

Educational (1903) Department.

ORDINARY MS.

G.O., No 599-600

DATED 4-12-03

PRINTED

IN

G.O. 104
11-2-1904

[Despatch Abstract.]

College of Agriculture

Requesting the Govt of India to sanction
the app^t of Ch. Subbarao to act as the
Vice Principal of the — during the absence
of Mr R. S. Dhotre on leave & the payment
to him of the ordinary ag allowance
admissible under Art. 140 of the C.S.R.

BACK PAPERS.

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

FURTHER PAPERS.

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

1,000-16-11-00.

Educational (1903) Department.

CURRENT No. 1892

From

[Name] M. H. Oung Saye

[Designation] Off. Assistant General

[Station] Madras

No. G. 1514/8723

Dated 17 November 1903.

Enclosures _____

Received _____ 190 .

Registered 18/11 1903.

SUBJECT.

Requesting that the sanction of the Govt of India may be obtained for the appointment of
Mr. R. G. K. Subba Rao to act as
 Vice Principal of the College of Agriculture
 Saidapet.

BACK PAPERS.

G.O. 50316 D - 11-03 G.O. 68071 10-5-96
 G.O. 68071 10-5-96 G.O. 67971 10-8-96

FURTHER PAPERS.

To

The Secretary to Government,

Educational Department.

Sir,

With reference to the appointment of M.R.Ry. C. K. Subba Rao Avergal, Sub-Assistant Director of Agriculture, Madras, to act as Vice Principal of the College of Agriculture, Saidapet, during the absence of Mr. R. S. Thorne on leave notified in Part IB, page 759 of the Fort St. George Gazette dated 3rd November 1903, I have the honour to state that under para 16 of the Government of India Resolution Home Department No. 4 Education/204 and 215 dated 23rd July 1896 and Government of India letter Home Department, No. 409, dated 30th November 1898, Government can provide for temporary vacancies in posts ordinarily filled by officers of the Indian Educational Service by appointing members of the Provincial Educational Service or of the Subordinate Educational Service. As M.R.Ry. C. K. Subba Rao does not belong to either of these services, his appointment requires the sanction of the Government of India and I respectfully request that this may now be obtained. I also request that the orders of the Government of India may be obtained as to the rate of acting allowance payable to him

I have the honour to be,

Sir,

Your most obedient servant,

H. S. P. S.
Offg. Accountant-General.

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500-5-7-92

EDUCATIONAL DEPARTMENT.

C. No. 1892

SUBJECT.

Appointment of Mr. C. K. Subba Rao
as acting Vice Principal of the Saidapet
Agricultural College.

M. W. Thorne the permanent Vice-Principal of the Agricultural College (took ^{fell} ill in July last and proceeded home on three months privilege leave and furlough in continuation up to the 10th May 1904. vide go. no 410 dt 1st September 1903 printed in go. no 492 dt 7th October. Mr. R. S. Thorne of the Provincial Educational Service was ~~then~~ appointed to act for ^{him} Mr. Thorne but he had to relinquish the appointment under medical advice - vide Director's letter in go. R no 503 dt 30th October 1903. As there was no other suitable person in the Educational department to fill up the appointment temporarily, Mr. R. S. Thorne, Sub-assistant Director of Agriculture, had then to be appointed to act for Mr. Thorne - vide go. R no 503 dt 30th October 1903.

2. The Accountant General now contends that under ^{para 16 of} Home Department Resolution 4 Education - 204 - 205 dt 23rd July 1896 and Home Department letter no 409 dt 30th November 1898, only members of the Provincial and Subordinate Educational Service can be appointed to

to act in posts ordinarily filled by officers of the Indian Educational Service and that as Mr. Subba Rao does not belong to ~~the~~ either of these services his appointment requires the sanction of the Govt. of India. The Accountant General accordingly requests that this sanction may be obtained and that orders may ~~be~~ at the same time be sought as to the rate of acting allowance payable to Mr. Subba Rao.

3. It is submitted that the Accountant General's contention does not appear to be correct. The Home Department resolution of 1896 says "It will be open to Local Govts and Administrations whenever occasion arises, to provide for temporary vacancies in posts ordinarily filled by members of the Indian Educational service by appointing members of the Provincial Service to officiate." The question here was between members of the Indian & Provincial services. That between the Indian Service and Service

outside of other than Provincial was not considered and provided for. Subsequently in Home Department letter No 409 of the 30th November 1898 reference was made to members of the Subordinate Service acting for officers of the Indian Service. These are outside the Provincial service which alone is mentioned in the Resolution of 1896. It seems therefore that in this resolution the Govt. of India did not mean to restrict to the Provincial or Subordinate

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Service the privilege of acting for officers of the Indian Service and that there is nothing in it to prevent Local Govts from appointing others.

4. As the Accountant General has objected the matter should go up to the Govt. of India but if the view in the foregoing paragraph is accepted the Accountant General's contention may be ^(in the letter to India) disputed. The acting allowance may be fixed at Rs 100 - the allowance payable to members of the Provincial Service acting for officers of the Indian Service. Subba Rao's permanent pay is Rs 150.

By
24/11/3

The Accountant General's contention is that persons other than officers of the Provincial or Subordinate Services are excluded from acting in these posts because they are not mentioned in the two India letters of '96 and '98. But if non-mention were exclusion, officers of the Subordinate Service would be excluded because they are not mentioned in the first of these letters (that of '96), whereas it is obvious from the letter of '98 that they were not intended to be excluded. The Act-General's argument therefore admits of being reduced to an absurdity.

The fact is all that was done by §16 of the first letter was to fix an allowance of 100 rupees for officers of the Provincial service acting in these posts, and that was

done by § 2 of the second letter was to fix an allowance of 75 rupees for officers of the Subordinate Service acting in them. This - the case of an outsider acting in these posts - is a third case which India has apparently not yet considered. India would presumably not dispute the policy of the appointment, but would wish to fix either a precise allowance (as it has done in the other two cases) or a maximum allowance. Submitted that as an outsider has no status, there is no logical principle, unless it be that the amount should be proportionate to his previous salary, upon which an allowance can be fixed at a precise figure. India may be informed of the amount of the previous salary in this case, but it may at the same time be suggested that only a maximum be laid down, and that local governments, which are in a better position to estimate the circumstances of each case, be empowered to grant allowances in similar cases subject to the provisos (1) that such allowances do not exceed Rs 100 per annum (2) do not bring the total salary of the acting incumbent above the salary of the officer for whom he acts.

See 4 Mar 03

The Gov^t of India must be addressed. Altho the Home

Dept. Letters are not explicit, it does not seem to me that the A.G.'s reference is altogether unreasonable. Even appointments of members of the Subordinate Ed. Service to posts reserved for the Indian Ed. Service or Prob. Service are to be "distinctly temporary & exceptional" (Letter of 30 Nov 1898), & the appointment of an entire outsider may well, therefore, be said to require special sanction. The question will have to be decided as it is for

The ag. allowance may, I think, be determined in such a case by the rules of the C.S.R.

HM. 26.11.03

Placed to India

877/11

26.11.03

a draft is placed below for approval.

HM. 1/12/3

Submitted that the article of the C.S.R. applicable (art. 139) does not cover this case. Re-draft referring to art. 140? (or which India might wish to allow) See 4 Mar 03

Of art. 139 applied, it wd. be unnecessary to address India. Art. 140 applies & will, I think, give an acting allowance of Rs. 80 pm. wh. seems reasonable.

HM. 2.12.03

HM.

877/11

Issue 2.12.03

[E.]
[12]

1,000-7-5-02.

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

" " " " " " 190

READ ALSO:—

C. No. 1892, From the A.G. , No. 1574/8723, dated 17-11-1903

" " " " " " 190

" " " " " " 190

ORDER

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No. 599, dated 3-12-1903

The Govt. of India will be addressed

By
30/11/13

Letter No. 600 d/12-03

To the Secretary to the Govt. of India
Home Department

Sir,

Mr. R. S. Thorne, Vice-Principal of the College of Agriculture at Saidapet and an officer of the Indian Educational Service, pay Rs 400-20-500, fell ill in July last and proceeded home on three months privilege

privilege leave and furlough in continuation up to the 10th of May 1904. Mr. R. G. Krishna Prabhu, a member of the Provincial Service was appointed to act for him but he was obliged to relinquish the appointment under medical advice. As there was no other suitable person in the ~~Madras~~ Educational Department to fill the appointment temporarily, Mr. R. C. K. Subba Rao, Sub Assistant Director of Agriculture, was then appointed to act for Mr. Thorne.

2. The Accountant General ~~is~~ ^{of opinion} ~~states~~ that under the resolution of the Govt. of India No 4 Education, 204-215 Home Deptt, dated 23rd July 1896 and Home Deptt letter no 409 dt 30th November 1898, only members of the Provincial or Subordinate Educational Service can be appointed to act in posts ordinarily filled by officers of the Indian Educational Service and that as Mr. R. C. K. Subba Rao does not belong to either of these services his appointment requires the sanction of the Govt. of India. I am accordingly directed to request that the Govt. of India will be pleased to sanction the appointment of Mr. R. C. K. Subba Rao

Rao to act as the Vice Principal of the Agricultural College during the absence of Mr. Thorne on leave or until further orders and the payment to him of the ordinary acting allowance admissible under the Civil Service Regulations.

Mr. R. C. K. Subba Rao's pay as Sub Assistant Director of Agriculture is Rs 250 per mensem.

3. A copy of the Accountant General's letter ^{regarding} ~~relating~~ to the appointment is enclosed.

By ^H 1/12/3 2.12.03

in the case of the ~~Subordinate~~ Provincial Service under ~~Article~~ Section 139 of

Article 140 of the ~~Civil~~ Service Regulations. — cases not specifically provided for

[Faint handwritten notes, mostly illegible]

[Faint handwritten notes, mostly illegible]

When given for copying _____
When copied _____
When examined _____
When signed _____

190

READ AGAIN G.O., No. 190

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DISPATCH IN ORIGINAL.

N.E.—

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