

Law (Em) (1926) Department.

Mcis SERIES.

G.O. No. 1680

DATED 3-9-1926

[Despatch Abstract.]

Establishment - subordinate
Educational Service -
Women's branch - initial
pay and consequent
overpayments - S.P.O.
instructed to take disciplinary
action against the subordinates
concerned

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
470	29-3-26						

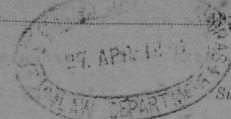
FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
1766	107-926						

LAW (EDUCATION)

DEPARTMENT.

Received



Registered

R. G. 136C
27/4/26
1926

Subject.

Sub Assistant Inspectresses and School Assistants

(Women's Branch)--Excess pay--Waiver of recovery.

ENCLOSURES.

No.

R.C.No. 190-C/25

Spare copies

Station Ootacamund, Dated the 24th April 1926.

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

(Designation) Ag. Director of Public Instruction,
Madras.

To The Secretary to the Government of Madras,

Law (Education) Department.

Sir:

Ref:- G.O.No.470 Misc., Law (Education) dated 29th
March 1926.

With reference to this Government Order calling for a full report as to who dealt with the question of the initial pay drawn by subordinates in the women's branch of the Educational Department, I have the honour to state as follows. The point of view of this office was stated in the Director of Public Instruction's letters R.O.C.No.726 G/23 dated 19-3-1924 and in R.C.No.190-C/25 dated 21-12-1925. With reference to the former of these two letters G.O.No.131 Law (Education) dated 28-1-1925 was passed and with reference to the latter the G.O. now under reference. In the first

of these

1651-3 70
G.O. No. 131/25
28-1-25
17628-3 0 45
G.O. No. 470/25
27-3-26

of these Government Orders it was stated that appointments and promotions on the old scales of pay after the announcement of the time-scale of pay on the 30th November 1922 were wholly irregular. I am not quite clear as to whether Government regard this issue as closed and whether the report called for should be confined solely to the fixing of the initial pay, as it could be maintained that these appointments and promotions could have been ignored when fixing the initial pay. Considering, however, that there is some connection between the question of appointments and promotions and that of initial pay, it may be stated that irregular action taken in regard to the former issue was in the large majority of cases based on orders passed by the then Deputy Directress, Mrs. Drysdale, who has now retired. The orders issued by her were not submitted to the Director of Public Instruction for his orders. Orders passed by the Director of Public Instruction, i.e. by either Mr. Littlehailes or myself, were four in number.

After the receipt of the proposition statement sanctioned in G.O.Np.737 Law (Education) dated 29-5-1923 the question of fixing the initial pay of subordinates in the women's branch was submitted to the permanent Director of Public Instruction for his orders. The first issue put before the Director of Public Instruction was whether all promotions sanctioned up to the date of the receipt of G.O.No.737 Law (Education) dated 29-5-1923, i.e. 9-7-1923, should be allowed to stand or whether the G.O. should be taken to have effect from 29-5-23. Mr. Littlehailes ordered that the latter course, as being the usual procedure, should be adopted. Consequently the initial pay was fixed by him ignoring confirmations, etc., made subsequent to 29-5-1923, but taking into account those made before this date.

As the responsibility for orders passed by the head of a Department in cases where the issue is placed before him with the necessary references rests upon that head himself and cannot be shared with his subordinates, it does not appear necessary to attempt to allocate further the responsibility. I may remark finally that I personally feel some embarrassment in submitting this report to Government, being

an officiating officer

an officiating officer called upon to report upon a question involving action taken by the permanent officer when that officer is himself on leave and therefore not in a position himself to submit his reply to the questions raised in the second paragraph of the Government Order.

I have the honour to be,

Sir,

Your most obedient servant,

R. G. Arne
26/11/26

Ag. Director of Public Instruction,
M a d r a s.

Ex

Memorandum No. 1316 e/16-2
d. 11/5

Overpayments to members of the
Subordinate Services (Women's Branch)

Letter from the D.P.I., No. R.C. 190-
C/25, dated 21-1-26 and dated 11-1-26.

The D.P.I. is requested to submit
for the perusal of Govt. his office
files relating to the fixation of index
initial pay to members of the Subord-
nate Services, Women's Branch and
the overpayments caused thereby, with
an index.

17.5.26

18/5

19.5

I for order
I am not sure
whether I want
or an index on
table of contents
the papers in the file,
or the office general
order to put some order
the relevant for order
on the subject had been
properly indexed to avoid
the order being mixed at
the time of audit.

DESPATCHED
12 JUN 1926

To

The D.P.I.

R. 2 weeks after issue

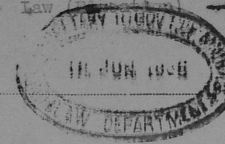
R. 11/5
15/6/26

C.F. 20

Law

DEPARTMENT.

Received

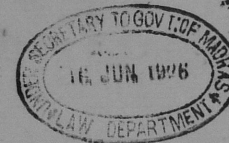


Registered

L-8. 1874C 192
10/1/26

Subject.

Fixation of initial pay - files required by Government submitted.



ENCLOSURES.

No.

R.O.C.

No. 190 C/25

Spare copies

Station Madras Dated the 8th June 1926 192

From (Name) R.D. Grievs, Esq., M.A., F.R.G.S.,
(Designation) As. Director of Public Instruction

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

Sir,

With reference to Memo. No. 1316 C/26-2 Law
(Education) dated 31st May 1926, I have the honour to submit
(Hand below) herewith the office files relating to the fixation of
initial pay with an index.

I have the honour to be,

Sir,

Your most obedient servant,

A Rama Rao
14/6

for Director of Public Instruction.

P.V.S. 11/6
SW
14/6

Law (Education)

DEPARTMENT.

Received 192 . Registered 192 ^{18/7/26}

Subject.

Overpayments to members of the Subordinate Services
---(Women's Branch)

ENCLOSURES.

No.

Spare copies

R. No. 1910-9/15

Station (Camp) Bellary , Dated the 16th July 1926.

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

(Designation) Ag. Director of Public Instruction,
Madras.

To The Secretary to the Government of Madras,

Law (Education) Department.

Sir,

Ref:- Memorandum No. 1316 C/26-2 dated 31st May 1926

and this office letter R.C.No.190-C/25 dated 8th June 1926.
Subsequent to my letter referred to above telephone messages
have been received in my office asking for further files
from this office. I request that you will be so good as to
inform me officially whether further files are required by
Government from my office and if so, which.

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

R.G. Grieve

Ag. Director of Public Instruction,
Madras.

7
Education Department.

Memo No. 1316 C/26-3 dated 22.7.26

Overpayments to members of the Sub-ordinate Services (Women's Branch) - Refce. Letter from the D.P.I., R.C. No. 190 C/26, dated 16-7-1926.

The D.P.I. is requested to submit for the perusal of Government his office files described in the margin, in addition to those furnished with his letter No. R.O.C. 190 C/26, dated 8-6-1926. The latter were returned to the Director on 9-7-1926 with reference to his T. M. of the same date. They should also be sent along with the files now called for -

To

The D.P.I.

DESPATCHED
17th JUL 26

192
192
20.7.26

Director
By: Director
*Files in which appointments and promotions on the old fixed rates of pay were ordered after time scales of pay had been announced in G.O. No. 1459 L. E., dated 30-11-1922.

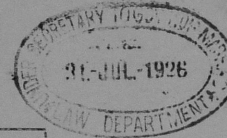
p. 5, c. 7.

T.M. page 2 n.f.

Blue
20.7.

20.7.26

20.7.26

8
EDUCATIONAL DEPARTMENT. (8)Received 192 . Registered *A. S. 20230* 192 .Subject. *31/7/26.*
*2*Overpayments - Subordinate Educational Service
(Women's Branch) submitting files connected with the

ENCLOSURES.

No.

R.O.C. No. 190 C/25

Spare copies

Station *M a d r a s* , Dated the *29th* July 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,

EDUCATIONAL Department.

Sir,

p. 7 and
With reference to Memo No. 1316 C-26-3, dated
22nd July 1926 I have the honour to submit herewith
files in which appointments and promotion on the old fixed
rates were ordered.An index showing the disposal number of the files
submitted and the subject matter of each file is also
submitted. The files returned with endorsement dated
9th July 1926 are also submitted.I have the honour to be,
Sir,
Your most obedient servant,*R. M. Banerjee*
for Director of Public InstructionP.R.K. 29/7
Sum
211

9
C 1314/c, from the D.P.I., B.C. 190-4/24.4-8

Law (Education) Department.
Overpayments to the members of the Subordinate Educational Service - Women's Branch - Explanation of the Director of Public Instruction.

In the general scheme of the revision of the scale of pay of the subordinate services the case of the Subordinate Educational Service, Women's Branch, was not dealt with by the Reforms Commissioner. The case of the officers of this service was considered by the Government separately and a time-scales of pay was sanctioned for them in G.O.No.1459, dated 30-11-1922 - ~~vide G.O.No.1459 dated 30th November 1922~~. The Proposition statements giving effect to the time scales of pay were sanctioned in G.O.No.737 Education, dated 29-5-23.

2. During the interval between the 30th November 1922, the date on which the revised scales of pay were first sanctioned and the 29th May 1923, the date of the order in which the proposition statements were sanctioned, the D.P.I. was making promotions and appointments on the graded rates of pay which were superseded by the time scales of pay. In fixing the initial pay of the members of the Service, the D.P.I. applied Fundamental Rules 22 and 23 which resulted in giving to several officers an initial pay higher than what they would have been entitled to if the instructions contained in G.O.No.711 Finance, dated 11th July 1921 had been followed.

3. The Government ruled in G.O.No.131 Education, dated 28-1-25 that promotions and appointments on the old rates of pay after the announcement of the time scales of pay on the 30th November 1922 were irregular. In G.O. No.

Para 4 of (J)

210

470 Education, dated 29-3-1926, the recovery of the ^{Part 2 of D} overpayments was waived and the Director was called upon to submit a full report as to who dealt with the case in his office and who was responsible for the assumptions made in allowing higher pay to the officers concerned.

4. From the Director's letter it will be seen that the officer, ~~mainly~~ responsible for the result, was Mrs. Drysdale who has since retired.

5. The case may be circulated to M.2., and C.4., with reference to their notes on pages 50 and 51 of G.O.No. 470 Education, dated 29-3-26. (D)

Mp 1-2 c b

29/4/26

V.T.F.
1.5

M2

I need not note on the case as so much has been written on the subject already. The following are the main dates:

30.11.22 :- Time scales of pay for the S.E.S sanctioned

May 1923 :- Proposition sts to give effect to the scheme scales we sanctioned.

After 30.11.22 when the revised scales were announced, the D.P.I made officiating promotions in the old scales and also made new appointments on the old rates. This was the first irregularity

8.14.27 (R)
30.6.27

8.22 (A)
29.5.23

Mp 1-2 8.131 (D)
22.1.24

A

211 (10)

Though the proposition statement had been sanctioned in May 1923, D.P.I fixed the initial pay of existing incumbents only in October 1923 in the case of L.T teachers and in Dec 1923 in the case of secondary teachers. Till then all of them were allowed no promotions in the old scales and new entrants were started on the old scales. This was the second series of irregularities.

In fixing the initial pay in the new scales, the pay drawn by the existing incumbents during the three months prior to March 1921 should have been taken as the basis: but in these cases D.P.I fixed it under rules 22 & 23 of the Fundamental rules.

2. The D.P.I explains how the mistakes arose & who were responsible. It is obviously not possible for him to Grieve to say more than he has said.

3. My object in giving the ^{main} dates is different. ~~The~~ two serious irregularities occurred - the first between Nov 1922 and

8.14.27 8.131 (D)
29.3.26

B

Paragraph 2, p.2 of 8.131 (D)
22.1.24

C

12
 May 1923 and the second between
 May & Dec 1923. ~~The~~ It is not
 clear from the papers when
 exactly the Acc^{ty} Gen^l took objection
 to ~~these~~ the action taken in these
 cases but the first reference I
 can see to it is in the D.P. 1's
 letter dated 19-3-24 (p. 2 of J).

If the irregularities had been
 discovered earlier in audit, the
 back payments would not have
 been larger & could have been
 easily recovered.

3. So far as the D.P. 1's office
 are concerned, the papers in any
 no action seems necessary

V.K.
 3.5.

Fin U-0

Finance (E.T.)

Submitted.

The D.P. 1's report in the current file is sent with
 reference to para 2 of S.O. 470 (Law (E.T.)) dated 29.3.26
 which is based on H.M.C.'s order on 11.5.21 of the
 1920.

I have no remarks to



Encl 1316C-1
 6.5.26



Fin 14239 ET

① 6.5.26.

one
 7.5.26

offer. ~~has not~~

513

10/17

Fin 14239 ET-1
 10.5.26

Law (E.T.) no

Law (E.T.)

For orders as to circulation.

cur
 10.5.26

V.K.
 10.5

M₂

C₄

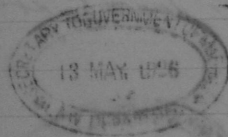
On 12.5.1924 'D' myself
 and my Am. C.M.C. called upon
 the D.P. 1 for a full report as to
 who dealt with the case in his
 office who was responsible for all
 these grave irregularities & failures
 to report to Govt. - The D.P. 1 in
 reply states the responsibility is
 placed by the head of the dept in cases
 where the issue is placed before him
 and he must refer the case to the
 head himself & cannot be shared
 with his subordinates - This explanation
 is not relevant - I asked him
 to make though irrelevant who
 the matter, how the irregularities
 arose & who is responsible - He is

not done - The Senior Supdt of the D.R. is
 Chief to mainly responsible as he has to
 deal with all papers of all branches
 main service & remainder service - The question
 is whether the Senior Supdt has done his
 duty in checking references in the women's
 branch also. The Division is Crucial
 and such a person might not be in his place.
 If the D.R. is not able to carry on the
 Enquiry, I would ~~not~~ suggest that Mr. Hooper
 Mr. Hooper may ^{be required to} make the Enquiry & submit
 a detailed report. I am not satisfied
 with the explanation offered in D.P. B. letter. It
 is necessary to overhaul the
 the D.R. is Chief.

Mr. Schmidt on Deputy Secy.
 Could not complete it then -
 11/5

Mr. Grieve naturally is in the
 very difficult position of an
 appointing officer asked to report
 on a man who has in some
 cases at any rate done the
 chief duties of the person
 incumbent. Mr. Grieve if
 I selected his letter might

would suggest that the
 converted papers were not put up
 or that there was any attempt
 to mislead the staff of the D.P. B.
 subordinates. My Mr. Call is
 apparently not satisfied, & that
 in his knowledge of the office
 arrangements of which I am ignorant
 I would suggest that the D.P. B.
 be asked to submit the
 converted office files with
 the index. It would be out
 of the question for Mr. Hooper
 to be put on to examine the
 to report on a case in which
 the personal responsibility of
 the head of a Dept is concerned.
 Mr. Grieve is I consider right in
 saying that the head of a department
 must be held responsible for
 the orders passed in a case
 which has been placed before
 him with all the material necessary
 for a decision. The Enquiry
 ought I think to be.



Submitted V.T.K.

M 2

H. & the Gov.

11/5/36

13.5

16 ~~8~~

H245

we have no definite information as to how the irregularities happened & who in the office are responsible for it. Of course Mr. Greene was not then in charge & is not expected to know but what is wanted is an investigation of the matter & fix the responsibility. Some one said go into the matter as the Officer in Charge. D.D. cannot be expected to go into a matter which took place when he was not in charge - I suggested Mr. Hooper as he ~~will~~ might be able to work under the guidance of the D.D. & suit independently of him. 13/5.26

I agree with my hon^{ble} colleague Mr. The responsibility must be with the head of the Dept.

I am, however, prepared to accept my hon^{ble} colleague Mr. Suggestion at A.

15.5.26-

C. 1421/C, from the D. P. D., R.O.C., No. 190-C/26, d/ 11.1.26

Two overpayments, the



17 ~~3~~ ~~9~~

recovery of which was waived in G.O., No. 170 Edn., dated 29-3-'26 related only to officers in the cadre of Sub Asstt. Inspectresses and School Assistants. The P.P.I. has since sent up a list of overpayments to secondary grade women teachers. Recovery has ~~provisionally~~ ^{presumably} to be waived in these cases also on the analogy of the concession shown to Sub Asstt. Inspectresses and School Assistants.

2. A draft Memo. to D.P.I. with reference to A at p.7 ante is submitted. Two files may

be Submitted to M₂
17.5.26

18/5

V.K.
19.5

M₂ Memo may issue.

I do not find any explanation for this serious irregularity. When orders were received, Mr. S.D. have been asked about it. Application - The D. P. D. takes the responsibility of issuing orders on his own responsibility. He does not want to investigate and allocate the serious omission in his office. The D. P. D. letter contains ^{no} explanation & no explanation of what ~~about~~ this procedure involved the Govt in great loss. Mr. C. said in pag 51 "D" that S.D. be investigated. If

Separate file formed in the question relating to sec. grade teachers)

17.5.26

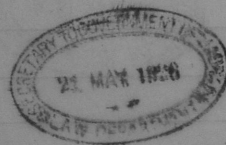
18

(14)

my Am - Ck C_u thinks that this
financial loss incurred by
the irregular procedure of D.D. I
does not call for any action I
have nothing to say but the view
expressed by him in p. 51 "D." should
an investigation is necessary into
the matter -

If the head of the Dept takes the
full responsibility upon himself
~~and~~ ^{and} he allowed such an irregularity
knowing it (such), and the necessary
papers before him) he must be
called upon to explain and necessary
action be taken - As I said if
in a case like this ^{Finance} ~~Finance~~ ~~Finance~~
~~Finance~~ ~~Finance~~ do not want any action
I am prepared to accept the position.
My Am - Ck C_u may see the above
I will be glad to talk over -
C_u.

21/5-26

C₄

V.T.K.

275

My Hon'ble Colleague has misunderstood my note. I pointed out Mr. Grieve's very difficult position in dealing, as Officiating D.P.I., with a case in which, so far as he ^{could} see, the responsibility must rest with the permanent D.P.I. My Hon'ble Colleague referred to the responsibilities of a certain officer in the D.P.I.'s office and suggested that Mr. Hooper the Examiner of Local Fund Accounts, should be put on to examine the case. I demurred to that because, if we are going to enquire into matters affecting the personal responsibility of the D.P.I., the officer so enquiring must be of at least equal status which Mr. Hooper has not. That was why I suggested that the D.P.I. should be asked to submit the connected office files with an index. They could then be examined in the Secretariat with a view to seeing whether any of those officers responsible to the D.P.I. had failed in their duty. I did not suggest that further explanation should not be called for. ^{did} What I ~~suggested~~ was, as it seemed to me, the appropriate way of dealing with the question under the circumstances.

23-5-26.



Further explanation will be called for as this is a ^{very} important case. In the meantime action and if he takes - 23/5

For orders as to issue of the memo below.

E.A.V.
28-5-26.

V.T.K.
28-5-26.

(Memo No.1316 C/26-2, dated 31-5-1926).

From the D.P.I. R.O.C.No.190 C/25, dated 8-6-1926.
29.7.1926

The original files of the D.P.I. have been received.

2. In the Secretary's note at pp.2-4 ante, it has been pointed out that two series of irregularities were committed. The first consisted in making officiating and permanent promotions and new appointments on the old fixed rates of pay between 30th November 1922 (the date of the G.O. in which time scales of pay were communicated to the Director) and 29th May 1923, the date of the G.O. in which ~~proposition~~ propositions were approved. The second ~~question~~ consisted in fixing the initial pay of individual officers with reference to rules 22 and 23 of the Fundamental Rules instead of with reference to the pay drawn by the incumbents during the three months prior to 1st March 1921 as required by the instructions issued by the Government.

3. Appointments and promotions on the old rates of pay between 30-11-22 and 29-5-23.

The files relating to appointments and promotion on the old fixed rates of pay are those tied together with red tape below. An examination of these shows that orders on the majority of these cases were passed by the Dy. Directress, Mrs. Drysdale (now retired) the case on which the Director's orders were taken having been only four in number. A perusal of the files does not show that any doubt was entertained by the Director's office as to the propriety of making appointments and

p.4 q.f.

p.5 c.f. C.1894 C.

p.8, c.f. 2423

20 14.5.23 (R)

20 7.3.23 (A)

p.12 (F)

para 2 of 20 7.3.23 (A)

had with 20 7.3.23 (M)

1 7.7.21

1 Mr. Littlehailes.
3 Mr. Grieve.

promotions on the old scales of pay. The clerks in charge of the papers during the period were M.R.Ry. C.V. Ramanuja Achari and ^{M.Ry} N. Krishna Rao. Mr. Grieve has ~~stated that there was any justification~~ of these orders. The Government have, however, ruled in G.O. No. 131 Bdn. dated 28-1-25 that these appointments and promotions were wholly irregular. ~~Mr. Grieve expressed a doubt as to whether the Government considered this issue as closed.~~

4. Fixation of initial pay with reference to Fundamental Rules 22 and 23.

The Director's office files on this subject are three in number tied together ~~with~~ white tape below. File No. 1 relates to Sub Assistant Inspectresses, file No. 2 to school assistants and No. 3 to secondary grade teachers. In file No. 2 the specific question of the principles on which initial pay should be fixed ~~was~~ was submitted for the Director's (Mr. Littlehailes's) orders on the 28th September 1923. The office note put up proceeded on the basis that G.O. 1587 Law (Bdn), dated 16-12-22 had permitted officiating promotions in respect of appointments which had not been placed on a time scale basis. (This ~~xx~~ point has been fully examined in the notes with G.O. No. 131 Bdn. dated 28-1-25 and it has been decided that appointments and promotions made after 30th November 1922, the date of the G.O. in which time ~~xx~~ scales of pay were intimated to the D.P.I. were irregular.) The issue placed before the Director was whether promotions sanctioned till the date of the receipt (8-7-23) of G.O. No. 737 Bdn. dated 29-5-23 sanctioning proposition statements might be allowed to stand or whether the G.O. might be taken to have had effect from 29-5-23 the date of the order. Mr. Littlehailes ordered that the promotions and appointments made up to the latter date might be taken into account in determining the initial pay of the officers

~~17 of notes~~

4. p.w. & at
p. 73 of J

p. 2, c. 4.

p. 12 of F

P p 1 + 2 of Director's
File No. 2

(2)

(J)

(A)

The D.P.I. ^{presumably} knew this important order when passing the order. ~~he did not~~ VTK
(M) 12-3-23

PP 1 + 2 of notes
of Director's file No. 2

Orders on the question of waiving recovery of overpayments to secondary teachers are due. ~~These will be submitted separately after orders are passed on this file.~~ The waiver has already been sanctioned in G.O. 470, dated 29-3-26 (D) in respect of school assistants and sub-asst. inspectresses. The orders in their cases will apparently have to be followed in the case of secondary teachers also.)

(D)

concerned. It may be pointed out that the office note was faulty in that it did not specifically bring to the notice of the Director the principles on which the Govt. had directed the fixation of initial pay in G.O. No. 737 dated 29-5-23. In this order it had been directed:

- that initial pay should be calculated according to the principles laid down in G.O. No. 711 Fin. dated 11th July 1921, on the basis of the pay drawn by the existing incumbents during the three months prior to the 1st March 1921;
- that existing incumbents should be started in the revised scales of pay from the 1st March 1922 at the point which they would have reached had the revision been given effect to from 1-3-21, no arrears of pay being however payable from 1-3-21 to 1-3-22; and
- that the recovery of excess pay, if any, drawn by subordinates in the shape of acting allowances or otherwise during the period from the 1-3-21 to 1-3-22 would be waived.

The office note was put up by clerk N. Krishna Rao and passed by Mr. Franco, then Personal Assistant to the Director. As pointed out in the ~~subsequent~~ office note at page 18 of file No. 1, a reference should have been made to the Government if the Director ~~office~~ had felt any difficulty as regards the basis on which the initial pay should be fixed. Attention is solicited to the notes on pages 16-21 of the notes in file No. 1.

16. 8. 26

17. 8. 26

18/8

M2
C3

The mistake in D.O. No. 1100 as well as in Director's office is due entirely to lack of supervision of the Superintendent. Evidently the attention of D.D. was not properly called down to the matter that a reference was made to the Superintendent for the same. The Secretary to the Government is also

1523
Sd/- receive learned as in the

then two cases -

The case full justifies a thorough
overhauling of the D.B.D's office both
in the matter of procedure & personnel -

It is a pity that Mr. Schuch-Carl will
do it - It is not too late to do it

then Mr. G.

87
18/12/26

P.T.O.

24 17
16.
As regards the actual cases I take it that
my Hon'ble Colleague's view is that there are two
points to which the attention of the Director of
Public Instruction should be drawn:

(1) Failure to bring to the Director's
notice specific orders of Government as to the
method of fixing initial pay and to instruct
him to take such disciplinary action as may now
be open. An office has no right to presume
that its head knows or remembers previous
papers. The duty of the office is to put up
every essential back reference bearing on the
subject. The Law Secretary's marginal remarks
on page 14 of notes suggests a line of defence
on the part of a careless clerk or superintendent
which to my mind would simply aggravate his
offence.

(2) To point out to the Director of Public
Instruction that throughout in dealing with these
cases everything seems to have been construed
in favour of the individuals concerned, that the
orders of Government were sufficiently clear that
they represented the maximum concession which the
Government proposed to concede and where a con-
struction against Government was possible the
decision of the question ought to have been
referred to the Government..

2. As regards the D.P.I.'s office I quite
agree with my Hon'ble Colleague that the time
has come for an investigation into the organisation
of the office not with special reference to this
case but on much wider grounds. I have no
figures here in Ootacamund, but I suppose that
the budget of the Education Department has nearly
doubled since the war in every branch of and the
administration of the Department has become much

more complicated and the burden on the Director of Public Instruction is now very much heavier. It is impossible for the head of a Department in such a stage of transition and expansion to find time to reorganise his own secretariat, and the increase of work is necessarily provided for by temporary expedients. I would therefore be quite willing, if my Hon'ble Colleague so desires, to support a request that some one who has a sound knowledge of Secretariat procedure and organisation should be put on to reorganise the D.P.I.'s office with reference to all up-to-date requirements, to eliminate all that is unessential, and organise the office and its establishments on a clearly conceived plan. The officer best fitted for this task is to my mind Mr. J.B. Brown. I believe he returns in a few months, and if he can be spared I would suggest that he be put on special duty for three months to go into the whole question. The Department of Public Instruction absorbs over one-seventh of our revenues and an efficiently organised headquarters is essential if the head of the Department is to have a reasonable chance of discharging his responsibilities.



20-8-26.

VTK
4/8

I have forwarded into 102 of Mr. 1.
As for para 2, the question may be
taken up as early as possible
as a general question of reorganisation
of the office of D.P.I.
24/8/26



Extracts from
+ given to
A' Section
1.9.26
PP 16 & 17 ante.

4. p. 14 ante

The question of the investigation
into the reorganisation of the D. P. I.'s
office ordered by C₂ + M₂ will be put
up for orders separately. The file
dealing with the waiver of recovery
of excess payments to Secondary grade
mistresses is being submitted separately.

27.8.26

31.8.26

VTK
1.9.

The D.O. has issued. The
papers may be

Establishment.

Subordinate staff:

Senior - Women's

branch - victim

pay & consequent
overpayments -

D. P. I. instructed to
take disciplinary

action against the

Subordinates

concerned.

Order 1680 d. 3.9.1926

Mo. Recd.

29.8

VTK
3.9

D.O. No. 1316 C-4 dated 1-9-40

My dear Grieco,

Correspondence ending with your letter R.O.C.No.190 C/25, dated 29-7-26 - Subordinate Educational Service - Women's Branch - Fixation of initial pay in the time-scale and consequent overpayments.

I am desirous to say that a perusal of the records on the subject discloses that two series of irregularities were committed in dealing with the case. The first consisted in ordering promotions and new appointments on the old rates of pay after the 30th November 1922 and the second in fixing the initial pay of individual members of the service in the time-scale with reference to the pay actually drawn by them ^{as a result} in consequence of the appointments and promotions adverted to above.

(1) Appointments and promotions on the old rates of pay between the 30th November 1922 and the 29th May 1923.

The argument relied on in support of the action taken is that G.O.1587 Law (Education), dated 18-12-22 permitted officiating promotions in respect of appointments which had not been placed on a time scale basis. As pointed out in G.O. 131 Education, dated 28th January 1925, ~~the~~

1 26
the permission should not have been availed of in the case of the Women's Branch for which definite time scales of pay had been announced on the 30th November 1922; the circumstance that proposition statements were sanctioned later is, in the opinion of the Government, ^{not relevant} ~~irrelevant~~. Your office files do not show that this aspect of the ^{question} ~~question~~ ^{was dealt with in the note} ~~received adequate attention at~~ the hands of the subordinates who prepared the ^{the} ~~case~~ for orders ^{of the D.P.I.}.

(ii) ~~Fixation of initial pay with~~ reference to Fundamental Rules 22 and 23.

It is observed that the question of fixing initial pay was first put up for orders by your office in September 1923. The issue placed before the permanent Director was as to the date up to which promotions on the old rates of pay should be taken into account in determining initial pay ^{How is} ~~is~~. Whether it should be the 29th May 1923, the date of the order sanctioning proposition statements, or the 8th July 1923, the date of receipt thereof in your office. The office note was clearly faulty in that it did not specifically bring to the notice of the Director the principles for fixing initial pay laid down in G.O. No. 737 Education, dated 29th May 1923.

2. In the opinion of the Government the conclusion is irresistible that proper attention was not paid in your office to the orders of the Government which were sufficiently clear and embodied the maximum concessions which the Government were prepared to allow. ^{the office felt that} ~~Where~~ ^{in this case} a construction against the Government was possible, it

36 note - p. 16, N7.

DESPATCHED
Per SEP 26

To R. G. Grievings, M.A., F.R.S.,
acting D.P.I. (with the Director)

(How files returned)

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1/9
12/4

C.D.B.

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to D.O. carefully
packed

3-29
was clearly ⁱⁿ ~~the~~ duty ~~of the Government~~ to have suggested a reference to the Government for an authoritative decision. This was not done, but ^{the orders} ~~were~~ construed in all cases so as to allow the maximum benefit ^{to the} ~~individual officers~~ ^{concerned} with the result that the Government ^{had} ~~have~~ had to suffer a heavy loss.

3 S. In the circumstances I am desired to request that disciplinary action may be taken against the subordinates who were responsible for the irregularities.

Yours sincerely,

27-8-26

Q
31-8-26
VTK
1-9

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192

READ AGAIN O.O. No.

192

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

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