

Educational (1916) Department.

Mis SERIES.

G.O. No. 490 - Ed.

DATED 6 - 5 - 16

i

[Despatch Abstract.]

Agreement. Returning to the D.P.I. the form of the — to be executed by Miss De la Hay.

C.F.—29



С № 1169 Еое

DEPARTMENT.

Received 191 . Registered 27. iii 1916

Subject.

Submitting for the approval of Government a draft of the agreement to be executed by Miss C.D. dela Hey.

ENCLOSURES

No. _____

Spare copies.....

Ref on Cur **No.** 1344/1916.

Station M a d r a s, Dated the 24th March 1916

From (Name) The Hon. Mr. W.H. Stone, M.A., C.I.E., F.R.S.
(Designation) Director of Public Instruction.

To The Secretary to the Government of Madras,
EDUCATIONAL Department.

Sir,

With reference to para 2 of G.O. No. 158 Edl.

(F) Sir., dated 14th February 1916, I have the honour to submit,
herewith, for favour of the approval of Government the enclosed
draft of the agreement to be executed by Miss C.D. dela Hay.

I have the honour to be,
S i r,
Your most obedient servant,

G. Kristiansen

for Director of Public Instruction.

M. S. S.

23-3-16

2
3

AGREEMENT, made the day of 19
BETWEEN

of the first part, and THE SECRETARY OF STATE FOR INDIA IN
COUNCIL of the second part.

Whereas the Secretary of State for India in
Council has engaged the party of the first part to serve
His Majesty in India as Principal and Senior Lecturer at
the Madras College for women for a period of ^{one year} ~~six months~~
from the ^{30th May 1915} ~~date of her entertainment at Madras~~ as herein-after
mentioned and subject to the conditions and agreements
herein-after contained.

one year /
30th May 1915

NOW THESE PRESENTS WITNESS and the said parties
hereto respectively agree as follows:-

1. That the party of the first part will submit
herself to the orders of the Government and of the Officers
and authorities under whom she may from time to time be
placed by the Government and that she will at all times
obey the rules prescribed for the time being in the memo-
randum of information furnished to candidates or otherwise
for the regulation of the branch of the public service to
which she may belong, and will, when required, by the Govern-
ment, proceed to any other part of the province within
which she may be serving, or to any other province in India,
and there to perform the duties of any specified office in
the cadre of the Indian Educational Service.

2. That the party of the first part will devote her
whole time to the duties of the service, and will not en-
gage, directly or indirectly, in any trade, business, or
occupation on her own account, and that she will not

(except in case of accident or sickness certified by competent medical authority) absent herself from her said duties without having first obtained permission from the Government or its authorised Officers.

3. That from the date ^{aforesaid} ~~of the party of the first part~~ reporting her arrival at Madras, the Government will pay her so long as she shall remain in the said service either temporarily or as a permanent member of the Indian Educational Service and actually perform her duties, a salary at the rate of Rs.400/- per mensem for the first year rising ~~thereafter~~ by annual increments of Rs.20/- per mensem ~~and that if the party of the first part continues in the service after the first three years her salary will continue to rise each year by increments of Rs.20/- a month until she receives Rs.500/- a month and by annual increments of Rs.25/- a month thereafter until a maximum of Rs.750/- is attained.~~ In addition ^{to her salary} she will draw so long as she holds the office of Principal ^{local} allowance of Rs.150/- ^{per mensem} ~~a month but not exchange~~ ^(she shall not be entitled to) Compensation allowance.

4. That the Government may at any time ~~dispense with~~ the service of ~~the party of the first part~~ without notice in the event of misconduct on ^{her} ~~his~~ part or of a breach by ^{her} ~~him~~ of any of the conditions herein specified.

5. That it shall be lawful for the Secretary of State for India in Council or for the Government prior to the expiration of her service under these presents, if satisfied on the report of the duly constituted advisory Medical Board that the party of the first part is unfit and is likely for a considerable period to continue unfit by reason of ill-health for the discharge of her duties in India, to determine the service under these presents (the decision of the Secretary of State for India in Council or the Government being conclusive) and thereupon her services shall be terminated.

and if she shall remain in the service beyond that period then Rs.420 per mensem for the second year

to Rs.500 p.m. for the sixth year and subsequently rising by annual increments of Rs. twenty-five p.m. to a maximum of Rs. seven hundred and fifty p.m.

during the said term of one year or if the service shall continue beyond such term at any time thereafter

6. The party of the first part shall while on duty in India and during the period of her engagement be entitled to such travelling allowance as is payable to officers of the first class under the Civil Service Regulations for the time being in force, ~~and travelling allowances on the same scale shall also be payable on first joining the appointment.~~

7. The party of the first part will, during her continuance in the service pay such subscriptions to the General Provident Fund as shall be payable under the rules for the time being in force (by which rules she agrees to be bound); and it shall be lawful for the Government to deduct the said subscriptions from any money that may be payable to the party of the first part under these presents or otherwise.

8. That if the party of the first part shall ultimately be appointed a permanent member of the Indian Educational Service her service (commencing from the date of her entering on the performance of her duties under these presents as aforesaid) if it be continuous shall count as service towards leave and pension under such rules as regards leave and pension as may for the time being be applicable to ^{her} ~~his~~ case.

PROVIDED ALWAYS that in case of any dispute as to the interpretation of any of the said rules, or otherwise relating in any way to them, the decision of the Secretary of State for India in Council shall be conclusive.

9. That in any payments to be made in Great Britain under these presents the rate of exchange between rupees and sterling shall be 1s 4d per rupee; provided that if any higher rate per rupee is prescribed by rules for the time being in force for the issue of any particular payments to the party of the first part, the higher rate prescribed shall be observed in making such payments.

10. That the proceedings, letters and reports of the Governor-General of India in Council or of any of the Local Governments, and of all others the Officers and Agents of Government, or any copies thereof or extracts therefrom, which shall be sent officially to the Secretary of State for India in Council or to any officers or servants in the Indian Service of His Majesty in England or elsewhere in any way relating to the sums of money to be paid or allowed to the party of the first part, or to her conduct, or in any way relating to the premises, shall be received as conclusive evidence of any matter therein contained in any action or in any legal proceedings by or between the parties to these presents, or in any way relating thereto.

In witness whereof the party of the first part and

being

Have hereunto set their hands

the day and year first above written.

Signed by the party of the first
part in the presence of

Signed by the said

in the

presence of

7
Conventional Sept.

Cnr. 1169.

Encl. No. 1169-2^{Ed}
3.4.16

Referred to the A.G.

for remarks with reference to
the letter from the Govt. of India
No 252, D^o, dt the 22. 3. 16, Communi-
cated with G.O. 387 Ed, dt the 6.4.16.

PP
7.4.16
7.4.16.

[Signature]

To.
The A.G. with current 1169
in original to be returned
with reply.

Done
as
10/4/16
10.4.16

CURRENT No

1558 Educational Dept

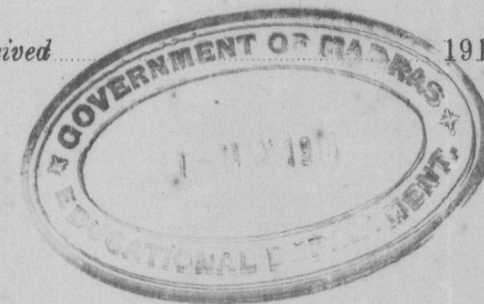
Received

191

Registered

15

1916.



Subject.

for remarks in the reference to
the letter from the Govt of India
No. 102, D. 4, 12. 3. 16

ENCLOSURES.

No. Two

Spare copies

No. G.A.57 - 1624

Dated the 29th April 1916.

From

A. NEWMARCH, Esq.,
ACCOUNTANT-GENERAL, MADRAS,

To

THE SECRETARY TO THE GOVERNMENT OF MADRAS,
Educational Department.

SIR,

With reference to Government Endorsement No. 1169-2 Edl.,
dated 8th April 1916, I have the honour to state that the draft
of the agreement to be executed by Miss dela Hey is in order
and does not seem to require any modification from an audit
point of view.

2. The enclosures received with the Endorsement above are
herewith returned.

I have the honour to be,
Sir,
Your most obedient servant,

Accountant-General.

PA

OFFICE NOTE.

9

SUBJECT. Agreement to be entered into by Miss De la Hay.

The words bracketed [] may in the first instance be replaced by the word "agreement".

From the A.O., Ros No. 1344/16 of the 24th March 1916.

of the agreement on page 12 of your letter of the 18th November 1915, be amended as shown in pencil in the margin. The words in the margin are for your guidance.

Register No. 1169.

The form calls for the following remarks:—

Preamble.

① As the period of "six months" provided therein ~~was~~ has expired long before the execution of the agreement it seems better to say that the initial engagement is for a period of one year, so that the ~~agreement~~ agreement may not wholly relate to a past period. The period of one year is proposed, as Miss De la Hay will have to vacate the post when a permanent Principal is recruited from England.

② The date of her entertainment at Madras will mean the date of her joining the college in July 1914 on a salary of Rs 500 p.m. As the agreement relates only to her appointment as Principal and Senior Lecturer on Rs 400-20-500 p.m. — vide para. 3 of the form — and that takes effect from the 30th May 1915 under Govt. 158 Sol, the 14th Feb. 1916, the words "30th May 1915" may be substituted for the words "date of her entertainment at Madras".

2. Para. 3 of the form.

① 1/4

① If the proposal in para. 1 ② above is approved the words bracketed [] thus in the first two lines may be replaced by the word "aforesaid".

② Lines 7-12 of this para. may, following para. 5 of the agreement on page 12 of G.O. 1208 Sol, the 10th November 1915, be amended as shown in pencil in the margin. The words within the square brackets may be omitted.

③ The last sentence of this para. may also be amended as indicated in pencil.
3. Para. 4 of the form - The addition indicated in pencil is for approval.
4. Para. 6 of the form.

The last clause of this para. seems unnecessary now as giving rise to a claim which was not expected by Miss De la Hay when she first joined the appointment in 1914. That clause may be omitted.

5. In other respects the form is all right. If the above suggestions are approved, a copy of the form as amended by the Govt. may be furnished to the D.P.G. Subject to orders, a draft order is submitted for approval.

AP 1.4.16
Is the D. P. G. any objection to the amended form?
RB 3/4/16

W 3/4/16
I see no objection 15. iv. 16

Let's
Make
the
Corrections
for
the
form
not
with
3/4/16



Sol no 1169-1
4-4-16

bedm 5.4.16
Noted in CO
5/4/16

1087
5.4.16

According to India's ^{present} letter recorded in G.O. 38728, of the 6th April 1916 the agreement has to be prepared in consultation with the A.G. The D.P.'s letter with its enclosure may therefore be referred to the A.G. for remarks with reference to that G.O.

2. A draft endorsement is submitted for approval.

PP
7.4.16
7.4.16

[Handwritten signature]

[Encl. no. 1169-2 of the 8th April 1916].

COR 1558. From the A.G. no. G.A. 57-1624 of the 29.4.16.

The D.P. and the A.G. do not find any objection to the form on pages 2-5 of the draft as amended in red ink. For orders whether the draft order already approved by the Secretary may issue.

PP
3.5.16
3.5.16

[Handwritten signature]



” ” ” ” ” ” 191

C. No. 1169, From the 213 Rec. No. 1344/16 dated the 24th March 1916

" " " " , " , "

191

” ” ” ” ” ” ” ” 191

No., dated 191

The form of the agreement to be executed by Miss de la Hay submitted by the S.P.S. has been slightly amended by the Govt. A copy of the form as thus amended is forwarded to the S.P.S. for adoption.

PA

1-4-16

$$\frac{7}{1.4 \cdot 16}$$

To, the dog with the ^{sub}form
as amended [in red ink]

When given for copying
When copied
When examined
When signed

191

READ AGAIN G.O. No.
191

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

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.