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Law (1925) Department.
(Education)

Ordinary SERIES.

G.O. No. 456-87

DATED 1. 4. 25

[Despatch Abstract.]

See Commission Report

*Specialist officers and
Officers holding Miscellaneous
appointments. Govt of India
Addressed.*

BACK PAPERS.

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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 pensions, 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, 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.

GOVERNMENT OF MADRAS
PUBLIC DEPARTMENT

No. 43, Mis.

From

N. MACMICHAEL, Esq., I.C.S.,

Acting Chief Secretary to the Government of Madras,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

HOME DEPARTMENT.

Dated Fort St. George, the 10th January 1925.

SIR,

[Lee Commission Report—Specialist Officers and Officers holding miscellaneous appointments—Proposals for treatment of—Home Department letter No. F. 201-24 Ests., dated 7th/13th August 1924.]

I am directed to communicate the views of His Excellency the Governor in Council on the points specified in paragraph 8 of the above letter.

2. 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. As regards such officers appointed on contracts for definite periods His Excellency the Governor in Council agrees with the view expressed in paragraph 3 (b) of the letter under reply that they cannot now be given a position of permanence for which they did not stipulate when they joined their posts. For the period of their contract these officers will certainly be protected, and on its expiry the question of further continuance of their services, whether on a permanent or a temporary basis, will no doubt be considered sympathetically. As regards officers appointed by local Governments, rule XVIII of the rules under section 96-B of the Government of India Act provides an appeal to the Governor-General in Council and to the Secretary of State against orders adversely affecting them; this Government do not consider that any further special safeguards can be devised.

3. In paragraph 3 (b) of the letter, the Government of India desire to know whether this Government accept the recommendations made by the Royal Commission that if a contract is terminated, under the usual provision for termination before expiry by either side at six months' notice for reasons other than the unsatisfactory performance of duty, the officer should be entitled to special compensation. His Excellency the Governor in Council regrets that he is unable to agree in the view taken by the Commission. A contract is a contract and an officer presumably enters into it with his eyes open. Taking the converse case of an officer availing himself of the benefit of this provision when he gets an offer of better employment elsewhere, the Government would not be entitled to claim compensation for the loss of his services. If an officer does not like such a provision, the remedy appears to His Excellency the Governor in Council to be for him to insist that it shall not find a place in the contract which shall provide only for the termination of his services for unsatisfactory performance of duties.

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4. As to the question of financial relief, this Government have already agreed that specialist Engineers in permanent service who have been appointed by the Secretary of State should get any benefits in the way of pay or pensions which are given to All-India Services. The cases of other officers appointed by the Secretary of State, whether holding permanent appointments or serving on contracts, and of similar officers appointed by the Local Government will be considered individually in due course, and the Government of India addressed.

5. As to the extension of the scheme for retirement on proportionate pensions outside All-India Services, His Excellency the Governor in Council is of opinion that it should be confined to European officers appointed by the Secretary of State holding permanent posts and not on short-term contracts. In this view he would recommend the grant of the concession to permanent officers of the Public Works Department holding miscellaneous or specialist appointments and to the four officers of the Industries Department named below:—

Messrs. A Guthrie, L. B. Green, W. Fyfe and Dr. F. Marsden.

6. I am to enclose copy * of a memorial submitted by the Madras (Public Works Department) Specialists' Association on the subject of this letter.

* Not printed.

I have the honour to be,

Sir,

Your most obedient servant,

N. MACMICHAEL,

Acting Chief Secretary.

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

(i) Mr. Porrett, Adviser to Government on Vocational Education 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 ~~1918~~ 1919. His pay is treated as non-voted. Clause 6 of his agreement printed in G.O.No. 642 Education, dated 29th May '14 provides that the Government may dispense with his services 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.

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

(b) Officers appointed by the Secretary of State on ~~extra~~ 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 temporary and has been created only for a period of 3 years. / No ~~proposals~~ prospects of confirmation have been held out to her (vide her agreement printed in G.O. No. 122 dated 27-1-22). Her services can be terminated

before

before the end of the period of three years only on the grounds of unfitness or inefficiency and 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) Mr. S.A. Steele D.E.O., Salem
- (iii) " W.C. Old, Instructor in Surveying and Drawing, College of Engineering.
- (iv) " L.T. G. DeHaas, Superintendent and Headmaster of the Industrial and Junior Certified School, Ranipet.

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

- (i) Miss C. Gordon Kindergarten Lecturer, Teachers' College, Saidapet.
- (ii) " Winifred Park Lecturer on Domestic Economy
- (iii) " Mary Wilson Kindergarten Lecturer, Lady Willington Training College.
- (iv) " Ida Gunther Asst. Professor, Queen Mary's College.
- (v) " E. Schofield Superintendent, Govt. Secy, and Training School for women, Cannanore.
- (vi) " M.T. Tomlinson Asst. Professor, Queen Mary's College.
- (vii) " L. Phillipsz Senior Lecturer, L.T. Class, Lady Willington Training College.
- (viii) " Philip Smith Asst. Inspectress of schools Vizag, Range.
- (ix) " E.M. Bower Headmistress, Queen Mary's High School, Vizag.
- (x) " K.G. Martin Asstt. Inspectress, Madras Girls' Range.

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

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. (i) Mr. C.R. Porrett, Adviser to Government of Vocational Education and Manual Training was, on first appoint-

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appointment, 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. Rarr Porrett. No further concession appears necessary in his case.

(ii) Mr. J. Webster, was engaged in 1901 on a salary of Rs.350 per mensem. His pay was raised to Rs.450/- in 1906 and again to Rs.450-50/3 - 700 per mensem in 1916. The scale was again altered into Rs.450-25-700 per mensem in G.O.No. 1098 dated 21-9-20. It does not appear that there is a case for a further increase in pay.

(b) Officers appointed by the Secretary of State but serving under contract. Miss Fearn, Woman specialist in physical Instruction is, under the terms of her agreement entitled only to a pay of Rs.400 per mensem, for the 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, remark that the case of such officers deserves sympathetic treatment. The only officer who holds a special post in the Education department 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

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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. Nos 1566 dated 13-12-20. A new Provincial service for women was constituted in 1921 and a time-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 in the views of the Government of India.

4. Proportionate pension.

The Government of India enquire whether, in the opinion of the Government of Madras, there are any classes 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.

5. The file may be sent U.O. to the Director of Public Instruction for very early remarks.

N.K. 6-9-24. C.R. 9-9-24. V.T.K. 9-9-24.

D.P.I. U.O.

U.O. Reply No. 85 C/24 dated 17-9-24

I would merely remark as follows:-

I. Security of tenure.

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

(i)

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(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~~ 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 ~~disposed~~ dispensed with 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

on the termination of her ~~services~~ present contract.

(c) Other European officers who have been appointed by 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~~ 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 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.

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Under clause 13 of Mr. Porrett's agreement it appears open to the Secretary of State to rule that Mr. Porrett may retire on proportionate pension on a mere interpretation of rules, apart from the ultimate or residual power which the Secretary of State may possess in this regard.

R.L.
17.9.24.

Law (Education) Department.

The Director of Public Instruction mostly accepts the conclusions arrived at in the Secretariat note. 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 Government or their officers having authority for that purpose to discharge him from the service. The Government referred to in the clause is presumably the Local Government and they have the power to dismiss him from the service. Of course, Mr. Webster can appeal to the Government of India and the Secretary of State. The Director of Public Instruction 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 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 per mensem. In 1906 his pay was raised to Rs. 450 per mensem. In 1916 his pay was still further raised to Rs. 450-50/3-700 per mensem. This scale was again altered into Rs. 450-25-700 per mensem. In G.O.

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No. 1098 dated 21.9.1920. The Director of Public Instruction 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 per mensem. For orders whether the recommendation may be accepted. The D.P.I.'s agreement that the pay was revised last year as to bring it into line with that of the P.E.S. has some force.

(b) Mr. A. Davies, Principal, Law College, Madras.

The Director recommends 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. 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 points prior to its return to Public.

I agree that the right ~~will~~ ^{need} not be extended to these officers.
V.T.K.

The individual questions ~~should~~ ^{will} be taken up separately. The issue here is about the general principles which should govern such officers.
V.T.K.

20.9.

Public will please circulate to M₂

V.T.K.

20.9.

Public U.O.

Public Deptt.
Submitted that these notes may be returned to Law (Edn.) with a copy of our letter to India No. 48 Pub. dated 10.1.25 (with notes) for further action.

Law (Education)

Pub. u. o. 8225-1
11.2.1925.

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Law(Education) Department.

Please see paragraph 4 of letter to the Govt. of India No.43 (Public), dated 10.1.1925. The Director of Public Instruction 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, 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(Edn.) dated 25.7.1921 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 automatically to Mr. Davies, Principal, Law College. The Accountant General may it is submitted, be consulted.

A draft O.M. is submitted.

C.R.

27.2.25.

V.T.K.

2.3.

Issued as Memo No. 581 A-1 Law (Education) dated 2nd March 1925-.

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From the Accountant General, No.G.A.67-3278, dated 9.3.1925.

The A.G. says that the remittance and free passage concessions recently sanctioned to the I.E.S. officers of Non-asiatic domicile will be applicable to Mr. Davies, Principal, Law College.

Submitted that there are no officers in the educational deptt. in whose case a revision of salaries requires the sanction of the Government of India. Public may be asked whether the decision arrived at in the case of Messrs Porrett, Webster and Davies should be reported to the Government of India.

C.R.

12.3.25

V.T.K.

13.3.

Public u.o. on A above.

Public Deptt.

Please see portion marked (A) on pages 2 and 3 of letter No.43 dated 10.1.1925(I). Report to India is necessary. Law may be informed accordingly.

Agree

A.Y.G.C.

19.3.25

Law (Education)

A draft letter to the Government of India is submitted for approval.

C.R.

27.3.25

V.T.K.

27.3.25.

M-2

A.P.P.

27.3.25

H.E.

(oschen)

30.3.25.

Pub.u.o.8225-2
19.3.25.

State and holding permanent appointments.

(1) Mr. G.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 ^{to serve} for a period of five years on a salary of Rs. 400-20-500 per mensem. He was subsequently confirmed by the local Govt. in 1919. In 1921, his pay was raised to Rs. 500-50-800 per mensem. This Govt. do not consider that any further increase 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 per mensem 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 per mensem which is also the present maximum of the time-scale of pay sanctioned for officers of the M.E.S. In view of the circumstance that the Educational services will shortly be re-organised in the light of the recommendations of the Lee Commission, the Govt.

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have for the present, deferred the consideration of the revision of Mr. Webster's pay.

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

There are no such officers in this Presidency under the Educational department.

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. Genl, Madras reports that the remittance and free - passage concessions recently sanctioned to the I.E.S. 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 the despatch from the Govt. of India to the Secretary of State No. 3 dated 21-1-21)

N.K.
26-3-25.

C.R.
27-3-25. V.T.K.
27-3-1925.

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