

Law (1926) Department.
Education
Ordinary SERIES.

G.O. No. 1430

DATED 28-7-1926

[Despatch Abstract.]

Fearn, Miss V.E.

Woman specialist in Physical instruction--agreement to be
executed--changes--orders passed.

BACK PAPERS.

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

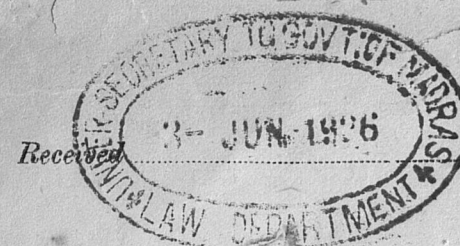
FURTHER PAPERS.

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

CF. 30

LAW (EDUCATION)

DEPARTMENT.



192

Registered

192 3/6/26

Subject.

783

General entry No.	4. 828
File or case	
Disposal	
Initials of the Supt. with date	

Miss Fearn - agreement to be executed - regarding certain changes in the - Law (Edn) Dept.

Ent no 20454-1 dated 14.6.26

Referred to the Accountant General for Remarks (By order)

To The Accountant General.

Ramanyachari
Assistant Secretary

ENCLOSURES.

No.

R.O.C. No. 1740 C/25

Spare copies

Station Madras Dated the 31st May 1926 192

From (Name) R.G. Grieve Esq., M.A., F.R.G.S.,

(Designation) Ag. Director of Public Instruction

To The Secretary to the Government of Madras

LAW (EDUCATION)

Department.

Sir, With reference to G.O.No. Mis. 353, Law (Education) dated 9th March 1926 and Memo No. 1247 A-1, Law (Education) dated 10th April 1926, I have the honour to submit herewith letter dated 17th May 1926 from Miss Fearn in which she requests that some alteration may be made in the draft agreement and to state as follows:-

2. Paras 1 and 2. The present contract with the Local Government is a separate one though it is in continuation of her first contract with the Secretary of State. She cannot therefore have the leave earned during the period of her first contract to her credit. If however she wishes to have the leave earned by her during the period of her first contract to her credit, then her request in para 1 of her letter regarding the refund of passage money appears

10/6/26
Copy
Thro me also
6/16/26

2
appears to be inadmissible as the contract should be considered a continuous one.

3. Para 3. Government alone are in a position to say as to how Miss Fearn will be affected by her present agreement with the Local Government.

4. Para 4. I take it there is every probability of the post of Woman Specialist in Physical instruction being continued after the expiry of the present sanction. Miss Fearn may therefore be permitted to contribute to the General Provident Fund and to this end a ^{para} ~~para~~ may be inserted in the agreement.

5. The draft agreement is herewith submitted for favour of reference and return.

I have the honour to be,

Sir,

Your most obedient servant,

A. Rama Ray

for Director of Public Instruction

P.R.K. 1/6

SW
1/6.

Please return with note NAR
From

Miss V.E. Fearn,

Woman Specialist in

Physical Instruction, Madras.

To

The Director of Public Instruction,

M a d r a s.

S i r,

P. 35
With reference to your R.C.No.1740-C/25 dated 17-3-1926 and 16-4-26, I have the honour to resubmit herewith the specimen form of draft agreement with the following requests:-

1. That para 4 may be deleted for the following reason:-

The passage out to India was paid by Government in respect to my first three years of appointment and since I did not break the terms of my first agreement, the conditions under which the passage was given have been completely fulfilled. No passage has been paid by Government in respect to this second term of three years service and I do not consider that I should be expected to fulfill the same terms twice over in -- respect to one passage.

2. From a perusal of G.O.No. 861, dated 2nd December 1925, para 3, I understand that if the length of my contract is for more than 5 years, the leave due to me will be calculated as special or ordinary leave, whichever may be applicable, under the Fundamental Rules. In which case I understand that the leave earned during the 1st three years of service will stand to my credit during the 2nd --- period of three years.

If I am correct in this, in view of the fact that my work has been continuous and that the total length of my contract will exceed five years(3 years from 6-1-22 to 6-1-25 and three years from 6-1-1925 to 6-1-1928) I request that para 10 may be so altered that the fact that I am eligible for leave granted under G.O.No. 861, Finance, dated 2-12-24 as an Officer whose contract is for more than 5 years.

If my interpretation of the G.O. is incorrect, I request that para 4 may be modified so that ^{that} part of the leave I earned during my 1st three years of service ~~and~~ which was still due to me on 7-1-25 may be

be held to remain to my credit so that I may avail myself of it in addition to the leave specified in para 10 which will be earned by me during my ^{present term} ~~date~~ of service.

3. That you will be good enough to inform me whether the fact that my new agreement is between myself and the Local Government for ~~and~~ on behalf of the Secretary of State for India instead of between myself and the Secretary of State as was the case in my first agreement will operate to my disadvantage particularly with regard to concessions under the Lee Commission.

4. That a para may be added stating that I may be allowed to contribute to the Provident Fund.

I have the honour to be,

S i r,

Your most obedient servant,

Hearn.

DEPARTMENT.

L. En 2560 A
8/7/26



Subject.

Subject. Miss Fearn, Women Specialist in Physical Instruction regarding changes in the agreement to be executed.

Enclosures :—

No. G.A.67-3981.

FORT ST. GEORGE, MADRAS,

Dated the 5th July 1926.

FROM

THE ACCOUNTANT-GENERAL,

Madras.

To

THE SECRETARY TO THE GOVERNMENT OF MADRAS,

Law (Education) DEPARTMENT.

SIR,

In returning herewith the papers received with your Endorsement No.2045 A-1 dated 14-6-1926, I have the honour to state as follows:--

(1) The present contract though entered into with the Local Government may be treated as an extension of the original contract with the Secretary of State and the Local Government is empowered by Rule 5 of the Passage Rules 1925 to sanction a free return passage for any officer entitled to a return passage on the termination of his agreement

termination of his agreement whose services are retained in the public interest beyond the original period of his agreement. Government is competent to delete clause 4 of the agreement.

2. As there has been no break in her service she may be permitted to carry forward the leave at her credit. The question of admitting her to the benefits of the ordinary or special leave rules under Fundamental Rules may be considered with reference to the recent amendment of the model terms for the grant of leave to officers engaged on contract approved by the Secretary of State in Council (Vide. G.O. No.450 Finance dated 4-6-1926) and paragraph 10 of the agreement suitably modified.

(3) As regards her rights under the contract with the Secretary of State, they are not prejudicially affected by her contract with the Local Government. The question of the concessions under the Lee Commission Recommendations does not arise as she is not entitled to any.

(4) As the appointment she has held and will hold is a temporary one which would last at least for 3 years she may contribute to the General Provident Fund with the consent of the head of her office under Note 4 to Rule 1 of the General Provident ^{Fund} Rules. No paragraph on this account need, therefore, be inserted in the agreement as proposed by the Director of Public Instruction.

I have the honour to be,
Sir,

Your obedient servant,

M. K. R.
For Accountant General.

K.R.

Education Department

C.No.2045 A.

From the D.P.I. R.O.C.No.1740 C/25, dated 31-5-26.
Endt. to the A.G. No.2045 A-1, dated 14-6-1926. (7)
From the A.G. No.G.A.67-3981, dated 5-7-26.

Miss Fearn - Woman Specialist in Physical Instruction -
Changes in the agreement to be executed.

The A.G. has offered his remarks on the points raised by Miss Fearn in connection with the agreement to be executed by her. A draft order on the lines of the A.G.'s letter is submitted for approval. It may be sent to Finance u.o. before issue.

20515-6x
16/7

Fin u.o

Finance (C.S.N.)

The draft order may be

accepted

20/7/26
21/7/26

Accepted.
25/7.

Law (Ed.)

Thayh Rance (C.S.P.)

Fin u.o. 21515-1 C.S.N.

27/7/26

Inc
27/7

When received for Fair-copying.

When copied

When examined

When signed

When despatched

Date _____

Initials

READ AGAIN G.O. No., dated.....192

” ” ” ” ”

192

READ ALSO :—

C. No. 2045A From the _____, No. _____, dated _____ 192_____

2560 A. 192

[illegible]

ORDER.

most.

No. 1430, dated 28. 7. 1924

Miss V. E. Fearn, Woman Specialist
in Physical Instruction, makes the
following request in connection with
the agreement to be executed by her:

(1) That paragraph 4 of the ^{draft} agreement forwarded by the D. I., which relates to the question of the refund of passage money ^{may} be deleted;

(2) That she may be allowed to ^{to the new term} carry forward the leave at her credit ^{during} for the period of her first engagement ~~with the Secretary of State~~ from January 1922 to January 1925;

(3) That her new agreement with the local Govt. ~~might~~ may not operate to her disadvantage particularly

in regard to the concessions under the Commission's recommendations; and
(4) That a paragraph may be added to the agreement enabling her to contribute to the General Provident Fund.

2. The Govt. are pleased to direct ~~that~~ ^{the deletion of} paragraph 4 of the draft agreement may be deleted ~~and to permit~~ ^{is permitted to} that Miss Fearn is also ~~she can~~ ^{Miss Fearn can} carry forward the leave ~~at her credit under the previous agreement.~~ ^{They are also pleased to} ~~and that her rights will not be prejudicially~~ ^{rule that the fact that Miss Fearn} ~~affected by her new contract with the~~ ^{present agreement should be} ~~local Govt.~~ ^{treated as an extension}
3. Separate orders will ^{of her original agreement} ~~issue on the question of admitting her~~ ^{with the Secretary of State} ~~to the benefits of the ordinary or~~ ^{in so far as the grant of} ~~special leave rules under the funda-~~ ^{Miss Fearn} ~~mental Rules and paragraph 10 of the~~ ^{in fo 227226} ~~agreement may be modified suitably~~ ⁹⁻¹²⁻²⁶ ~~with reference to those orders.~~
para 2 - do

3. As under note 4 to Rule 1 of the G. P. F. rules, Miss Fearn may contribute to the fund with the consent of the head of her office, no special paragraph need be inserted in the agreement.

14/7 V.T. 16/7

para 4 - p 6 CF

para 1 - p 13 CF

para 2 - do

para 3 - do
with the Secretary of State
in so far as the grant of
Miss Fearn
in fo 227226
9-12-26

para 2 - do

para 4 - do

vide A.C. remarks at K on page

DESPATCHED
29 JUL 26

To The D.P. J. (with reference to his letter No. 1740 C/P 6831 S. 2) to S. J. with reference to his letter 2451-3982 of 5.7.26

F.C. for file

When given for copying
When copied
When examined
When signed

192

READ AGAIN G.O. No. 192 DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT ... A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITO.

PAPERS NOT FILLED OF, BEING (MEANT FOR DESPATCH IN ORIGINAL.

N.B.-
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.