

Original

Law (1925) Department.
Education

Order SERIES.

G.O. No.

456-457

DATED

1/4/25

[Despatch Abstract.]

1st Commission Report -- Specialist officers and officers holding miscellaneous appointments -- Government of India addressed.

BACK PAPERS.

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

FURTHER PAPERS.

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

22/1/25 PROOF
FROM THE
GOVERNMENT PRESS,
MINT BUILDINGS,
GEORGETOWN,
MADRAS.

Government of Madras.

PUBLIC DEPARTMENT

Miscellaneous Letter No. 43, 10th January 1925

Lee Commission Report—Specialist officers and officers holding Miscellaneous appointments
—Government of India's reference replied to.

READ—the following paper:—

Letter from the Hon'ble Mr. J. CRERAR, C.S.I., C.I.E., Secretary to the Government of India, Home Department (Establishments), to all Local Governments, dated Simla, the 7th/13th August 1924, No. F. 201-24-Ests.

I am directed to address you regarding the proposals made by the Royal Commission on the Superior Civil Services in India for the treatment of specialist officers and officers holding various miscellaneous appointments. I am at the same time to deal with the claims made by Europeans in the Provincial Services to receive special consideration. These claims have not been touched upon in the report, but His Majesty's Secretary of State for India wishes that the subject should be examined carefully. The claims relate to the same points which arise in the case of specialist officers. The treatment of all European officers outside the All-India Services and serving under local Governments may therefore conveniently be considered together.

2. There are three main headings under which the treatment of officers of these classes must be considered—

- (a) security of tenure;
- (b) financial relief;
- (c) the right to retire on proportionate pension.

3. With regard to security of tenure, officers may be divided into three classes—

(a) Those appointed by the Secretary of State and holding permanent appointments. This class includes a large number of the specialists of the Public Works Department. These officers, as pointed out in paragraph 88 of the report, cannot be removed from service without the sanction of the Secretary of State, and their status in this respect is exactly the same as that of members of an All-India Service. Their salaries and pension, moreover, are protected from the vote of the Legislative Councils. The general position of these officers therefore appears to require no further attention.

(b) Those who have been appointed by the Secretary of State on contracts for definite periods. The case of these officers is referred to in paragraph 88 of the report. The Commission hold that the services of such officers can clearly be dispensed with at the end of their contracts. Legally there can be no question that this is correct. It is understood, however, that certain officers serving under contracts for a definite term claim that they came to India with the clear expectation that if their work was satisfactory their employment would be permanent. The fact, however, remains that these officers signed definite terminable contracts and that it must always have been a matter for the discretion of the local Government whether they should subsequently be brought on to the permanent establishment. It seems hardly possible now to hold that such men must be given a position of permanence for which they did not stipulate when they joined their posts, though no doubt the local Government will treat any such cases sympathetically. For the period of their contracts these officers are presumably protected. The Commission draw special attention, however, to the usual provision that such contracts can be terminated by either side at six months' notice before the expiry of the stated term, and they have made the recommendation that if a contract is terminated under this

provision for reasons other than the unsatisfactory performance of duty the officer should be entitled to special compensation. I am to ask whether the local Government accept this view. Apart from this special point, it does not appear that officers serving under contracts require any protection other than that which is afforded by the contracts.

(c) There remain all those European officers who have been appointed by local Governments, whether in regular Provincial Services or in special miscellaneous posts. These officers (except so far as they are protected by contracts) clearly cannot enjoy any safeguards other than those which are extended to officers of Provincial Services generally. The protection of the rights of officers in the Provincial Services, whether European or Indian, is an object which must undoubtedly be secured. The Government of India have already dealt with this matter in paragraphs 7 and 8 of my letter No. F. 178/9-24-Ests., dated the 20th June 1924, and paragraphs 6 and 7 of my letter No. F. 178/14-24-Ests., dated the 1st July 1924. It does not appear possible to provide any special safeguards for Europeans in the Provincial Services.

4. The second main heading is that of financial relief, including all proposals connected with pay and passages. Here again it is necessary to divide the officers concerned into three classes —

(a) First there are those appointed by the Secretary of State and holding permanent appointments. In many cases the pay of these officers is definitely related to that of some of the regular services, such as for instance the specialists of the Public Works Department or of the Forest Department. In other cases the officers are holding various miscellaneous appointments with special rates of pay. In the case of the former class the Commission propose in paragraph 61 (a) that they should receive the same concessions as are recommended for officers of the services to which their pay is related. The cases of officers holding miscellaneous posts must be dealt with on their merits. As all these officers have been appointed by the Secretary of State, it appears reasonable that the Secretary of State, if satisfied that some improvement in their financial terms is justified, should pass the necessary orders. I am to ask that definite recommendations as to the treatment of all officers holding permanent appointments under the local Government and appointed by the Secretary of State may be forwarded as early as possible.

(b) In the second place there are officers appointed by the Secretary of State but serving under contract. The case of these officers is dealt with in paragraph 61 (b) of the report. The Commission suggest that if the terms of the contract contain a clear implication that, subject to approved service, permanent employment is contemplated on the completion of the temporary contract, there is a case for the revision of the contract so as to give an improvement comparable with that given to officers of similar status in permanent employ. On the other hand if the terms of the contract clearly contemplate the officer's employment in work of limited duration, the Commission see no reason for its revision. I am to ask whether the local Government accept these principles, and if so, that proposals may be forwarded for the revision of the terms of contract of any officer whose contract contains a clear implication that permanent employment was contemplated.

(c) Finally there is the class of European officers who have been appointed by local Governments. Those who have been appointed on contracts for a definite term will no doubt be dealt with in accordance with the principles adopted for officers appointed under similar conditions by the Secretary of State. Those who have not been appointed on such contracts may be divided into officers belonging to special services or holding special appointments and those who belong to the regular Provincial Services working under the All-India Services. It does not seem that in the case of any of these officers the Secretary of State can pass any effective orders. The determination of their financial conditions is under rule 19 of the Fundamental Rules left to the discretion of local Governments (except that local Governments are not empowered to increase the maximum pay of a post above Rs. 1,200 a month). Moreover as these officers have not been appointed by the Secretary of State in Council, their pay is subject to the vote of the Legislative Councils. It is clear therefore that any measures to improve the financial position of such officers must

be taken on the initiative of the local Government. At the same time the Government of India are disposed to think that in the case of special services or special posts there may be strong grounds for sympathetic treatment of such officers. I am to ask whether the local Government is prepared to take any action with regard to any such officers serving under it, and that, if so, the nature of such action may be reported, in order that the Secretary of State may be informed. With regard to the regular provincial services working in the same sphere as the All-India Services, the position appears to be different. In many of these services appointment is confined to those with an Indian domicile, and it would seem generally that men of whatever race in these services who possess an Indian domicile cannot claim special relief in accordance with the broad principles which underlie the proposals of the Commission. In the case of the Public Works Department it is true that there is a considerable number of officers of non-Asiatic domicile in the provincial services, but it would hardly seem practicable to differentiate between the pay of officers in these provincial services in accordance with their domicile. This would introduce a novel principle. In the Superior Services where the employment of a certain number of Europeans is essential for the welfare of the country, terms must be offered which will attract Europeans of the class required. But it is difficult to argue that the employment of Europeans in the provincial services is justified on similar grounds and must be secured by similar methods.

5. The third main question relates to the claims which have been put forward for the grant of proportionate pensions. The point was incidentally referred to in the first despatch on Indian Constitutional Reforms, in which the Government of India in discussing the position of the provincial services suggested the view that officers at present in these services finding their position intolerable should be able to ask for a proportionate pension. The general question of proportionate pension was not taken up till more than 2 years later and when it was examined it was decided that proportionate pensions should be for the present confined to members of the All-India Services. It was felt that any proposal to extend a similar privilege to officers in the provincial services was primarily a matter for the initiation of Provincial Governments, and consequently the question, so far as provincial services are concerned, has not since been considered.

6. There is one general preliminary question, which affects the Public Works Department specialists and presumably a number of other officers holding miscellaneous posts. These officers have provident funds in lieu of pensions. One advantage of the provident fund system is that it enables an officer to retire at any time taking with him a reasonable lump sum. It may be argued that there is no case for granting officers who are on a provident fund basis anything more than the sum which is to their credit in the provident fund.

7. Apart from this preliminary point, I am to enquire whether in the opinion of the Government of Madras, etc., there are any classes of officers serving under them other than those belonging to the All-India Services who seem to be entitled in equity to the privilege of retirement on proportionate pension. If it is recommended that this concession should be extended to any class of officers, full reasons justifying the recommendation should be forwarded. In this connexion I am to point out that the Commission have declined to recommend the extension of the privilege of retirement on proportionate pension to officers serving in the Central Services. It must also be remembered that proportionate pensions for officers appointed by local Governments are subject to the vote of the Legislative Councils.

8. In conclusion, I am to ask that the views of the Government of Madras, etc., may be stated on the following points:—

(1) Whether the general position as regards security of tenure of officers outside the All-India Services who have been appointed by the Secretary of State in Council and are holding permanent appointments is satisfactory.

(2) Whether any officers appointed by the Secretary of State in Council on contract for a definite period have any claim to permanent employment and, if so, what action is proposed.

- (3) Whether officers whose services are dispensed with under the 6 months' notice provision in their contracts, for reasons other than the unsatisfactory performance of their duties, have a claim to special compensation.
- (4) Whether Europeans appointed by local Governments can receive any protection beyond what is afforded by their contracts and by the ordinary safeguards that will be provided for the Provincial Services.
- (5) What recommendation the local Government has to make for financial relief of officers outside the All-India Services appointed by the Secretary of State and holding permanent appointments.
- (6) Whether the local Government has any proposals to make for the improvement of terms of any officers appointed by the Secretary of State and serving under contract.
- (7) Whether the local Government proposes to take any action for the financial relief of Europeans appointed by itself and, if so, what.
- (8) Whether the local Government has any recommendation to make regarding the extension of the privilege of retirement on proportionate pension to any classes of officers outside the All-India Services.
9. It is recognised that this letter raises questions of considerable difficulty, but the Secretary of State is anxious that the subject should be examined as early as possible. I am to express the hope therefore that the Government of Madras, etc., may find themselves able to send an early reply.

Letter No. 1081, Public Instruction, 1925

(3) Whether officers whose services are dispensed with under the 6 months' notice provision in their contracts for reasons other than the unsatisfactory performance of their duties have a claim to special compensation.
(4) Whether persons appointed by local Governments can receive any protection beyond what is afforded by their contracts and by the ordinary rules that will be provided for the Provincial Services.
(5) What recommendations the local Government may make for the removal of officers outside the All-India Service appointed by the Secretary of State and holding permanent appointments.
(6) Whether the local Government has any proposals to make for the improvement of terms of any officers appointed by the Secretary of State and serving under contract.
(7) Whether the local Government proposes to take any action for the removal of persons appointed by itself and if so, what.
(8) Whether the local Government has any recommendation to make regarding the extension of the privilege of retirement on proportionate pension to any classes of officers outside the All-India Service.
9. It is recognized that this letter raises questions of considerable importance but the Secretary of State is aware that the subject should be examined as early as possible. I am to express the hope that the Government of Madras will have had themselves fully conversant with the subject by the time the letter is received.

	Initials.	Date.
Received in Fair-copying Section.		
Copied	all up	
Examined	..	
Signed	..	
Despatched	..	

Law (Education) Department

Mem o. 581 A-1 072-3-25

The attention of the Accountant General is invited to G.O. No. 1081 Law (Education) dated 25-7-21 and he is requested to report whether the concessions sanctioned by the Secretary of State to officers of the I.E.S. (Superior Civil Services (Revision of Pay and Pension) Rules, 1924) are applicable to Mr. A. Davies, Principal, Law College.

To

The Accountant-General.

8th Aug 3/3.

SAC
27/2/25
my
27/2/25

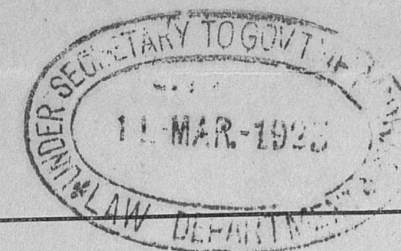
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CURRENT No. 9334 7

Received _____ 192 . Registered 11.3. 192 5

Subject.



ENCLOSURES.

No.

Spare copies

No. G.A.67-3278.

FORT ST. GEORGE,

Dated the 9th March 192 5

FROM

THE ACCOUNTANT-GENERAL, MADRAS,

To

The Secretary to the Government of Madras,
LAW (EDUCATION) DEPARTMENT.

SIR,

(page 5 ante)

With reference to Government memorandum No. 581 A.-1 dated 2nd March 1925, I have the honour to state that the remittance and free passage concessions recently sanctioned to the Indian Educational Service officers on non-Asiatic domicile will be applicable to Mr. A. Davis, Principal, Law College as his initial emoluments were fixed with effect from 12-19 as if he were in the 15th Year of service in the Indian Educational Service Time Scale. vide para 1 (a) of the Government of India despatch no. 3 of 1921 dated 21st January 1921.

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

VSR.

Deputy Accountant-General.
Assistant
MRS

2
Pr of SO. 108/43.
25.7.21

The reference from the Government of India relates to the treatment ^{to be accorded} to specialist officers, officers holding various miscellaneous appointments and Europeans in the Provincial services in respect of the following matters.---

- (a) security ^{of} tenure;
- (b) financial relief; and
- (c) right to retire on proportionate pension.

2. Security of tenure:—Officers appointed by the Secretary of State and holding permanent appointments.

(i) Mr. Porrett, Adviser to Government on Vocational Education and ~~and~~ Manual Training, first came out to India under an agreement with the Secretary of State to serve for a period of five years. He was subsequently confirmed by the Local Government in 1919. His pay is treated as non-voted. Clause 6 of ~~the~~ ^{his} agreement printed in G.O.No: 642 Education, dated 29-5-14 provides that the Government may dispense with his services ^{only} in case of misconduct on his part or of any breach of the conditions specified therein. In view of this provision, no special arrangement is necessary in his case.

(b). Officers appointed by the Secretary of State on contracts for definite periods.

Miss Fearn, Woman specialist in Physical instruction, came out to India in 1922 under a contract with the Secretary of State to serve for a period of 3 years. The post to which she has been appointed is

(para 3(a)
p/cf)

(W)

G.O. 642 29-5-14

(k)

10.15588 15.12.19

Letter 223
29-2-16

(D)

(G)

Mr. J. Webster, Instructor in Mechanical Engineering, College of Engineering, came out to India in 1901 under a contract to serve for a period of five years without any claim for pension or gratuity on retirement. He was brought on the permanent establishment and admitted to pensionary privileges in 1911.

(para 3(b)
p/cf)

His status is just like that of any other Govt. servant and no special protection is necessary in his case.

(F)

temporary and has been created only for a period of 3-
years. No prospects of ^{confirmation} have been held out to
her (vide her agreement printed in G.O.No: 122 dated
27-1-22) ^{can be} terminated ^{before} the end of
the period of three years it does not appear necessary to
~~consider in her case the question of~~ special compensation.

(c) Other European officers who have been appointed
by the Local Government. The names of the officers falling
under this class are

- (i) Mr. A. Davies, Principal, Law College,
- (ii) ,, S.A. Steele, D.E.O., Salem
- (iii) ,, W.C. Old, Instructor in Survey and
Drawing, College of Engineering,
- (iv) ,, L.T.G. deHaas, Superintendent and
Headmaster of the Industrial
and Junior Certified School,
Ranipet.

- (i) Miss C. Gordon Kindergarten Lecturer, Tea-
chers' College, Saidapet.
- (ii) ,, Winifred Park Lecturer on Domestic Economy
- (iii) ,, Mary Wilson Barrie Kindergarten Lecturer, Lady
Willingdon Training College
- (iv) ,, Ida Gunther Asst. Professor, Queen Mary's
College.
- (v) ,, E. Schofield Superintendent, Govt. Secy.
& Training School, for
women, Cannanore.
- (vi) ,, M.T. Tomlinson Asst. Professor, Queen Mary's
College.
- (vii) ,, L. Phillipsz Senior Lecturer, L.T. Class,
Lady Willingdon Training
College.
- (viii) ,, Philip Smith Asst. Inspectress of Schools
Vizag, Range.
- (ix) ,, E.M. Bower Headmistress, Queen Mary's
High School, Vizag.

- (x) Mrs. C.A.B. Bartels. Asst. Inspectress of Schools
Coimbatore Girls' Range.
- (xi) ,, K.G. Martin Asst. Inspectress
Madras Girls'
Range.

only on the grounds of
unfitness or inefficiency
and

M.E.S. (Men's
Branch)

M.E.S. (Women's
Branch)

(para 3(c) on
p 2 c.f.)

(para 4 (a)
p 2 c.f.)

Letter 223
29-2-16
Mr. J. Webster was
engaged in 1901 on
a salary of Rs. 350 p.m. His
pay was raised to Rs. 450/-
in 1906 and again to Rs.
450-50-700 p.m. in 1916
The scale was again altered
with Rs. 450-25-700 p.m. in
1920. 1098 of 21-9-20. It
does not appear that there is
a case for a further increase
in pay.

(para 4 (b)
p 2 c.f.)

Mr. Webster was
employed in the
College of Engineering,
and he held in 1901 under
a contract for a period
of five years with a
provision for renewal
which was brought on the first
of January 1906 and was
renewed for a further
period of five years in 1911.

(para 4 (c)
p 2-3 c.f.)

The Government of India have remarked that the
protection of the rights of officers in the Provincial
services, whether European or Indian, is an object
which must undoubtedly be secured, but that it does not
appear possible to provide any ^{special} safeguards for
Europeans in the Provincial services. The Government
of India's views may be concurred in.

3 Financial relief.

(a) Officers appointed by the Secretary of
State and holding permanent appointments. Mr. C.R.
Porrett, Adviser to Government on Vocational Education
and Manual Training was, on ^{first} appointment, ~~and~~ granted a
salary of Rs. 400-20-500 per mensem. In G.O.No: 1059
Law (Education) dated 20-7-21 his pay was raised to
Rs. 500-50-800 per mensem. This pay is personal to
Mr. Porrett. No further concession appears necessary
in his case.

(b) Officers appointed by the Secy. of State but
serving under contract. Miss. Fearn, Woman specialist
in Physical ^{Instruction} ~~Education~~ is, under the terms of her agree-
ment entitled to only a pay of Rs. 400 per mensem, for
the ~~full~~ period of three years for which her services
have been engaged. The period of her contract expires
in January 1925 and the question whether she should be
given any increase in her pay may be considered ^{if and} when
it is proposed to renew her agreement.

(c) Officers appointed by the Local Government and
serving in special services or holding special posts.

The Government of India, while admitting that
an improvement in the pay of these officers is mainly
one for the consideration of the local Government,

19/5 10
remark that the case of ~~special~~ officers deserves sympathetic treatment. The only officer who holds a special post ^{in the Edn Dept} is Mr. A. Davies, Principal of the Law College. The pay of the Principal ^{has been} fixed with reference to the pay sanctioned for members of the Indian Educational Service and, if any improvement is effected in the scale of remuneration sanctioned for members of the Indian Educational Service it appears but reasonable that such concession should be extended also to the Principal of the Law College.

(d) European officers in the Provincial services.

The Government of India have expressed the opinion that it is hardly practicable to differentiate between the pay of officers in the Provincial services in accordance with their domicile, as that would introduce a novel principle. The pay of the M.E.S (Men's branch) was revised only in 1920, vide G.O.No: 1566 dated 13-12-20. A new ^{Provincial} service for women was constituted in 1921 and ~~increase in the~~ scale of pay was granted to the women officers of M.E.S in G.O.No: 1142 dated 8-8-21. This department may concur ~~with~~ the views of the Government of India.

Proportionate pension. The Government of India enquire whether, in the opinion of the Government of Madras, there are any class ^{of} officers serving under them other than those belonging to the All India Services, who seem entitled in equity to the privilege of retirement on proportionate pension. In view of the observations made by the Government of India in para 7 of their letter, it does not appear necessary that the concession as regards retirement on proportionate pension should be extended to any of the officers of the Educational department, outside the All India Services.

(para 4(c) of
p 30 f.)

40 1091
25-7-21

(para 4(c) of
p 30 f.)

(I) ...
(B) ...

(para 7 of
p 30 f.)

(H 3-4(f))

Point
update

11 5 20 10
The file may be sent U.O., to the D.P.I. for

Very early
remarks.

My
6/9/24

V.T.K.
9.9

Lambden, 3259A7
9.9.24

D.P.I. u.o.

U.O. Reply No. 850/2178.2

I would merely remark as follows:-

I. Security of tenure.

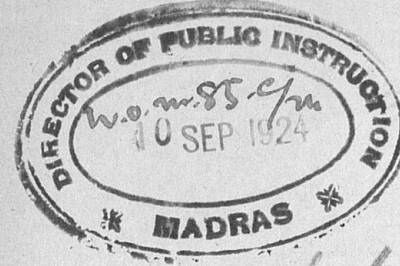
(a) Officers appointed by the Secretary of State and holding permanent appointments.

(i) Mr. Porrett. His pay is non-voted as also his pension, if the Secretary of State so decides, vide clause 13 of his agreement with the Secretary of State. He appears to have sufficient security of tenure.

(ii) Mr. Webster. His pay is non-voted and he holds an agreement with the Secretary of State. Though he has been continued in Government service with the sanction of the Secretary of State after the termination of the period specified in his original agreement, viz., 5 years, yet he holds a special appointment which is not in the Imperial or in the Provincial cadre. Moreover some of the clauses of his original agreement with the Secretary of State, in particular clause 11 which makes provision for the grant to him of a free second class passage for himself and to his wife on his retirement are still in force.

The Secretariat note states that his status is just like that of any other Government servant and no special protection is necessary in his case. I am a little doubtful about this view. If Mr. Webster's services can be dispensed with

by the



L. O. 3533A

18/9/24

40 90 20
9-2-11

40 236
2-5-01

Vide clause (7) of the
agreement in G.O. 236
2-5-1901 which empowers
the Local Govt. to dispense
with his services if service has
been rendered for a period of 5 years

by the Local Government then I am of opinion that some special protection is required for him, since he was recruited by the Secretary of State and his agreement with the Secretary of State is still in force.

(b) Officers appointed by the Secretary of State on contracts for definite periods.

I agree that no prospect of continuation in service has been held out to Miss Fearn in her agreement. I do not consider that she is entitled to any special compensation if her services are no longer required on the termination of her present contract.

(c) Other European officers who have been appointed by the Local Government.

I agree with the Secretariat note that it is not possible to provide any special safeguards for Europeans in the Provincial Services.

II. Financial relief.

(a) Officers appointed by the Secretary of State and holding permanent appointments.

(i) Mr. Porrett. I agree that no further concession is immediately necessary in his case. His pay is Rs.500-50-800 per mensem.

(ii) Mr. Webster. I consider that Mr. Webster's pay requires revision. It was revised formerly, making Rs.700 the maximum, corresponding to the then maximum of the Provincial Educational Service. I consider that it is desirable that his pay should go up to Rs.800 per mensem which is the present maximum of the M.E.S. His junior colleague in the College of Engineering, Mr. Old, who was appointed by the Local Government and was placed in the Provincial Educational Service is receiving higher pay than Mr. Webster.

(b) Officers appointed by the Secretary of State on contracts for definite periods.

Miss Fearn. There is no need to consider any increase

increase of pay to her at present. Her contract terminates next year.

(c) Officers appointed by the Local Government and serving in special services or holding special posts.

Mr. Davies. Since the pay of Mr. Davies has been fixed with reference to the pay sanctioned to the members of the I.E.S. I consider that if any improvement is effected in the scale of remuneration sanctioned for members of the I.E.S. such improvement should be extended to Mr. Davies.

(d) European officers in the regular cadres of provincial services.

I consider that it is not practicable to differentiate between the pay of officers in accordance with their domicile so long as a separate Imperial Service exists, that Imperial Service having been established with the object of recruiting Europeans, the corresponding Provincial Service in the Educational Department being considered at the time of its establishment as equal in status with the Imperial Service but to be filled by Indians on a pay which was approximately two-thirds of the pay sanctioned to the corresponding Imperial Service.

III. Proportionate pension.

I am of opinion that permission to retire on proportionate pension should be granted to all European officers now in the permanent service of Government who were recruited to their first appointment in India by the Secretary of State provided that their first appointment was made prior to the year 1921. The persons affected in the Educational Department would be Messrs. Porrett and Webster only. Under clause 13 of Mr. Porrett's agreement it appears open to the Secretary of

State

State to rule that Mr. Perrett may retire on proper-
tionate pension on a more interpretation of rules,
apart from the ultimate or residual power which the
Secretary of State may possess in this regard.

Law (Education) Department

The D.P.I. mostly accepts the conclusions
arrived at in the Secretariat note, and the points
requiring orders are noticed below:-

2. Security of tenure--Mr. Webster, Instructor
in Mechanical Engineering, College of
Engineering.

Clause 7 of the agreement executed by
Mr. Webster printed in G.O.No.236 Edn., dated 2-5-01
provides that, for valid reasons specified in the
agreement, it shall be lawful for the Govt. or
their officers having authority for that purpose
to discharge him from the service. The Govt.
referred to in the clause is presumably the
Local Govt. ^{and they} have the power to dismiss him
from the service. Of course, Mr. Webster can appeal
to the Govt. of India and the Secretary of State
The D.P.I. states that, if the above view is --
correct, some special protection should be --
provided for Mr. Webster. It is not clear on what
grounds this recommendation is made. ~~It~~ It
does not appear necessary to consider the issue
raised.

3. Financial relief--Mr. Webster.

(A) Mr. Webster first came out to India in
1901 on a pay of Rs.350 p.m. In 1906 his pay
was raised to Rs.450 p.m. In 1916 his pay was
still further raised to Rs.450-50/3-700 p.m.
This scale was again altered into Rs.450-25-700p.
in G.O.No.1098 dated 21-9-1920. The D.P.I. -
recommends that, as the maximum pay of the M.E.S.
is Rs.800, the maximum to which Mr. Webster can
rise should also be increased to Rs.800 p.m.

For orders whether the recommendation may be accepted. *The D.P.I. argument that the pay was revised last so as to bring it into line with that of the P.S.S has some force.*
(b) Mr. A. Davies, Principal, Law College, Madras.

The Director recommends that, if any improvement is effected, the scale of remuneration sanctioned for members of the I.E.S, such improvement should be extended to Mr. Davies. The recommendation may be accepted having regard to the orders in G.O.No. 1081 dated 25-7-21 fixing the pay of Mr. Davies.

4. Proportionate pension. The D.P.I recommends that the right to retire on proportionate pension should be extended to Messrs. Porrett and Webster. Having regard to the status of these officers, it does not appear that the concession in question should be extended to them.

5. The file may be circulated to the Hon. the Minister for orders on the above points prior to its return to Public.

I agree that this is a case. The question will be taken up separately.
VTK
b. 8 ante

(2) } VTK

I agree that the right need not be extended to these officers.
VTK

The individual questions should be taken up separately. The issue here is about the general principles which should govern such officers.
VTK

19/9/24

19.9.24

Public will please circulate to M2.

VTK
20.9

Public 40

Subscript

Sub? that these notes may be returned to Law (Edn) with a copy of our letter to India no. 43 subd 10.1.25 (with notes) for further action.
Law (Edn) 11.2.25

SECRETARY TO GOVT.
11 FEB 1925
20.9.24

22 SEP 1924

8225

11.2.25

Please see paragraph 4 of letter to the Government of India No.43 (Public), dated 10-1-25

The D.P.I. has recommended a revision of the present scale of pay in the case of the undermentioned officers:-

(i) Mr. J. Webster - Instructor in Mechanical Engineering, College of Engineering, Guindy.

(ii) Mr. A. Davies - Principal, Law College

2. Mr. J. Webster.

The case of Mr. Webster is fully dealt with in the linked file. The Hon'ble the Minister has ordered that the question should be taken up after final orders are passed on the Lee Commission Report. So far as the Secretary of State has passed orders only on the question of the revision of pay of I.E.S. officers. No orders have been received on the question of the reorganization of the educational services in the light of the recommendations of the Lee Commission.

3. Mr. A. Davies.

It will be seen from the G.O.No.1081 Law (Education) dated 25-7-21 that the pay and allowances sanctioned by the Secretary of State for the post of Principal, Law College, are the same as those of I.E.S. officers. The concessions recently sanctioned for the latter class of officers would, apparently, apply ~~also~~ automatically to Mr. Davies Principal, Law College. The A.G. may, it is submitted, be consulted.

A draft O.M. is submitted.

S.M.S.
27-2-25

27.2.25
VTK
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It has been informally ascertained from the AG that the concessions have been extended to Mr. A. Davies.

(K104) Issued as memo no. 581A-1 Law (Education) 2.3.25
Enclosed find the copy of the letter of 2.3.25

(h = C.F.)

Law En no 581 A.2
13.3.25

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~~V.TK~~
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public u.o on A above

Public Dept

Please see portion marked (A) on
pages 2 and 3 of letter No 43, d 10.1.25 (I).
Report to India is necessary. Law may be
informed accordingly.

12

18-3.25

U.S. GOVERNMENT PRINTING OFFICE
31 MAR 1925
DEPT. OF JUSTICE
LAW DEPARTMENT

(law/Edn)

A draft letter to the Government of India is submitted for approval. B. / m. 25

28/2/25
 36 (2/25)

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Law(Education)

DEPARTMENT.

Lee Commission Report.-- specialist officers and officers holding miscellaneous appointments--Govt. of India addressed.

READ AGAIN G.O.

No.....	, dated	192..
" " "	" "	192..

READ ALSO :—

C. No. 581 A From the _____, No. _____, dated _____ 192

" " _____ " " _____ " " _____ 192

" " _____ " " _____ " " _____ 192

ORDER.
M i s

No. 456, dated 1-6- 1925.

The Govt. of India will be --
addressed.

Letter No. 657 d/1-4-25.

The Secretary to the Govt. of India,
Dept. of Education, Health & Lands.

S i r,

I am directed to invite a reference to paragraph 4 of Mr. Macmichael's letter No. 43, dated the 10th January 1925, addressed to the Govt. of India in the Home Dept, and to report as follows as regards the grant of financial relief to European officers in the Educational department in this presidency outside

DESPATCHED
2 APR 1925

the I.E.S.

2. Officers appointed by the Secretary of State and holding perm. appointments.

(i) Mr. C.R. Porrett, Adviser to Govt. on Manual training.

Mr. Porrett first came out to India in 1914 under an agreement with the Secretary of State for a period of five years on a salary of Rs. 400-20-500 p.m. He was subsequently confirmed by the Local Govt in 1919. In 1921, his pay was raised to Rs. 500-50-800 p.m. This Govt. do not consider that any further increase in his pay is called for in his case.

(ii) Mr. J. Webster - Instructor in Mechanical Engineering, College of Engineering.

Mr. Webster came out to India in 1901 under a contract to serve for a period of five years on a salary of Rs. 350 p.m. His pay was raised to Rs. 450 in 1906, and again to Rs. 450 - 50/3-700 p.m. in 1916. The scale was ~~subsequently~~ altered into Rs. 450-25-700 p.m. (vide correspondence ending with the letter from the Govt. of India in the P.W.D No. 1157 E.B., dated 2-9-1920.) The D.P.I., Madras, recommends that the maximum pay of Mr. Webster may be raised to Rs. 800 p.m., which is also the present maximum of the time-scale of pay sanctioned for officers of the M.E.S.

Para 4(a) of Govt. of India letter
on page 2 of letter no 43 P.W.D
D 10-1-25 (E)

SO 642
29-5-14 (W)

Para 3 - page 2 of notes.

page 1 of NF

page 3 of NF

SO 1014
25-9-16 (R)

SO 1098
21-9-20 (M) in the
linked file

page 6 of NF

para 4 (b) of India's
letter on page 2 of
from 43 P.W.D
10-1-25 (I)

para 4 (c) of
this

p. 2 of NF

SO 1081
25-7-21

(2)

the Educational services will shortly be re-organised in the light of the recommendations of the Lee Commission, the Govt. have, for the present, deferred the consideration of the question revision of Mr. Webster's pay.

3. Officers appointed by the Secretary of State on contracts which contain a clear implication that perm. employment was contemplated.

There are no such officers in this Presidency under the Ed. Dept.

4. Officers appointed by the Local Govt. and serving in special services or holding special posts.

Mr. A. Davies, Principal, Law College, Madras, is the only officer coming under this head. The Acct. Gl., Madras reports that the remittance and fee passage concessions recently sanctioned to the officers of non-Asiatic domicile are applicable to Mr. A. Davies, as his initial emoluments were fixed with effect from 13-12-19 as if he were in the 15th year of service in the I.E.S. time-scale (vide para 1(a) of despatch from the Govt. of India to the Secretary of State No. 3 dated 21-1-21)

MS
26/12/25

CR
27.3.25

V.T.K.
27.3

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READ AGAIN G.O. No.
192

, DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT ...

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LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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