

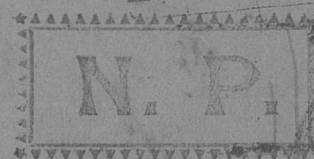
Educational (1902) Department.

ORDINARY PRINTED.

G.O., No. 592

DATED 24. 9. 02

INDEXED.



ORIGINAL

[Despatch Abstract.]

Personal allowances to Educational Officers

Subj. to the remarks on the letter from the Govt of India on the subject of

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1902} of Madras. EDUCATIONAL.

Recd.

Enclosures

Regd.

1902.

Spare copies

ORIGINAL

G.O., No. 592, 24th September 1902.

N. P.

SEPTEMBER.

Personal Allowances to Educational Officers.

Submitting remarks on the reference from the Government of India on the subject of —

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers:—

From A. WILLIAMS, Esq., Deputy Secretary to the Government of India, Home department (Education), to the Secretary to the Government of Madras, Educational department, dated Simla, 11th June 1902, No. 495.

I am directed to forward a letter (in original) from the Accountant-General, Madras, No. G-263/1948, dated the 31st May 1902, in which he submits, for the orders of the Government of India, certain questions in connection with the grant of personal allowances to Educational officers, and to request that, with the permission of the Governor in Council, the Government of India may be favoured with an expression of the views of the local Government on the points raised therein.

ENCLOSURE.

From C. E. CRAWLEY, Esq., Officiating Accountant-General, Madras, to the Secretary to the Government of India, Home department, dated Fort St. George, 31st May 1902, No. G. 263/1948.

I have the honour to invite a reference to your letter No. 294-5, dated 25th March 1902, to the address of the Secretary to the Government of Madras, Educational department, forwarding copies of despatches on the subject of the modification of the incremental system of the personal allowances sanctioned in 1896 for officers in the Indian Educational Service, and to enquire whether the periods of 20 and 25 years' service, after which officers should receive the maximum allowances of Rs. 250 and Rs. 500, respectively, should include all service rendered, or only service passed in the graded Educational service and the Indian Educational Service.

2. The case which has given rise to the present reference is that of Mr. J. B. Bilderbeck, Principal of the Presidency College, Madras, who is in receipt of a senior allowance of Rs. 250—50—500 and who is now in the Rs. 300 stage. Mr. Bilderbeck entered the service on the 21st March 1876, and served in appointments, which are now included in the Provincial Educational Service until the 8th June 1882, when he was appointed to the graded Educational service. It appears to me that his service prior to 8th June 1882 should be excluded for the purpose of calculating the 25 years' service which will entitle him to the maximum allowance of Rs. 500, but as the interpretation of the ruling is open to question, I submit the case for orders.

Endt. No. 159, Educational, dated 18th June 1902.

Referred to the Director of Public Instruction for early remarks.

A. T. PRINGLE,
Assistant Secretary to Government.

From the Hon'ble Mr. G. H. STUART, M.A., Director of Public Instruction, Madras, to the Secretary to Government, Educational department, dated 11th August 1902, Ref. on C. No. 4819.

With reference to your endorsement, No. 159, dated 18th June 1902, on letter from the Government of India, Home department. No. 495, dated 11th June 1902, I have the honour to say that in my opinion when an officer in the Provincial Educational Service is considered fit for promotion to an appointment in the Indian Educational Service carrying with it one of the personal allowances he may be given

the benefit of the ruling contained in the Secretary of State's despatch No. 14, Public (Educational), dated 7th February 1902, with regard to the whole of his service. Such cases will rarely, if ever, occur in future.

2. With regard to the particular case of Mr. Bilderbeck, though he was given a permanent appointment in the old graded service only on 8th June 1882, yet he has apparently acted in appointments now included in the Indian Educational Service continuously since 1st April 1875, and he may therefore be considered to have 25 years' service in the sense of the Secretary of State's despatch and to be entitled to the maximum allowance.

3. I may, however, invite a reference to G.O., No. 777, dated 19th December 1896, in which a somewhat similar case was decided against Mr. Logan.

LETTER—No. 592, Educational, dated 24th September 1902.

TO THE SECRETARY TO THE GOVERNMENT OF INDIA, HOME DEPARTMENT.

I am directed to acknowledge the receipt of Mr. Williams's letter No. 495 (Educational) of the 11th June last, forwarding for remarks a reference made by the Accountant-General of Madras on the subject of personal allowances to educational officers.

2. In reply I am to state that in the opinion of His Excellency the Governor in Council the period of 20 or 25 years after which officers become eligible for the maximum allowance of Rs. 250 or Rs. 500, as the case may be, should include all service rendered, and not merely the time spent in the graded service. When an officer is considered fit for promotion to an appointment in the Indian service which carries with it one of the personal allowances, it seems to the Government only fair that the previous service should count. I am however to add that cases of this kind will rarely, if ever, occur in future.

3. Mr. Bilderbeck, the officer to whom the Accountant-General refers, was permanently appointed on the 21st March 1876 to what was then the upper subordinate educational service, and was transferred to the graded service on the 8th June 1882. During the whole of this interval, with the exception of two days in 1877 and 7 months and 28 days in 1877 and 1878, he was acting in appointments which are now included in the Indian service. Mr. Bilderbeck may therefore unquestionably be regarded as having put in the period of 25 years' service required to make him eligible for the maximum allowance. As he is now 51 years old, he would otherwise become entitled to this maximum only on the eve of his retirement. It was to prevent hardships of this nature that a change was made in the rules.

4. The original letter from the Accountant-General which formed the enclosure to your reference is returned.

A. T. PRINGLE,
Assistant Secretary to Government,
in charge.

Educational (1902) Department.

CURRENT No. 933

From

[Name] Government of India
Home

[Designation] _____

[Station] _____

No.

495

Received

190

Dated

11-6

190 2

Enclosures

1

Registered

18-6

190 2

Personal allowances ^{SUBJECT.} to Educational officers
Forwarding a letter from the A.G. Subg.
Certain questions in connection with
the grant of - and requesting an expression
of the views of this Government thereon.

BACK PAPERS.

FURTHER PAPERS.

2
5
Educational (190²) Department.

CURRENT No. 1171-

From

[Name] The Honourable Mr. G. H. Stuart, M.A.,

[Designation] Director of Public Instruction,

[Station] Madras.

DESPATCHED

// AUG 1902

Reference No. 4819/02.

Received 11 AUG 1902 190 .

Dated // 4 August 1902.

Enclosures one file of papers in original. Registered 12 8 1902.

SUBJECT.

Resubmitting with remarks endorsement of Government, No 159, dated 18th June 1902 on letter from the Government of India, Home Department, regarding the grant of the maximum personal allowance to Mr. J. B. Bilderbeck, Principal of the Presidency College.

BACK PAPERS.

On 159 of 18.6.02 & pp

FURTHER PAPERS.

ED 11/8

To

The Secretary to Government,
Educational Department.

Sir,

With reference to your endorsement No 159, dated 18th June 1902 on letter from the Government of India, Home Department, No 495, dated 11th June 1902, I have the honour to say that in my opinion when an officer in the Provincial Educational Service is considered fit for promotion to an appointment in the Indian Educational Service carrying with it one of the personal allowances he may be given the benefit of the ruling contained in the Secretary of State's dispatch No 14-Public (Educational), dated 7th February 1902, with regard to the whole of his service. Such cases will rarely, if ever, occur in future.

2. With regard to the particular case of Mr. Bilderbeck, though he was given a permanent appointment in the old graded service only on 8th June 1882, yet he has apparently acted in appointments now included in the Indian Educational Service continuously since 1st April 1875, and he may therefore be considered to have 25 years service in the sense of the Secretary of State's dispatch and to be entitled to the maximum allowance.

3. I may however invite a reference to G.O. No 777, dated 19th December 1896 in which a somewhat similar case was decided against Mr. Logan.

I have the honour to be,

Sir,

Your most obedient servant,

G. H. Stuart
Director of Public Instruction.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 592, EDUCATIONAL,
DATED 24TH SEPTEMBER 1902.

[SUBJECT.—Mr. Bilderbeck's personal allowance.]

From the Government of India, Home Department (Education), No. 495, dated 11th June 1902.

„ Director of Public Instruction, R. C. No. 4819, dated 11th August 1902.

The Director's views may be concurred in and the Government of India informed accordingly.

2. Mr. Bilderbeck's first permanent appointment (in March 1876) was the head-mastership of the Zillah school at Chittoor, but he never actually served in that capacity, having been all the while acting professor of history in the Presidency college. He was then (in January 1877) made permanent first assistant master and acting headmaster of the Provincial school at Rajahmundry. Subsequently (in December 1877) he reverted to his permanent post and remained there for about eight months, when he was again appointed to act as either professor of literature or as professor of history in the Presidency college. In this capacity he remained for about four years when he was taken to the old graded service on 8th June 1882. He is now 51 years old and, in the ordinary course, will become entitled to the maximum allowance only about the time of his retirement. It was to prevent hardship like this that the new rule quoted by the Accountant-General was introduced.

3. As regards paragraph 3 of the Director's letter, attention is solicited to the notes on page 3 of the notes connected with G.O., No. 734, Educational, dated 11th December 1901.

P. T. THARYAN—15-8-02.

Demi-official from the Hon'ble Mr. G. H. STUART, M.A., Director of Public Instruction, to H. A. STUART, Esq., Acting Secretary to Government, Educational department, dated Madras, 16th August 1902.

I find I was wrong in saying that Bilderbeck had served in appointments now included in the Indian Educational Service continuously since 1st April 1875. From the 7th to 9th May 1877 and again from 8th December 1877 to 5th August 1878 he was employed as first assistant master, Provincial school, Rajahmundry (now Rajahmundry College), which is a post not now included in the Indian Educational service. Also he had only an acting appointment till 21st March 1876, when his permanent service began. From 5th August 1878 he has continuously acted in the graded service or the new Indian Educational service.

The above refers to Government Ref. No. 159, dated 18th June 1902.

A letter may be drafted on the lines of the Director's letter.

2. There is no necessity to refer to the Director's third paragraph.

A. T. PRINGLE—22-8-02.

The draft placed below may issue.

P. T. THARYAN—22-8-02.

A. T. PRINGLE—23-8-02.

Attention is invited to paragraph 3 of G.O., No. 777, Educational, dated 19th December 1896, in which it was held that an officer (Mr. Logan) could not count service rendered in appointments not included in the graded list. It is a mistake to depart from decisions already arrived at unless there are strong reasons for doing so and I find no such reasons in this case. When a sergeant is given a commission in the Staff Corps his service in the ranks does not count for promotion to Captain, Major, etc. I submit that we should adhere to the decision of 1896.

2. The case must go to the Financial department with a request that they will submit it to Honourable Member. If the Director's view is accepted there will be increased expenditure in the case of Mr. Bilderbeck, who will draw Rs. 500 a month from 21st March 1901, and also in the case of Mr. Marsden, if the proposal is sanctioned with retrospective effect; while Mr. Logan is certain to urge a reconsideration of his case.

H. A. STUART—23-8-02.

To the Financial department.

FINANCIAL DEPARTMENT.

This department may agree with Mr. Stuart. When persons situated as those gentlemen were, are given a place in a higher service, it must be taken that they do so with an eye to the superior advantages which it legitimately opens to them. But it is a habit with such persons subsequently to claim advantages which do not properly belong to them, lying low before making such claims until they are firmly established in their new position. Messrs. Bilderbeck and Marsden cannot expect to be accorded all the rights which appertain to those recruited direct for the Educational service by the Secretary of State in England. They should be thankful to have extricated themselves from the inferior service which they joined and to have prospered so well.

2. I see no sufficient reason to burden the finances with the expenditure which their claims would entail.

G. S. FORBES—26-8-02.

The office contention is in accordance with the letter of paragraph 15 of the resolution of India (G.O., No. 479, Educational, dated 10th August 1896), and follows precedent of Logan's case (G.O., No. 777, Educational, dated 19th December 1896.)

But, then, I don't know why Mr. Hammick's letter No. 144, Educational, dated 12th March 1901, was written.

N 2. If the Accountant-General's—and the office's—view is adopted Bilderbeck's present allowances—Rs. 350—would be reduced apparently.

3. A further question is whether acting in the privileged grade should not confer grade advantages.

4. According to the list both Marsden and Logan are drawing the allowances in full now. It is not clear, therefore, what extra expense there would be except in Bilderbeck's case.

P. T. THARYAN—22-9-02.

5. I am inclined to pass the draft, but a succinct note should be put up which I may have to refer to His Excellency and Honourable Member.

J. T. [HOMSON]—27-8-02.

Submitted that the file may return to Educational with reference to the Honourable Member's note.

C. M. SCHMIDT—29-8-02.

G. S. FORBES—30-9-02.

To the Educational department.

EDUCATIONAL DEPARTMENT.

Under paragraph 9 of the resolution of the Government of India in G.O., No. 479, Educational, dated 10th August 1896, a special allowance of Rs. 100 *per mensem* is payable to all officers of the Indian Educational service who have attained 15 years' service and whose salary then does not exceed Rs. 1,000 *per mensem*, provided their services have been meritorious. This paragraph is strictly applicable to officers who begin service in the Indian service, for it speaks of such officers attaining their maximum in ten years and of a stagnation then and of the payment of an allowance of Rs. 100, five years after the maximum is reached, to prevent discontent. The Indian service was, however, formed on 1st January 1897 almost entirely of officers in the old graded service. In applying the resolution of the Government of India to these officers, therefore, it is the spirit and not the letter of that resolution that should be taken into account. In fact it was thus that the pay and position of the officers were decided in the first instance.

2. When the Indian service was formed Dr. Wilson, Mr. Bilderbeck and Dr. Bourne did not join it, but all the others in the old graded service did (Mr. Bilderbeck and Dr. Bourne, however, joined subsequently in November 1899).

3. In the newly formed Indian service Mr. Stuart, Mr. Marsden, Mr. Logan and Mr. Stone were the seniors, and the two former got the senior personal allowance of Rs. 250—50—500 and the two latter the junior personal allowance of Rs. 200—10—250, with effect from 1st January 1897.

The Director at one time proposed to give Mr. Logan the special allowance of Rs. 100 and the proposal was not accepted by Government (G.O., No. 777, Educational, dated 19th December 1896), but as Mr. Logan was granted one of the personal allowances, with effect from 1st January 1897, his case will not arise, as supposed by Mr. Stuart at all.

4. Counting in their total service, Dr. Bourne, Mr. Keess and Mr. Hall are the next to be named: all these officers now get the special allowance of Rs. 100. Messrs. Keess and Hall happened to be holding special appointments outside the graded service, and the orders granting them the special allowance of Rs. 100 were therefore not in accordance with the decision in Mr. Logan's case: that decision was on reconsideration in this department regarded as incorrect (*vide* notes connected with G.O., No. 734, Educational, dated 11th December 1901).

5. The correspondence which led up to the ruling of the Secretary of State in G.O., No. 213, Educational, dated 10th April 1902, will be found in G.O. and letter Nos. 143, 144, dated 12th March 1901. When the local Government replied to the Government of India in this matter the total service of Messrs. Bilderbeck, Marsden, Logan, Stone, Bourne and Middlemast was stated as given by the Director. The first four of these officers had service outside the old graded service—some, very long service, as in the case of Mr. Marsden, others very little, as in the case of Mr. Stone. It is true that Mr. Marsden completed 25 years' service on the 1st November 1890, but the ruling in the Secretary of State's despatch will take effect only from the date of its receipt by the Government of India, that is to say, about the end of February last. Mr. Marsden received the maximum allowance on 1st January 1902 or about two months previously and could not prefer any claim. There is no proposal to give him any allowance retrospectively. Mr. Stuart seems to have misunderstood the case in this respect. Mr. Bilderbeck was on leave from 15th March 1901 till about the middle of May last: he cannot draw any increased allowance before the latter date and the additional expenditure in his case in the current year will be only about Rs. 1,500.

6. As regards the Honourable Member's note at N, Mr. Bilderbeck is getting one of the senior allowances of Rs. 250—50—500 and he will not therefore have to go back to the junior allowance. Under the Secretary of State's sanction an officer drawing one of the junior allowances of Rs. 200—10—250 can draw the maximum when he has put in 20 years' service and an officer drawing one of the senior allowances of Rs. 250—50—500, when he has put in 25 years' service. It is possible that

P. T. THARYAN-4-9-02.

A. T. PRINGLE—22-9-02.

J. T[HOMSON]-23-9-02.

[G.O., No. 592, Educational, dated 24th September 1902].

8.000-31-1-01

READ AGAIN G.O., No. _____, dated _____, 190_____

” ” ” ” ” 190

READ ALSO :—

C. No. 933, From the Government of India, Home Dept., No. 495, dated 11th June 1902.

" " 1171 " " Director of Public Instruction, " 4819, " 11th August 1902

190

ORDER

No. 592, dated 24 - 9 - 1902

To

The Secretary to the
Government of India,
Home Department.

Sir,

I am directed to acknowledge the receipt of Mr. Williams's letter No. 495 (Educational) of the 11th June last forwarding for remarks a reference made by the Accountant General, Madras, on the subject of personal allowances to Educational officers.

2. In reply I am to state that in the opinion of His Excellency the Governor in Council the period of 20 or 25 years after which officers

suspensions + then
 print:
 PH
 24/9/2
 despo
 24/9/2

become eligible for the maximum allowance of Rs. 250 or Rs. 500, as the case may be, should include all service rendered, and not merely the time spent in the graded service. When an officer is considered fit for promotion to an appointment in the Indian service which carries with it one of the personal allowances, it seems to the Government only fair that the previous service should count. I am however to add that cases of this kind will rarely, if ever, occur in future.

3. ~~In regard to the officer~~ *Mr. Bilderbeck* to whom the Accountant General refers, ~~Mr. Bilderbeck~~ was permanently appointed on the 21st March 1876 to what was then the Upper Subordinate Educational Service, and was transferred to the graded service on the 8th June 1882. During the whole of this interval, with the exception of two days in 1877 and seven months and 28 days in 1877 & 1878, he was acting in appointments which are now included in the Indian Service. Mr. Bilderbeck may therefore unquestionably be regarded as having put in the period of 25 years service required to make him eligible for the maximum allowance. As he is now 51 years old, he would otherwise become entitled to this maximum only on the eve of his retirement. It was to prevent hardships of this nature that a change was made in the rules.

[Office - Keeping return]

4. The original letter from the Accountant General which formed the enclosure to your reference is returned.

P.T.T.

22-8-2.

A. T. P.

23-8-2.

Page 506 of the History of Services of Gazetted Officers.

1st copy sent to Press.

Returned for signature.

Despatched in print.

AGAIN G.O., No.
190 .

DATE

NUMBER OF COPIES
REQUIRED. } Order complete. 30
Letter only.
Order complete with Letter.

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

note him afterwards