

Edl. (1916) Department.

His SERIES.

G.O. No. 82

DATED 28-1-16

[Despatch Abstract.]

Mr. H.B. Mathews. — Informing the D.P.I. that the Govt. of India have, as a special case, exempted — Professor of Higher Electrical Engineering in the College of Engineering from passing the test in a vernacular language and that he may sign the agreement to be entered into with Mr. Mathews subject to certain conditions.



EDUCATIONAL DEPARTMENT.

O.F.—29.

Received

191

Registered

1915

Subject.

Submitting a copy of the agreement received from Mr. Mathews, Professor of Electrical Engineering, College of Engineering, with request to be informed whether it is in order and if so it may be signed by the Director.

ENCLOSURES.

No.

R. C. No. 4901/15.

Spare copies

Station M A D R A S , Dated the 16 November 1915.

From (Name) The Hon'ble Mr. J. H. Stone M.A., F.R.H.S., C.I.E.

(Designation) Director of Public Instruction,

M a d r a s .

To The Secretary to the Government of Madras,

Educational Department.

Sir,

(T)

With reference to para 5 of G. O. No. 1052 Educational, dated 24th September 1915, I have the honour to submit herewith a copy of the agreement received from Mr. Mathews and to request that you will be so good as to inform me whether it is in order and may be signed by me.

In this connection I beg to submit herewith a letter from Mr. Mathews dated 2nd November 1915 in which he requests a modification of clause 6 of the agreement in regard to the passing of the vernacular test. Although this request seems inadmissible as not being in accordance with the views of the Government of India expressed in their letter No. 101 C.D.

dated

page 748 info
page 405 info



page 2 of
10/11/11
29.6.11

(N) dated 18th January 1913 recorded in G. O. No. 116 Educational, dated 11th February 1913, ~~the~~ Government may, however, perhaps be willing to consider it in view of the special character of the appointment and Mr. Mathews' age which is now 39. His case is not unlike that of Mr. Hadaway who after many unsuccessful attempts to pass the compulsory language test was exempted in Government Memorandum 616 - 1 Educational, dated 20th March 1911, at the age Mr. Mathews has now attained, although dealing as Mr. Hadaway has to do with pupils who know no English a knowledge of a vernacular might be expected to be much more necessary for him than for Mr. Mathews who will have to deal entirely with advanced students. If he is not exempted now the question of exempting him will probably arise sooner or later and I do not think any useful purpose will be served by making him come up for examination till his inability to pass is proved.

I have the honour to be,

Sir,

Your most obedient servant,

G. W. Mathews

For Director of Public Instruction.

16/11

k.v.

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AGREEMENT made the _____ day of _____

Between HARRY BRYANT MATHEWS of the first part
THE SECRETARY OF STATE for INDIA in COUNCIL of
part.

WHEREAS the SECRETARY OF STATE FOR INDIA in
engaged the party of the first part to serve HIS
India as PROFESSOR OF HIGHER ELECTRICAL ENGINEERING
of ENGINEERING, MADRAS, in the Indian Educational
the term of two years from the date of his taking
that office as hereinafter mentioned and subject
ditions and agreements hereⁱⁿafter contained.

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

1. That the party of the first part will
to the orders of the Government and of the offi-
rities under whom he may from time to time be
Government, and that he will at all times ob-
scribed for the time being in the memorandum of
furnished to Candidates or otherwise for the regu-
branch of the public service to which he may be
when required by the Government, proceed to any
the province within which he may be serving, or
province in India, and there perform the duties
fied office in the cadre of the Indian Educa-

2. That the party of the first part
whole time to the duties of the service, and
directly or indirectly, in any trade, busin-
on his own account, and that he will not (ex-
accident or sickness certified by competent
absent himself from his said duties without
tained permission from the Government or its
Officer.

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3. That from the date of the party of the first part entering upon his duties as aforesaid the Government will pay him, so long as he shall remain in the said service and ~~actually~~ ^{actually} perform his duties, a salary at the rate of Rs. 750/- per mensem for the first year rising by annual increments of Rs. 50/- per mensem. *Rs 1000*

4. That the Government may at any time during the said term of two years, or, if the service shall continue beyond such term, at any time thereafter, dispense with the service of the party of the first part without notice in the event of misconduct on his part or of a breach by 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 his 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 reasons of ill-health for the discharge of his 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 his services shall be terminated.

[6. That the party of the first part shall, within the period or periods prescribed by the rules and regulations relating to examinations in vernacular languages for the time being in force in the province within which he may be serving, and generally in accordance with, and subject to such rules and regulations, pass an examination or examinations in such vernacular language or languages as may be required by the Government, and on failure to pass such an examination or examinations shall be liable to the penalties prescribed by

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the said rules and regulations. Provided that if the party of the first part shall fail to pass an examination in such one of the prescribed vernacular languages as may be required within the said term of two years, the Government may, notwithstanding anything in the next clause of the said rules and regulations contained, dispense with his services.]

7. That unless he, the party of the first part, shall receive notice in writing from some authorized officer of the Government three calendar months before the expiration of the said term of two years that Government no longer require his services or unless he shall give notice in writing to the Government three calendar months before the expiration of the said term of two years that he is desirous to put an end to his service under these presents, he will continue in the service of Government upon the like terms and conditions as are herein contained, so far as the same are applicable, except that he shall not be entitled to receive or required to give notice of termination of his service under Government otherwise than as provided in the Civil Service Regulations for the time being in force or any other rules to which he may be made subject.

8. The party of the first part will, during his 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 he 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.

9. That if the party of the first part shall continue to serve Government under these presents after the said term of two years his service (commencing from the date of his entering on the performance of his duties as aforesaid) shall

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count as service towards leave and pension under such rules as regards leave and pension as may for the time being be applicable to his case. PROVIDED ALWAYS that in the 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.

10. That in any payments to be made in Great Britain under these presents the rate of exchange between Rupees and Sterling shall be ^{15s.} ~~Rs~~ 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.

11. 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 his 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 ^{the D. J. I. Madras} (two members of the Council
of India), have hereunto set their hands the day and year
first above written.

(Signed) H. B. Mathews,
Signed by the party of the first part in the presence of (Signed) Alfred Chatterton,
(Signed) J. J.

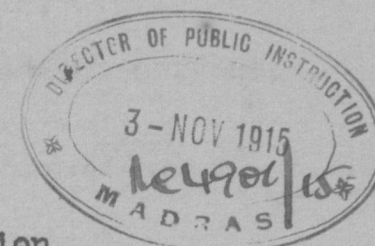
Signed by the Director of
Public Instruction, Madras
on behalf of the Secretary
of State in the presence of

T. 21
90/7
INDIAN INSTITUTE OF SCIENCE,
BANGALORE.

November 2nd 1915.

Ref. on C No.4901 of 1915

Dated 12:10:'15.



To

The Director of Public Instruction,
Department of Public Instruction,
MADRAS.

Sir,

I have the honour to acknowledge receipt of your letter as above, enclosing form of agreement which I beg herewith to submit in triplicate duly signed by me in the presence of two witnesses.

With reference to Clause 6 of the agreement, I regret that in my letter to you of July 8th 1915 in reply to yours of July 5th 1915, I did not state that I should be grateful if some modification of this Clause could be allowed in my case on account of my age, and the fact that no use of vernacular languages will be made by me in the performance of my duties, while the time required to be spent in acquiring the knowledge necessary to pass language examinations might be more profitably utilised in the

special

INDIAN INSTITUTE OF SCIENCE
BANGALORE

November 2nd 1915.

Ref. on S. No. 4901 of 1915

Dated 12.10.15.

To
The Director of Public Instruction,
Department of Public Instruction,
M. A. T. R. A. S.

Sir,

I have the honour to acknowledge receipt of your letter as above enclosing form of agreement which I had previously submitted in triplicate duly signed by me in the presence of two witnesses.

With reference to Clause 6 of the agreement, I regret that in my letter to you of July 25th 1915 in reply to yours of July 25th 1915, I did not state that I should be grateful if some modification of this clause could be allowed in my case on account of my age, and the fact that no use of vernacular languages will be made by me in the performance of my duties, while the time required to be spent in acquiring the knowledge necessary to pass Indian examinations might be more profitably utilized in the special

2.

special duties required of me at the College.

I have the honour to be,

Sir,

Your most obedient servant,

H. Matthews M.I.E.E.

ENCS. 3.

9
Educational Department.

10
L E T T E R: No. 4039-268
7.12.15

To

The Secretary to the Govt. of India,
Department of Education.

Sir,

I am directed to address you on the
subject of the exemption of Mr. H. B. Matthews,
Professor of Higher Electrical Engineering
in the College of Engineering, Madras, from
passing the compulsory language test.

2. Mr. H. B. Matthews, who had since
1913 been employed as Lecturer in Electrical
Engineering subjects at the Indian
Institute of Science, Bangalore, was
appointed, with the sanction of the
Secretary of State, to the post of Professor
in the Indian Educational Service above
referred to. Under the standing orders of
the Government of India, reiterated last

in

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26/11/13 in
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(N)
in lya no 116 Ed
11.2.13.

2.
in that Government's letter to the Government of Bombay, No.101 C.D., dated 18th January 1913, it is incumbent on Mr. Matthews to pass the language test. He has, however, applied to be exempted from passing it and has based his request on the facts that he will not have any occasion for the use of vernacular languages in his professorial duties, that he is ~~a middle aged man~~ being about 39, and that, having had no practice in learning languages, he would ~~naturally~~ ^{very} find it difficult to pick up a language now.

3. While recognizing the importance of an acquaintance on the part of European officers with the language of the country, His Excellency the Governor in Council is of opinion that, in view of the paucity of suitable candidates for such appointments and in the circumstances represented by Mr. Matthews, he may be exempted as a special case

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from passing the test and that permission may be granted to modify accordingly the agreement to be executed by him.

4. I am also to point out ~~incidentally~~
that the form of agreement to be executed
by officers appointed to the Indian
Educational Service ^{forwarded} ~~forward~~ with your letter

No.1527-38, dated 10th September 1915.

~~seems~~ appears to be ~~slightly~~ defective in that,

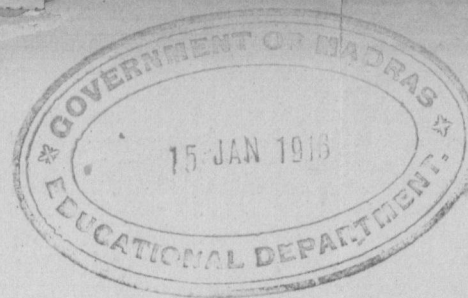
~~it does not specify in clause 3 of the~~
~~agreement the maximum salary that would~~
~~be reached by the officer in the usual~~
~~course.~~

I have etc.

clause 3 describes the
the salary of the Officer
a Rs 500 per mensem
for the first year, rising
by annual increments of
Rs 50 per mensem,
without mention of the
maximum of Rs 1000 at
which these increments
cease. I am to ask
whether the form does
not need modification
in this respect.

9
3.12.15

CGF
4.12.11



12 CN 16480

16.1.16 No. 30

Government of India,
DEPARTMENT OF EDUCATION.

(Education)

Delhi, the 10th January 1916.

13

From

The Hon'ble Sir E.D. MacLagan, K.C.I.E., C.S.I.,
Secretary to the Government of India.

To

The Secretary to the Government of Madras,
Educational Department.

Sir,

page 9/11 8/11

the matter I
has been the
practice to
take a fresh
agreement when
a temporary ap-
pointment becomes

permanent

Submitted
yes - please
on 11/1/16
15/1/16
10/1/16

⊗

⊕ p 3 of d

x p 2 of d

In reply to your letter No. 4039, 2 Ed1, dated the 7th December 1915, I am directed to state that in the circumstances explained and as a special case the Government of India are pleased to exempt Mr. H.B. Matthews, Professor of Higher Electrical Engineering in the College of Engineering, Madras, from the rule requiring members of the Indian Educational Service to pass a test in a vernacular language.

2. With reference to paragraph 4 of your letter I am to point out that the forms of agreement for both temporary and permanent appointments to the Indian Educational Service were enclosed with this Department letter no. 1527-1538 dated the 10th September 1915. In the case of the form for permanent appointments the scale of pay is omitted entirely from the relevant clause. In the case of the form for temporary appointments, to which apparently your letter refers, the initial rate of pay of Rs. 500 and the annual increment of Rs. 50 is provided for, and it is suggested that the maximum pay of Rs. 1,000 should also be mentioned. The Government of India are doubtful whether any modification of the agreement in this respect is really necessary. In practice an officer is rarely

retained in temporary employment for more than two or three years. At the end of that period his services are either terminated or they are retained permanently. In the latter



No.
 Government of India,
 DEPARTMENT OF EDUCATION.
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event he would be confirmed in his appointment long before
 he becomes entitled to draw the maximum pay of Rs. 1,000
 a month after which ordinary increments cease, and on
 confirmation he would be required to execute the usual form
 of agreement for permanent appointments in which the scale
 of pay admissible to him would be duly indicated.

X
cf. para 2 of India's
letter no 29 of 1886
6413
 (U)

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

W. M. L.

Secretary to the Government of India.

M.Y.K.

OFFICE NOTE.

SUBJECT. Agreement of Mr. Matthews, Professor of
Electrical Engineering, in the College of Engineering
Madras

From The D.P.I. no 4901 & 16. 11. 15

Register No.

4039 Sol

The ^{copy of the} agreement received from the D.P.I. has been checked with the latest form forwarded by the Govt. of India with their letter no. 1527, dated the 10th ^{September} ~~October~~ 1915 and is found correct.

Perhaps the words "the D.P.I., Madras" may be substituted for the words "two members of the Council of India" occurring in the concluding portion.

2. The Director may be allowed to sign the agreement - for a precedent please see fo no. 1110 Sol, dated the 24th September 1914.

3. As regards the question of exemption from the vernacular test, attention is solicited to para. 2 of the letter from the Govt. of India, no 10102, dated the 18th January 1913, ^{especially} ~~concerning~~ the concluding portion thereof. In the face of the opinion expressed therein, it does not seem desirable to grant exemption to Mr. Matthews in the first instance. It is for consideration whether he

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info. 1101 Sol
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fo. no. 116 Sol
11. 2. 13.

may be held accordingly. If, after bona fide efforts, he is unable to pass the test, the question of exemption may be considered then.

For the circumstances under which
 12.11.15 Mr. Hadaway was exempted, please see Sir Murray Hamnicks note, dated 3rd March 1911 on page 3 of notes with fo. no 411-ED, dated 29th June 1911. The facts that he was a middleaged man & that he was a special officer, may probably apply to the case of Mr. Matthews also. But the orders of the Govt. of India referred to above are of later date (1913) and the letter specially mention-
 (E) ed of ^{the case} professors of Engineering and technology. The fact that the professor is not to deal with in the discharge of his duties with persons who have no knowledge of English seems to be of no avail. A knowledge of the vernacular is ~~not~~ insisted on with a view to secure for the officer "a knowledge of the ways and thoughts of the people" which it is desirable that an officer who comes for a career in India should obtain.

CR
 24.11.15

Clause 3 of the agreement. Don't a maximum limit I save not necessary?

25.11.15

D.P. S. A. A.

to 175 & 29. 11. 15

The maximum limit is under the rules Rs 1000. I do not see why this should not appear in the agreement, though it is difficult to believe that it was left out of the form drawn up by the Secretary of State by wire in advance.

27.11.15

Educational Department.

Submitted for order.

The D.P.D. suggestion above may be accepted.

30.11.15
T.12.15

~~Mr. Matthews will never need to use the vernacular. The Government of India may be moved to exempt him from passing in it as a special case. Their attention may be called at the same time to the apparent flaw in the agreement. The signing of the same may stand over meanwhile.~~

Draft for approval.



Noted in Col
30.11.15

I agree with Mr Stone that no useful purpose is likely to be served by making Mr Mathews appear for examination in the remand until his inability to pass is proved. At the same time, in view of the orders of the Govt of India quoted by the Officer, I am afraid an application for exemption stands small chance of success. A draft is put up, however, in case H.E. the Governor would desire the attempt to be made. The opportunity has been taken advantage of to call the attention of the Govt of India to the apparent flaw in the agreement.

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4.12.15

H.E. the Governor.

Draft approved.

P.
5.12.



[Letter no 4039-2 Vol, dated the 7th December 1915]

C.No. 164 Ed., from the Govt. of India, no 30.8 10.1.16

The Govt. of India have sanctioned as a special case the exemption of Mr. Matthews from the vernacular test. ~~For~~ clause 6 of the agreement may therefore be omitted.

2. With reference to para. 2 of India's letter, the maximum salary may be entered in clause 3 of the agreement, as ~~the~~ the appointment of Mr. Matthews is of a permanent nature

3. The D.D. may be asked to sign the agreement subject to the above modifications. A draft order is submitted for approval.

24/1/16

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” ” ” ” ” 191

C. No. 4039 Sol, From the D.P.I, No. 4901, dated 6. 4. 1915

" " Vol. 30 " " East. of India " " 30 " " 1914

" " " " , , : , " 191

No. 825714, dated 28-6-1916

mus.

The D. I. will be informed that the Govt. of India have, as a special case, exempted Mr H. B. Matthews, Professor of Higher Electrical Engineering in the College of Engineering, Madras, from the rule requiring members of the D. E. S. to pass a test in a vernacular language. Clause b of the agreement to be entered into with him may therefore be omitted.

2. In clause 3 of the agreement the maximum salary fixed for officers in the D. E. S. viz. Rs 1,000 should be entered.

3. Subject to the above modification

the agreement may be signed by
the D.P.I. on behalf of the Secretary
of State for India in Council.

21.1.16
24.1.16

27.1.16

28/1/16

To The D.P.I. [Signature]

C. G. P. [Signature]

The D.P.I. will be informed
that the part of the agreement
concerning the College of Engineering
in the City of Bangalore, which
was signed by the D.P.I. on 2.2.16
is a very important document
and it is of the utmost importance
that it should be kept in a safe
place. It is also of the utmost
importance that it should be
kept in a safe place.

1. In clause 1 of the agreement
the maximum delay for the
completion of the work is 12 months.
2. In clause 2 of the agreement
the maximum delay for the
completion of the work is 12 months.
3. Subject to the above

*the original copy is kept in the
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O. No. , DATED
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CURRENT No.

REFERS 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.
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