

Educational (1902) Department.

ORDINARY PRINTED.

G.O., No. 604

DATED 30. 9. 02

INDEXED.

ORIGINAL

[Despatch Abstract.]

Indian Educational Service
to only to the D.D. & the A.G. letter from
the Govt of India forwarding copy
of despatches on the subject of
the allowances attached to Senior
Apprs in the

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.

Regd.

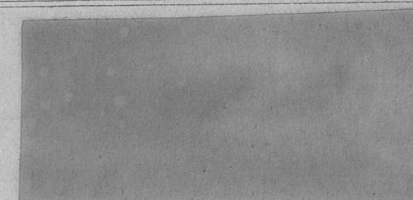
} 1902.

Enclosures

Spare copies

ORIGINAL

G.O., No. 604, 30th September 1902.



SEPTEMBER.

Indian Educational Service.

Communicating to the Director of Public Instruction and the Accountant-General letter from the Government of India forwarding copy of despatches on the subject of the allowances attached to senior appointments in the —.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper:—

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, 19th September 1902, No. 801.

With reference to the correspondence ending with your letter No. 115, dated the 1st March 1901, I am directed to forward, for the information and guidance of the Governor in Council, a copy of the despatches noted in the margin,* on the subject of the allowances attached to senior appointments in the Indian Educational Service.

2. On a representation from the Government of Bombay, the Government of India recommended that the personal allowances admissible to officers of the Indian Educational Service under the orders of 1896 should be declared for all purposes to be a portion of the substantive pay of the officers by whom they are drawn. It was also proposed that an officer of the Indian Educational Service appointed to officiate in a post the permanent incumbent of which was in receipt of a personal allowance, should, during the absence of the latter on leave or deputation, be permitted to receive acting allowances under article 125, Civil Service Regulations, on the assumption that the pay of the appointment in which he is officiating is the pay which he would receive if substantively appointed to that post.

3. The Secretary of State in his despatch of the 27th June 1902 has accepted the recommendation of the Government of India that the allowances should be treated, when the holders officiate in other offices, as a portion of their substantive pay and thus be relieved from the reduction required by article 77 of the Civil Service Regulations, but His Lordship has not sanctioned the proposal relating to acting allowances in the form presented by the Government of India. His Lordship adverts to his despatch of the 7th December 1899, in which an exception was made to the general principle laid down in 1896, viz., that the allowances were to be strictly *personal* within the meaning of the Civil Service Regulations, so as to admit of an officer acting in a particular office to which a personal allowance was attached drawing as an acting allowance whatever amount, not exceeding a moiety of the whole, is forfeited by the officer going on leave. To the objection that this arrangement did not meet the case of officers proceeding on leave other than furlough, it is pointed out that under article 306, Civil Service Regulations, privilege leave may be granted to educational officers enjoying a regular vacation only on half salary, so that there is in such

cases a certain amount of savings which might be applied to remunerate the *locum tenens* exactly as in the case of furlough, and His Lordship authorizes this being done in future.

4. In paragraph 7 of his despatch of the 27th June 1902 the Secretary of State indicates the manner in which the grant of acting allowances should be regulated in case an officer whose appointment carries with it a personal allowance, officiates for a Director of Public Instruction on furlough. I am to request that the procedure indicated by His Lordship may be followed in future.

ENCLOSURES.

DESPATCH from the Government of India, Finance and Commerce department (Salaries, Establishments, etc.—Education), to His Majesty's Secretary of State for India, dated Calcutta, 6th February 1902, No. 33.

We have the honour to forward, for Your Lordship's consideration, a copy of the papers, detailed in the annexed list, on the subject of the personal allowances which are attached to certain appointments in the Indian Educational Service under the reorganization scheme of 1896.

2. These allowances were sanctioned by Your Lordship, in your Public Educational despatch No. 22, dated the 12th of March 1896, giving your approval to the proposals made in the despatch of the Government of India of December the 11th, 1895, for the reorganization of the Educational Services in India. In paragraph 7 of the latter despatch Lord Elgin's Government observed that they were of opinion that these allowances should be strictly *personal*, within the meaning of the Civil Service Regulations, that is, that they should be held continuously by officers whether on duty or on leave, and should not be given to those who act for them during their absence. In Your Lordship's Public despatch No. 163 of the 7th December 1899, dealing with the memorial of Mr. W. H. Sharp of the Indian Educational Service, you drew our attention to the fact that the original intention of Lord Cross in suggesting special allowances was to assign them to the office and not to the man, the reason by which His Lordship had been actuated in making his proposal having been that it had been found to be a grievance under the old graded system that a peculiarly able officer, specially selected to officiate as Principal, might be restricted to his Professorial pay, some other officer, on account of his seniority, receiving the acting grade promotion. Your Lordship, however, stated that you did not propose to insist on a reversion to the original proposal, but gave your sanction to the grant to an officer selected to perform the duties of the substantive incumbent, during a vacancy caused by the latter's absence on leave other than privilege leave, of the balance of such allowance, not exceeding a moiety of the whole, that is not drawn by the officer on leave.

3. In August 1900, we received a representation from the Government of Bombay that the application of the term "personal" to the allowances in question had frustrated to some extent the original intention that these allowances should represent, in the case of the senior officers who elected to serve under the new rules of 1896, a grade promotion which they would have received in the old graded service. The Bombay Government also represented the disadvantages under which certain officers in officiating appointments had been placed in respect of these personal allowances, and, adverting to the decision given by Your Lordship in the case of Mr. Sharp, urged that the concession therein made was not complete, since it extends only to the case of those officers who act temporarily as Principals, and does not cover the case of a Principal who goes on privilege leave, or that in which an absent Principal is acting as Director of Public Instruction.

4. We are constrained to agree with the view of the Bombay Government expressed in paragraph 6 of their letter of the 22nd August 1900, that the circumstances under which these personal allowances are given to officers of the Indian Educational Service are entirely different from those under which personal allowances are granted to officers of other services, and that the provisions of article 77 of the Civil Service Regulations cannot equitably be applied to these allowances as drawn by the officers of the Indian Educational Service. Before addressing Your Lordship on the matter, we consider it desirable to obtain the views of the other local Governments upon it. Their replies generally endorse the proposition of the Bombay Government that existing anomalies would be removed if the allowances in question were declared for all purposes to be a portion of the substantive pay of the officers by whom they are drawn, and that an officer of the Indian Educational Service appointed to officiate in a post, the permanent incumbent of which receives a personal allowance, should, during the absence of the latter on leave or deputation, be permitted to receive acting allowances under article 125, Civil Service Regulations, on the assumption that the pay of the appointment in which he is officiating is the pay which he would receive if substantively appointed to that post.

5. On a reconsideration of the whole matter, we concur in the proposals of the Government of Bombay, which will, in our opinion, have the effect of giving to these allowances the character which it was originally contemplated by Viscount Cross that they should hold. We, therefore, recommend the proposals for Your Lordship's sanction.

DESPATCH from His Majesty's Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated London, 27th June 1902, No. 60, Public (Educational).

I have considered in Council the Financial despatch of Your Excellency's Government No. 33, of the 6th February last, on the subject of the allowances attached to senior appointments in the Educational Service under the reorganization scheme of 1896.

2. I understand Your Excellency to recommend, in accordance with the proposals of the Bombay Government, (1) that the personal allowances of the holders of offices in the Education department to which such allowances are attached should be treated, when the holders officiate in other offices, as a portion of their substantive pay, and thus be relieved from the reduction required by article 77 of the Civil Service Regulations; and (2) that when an officer of the Indian Educational Service is appointed to officiate in an appointment to which a personal allowance is attached during the absence of the permanent incumbent on leave or on deputation, he be allowed acting allowance calculated under article 125, Civil Service Regulations, on the assumption that the pay of the appointment in which he is officiating is the pay which he would receive if substantively appointed to the post.

3. I have no difficulty in agreeing to the first of these proposals. Article 77 of the Civil Service Regulations itself contemplates cases in which, under special orders, it shall not apply; and I think that it was part of the intention of the reorganization scheme that the personal allowances of Educational officers appointed to officiate as Directors of Public Instruction should not be reduced as provided by that article.

4. As regards the second of the two proposals, I am not disposed to agree altogether with the arguments put forward by the Bombay Government. I observe that the allowances in question are not in all cases given for special work and responsibility, as they apparently are in that Presidency and in Madras to the Principals of Colleges. In the United Provinces they appear to be granted at the discretion of the local Government and not attached to particular posts; and even in Bombay and Madras, when drawn by the senior Inspectors, their character is of this kind. It was not intended by those responsible for the reorganization of 1896 that when an officer drawing such an allowance, conferred by selection, went on leave, another officer, who continued to do precisely the same work as he was doing before, should thereby profit by the receipt of acting allowance.

5. In my despatch No. 163 (Public), of the 7th December 1899, I so far admitted an exception to the rule laid down in 1896, as to permit an officer acting in a particular office to which a personal allowance has been attached (which would not include the case of a senior Inspector) to draw as acting allowance, in consideration of the extra work and responsibility devolving on him, whatever amount, not exceeding a moiety of the whole, is forfeited by the officer going on leave. The Bombay Government point out, in paragraph 9 of their letter No. 1251, of the 22nd August 1900, that although this decision meets the case of Principals holding personal allowances going on furlough, it does not provide for the case of such officers going on privilege leave, or being temporarily employed on deputation elsewhere in the place of another officer on furlough.

6. By article 306, Civil Service Regulations, privilege leave may be granted to educational officers enjoying a regular vacation (which would include Principals of Colleges) only on half salary. There is thus in such cases a balance over, which may be applied to remunerate the *locum tenens* exactly as in the case of furlough; and I authorise this being done.

7. When a holder of an office to which an allowance has been specially attached officiates in an office such as that of Director of Public Instruction, *vice* an officer on furlough, there is a saving from the pay of the latter officer which can be applied to the remuneration of the holders of the chain of appointments made in consequence of his absence; and I have no objection to this saving, though not actually made from the salary of the holder of the personal allowance, being applied to remunerate a *locum tenens* in the manner permitted by my despatch of the 7th December 1899.

8. In other respects it appears to me desirable that the principles of the settlement of 1896 should be maintained.

ORDER—No. 604, Educational, dated 30th September 1902.

Communicated to the Director of Public Instruction and to the Accountant-General.

(True Extract.)

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

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8. In other respects it appears to me desirable that the principles of the settlement of 1896 should be maintained.

Edw. A. F. Eccleston.

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

READ ALSO :—

READ ALSO:—
C. No. 1447, From the Govt. of India, No. 801, dated 19th September 1902.

ORDER

No. 604, dated 30-9-1902

As

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Communicated to the OPI and to

the Ag.

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30 Jan

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LETTER OF GOVERNMENT.

STATEMENT WITH DETAIL.

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