

Home (1917) Department.

Education

Ordinary SERIES.

G.O. No. 722

DATED 9-6-18

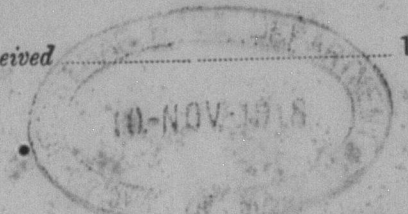
[Despatch Abstract.]

Lawrence Memorial school, Ootacamund.

Addressing the Government of India on the subject of admitting the members of the staff of the ----- to pensionary privileges.

HOME (EDUCATION) DEPARTMENT.

Received 191 . Registered 191 .



Subject.

Submitting letter from the Chairman of the Committee of Management, Lawrence Memorial School, Lovedale, regarding the necessity of granting pensions to the members of the staff of the school.

ENCLOSURES
No.
Spare copies

No. 9094/18

Station Madras, Dated the 9 November 1918

From (Name) The Hon'ble Mr. H. S. Duncan, M.A.
(Designation) As Director of Public Instruction.

To The Secretary to the Government of Madras,
Home (Education) Department.

Sir,

Submitted to Government:

R. A. Triew

for Director of Public Instruction.

V.R/-11

No. 3220

Bangalore,
31st October 1918.

From

Major General W. Cross Barratt, C.B., D.S.O.,
General Officer Commanding,

IXth (Secunderabad) Division

&

Chairman of the Committee of Management,
Lawrence Memorial School, Lovedale.

To

The Secretary to Government,
Home (Education) Department.

Through

The Director of Public Instruction,

M A D R A S.

Sir,

Owing to the sad cases which from time to time have been brought to the notice of the Committee regarding members of the staff, who have done good service to the school, being reduced to spend the end of their lives in poverty, the Committee have asked me to represent to Government the necessity and the justice of granting pensions to members of the staff of this school, under the usual Government rules.

Between the years 1860 when the school was taken over by Government and 1871 when the Military Male Orphan Asylum was amalgamated with the Lawrence Asylum, the records do not show whether members of the staff were entitled to pensions or not - the time was too short for pensions to be earned. There are however indications that members of the staff who left the service of the school during those years were treated with a liberality far exceeding anything that could possibly be earned under the Provident Fund rules that now exist.

The staff of the Military Male Orphan Asylum were granted pensions, and their service in the Ootacamund Lawrence

Asylum, after the amalgamation in 1871 was counted as part of their service for pension.

(A) In G.O.No.217 dated 28th May 1900, the Committee were informed that Government was not prepared to sanction the grant of pensions for the staff of the school- the reason for this order is not on record in this office. The order applies to the teaching and domestic staff only, as members of the military staff of the school on the Unattached List, as sanctioned in G.O.No.208 A (Not printed) Government of India, Military Department, dated 28th January 1898 count their service in the school as service for pension.

The rule regarding pensions has not been rigidly adhered to, as Mr.Burrows was granted a pension in 1909 after 47 years service in the school and Mr.Closson in 1913 after 45 years service.

In fact, the Committee has, since pensions were stopped, been faced with two alternatives

- (1) either to turn off a member of the staff- who has done excellent work for the school- to end his days in dire poverty
- or (2) to keep him at the school, even though he is really past work- and to grant special leave &c., not contemplated by C.S.R.

The second alternative, which in common justice the Committee have usually adhered to is now no longer possible- as the school staff are held to be bound by Civil Service Regulations. Also, with the ever-increasing demands made by education, such action seriously affects the efficiency of the school. Each member of the staff must now be fully competent to do his work.

(1) On the introduction of a Provident Fund in 1907, the staff unanimously petitioned against it, preferring to trust to the liberality of the Committee and of Government rather than to join a fund which could in no case give them any adequate provision for their old age. A glance at the amounts sanctioned in accordance with Provident Fund Rules to members of staff on leaving the school,

during the last 10 years, as appended in Annexure A will shew that

3. 4 6
the apprehensions of the staff were justified. It is therefore most earnestly hoped that, as the staff as a whole have admittedly done excellent work on inadequate salaries, from which it is clearly impossible for them to save sufficient to provide for sickness or old age, the Government will allow pensions, and will allow the past service of the staff to count towards such pensions. X

An enthusiastic staff is of the first and vital importance to the welfare of the school- and it can hardly have been the intention of the Hon'ble The Board of Directors, when acceding to Sir Henry Lawrence's last request, that those serving the school should do so at the cost of an old age spent in penury. In the sister institution of Sanawar, all the staff can earn pensions.

The Committee appeal with great confidence to the sympathy of His Excellency The Governor-in-Council- more especially as it is understood that H.E. The Governor, as the Rt: Hon'ble The Secretary of State for Scotland, granted pensions to all teachers in schools in Scotland. The Committee feel sure that, in view of the sympathy and generosity which His Excellency has invariably shewn to this school, His Excellency will not hesitate to grant the same concession here, especially as many of the staff are serving in what is to them a foreign country where pensions under Government are almost the invariable rule.

The matter is of some urgency, as there are at present one or two members of staff whose age and failing health, coupled with their long and devoted service to the school, will soon be unfit for further work and whose cases will need the anxious consideration of the Committee. If the usual Government rules present any difficulty, the Committee would venture to suggest that the proportion of pension charges for past service of members of the

4. 5 6
at present serving in the school
staff should be a first charge on the interest on the endowments of
the school.

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

H. C. MacRae

Major General,
Chairman of the Committee of Management,
Lawrence Memorial School.

Enclosure.
Annexure A.

Annexure A

Statement showing the amount of bonus or gratuity paid to members of staff from the funds who have served 15 years and upwards during the last ten years after the institution of Provident Fund in 1908 & the revision of Provident Fund Rules in 1916.

Per	Names	No. of years of service	Bonus from Provident Fund in 1916	Gratuity from current fund	Total	Remarks
Mr.	M. S. Madhoo	17 1/2	1800	1800	1800	S.O. No. 850 Educational. 24. December 1908
Mrs.	Perkins Upper School Master	18 1/2	300	300	300	S.O. No. 10 Educational 4 January 1909
Mrs.	Campbell H. O. Master Girls School	17 1/2	400	400	400	S.O. No. 120 Educational 17 April 1912. Service in the M. F. O. Account Counted
Mrs.	Y. Curtis Theward	18 1/2	800	800	800	S.O. No. 687 Educational 30. July 1912
Mrs.	Lambert Assistant Matron	15 1/2	122 5	6	297 10	S.O. No. 108 Educational 3. February 1916 & Bonus according to New Rules
Miss	Wilde Asst. Teacher	21 1/2	258 9	1	516 10	S.O. No. 1233 Home (H.C.) 23 Nov 1916 & Bonus according to New Rules. Service in the M. F. O. Account Counted
Miss	Shrover	20 1/2	548 8	10	1157 2	S.O. No. 362 Home (H.C.) 15 March 1917 & Bonus according to New Rules
			1010	6 4219 1	3 5229 7	

It will be seen from the above that the bonus paid by the school is insufficient to provide in the slightest degree for old age or sickness, even after long & approved service in the school.

Mangalore
31st October 1918

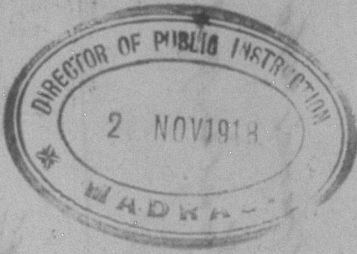
(A)

1
A 358
8

NOTES.

8012452nd
8 17 9/18

23/11



Subject.

Payment of Pensions
to employees of the
Lawrence Memorial
School, Cotacambur

2368/B, from the Committee of the Lawrence
Memorial School, Cotacambur, R.C. 9094/18, 2/8/10/1

Endr. of the J.P.G., No. R.C. 9094/18, 9. 11. 18.

Prior to 1900

pensions were being paid to employees
in the Lawrence Memorial School. In
that year the Govt. stated that they were
not prepared to sanction any more
pensions - vide G.O. No. 217 Edr., 2/28th
May 1900. It is not known what actually
induced the Govt. to order the dis-
continuance of the practice of granting
pensions. It is however on record that
they relied on the analogy of local
funds and municipal services which
do not enjoy the benefits of a pension.
Soon after the above order, the question
of a ^{fund} ~~provident~~ for the institution
seems to have been under considera-
tion and such a fund was actually
started in 1908 and is now more work-
ing in a slightly improved form
in pursuance of the orders in G.O. No.
776 Edr., 2/16th July 1915.

2 Generally speaking the
Staff of the School has to rely on the
advantages of the provident fund

13. Note at p. 106 (A)

G.O. 175 Edr. (1)
10. 3. 08

p 3. 4

Q's 88 Edl: 12.2.09
 19..
 6.1.13

Vide Memo 1117/B-15
 12.6.18

Q: p. 9 of printed notes at (b)

for a provision against old age. No doubt, as stated by the Committee, pensions have been allowed in two cases since 1900; but these form exceptions which the Govt. could not well resist.

The question was for consideration is whether the question of a pension should be re-opened now when the question of provincialization of the School is materializing. ~~It is~~ If the School is taken over by Govt. the present funds will obviously have to be re-placed by pensions. The question ^(how far) whether existing members will be benefitted ~~there~~ cannot be answered now. That will have to be settled on the merits of each individual case. For orders whether in his circumstances the Committee may be told that the present is so inopportune to receive pensions which will, ~~as~~ as a matter of course, be guaranteed when the institution is taken over by Govt. [Should there be very hard cases requiring relief they may be specially dealt as in the

(IV) instances disposed of in Q's No. 88 Edl
 (VI) d/12th Feb. 09 & No. 19 Edl.; d/6th Jan. 13

20.11.18

① The history of this case seems to be incomplete without P.O. ⁸⁴⁶ 4.11.91 referred to in the chairman's letter of 15.12.91 in P.O. ⁷⁸ 28.1.92. Can you get it?

②. p.c.f. The chairman says that at Sanawar all the staff can save pensions. Was there not a proposal to unify the rules of all the existing Lawrence institutions to take Sanawar as the model? Please refer me to this.

G.O. No. 846 Edn. 2/4th Nov 1891 has now been obtained from the Central Record office & will be found at Slip (B).

③ The undersigned, presumably refers to Major General Cross-Barnard's suggestion in para 2 of his D.O. ^{of 12th July 1918} (Pt 2-3 of the note file below: vide also the W.S.'s note at p. 17 thereof).

Since removed & put up with the file no: present location of To. M. School

23.11.18

22.11.18

(Scribbles are
ref. are flagged)
+ Simon called for
from M. R. & put up
- Vider forre 4 II of
He. 2. 21 (20) (Y)

The earliest pronouncement
of policy in this matter is
apparently to be found in
C.O. $\frac{91}{3.2.88}$ (not put up but
referred to in the O.R. to C.O. $\frac{679}{28.8.91}$)
where it was decided that
no fixed rules as to the Principal's
claim to leave or pension shd.
be made. Prior to 1891, however,
grants of pensions to other
members of the staff appear to
have been given very much
as a matter of course (even in
cases where these members had
not been on the staff of the
Military Male Orphan Asylum.)
C.O. $\frac{451}{20.6.90}$ grants a pension
of 20% p.m. to Mrs Lee. The
question first came up for
serious discussion in 1891, over
the question of a pension ^{or gratuity} to
the Principal, the Rev. Octavius
Dene, who was more or less
compulsorily retired. From the
notes to C.O. $\frac{679}{28.8.91}$ it will be
seen the opinion was fairly
sharply divided & the Comm. in Chief

Of the Madras Army, Major-General
Dormer, went the length of recording
a formal ~~note~~ of dissent in
which he urged a pension. In the
end Mr Dene got a gratuity (£5000).
He was not satisfied with this &
complained & his complaint led to
the further wrangle in Lt. 846
where, apart from the personal
merits of Mr Dene, Mr. Lord
Wenlock said "I strongly object
to the grant of a pension, especially
from the fund of charitable
institutions though I think a
pension fund which is kept up
by the subscriptions of employers &
employed is perfectly legitimate."
On the strength of this the Co. asked
the committee to submit a
scheme for a provident fund.
The immediate upshot of this
was Lt. 78 ^{25.1.92} when nominees were
to be warned that they should join
some provident society as they would
get no pension. Definite rules about
a provident fund do not, however,
seem to have materialised till
1907. (Lt. 826 ^{modified} ~~new~~ rules were
10.12.07)

p. 19 of (B)

(B)

(9)

(3)

⑧ approved in Co. $\frac{776}{16.7.15}$ & then 14
apparently still continue.

2. The Committee made another attempt in 1900, asking for a pension in a special case but this was again refused, the line taken this time being that pensions shd. be altogether prohibited & gratuities calculated on local fund basis

(A) (Co. $\frac{217}{28.1.00}$) Subsequently there are numerous cases of gratuities but only two of pensions - those in Co. $\frac{88}{12.2.09}$ & $\frac{19}{6.1.13}$. These were considered special cases, as (a) having each over 40 years service in the school, (b) having lost their savings in Arbuthnot's failure.

IV + VI

3. The Committee's present appeal is therefore nothing new & no new features appear - except that they are in a position to show, by citation of instances, that the provident fund scheme as formulated leads to unsatisfactory results. In view of the persistent refusal of Govt. to the pension principle

it wd. seem that the wholesale donation sought by the Committee cannot be granted: Should they be able to show individual cases of outstanding hardship or merit, exceptions might, on the analogy of $\text{£} 88 \text{ r } \frac{19}{6.11.13}$, be made. If it is decided to concede so much the Committee may be informed accordingly.

4. It is for consideration, however, whether the moment is opportune for re-opening the question at all. In one of the cases below the question of the provincialisation of the school is pending: should this materialise state pensions, as pointed out in the office note above, must come in. In another case below, Major General Cross-Barnatt has asked for an adoption of the Sanawar rules in all Lawrence institutions on p. 4. of the present file, he says that at Sanawar all the staff get pensions. This question

(IV) + (VI)

(m) (K)

(X) (H)
Succession



up with the Provincialisation Scheme.

5. On a view of the whole case it was deemed best to refer to the Committee that owing to the pendency of questions vitally affecting the entire organisation of the school, no general orders on the question of pensions can at present be laid down: should, however, the Committee have in view any cases of very special hardship or merit their will, on detailed report, receive consideration.

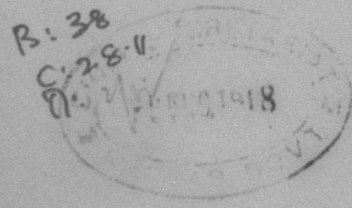
LDS
28.11.18

27. 8

H.E. the Governor.

His Excellency considers that the Fin. & Dep't. should have been consulted. I am to ask that this be now done.

29.11.18



CURRENT NO.

106 10635

2-12-18

Case (264) 2368 B-1

2/12/18 CEN

Encl. no.

LDS
2.12.18

Financial Dept.

The Lawrence Memorial School, Londale, is a private institution maintained solely for the benefit of the children of the soldiers of the British Army out of private donations and grants from Imperial funds. The Local Govt however control the institution, sanction establishments and budget and lay down rules for management. It is separately under contemplation to provincialize the school.

2 Please see Home U.S.'s note on pages 6-8 ante. It will be seen -

(a) that since 1891, the staff of this school has not been considered to be eligible for pensions as a matter of course;

(b) that in S.O. 146 Ed. 3 4-11-91 and again in S.O. 27 Ed. 3 28-5-00, the Govt. have definitely remarked that the staff should not be given pensions and that a provident fund system is more advantageous; ^{that} (c) exceptions have however been made to these orders and pensions and gratuities sanctioned in individual cases; and

(d) that a provident fund system has been introduced from 1908.

3 It is now represented that the provident fund system introduced in 1908 does not meet the requirements of the case and that the staff should be made

pages 4, 6 and 20 of 80 146 Ed. 3

8-5-16

(15)

B

A

page 6 ante

80 526 Ed. 3 10-12-17

and

80 175 Ed. 3 10-3-08

pp 3-21 CF

4 When the school is provincialized, the school staff will become eligible for pension from general revenues; But service for such pension will count only from the date of provincialization - art. 361 C.S.R. Any pension that may be sanctioned until the provincialization or that may be allowed thereafter on account of the ~~full~~ past service of the staff (paid from the funds of the school) will have to come out of the funds of the institution. The question whether the staff should now be declared eligible for pension does not thus really concern financial and has to be decided by the administrative Dept with reference to the previous orders on the subject and the ability of the funds of the school to meet the charge. It is observed that at the end of 19 the accounts of the school had a closing balance of about 79 lakhs; and the Committee seem to apply the interest on endowments towards est on pensions. It is therefore a matter for decision in Home (ED^u), whether the orders in G.O. 846 Ed.

please see
page 12 infra

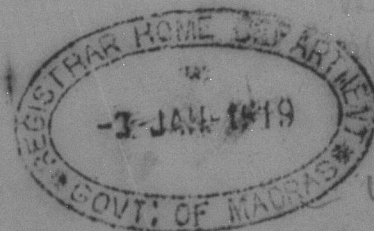
and S.O. 217 Ed. & 28.5.00 will be reconsidered in the circumstances stated in the letter in the C and the Staff declared eligible for pension.

5 If Home Dept. decide that the staff may immediately be declared eligible for pensions and that their past service should count for pensions the amount payable from Asylum funds towards the existing provident fund under rule 8 on page of S.O. 826 Ed. & 10.12.07 need not be paid here after in the case of officers affected by the present decision. When the school is provincialized, the pensions of officers who may retire thereafter will have to be apportioned between general revenues and Asylum funds according to the rule of proportions - please see in this connection art. 799 C.S.R. which permits of a similar apportionment in the case of pensions of officers ~~whose service has~~ whose service has been paid partly from general revenues and partly from certain local funds.

Recd
26.12.18.

26.12.18

Encl no. 10635-1
26.12.18



Home up

Home (Ed.)

With reference to S.O. 217 at p. 8

ante financial have examined the and have stated that the question is one for decision in the administrative department. With reference to para 4 of the

NOTES.

of their note (p. 10 ante), it is respectfully
 ruled: that the finances of the school
 are not well off. Out of the closing
 balance of .79 lakh referred to
 therein, a sum of .75 lakh has been
 set apart for the construction of a
 building for the junior boys and
 girls of the school. Recently also the
 Committee asked for Govt. grants
 to meet anticipated deficit to the
 extent of Rs 14,540 in the school budget
 for 1918-19 and also the payment of
 certain local allowances to members
 of the school staff. The Govt. declined
 to sanction the grants applied for but
 permitted the school committee to
 temporarily divert a portion of the .75 lakh
 reserved for the junior school
 building on condition that the amount
 utilized are made good from the
 balance of next year.

2 It is also under separate
 consideration to reorganize the
 school staff at an annual addition-
 al cost of about Rs 15,000 and the
 committee have in that connection
 asked for permission to divert the
 grants sanctioned by the Govt.

of: Rs. 566 Edn.
 30.4.18.
 (A) Since
 sent:
 for T.M.
 Budget.

of: Rs. 1492 Edn.
 23.11.18
 1543 Edn.
 2.12.18 (K)

File Separately
 under consideration

Training College for the
 Community. As the J. of. D. are
 however likely to object to the
 suggested diversion, the Committee
 have been asked if they would be
 able to finance the revision scheme
 from their own funds. In these circumstances
 it may not be desirable to declare the entire staff eligible
 for pension. ~~as the funds are not sufficient~~ It is
 for orders whether the Committee
 may be informed in the second of
 para 5 of W.S.S note at p. 8 ante.

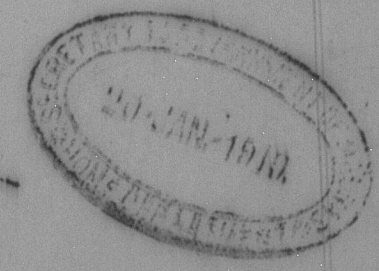
10.1.19
 11.1.19

S.
 I don't think I have
 anything further to suggest.

Let Mr Rouseau
 LWS
 16.1.19

Resubmitted
 after examination in
 financial. Wm
 18/1

H.E.
 The case may be submitted to the Govt
 of India.



20.1.19
 Before addressing the
 Govt: of India it seems advisable

B:14
 C:18-1.
 81 26/1

NOTES.

22
to obtain the advice of the
Accountant General as the
communication had not come to
him in the first instance. A dep
w/o note is subd: below.

27.1.19.

28.1.19.

Sl
reg

Mr 30/1/19

dispatched

* 11-2368 B/18-2
31-1-19

no note:-

It is under contemplation to admit the staff of the Lawrence Memorial School, Gatacamund, to pensionary privileges. The school is an aided institution maintained partly by Imperial grants and partly from the interest on the endowments attached to the school. It is separately under contemplation to provincialize the school and, when ^{the} it is accomplished the staff will, as a matter of course, enjoy pensionary rights. Even then, the sanction of the G. of I. will ~~probably~~ have to be obtained & ^{towards pension} ~~reckoning~~ the past service of members ~~there~~. The Provincialization will however take time and ^{the Comm} ~~it is~~ urgent that it is essential to provide for the pension of members who might retire in the meantime. The Govt. accordingly propose to declare at once the existing staff eligible for that G. ^{may be} requested to advise Govt.

on the assumption that the pensionary charges should be met by Imperial.

- (i) as to the course to be adopted to achieve the object contemplated
- + (ii) as to the disposal of the ^{fund} of the existing Provincial ~~concern~~ with the institution.

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side.]

The letter of the L. M. School Committee
c.f. No. 3220, d/ 31st Oct. 1918 is also attached
in original for reference & return.

[Handwritten signature]
27.1.19
28.1.19

[Handwritten signature]
29.1.19
30.7.19

Home (253) no.
No. 2368 B/18-2
31.1.19

C.F. no.

17
19th February 1919.

U. O. 25

The Lawrence Memorial School is a private institution, the expenditure of which is met from grant-in-aid, donations from Government, fees, and interest on the Government securities held as "funded capital with the Accountant-General", vide statement of receipts and expenditure and the statement of assets and liabilities recorded with G.O. No. 1240 Home (Education) dated the 17th September 1918. The staff of the school are neither employed under Government nor are they paid by --- Government, and under articles 361 and 362 of the Civil Service Regulations such service does not qualify for pension from General Revenues, and under rule III(8) on page 4 of the Book of Financial Powers, it is necessary to obtain the sanction of the Secretary of State for the grant of a pension from General Revenues to any member of the staff in question.. The previous pensions sanctioned to Mr. Closson and Mr. Burrows were apparently sanctioned for payment from the funds of the school and not from General revenues.

A

2. The statements of ~~the~~ receipts and expenditure, and assets and liabilities, recorded with the G.O. of 17 September 1918 referred to above, do not make any specific mention of any existing Provident Funds, except in so far as payments appear under the head IX-Extraordinary for "Bonus" and "special Bonus to staff." It would seem therefore that the Provident Fund accounts are kept outside the General accounts of the school and separately banked. The question of whether these funds could be made over to Government in return for their accepting liability for pension on the part of the existing staff would seem to be a matter on which it would be desirable to consult the legal advisors of Government.

B

3. Moreover, I notice that a large proportion of

18

26

A.G. U. O. No 4364 20.2.19

of the "funded capital with the Accountant-General" has been vested in the Treasurer of Charitable Endowments, and it is not clear what legal action would be necessary to enable the Treasurer to pay this money to Government Securities of the face value of Rs5,10,100 were transferred to the name of the Accountant-General, but no trust deed appears to have ever been executed as regards this portion of the funded capital, though the Advocate General advised that a formal trust deed should be executed. The remaining funded capital consisting of securities of the face value of Rs5,08,700 on behalf of the Lawrence Memorial School and Rs2,82,318-14-0 on behalf of the Military Female Orphan Asylum have been duly vested in the Treasurer of Charitable Endowments. This may create some legal difficulty in the matter of provincialising the school.

4. If desired, I will make further enquiries as to how and where the provident fund accounts are kept, and in whose name they are deposited and with which Bank as they are not shown as liabilities in the statements referred to above.

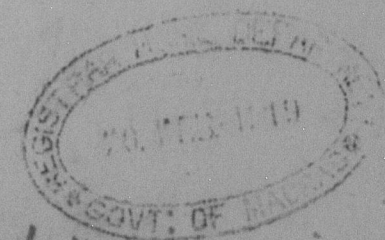
K. M. Ach
A.G. 20/2/19

To
The Secretary to the Government of Madras,
Home (Education) Department.

For 17 ante
A Portion of A.G.'s note. U.O.
Home (Ed. M.)

A separate communication

Letter since issued is about to be addressed to the Secy
No 1859B-18-7 dated 19.3.19



Vide for note at p. 5 of the minutes at (Q)

Y. S. S. 1456 Pule (M)
26.11.13d
212 S. S. (N)
S. H. O. K.

C
D

of India asking for an Imperial assign-
ment of Rs 18,000 p. a. to cover the cost of
organising the school staff till the ^(proposed) ~~proposed~~
provisionalisation of the school is ^{given} ~~proposed~~
effected and it has been ^{to} ~~suggested~~ suggested to cite
therein the absence of pension to the school
staff as an argument to ^{the} ~~state~~ ^(the staff) ~~state~~ do that
if the pension scheme is ^{now} ~~proposed~~ on the
attention of the G. of I. it might prejudice
the chance of getting an Imperial gov-
ernment of establishment proposals. Even if
this is deemed to be of small conse-
quence, the A. S. observes that the
sanction of the Secy. of State is necessary
to the pension scheme and such sanction
has obviously to be sought through the
Govt. of India and they ^{are sure to} ~~accept~~
ask for information as to the financial
liability involved in the proposals.
The A. S. is silent on this point.

2 Another question is as to what to
do with the amounts to the credit of
the provisional fund which is composed
of the accumulated contributions of
the school & of the staff. If the
members are admitted to pensionary
privileges it is obvious that they
should be given no share in the fund.

86
In the letter which was
sent to the G. of I. the
suggestion has not been
embodied
yet

It is look as if we
were trying to get
it both ways.

Para 1 on page 17 ante

Portion D on
page 18 ante

of the President's fund amount
which represents the school contribution
They will ^{either} have to be given back only
the aggregate amounts contributed by
them ^{or these amounts should be made over to Govt with their}
^{consent in view of the Govt's accepting liability for}
^{the former case}
be separated and the Committee alone
will be in a position to give information
on this point. For orders whatever
reference may issue to the Committee

3. Portion B of A. S.'s note. (p. 17 and)

On receipt of information as
to the exact ^{position} of the President's
fund, the Advocate General may be
consulted as to whether that portion
of the accumulated amount to the
credit of the President's fund which
represents the school contribution
may be ~~credit~~ taken over by Govt
in return for their accepting personal
liabilities. The consent of the Com-
mittee will also have to be obtained
to such making over of the funds.

4. Portion C of A. S.'s note. (p. 18 a)

The point whether any
legal difficulties would arise in
way of transferring the school
endowments to Govt in the event
the school being taken over by

NOTES.

29

Page 21

Govt. has been notified in the file of Provincialization of the School. The office suggestion was that no legal opinion need be obtained inasmuch as no legal difficulties were reported to have existed in connection with the transfer of the funds of the Corresponding School at Madras which, prior to its provincialization, occupied a position similar to the Lawrence Memorial School at Coimbatore. Since the A. S. calls attention to the same point, orders are solicited as to whether the position should be cleared up by a reference to the Advocate General.

5 With reference to para 4 of the A.S. note attention is solicited to the Annexure on page 6 of G.O.

No 776 E.O. of the 26th July 1915 from which it will appear that the fund is held in the Bank of Madras, Savings Bank section in the names of the Vice-Chairman and the Principal of the L.M. school.

6 It is however a question whether the Govt of India would be willing to address the Secy of State for the grant of pension from General Revenues to the L.M. school before the institution

p 18 ante

8

8

itself has been provincialised.

TL
10/3/19

As personally instructed by the Secretary, a draft letter to the Govt. of India is submitted. If approved it may go to Financial w/o.

8-4-19

TL
9/4/19

S. J.
5.4.19

Mr
10/4/19

Mr

Financial (Pension) Dept.

For the Registrar:

In their draft letter to the Govt. of India, the Home Dept. proposes that the extra expenditure consequent on declaring the staff eligible for pensions should be met by Govt. grants and ~~that the~~ ^{on that account} additional cost should be met from Imperial funds.

2. Submitted that this Dept. may agree to the proposal to grant pensions to the staff of the School. But the question of meeting the additional cost is ~~an~~



Home Secy. No. 23683/18-3

(1236) (c) 1970
C. F. B.

CR 10-4-19

CN 1500
A
10-4-19

Per CN 295
12-4-19

Box 18
4-6-19

(+ Bonnet & Co.)

is, it is submitted, one for Financial to consider. The file may be sent to that Dept. u.o. 3)

C.R.
12.4.19

26m
15.4.19

W. J. L. R.

12.4.19

File no. 209713
28.4.19

File no

Financial Dept

Subd. that the draft letter to the Govt of India may be accepted.

OSK.

20.5.19

C.S. 20/5/19

Yes. Presume it is quite settled that Mr. Schind is to be promissed that it is only the details of the process that have to be settled. Otherwise it seems hardly one business yet. The pension charge are being taken into account on the main file regarding the promissed.

J.M.
31/5

Home Ed. no.

Home (Ed.)

For orders as to circulation

2.6.19

H.M.

S. J. L. R.

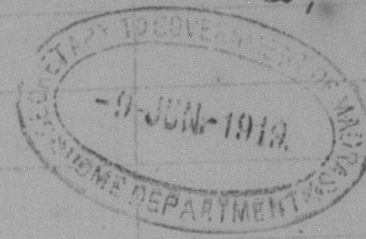
Please see para 5 of draft May 1/19

File no. 209713-1
2.6.19



7p 5. 1919

The draft is a poor one & I
am not at all hopeful of
success; but the letter may go forward.



LD
864

32

add a good
rough to file
uu

Letter No. 722 Ed. M. 1/9.6.19

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

Sir,

I am directed to address the Govt. of India on the subject of the admission to pensionary privileges of the members of the staff of the Lawrence Memorial School, Ootacamund.

2. Between the years 1860 when the Lawrence Memorial school was taken under the control of the Government and 1871 when the military male Orphan Asylum was amalgamated with the school then known as the Lawrence Asylum, the records do not clearly show whether members of the staff were ^{available} ^{and} ^{considered to be} entitled to pensions or not; - the time was too short for pensions to be earned. The staff of the military male Orphan Asylum were granted pensions and their services in the Ootacamund Lawrence Asylum after the amalgamation in 1871 were reckoned as part of their service for pension. Prior to 1891, however, grants of pensions to the members of the staff other than the Principal, appear to have been given very much as a matter of course.

3. In 1900, this Government ^{declined to} ~~that they could not~~ sanction the grant of pensions in future on the ground that it was wrong ⁱⁿ principle to utilise the funds of charitable institutions for the purpose, ^{and stated that the proper course was to}

Handwritten notes:
Please take up
also - one for till
of staff
16.5.12

② 16.5.12

b. 3, c. f.

② 16.5.12
16.5.12

b. 17 of 2. 846 Ed. M. 1/9.6.19
4. 11. 91
+ 2. 17 Ed. M. 1/9.6.19
28.5.1900

Sabbath & mountains

by means of

but that a pension fund

from the

by the subscriptions of employers and

employed. The Committee of the school was

also asked to issue a definite warning to intending

candidates for appointment in the school

that they should join some provident fund

could

society as the school ~~and~~ not undertake to

pay them pensions on retirement. Later on, in

1907, a provident fund was started in connexion

with the school. The rules relating to the

establishment of the ~~provident~~ fund were

modified in 1915 and the general features

of the ~~provident~~ fund which still continue

can be gathered from the annexed rules.

4. The Committee of the school has

recently ~~observed~~ ^{represented} that the benefits

derived from the provident fund system

are ~~insufficient~~ ^{are altogether} to provide for sickness

or old age and urged on the Government

the imperative need for granting pensions

to the staff, the past service of existing

incumbents counting towards pension. ~~It was brought out in the representation~~

that the Governor in Council observes that since the

stoppage of pensions from 1900 the Committee

of the school has been faced with one of two

following alternatives:-

(1) either to turn off a member of the

staff who has done excellent work for the

school to end his days in dire poverty, or

(2) to keep him at the school, even

though he is really past work, and to grant him

special leave etc., not contemplated by the

C.S.R.

It will be readily conceded, that both

Geo. 78 Ed. 1

25.1.92

(9)

Geo. 826

10.12.07

(3)

Geo. 776 Ed. 1

16.7.15

(8)

f-3, e. f.

* Copy of the Chairman's letter
No-3220 of 31. X. 18
Enclosed.

f-3, e. f.

both the above courses ~~are to~~ ^{are to} be deprecated H.B.

the Governor in Council is much impressed with the

reasonableness of the Committee's representations

as to the desirability of declaring the staff of

the school eligible for pension.

5. The question of the provincialization of

the school is still under separate consideration

and when the school is provincialized the staff

will become eligible for pension from general

revenues. But service for such pension will

count only from the date of provincialization.

any pension that may be sanctioned ~~after~~ ^{actually comes into effect and before} provin-

cialization ~~of the staff~~ ^{sach proportion of pensions granted thereafter}

as ~~relates to service prior to provincialization~~ ^{as relates to service prior to provincialization}

in the ordinary course have to be met from the

funds of the institution; ~~that~~ ^{that} the finances of

the school are far from satisfactory has already

been emphasized in the Hon'ble Diwan Bahadur P.

Rajagopala Achariyar's letter No. 497 Educational,

dated 3th May 1916. His Excellency the Governor

in Council ~~is therefore~~ ^{is therefore} the extra

expenditure consequent on declaring the staff to be

eligible for pensions ~~is met~~ ^{is means of} Government

grants. In view of the fact that the Provincial

Government have not in the past rendered

regular pecuniary help to the ~~institution~~ ^{school and that it}

has been recognized as ~~an Imperial concern~~ ^{an Imperial concern}, the

Governor in Council considers that this additional

cost ~~should be met from Imperial funds~~ ^{is expeditiously chargeable to}

should be met from Imperial funds. I am accord-

ingly directed to request that, pending the

Provincialization of the school, the necessary

sanction may be obtained for declaring the staff

proceeding special
claims on the
Imperial Govt.

and ~~meanwhile~~ ^{meanwhile} from
the funds of the institution
will be chargeable with

See no alternative
but to meet

staff of the school eligible for pension
on conditions similar to those applicable to Educational officers
immediately, the past service of the
existing incumbents being reckoned as

qualifying for pension and that the
Government of India may be pleased to

accord their general sanction for pay-

ment of grants equivalent to the extra

expenditure involved in the payment

of pensions. If the Govt of India
sanction this proposal, the dis.

posals of the accumulated
provident funds will be
considered.
9/4/19

Shri
M. S. 104/19

Annexure [H. & S. rules from]

p. 6 of G.O. 776 Sd. 16-7-15

Necessary come under
Examination in any income thus
arising will be set off against
personal outlay.

LD
Sd

A corollary of the
recommendation is

Parties B and D are
pages 17 + 18. Note File

Home (Education) Department

No. 722

From

The Hon'blexxx Diwan Bahadur R. Ramachandra Rao Avargal,

To

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

Cotacamund, 9th June 1919.

Sir,

I am directed to address the Government of India on the
subject of the admission to pensionary privileges of the
members of the staff of the Lawrence Memorial School,
Cotacamund.

2. Between the years 1860 when the Lawrence Memorial
School was taken under the control of the Government and 1871
when the Military Male Orphan Asylum was amalgamated with the
school then known as the Lawrence Asylum the records available
do not clearly show whether the members of the staff were
considered to be entitled to pensions or not; and the time
was too short for pensions to be earned. The staff of the
Military Male Orphan Asylum were granted pensions and their
services in the Cotacamund Lawrence Asylum after the amalga-
tion in 1871 ^{were} reckoned as part of their service for pension.
Prior to 1891, however, grants of pensions to the members of
the staff other than the Principal, appear to have been given
very much as a matter of course.

3. In 1900, this Government declined to sanction the
grant of pensions in future on the ground that it was wrong

in principle to utilise the funds of charitable institutions for the purpose, and stated that the proper course was to establish and maintain a pension fund by means of subscriptions from the employers and employed. The Committee of the school was also asked to issue a definite warning to intending candidates for appointment in the school that they should join some provident fund society as the school could not undertake to pay them pensions on retirement. Later on, in 1907, a special provident fund was started in connexion with the school. The rules relating to the establishment of this fund were modified in 1915 and the general features which still continue can be gathered from the annexed copy of the rules.

4. The Committee of the school has recently represented* that the benefits derived from the provident fund system are altogether insufficient to provide for sickness or old age and urged on the Government the imperative need for granting pensions to the staff, the past service of existing incumbents counting towards pension. It was brought out in this representation that since the stoppage of pensions from 1900 the Committee of the school has been faced with one of two following alternatives:-

- (1) either to turn off a member of the staff who has done excellent work for the school to end his days in dire poverty, or
- (2) to keep him at the school, even though he is really past work, and to grant him special leave etc., not contemplated by the Civil Service Regulations.

It will be readily conceded that both the above courses are to be deprecated and His Excellency the Governor in Council is much impressed with the reasonableness of the Committee's representations as to the desirability of declaring the staff of the school eligible for pension.

5. The question of the provincialization of the school is still under separate consideration and when the school is provincialized the staff will become eligible for pension from general

*Vide copy of the Chairman's letter No. 322 dated 31-10-11 enclosed.

revenues. But service for any such pension will count only from the date of provincialization and the funds of the institution will be chargeable with any pension that may be sanctioned before provincialization actually comes into effect and also with such proportion of pensions granted thereafter as related to service prior to provincialization. That the finances of the school are far from satisfactory has already been emphasized, however, in the Hon'ble Diwan Bahadur P. Rajagopala Achariyar's letter No. 497 Educational, dated 8th May 1916. His Excellency the Governor in Council therefore sees no alternative but to meet the extra expenditure consequent on declaring the staff to be eligible for pensions by means of Government grants. In view of the fact that the Provincial Government have not in the past rendered regular pecuniary help to the school and that it has been recognized as possessing special claims on the Imperial Government, the Governor in Council considers that this additional cost is equitably chargeable to Imperial funds. I am accordingly directed to request that, pending the provincialization of the school, the necessary sanction may be obtained for declaring the staff of the school to be eligible for pension immediately on conditions similar to those applicable to Educational officers ^{in the service of Government} the past service of the existing incumbents being reckoned as qualifying. A corollary to this recommendation is general sanction for the payment of grants equivalent to the extra expenditure involved in the payment of pensions. If the Government of India sanction this proposal, the disposal of the accumulated provident funds will necessarily come under examination and any income thus accruing will be set off against pensionary outlay.

I have the honour to be,

Sir,

Your most obedient servant,

R. Ramachandra Rao.

Secretary.

When given for copying

When copied

When examined

When signed

191

READ AGAIN G.O. No.
191

DATED

Document No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH LITTO.

PAPERS NOT FILED UP, BRING MEANT FOR DISPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.