Govt. of India. In these ^{there is no object in reminding} circumstances it ~~does not appear that~~ the Govt. of India ~~should be reminded~~ at present as proposed by the Educational Dept.

3. The file may be returned to Educational with the above remarks.

Home Dept. letter No. 250.
B. 2-1-14 on para 2 of G.O.
No. 810-11. Final B. 2-5-14.

XXI

The delegation schedule was
for getting under completion
when I left the Finance Dept.
in Nov. last. I do not believe
it can be ready yet. B2.
para 2 of Finance Dept.
letter No. 2339 C.S.R. B. 4-4-12
p. 29. B. 244. Final B. 19. 4-12

* It is quite unless I
think at present. B2.

notes.

C. S.
2.6.14.The
2.6.14.

C. S.

He over for his marks

B2/6/14

The Es. Dept. apparently wishes us to
 address f. of I. on a point not raised
 in our previous letter a letter to them.
 It does not seem simply to ask us to
 send a reminder about matters already
 discussed. Speak please.

W.S.
 5/6

The Fin. Dept. is I find all right. From
 what A.S. tells me it seems unlikely
 to remind the f. of I. for some time to
 come.

W.S.
 6/6

Educational Department

Lie over for six months.

W.F.
 9.6.14.

For orders whether the Financial Department
 may now be asked to say whether any orders
 have been received on the general question referred to
 in para. 2 of the Govt. of India (Finance Dept.) letter no
 2339 C. S. R. dated the 4th April 1912 and if not, to
 remind the Govt. of India

W.S.
 16.12.14
 16.12.14

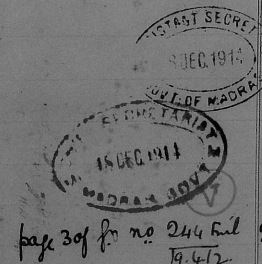
W.S.



File no 3603-1
 6.6.14 W

Edwards

Please see letter of 9/6/14



Edwards 292-2

18/12/14 CURRENT

W.S.
 18.12.14

8966

FIN. DEPT.

Financial Dept.For the Asst. Secy.

Please see Financial notes and the Asst. Secy's marginal notes on page 6 ante. The delegation schedule had not gone^{to} the Secretary of State ^{the} ~~into~~ 1st July 1914 - vide para 1 of Home Dept. letter No. 932 S 1-7-14 on page 2 of G.O. 4997th. ~~It is~~ 24-7-14. Only ^{about} six months have elapsed and it does not seem that it is time enough to issue a reminder to the Govt. of India on the subject, as that Govt. have been solicited ^{by} ~~these~~ ^{the} ~~5th March 1915~~ The Educational Dept. may be informed accordingly.

During his recent visit to Madras as a Member of the Cooperative Credit Committee of Enquiry I took the opportunity to ask Mr. Johnston, who was Dy. Secy. in the Finance Dept. before joining the Committee, how the decentralization proposals were progressing and he then told me that Mr. Mitra, the Asst. Secy. was still being employed on them. It is possible that the delegation schedule may have since been forwarded to the Secy. of State. If so, it is probable that it will take some little time for the Secy. to send out his orders

Recd.
21.12.14.
24-11
22.12.14

and it seems desirable to wait a little longer before reminding the Govt of India. Another three months or so will probably suffice.

102.
3/12/15

Conventional No.

Educational Department

Submitted that the file may lie over till the 1st April 1915.

CA
4.1.15

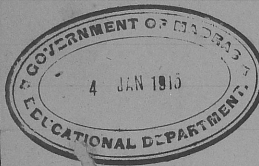
102
1/1/15

Submitted that the Financial Dept. may now be asked to say whether the orders of the Govt. of India have been received and if not, to remind that Govt.

CA
23.4.15 23.4.15

27.4.15

Full no



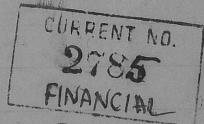
Noted

20
6.1.15



Eol no 292-3/14

28.4.15



Recd 28-4-15

2785

Res 20h
7

Financial Department.

Submitted that the order of the Government of India have not yet been received. A draft reminder letter to that Government is submitted for approval in case it is considered necessary to remind them for

6/5/15

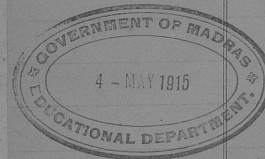
1000 20-4

The delegation file in India is a ~~very~~ big affair, and even if the papers have gone to the S. P. S. - which I very much doubt - The India Office will require a good deal of time to digest ^{them} and the G. of I. are not likely to consult the Secy. of State. If, however, Education press for a reminder I shall take C. S.'s orders.

6/5/15

Educ. Dept. no

File no 2785-1
3-5-15



Noted in AR
6/5/15

Submitted that the Educational Department need not press for the Govt of India being reminded. In consideration whether the file may be only a little longer. A reply has been given for another four months. 6/5/15

Extract of the Secretary's remarks on the Orissa list
What is this waiting for?

C. L. T. 7. 8. 15

Submitted that this file which relates to the
question of empowering the D.P. to sanction acting
appointments in place of officers sent for training is
lying over pending receipt of the orders ^{on the}
on the general question of delegation referred to
in para. 2 of India's letter, dated 4th April 1912 on
page 3 of L.P. no. 244 Financial, dated 19th April 1912.
In regard to a suggestion from this department to
remind the Govt. of India for orders on this general
question, the Financial department stated on
3rd May last that the question was a big
affair and that it might not be desirable
to send a reminder. ~~to send a reminder~~
~~to send a reminder~~

page 10 ante

Until the Govt. of India move in
the matter, this Govt. can do no
thing. The utmost they can do is
to remind them; and reminder
is considered undesirable. In
these circumstances it is for
consideration whether these notes
may not be recorded. An entry
may be made in the call book to
prevent the question from being
lost sight of and orders taken period-
ically in three or four months, as to

whether the Financial Department may be asked to consider the question of reminding India.

CR
9.8.15

Approved

10.8.15

A draft order regarding the notes is placed below.

CR
11.8.15

13.8.15

” ” ” ” ” ” 191 .

C. No. 292, From the _____, No. _____, dated _____ 191_____

” ” ” ” ” ” ” ” 191

” ” ” ” ” ” 191

No. 880 *W. H. H. H.* 13 8 1915

Recorded

Se 11.8.15 Q 11.8.16 P. 44 13.8.15

Call check

Please see page 11 of notes and make the necessary entries in the call book

11.8.15

Notes in CB

$$\frac{CO_2}{181815}$$

_____, DATED _____

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A	A	A	A	A	A	A
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LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.