

Educational (1904) Department.

ORDINARY PRINTED.

G.O., No. 271

DATED 30.4.04

N. P.

ORIGINAL

[Despatch Abstract.]

Reformatory School, Chingleput. Stating that
Govt intended that Mr J. P. Lewis, Dy. Supt. of the —
should be paid the allowance of Rs. 100 per mensem
attached to the post of Supt. when he was appointed to
act as Supt. in January & August 1901 but that in
future the Dy. Supt. will be held ineligible for the
allowance even if he officiates as Supt.

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 {1904} of Madras. EDUCATIONAL.

Recd.

Regd.

1904.

Enclosures

Spare copies

ORIGINAL

G.O., No. 271, 30th April 1904.

N. P.

APRIL.

Reformatory School, Chingleput.

Stating that Government intended that Mr. J. P. Lewis, Deputy Superintendent of the —, should be paid the allowance of Rs. 100 per mensem attached to the post of Superintendent when he was appointed to act as Superintendent in January and August 1901, but that in future the Deputy Superintendent will be held ineligible for the allowance even if he officiates as Superintendent.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

Read—the following papers :—

G.O., Mis. No. 1491, Judicial, dated 24th July 1893.

Read—again the following papers :—

G.O., No. 158, Judicial, dated 24th January 1891.

„ „ 1676 „ „ 8th September 1892.

„ „ 716 „ „ 6th April 1893.

Read—also the following paper :—

From D. DUNCAN, Esq., M.A., D.Sc., Director of Public Instruction, Madras, to the Chief Secretary to Government, dated 4th July 1893, No. 7422.

In submitting the enclosed application from the Superintendent in charge of the Reformatory school, Chingleput, I have the honour to recommend that the local allowance of Rs. 100 per mensem be passed as usual to Mr. Lewis for the time he retains the charge of the Superintendent's office during the absence of Surgeon-Major Thomas on privilege leave. In this connection I beg to refer Government to G.Os, No. 158, dated 24th January 1891, No. 1676, dated 8th September 1892, and No. 716, dated 6th April 1893.

ENCLOSURES.

From J. P. LEWIS, Esq., Deputy Superintendent in charge, Reformatory School, Chingleput, to the Director of Public Instruction, Madras, dated 3rd June 1893, No. 859.

In submitting for information and orders the enclosed extract from the Superintendent's journal, I have the honour to state that I have, subject to your approval, assumed charge of this institution without prejudice to my appointment with effect from this date. As the duties and responsibilities of the Superintendent will now devolve on me, I request you will be so good as to obtain the sanction of Government to my drawing the local allowance of Rs. 100 for the period I shall be in charge. In this connection I beg to add that Government sanctioned the local allowance to me on two previous occasions.

2. I am entitled to the local allowance under section 300 of the Civil Service Regulations.

EXTRACT from the Journal of the Superintendent, dated 2nd June 1892.

Visited. Proceeding on one month's privilege leave this evening in accordance with Gazette notification, dated 25th May 1893. Mr. Lewis will take charge of the office of Superintendent from this afternoon.

W. F. THOMAS, Surgeon-Major,
Ag. Superintendent.

Order—Mis. No. 1491, Judicial, dated 24th July 1893.

The Government considers that the orders heretofore passed granting on occasions this local allowance of Rs. 100 to the Deputy Superintendent are wrong. Under the scheme, the actual control and management of the institution are vested in the Deputy Superintendent subject to the general supervision of the Civil Surgeon who receives for such supervision the allowance of Rs. 100 per mensem. When the Civil Surgeon is absent, there is no difference whatever in the duties or responsibilities of the Deputy Superintendent; he merely conducts them without general supervision over him, and it is absurd to give him an allowance for supervising him-

self. The allowance is a local one and may be given to any officer to whom Government assigns the duties. In the case of short absence of the Civil Surgeon it may be possible to allow the institution to go on without any general supervision; but, if it is not so, some officer other than the Deputy Superintendent ought to be found to exercise it. Whether, if no such provision is made, the Civil Surgeon absent on leave or otherwise should be allowed to draw the money is a question for the Accountant-General. But the Deputy Superintendent should not in any case have claim to it.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Director of Public Instruction.
„ Accountant-General.

From W. DOBBIE, Esq., Accountant-General, to the Secretary to Government, Educational department, dated Madras, 11th April 1904, G. No. 2189/247.

Adverting to Madras G.O., No. 1491, Judicial, dated 24th July 1893, I have the honour to enquire whether it was the intention of Government to grant the local allowance of Rs. 100 per mensem attached to the appointment of Superintendent, Reformatory school, Chingleput, to the Deputy Superintendent when he is appointed to officiate as Superintendent without prejudice to his own duties.

On the two occasions noted in the margin Mr. J. P. Lewis was appointed to act as Superintendent and was allowed the local allowance of Rs. 100 for the periods, but the Director of Public Instruction doubts the correctness of the action of this office, and hence the reference. The ruling in the Government order quoted above was understood to mean that the Deputy Superintendent cannot claim the allowance as a matter of right by being merely put in charge of the duties of the Superintendent during temporary absences of the latter. When the Deputy Superintendent is made to act as Superintendent, the former must presumably get the allowances attached to the post of the latter. It was on this understanding that the local allowance of Rs. 100 was passed to the Deputy Superintendent on the two occasions mentioned.

3. As the point, however, is not very clear, I request I may be favoured with the definite orders of Government.

ORDER—No. 271, Educational, dated 30th April 1904.

When Mr. J. P. Lewis was appointed in January and August 1901 to act as Superintendent of the Reformatory School at Chingleput without prejudice to his own duties it was the intention of Government that he should be paid the allowance of Rs. 100 per mensem attached to the post of the Superintendent. In future, however, the Deputy Superintendent will be held ineligible for this allowance even when he officiates as Superintendent, and the Accountant-General will be requested to note this.

(True Extract.)

H. D. TAYLOR,
Ag. Secretary to Government.

To the Accountant-General.
„ Director of Public Instruction.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 271, EDUCATIONAL,
DATED 30TH APRIL 1904.

[SUBJECT.—*Allowance for charge of the Reformatory School, Chingleput.*]

From the Accountant-General, G. No. 2189/247, dated 11th April 1904.

Under the rules sanctioned in G.O., No. 599, Educational, dated 26th September 1898, the responsibility for the discipline and management of the Reformatory school at Chingleput is vested in the Superintendent—rule II (i). The District Medical and Sanitary officer of Chingleput is the Superintendent and he is assisted in his work by a Deputy Superintendent who belongs to the Provincial Educational Service—rule III (ii).

2. Under paragraph 2 of G.O., No. 1271, Judicial, dated 14th May 1886, the actual control and management of the school are vested in the Deputy Superintendent, subject to the general supervision of the Superintendent who receives for such supervision a local allowance of Rs. 100 a month.

3. On two occasions in 1901, an Assistant Surgeon acted as the District Medical and Sanitary officer of Chingleput. The Director of Public Instruction then proposed that the Assistant Surgeon should not be made to act as Superintendent of the Reformatory School as it would be unfair to the Deputy Superintendent who was drawing a higher salary in the Provincial Educational Service. The Government agreed with the Director and appointed the Deputy Superintendent to act as Superintendent, without prejudice to his own duties—*vide* G.O., R. No. 50, dated 29th January 1901, and G.O., R. No. 513, dated 16th August 1901.

4. On these two occasions the Accountant-General paid the local allowance of Rs. 100 attached to the Superintendentship to the Deputy Superintendent as he acted as Superintendent in addition to his own duties. The Director of Public Instruction now questions the correctness of this action and the Accountant-General submits the case to Government for definite orders.

5. In questioning the correctness of the Accountant-General's action, the Director relies on G.O., No. 1491, Judicial, dated 24th July 1893, which rules that the Deputy Superintendent should on no account be given the local allowance of Rs. 100 attached to the Superintendentship. The reason for this ruling is that there is no difference

The supervision is not merely over the Deputy Superintendent but over the institution generally.

H. D. TAYLOR—27-4-04.

He was definitely appointed "to act" and was entitled to the allowance.

H.D.T.

whatever in the duties and responsibilities of the Deputy Superintendent when there is no Superintendent over him; he merely conducts them without general supervision over him and it is absurd to give him an allowance for supervising himself. The reason is a sound one and the allowance should not have been given to the Deputy Superintendent in 1901.

6. The Government Order quoted above also states that during the absence of the Civil Surgeon the school may be allowed to go without any general supervision and this was practically what was done in 1901, although the Deputy Superintendent was nominally appointed as Superintendent in addition to his own duties. Government had however subsequently to decide that even this should not be done any longer—*vide* G.O., No. 61, Educational, dated 6th February 1902; also page 5 of the notes.

G.O., No. 61, Educational, dated 6th February 1902, lays down no general principle. The remarks in the notes are purely personal and there is a distinct line drawn between the office of "acting" and "in charge" Superintendent.

H.D.T.

7. In view of these reasons the Accountant-General may be informed that the local allowance attached to the Superintendentship ought not to have been passed to the Deputy Superintendent on the two occasions referred to and that the amount paid should now be recovered. Mr. Lewis, the Deputy Superintendent, has just retired from service and the recovery, if ordered, will have to be made from his pension.

T. KANAKASUNDARAM PILLAI—23-4-04

P. T. THARYAN—26-4-04.

It is not a question of what is reasonable or what is consistent with the Government Order of 1893, but of what was actually done in 1901 and whether it was done intentionally. Mr. Lewis was actually appointed to act as Superintendent in 1901 (and not merely to be in charge) and in Mr. Hammick's note in G.O., No. 50, dated 29th January 1901, it is clearly stated that the appointment to act would carry with it the allowance of Rs. 100. Presumably the office of 1901 had a short memory or was careless and the 1893 Government Order was not put up: but that does not affect the validity of the order of 1901. The Accountant-General's query is: "Did Government mean what they said when they said Mr. Lewis was to act? Did they know it would involve his drawing the allowance?" I think the answer must be Yes.

A. GALLETTI—27-4-04.

H. D. TAYLOR —27-4-04.

The allowance was paid to Mr. Lewis according to the intention of Government that he should get it.

2. But, hereafter, the Deputy Superintendent will be held ineligible for this allowance and the Accountant-General will be requested to take note accordingly.

J. T[HOMSON]—29-4-04.

The draft placed below is submitted for approval.

P.T.T.—29-4-04.

A.G.—29-4-04.

H.D.T.—30-4-04.

[G.O., No. 271, Educational, dated 30th April 1904.]

Educational (1904) Department.

CURRENT No. 679

From

[Name] W. Dobbie Esquire

[Designation] Accountant General

[Station] Madras.

No. 2189

Dated 24/11/1904 1904

Enclosures _____

Received APR 1904 190

Registered APR 1904 190

SUBJECT.

Enquiring whether it was intended to grant L. A. of Rs. 100 to the Dy. Supt., Reformatory School, Chingleput when he acts for the Superintendent

BACK PAPERS.

1491 Jnd - 15-7-93
50 R 29-1-07 ✓
513 R - 16-8-07 ✓

R.O. for papers
7/2
12-4-04

FURTHER PAPERS.

PK
12/4/4

Put up
ED
12/4
11/4
Pl. ind. at
the for. quarter
in 12/4/04

7

Educational Department.

Sir,

On the two occasions noted in the margin Mr. J.P. Lewis was appointed to act as Superintendent and was allowed the local allowance of Rs.100 for the periods, but the Director of Public Instruction doubts the correctness of the action of this Office and hence the reference. The ruling in the G.O. quoted above was understood to mean that the Dy. Superintendent cannot claim the allowance as a matter of right by being merely put in charge of the duties of the Superintendent ^{absence} during temporary allowances of the latter. When the Dy. Superintendent is made to act as Superintendent the former must presumably get the allowances attached to the post of the latter. It was on this understanding that the local allowance of Rs.100 was passed to the Dy. Superintendent on the two occasions mentioned.

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

L. Dobbie.

Accountant-General.

READ AGAIN G.O., No. 1491, dated 24 - 7 - 1893. A

READ ALSO:—

C. No. 679, From the Ag., No. 9289, dated 11-4-1904
247

ORDER

No. 271, dated 30-4-1904

When Mr. J. P. Lewis was appointed in January and August 1901 to act as Superintendent of the Reformatory School at Chingleput without prejudice to his own duties it was the intention of Govt. that he should be paid the allowance of Rs. 100 per mensem attached to the post of Superintendent. In future, however, the Deputy Superintendent will be held ineligible for this allowance even when he officiates as Superintendent and the Accountant General will be requested to ^{note this} issue orders ~~as to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General} ~~will~~ ^{will} ~~be~~ ^{be} ~~requested~~ ^{requested} ~~to~~ ^{to} ~~issue~~ ^{issue} ~~orders~~ ^{orders} ~~as~~ ^{as} ~~to~~ ^{to} ~~pay~~ ^{pay} ~~the~~ ^{the} ~~allowance~~ ^{allowance} ~~to~~ ^{to} ~~him~~ ^{him} ~~as~~ ^{as} ~~Superintendent~~ ^{Superintendent} ~~of~~ ^{of} ~~the~~ ^{the} ~~Reformatory School~~ ^{Reformatory School} ~~at~~ ^{at} ~~Chingleput~~ ^{Chingleput} ~~and~~ ^{and} ~~the~~ ^{the} ~~Accountant General~~ ^{Accountant General}

its being ever paid to him.

PH
25/4/4

When Mr. J. P. Lewis was
appointed in January and August
of the present year as Superintendent
of the reform school at Elmira
the report prepared by him on the
subject of the institution of first class
should be filed in the enclosure
for review attached to the first
superintendent's report, however,
the report of the first superintendent
will be filed in the enclosure
with the report of the first superintendent.

To the A.G. (P+O) } Secy
" S.P. (A+O) } 2/5/4

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.
190 .

, DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS 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.

NUMBER OF COPIES
REQUIRED.

Order complete. AD.
Letter only.
Order complete with Letter.

Print with notes
of Glenshaw
25/4/4
11-5-04

7.

4