

Educational (190 4) Department.

ORDINARY PRINTED.

G.O., No. 328

DATED 1-6-04

N. P.

INDEXED.

ORIGINAL

[Despatch Abstract.]

Presidency College.

Informing Mr. E. W. Middlemast that his
claims for an allowance for acting as the Principal
of the ————— are inadmissible.

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Government {1904} of Madras. EDUCATIONAL.

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1904.

Regd.

Spare copies

ORIGINAL

G.O., No. 328, 1st June 1904.

N. P.

JUNE.

Presidency College.

Informing Mr. E. W. Middlemast that his claims for an allowance for acting as Principal of the — are inadmissible.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper :—

From E. W. MIDDLEMAST, Esq., M.A., Acting Principal, Presidency College, Madras, to the Director of Public Instruction, dated 7th March 1904, No. 162.

I have the honour to submit copies of the marginally-noted correspondence * which has passed between the Accountant-General and myself in respect of certain allowances to which I consider myself entitled in consideration of my having been appointed to act as Principal of this college, and to make a respectful appeal through you to Government for a reconsideration of the Accountant-General's decision.

2. It will be observed that the Accountant-General bases his ruling on the ground that the Principalship is not an "independent" appointment within the meaning of article 168 of the Civil Service Regulations, and refers me to paragraph 3 of the resolution of the Government of India communicated in Madras G.O., No. 479, Educational, dated 10th August 1896.

3. This would have been conclusive in the case of a Professor of the college applying for an allowance under article 168, but I venture to think that it has no application in the present case. The offices of Deputy Director and Principal of the college are as distinct as two offices in the same department can well be.

4. I may point out that the office hours of the Deputy Director are from 11 A.M. to 5 P.M., and that the only way in which I can carry out the additional work of Acting Principal is to come here at 10 A.M. and stay till 12 or 12-30, and then proceed to the Director's office where I have to stay till 6 or 6-30 P.M. every day to make up for lost time. The work of the Principal is heaviest at this time of year, when promotions and admissions have to be made, scholarships and prizes to be awarded, and the annual report to be written.

5. I may mention that I have had to interview personally 250 to 300 candidates for admission to the college.

6. In these circumstances I venture to express the hope that you will see fit to address Government to consider my claim for an allowance of Rs. 200 per mensem.

ENCLOSURES.

From E. W. MIDDLEMAST, Esq., M.A., Acting Principal, Presidency College, Madras, to the Accountant-General, Madras, dated 19th January 1904, No. 23.

I have the honour to enquire whether under article 168 of the Civil Service Regulations, 4th edition, and Chapter VIII of the Madras Supplement I am not entitled to an allowance of Rs. 200 per mensem in consideration of my holding as a temporary arrangement the office of Principal, Presidency College, in addition to my appointment as Deputy Director of Public Instruction.

From W. DOBBIE, Esq., Accountant-General, Madras, to the Acting Principal, Presidency College, dated Fort St. George, 10th February 1904, No. G. 1956/11651.

With reference to your letter No. 23, dated 19th January 1904, I have the honour to state that there is no separate appointment in the Indian Educational Service for only the duties of the Principal of the Presidency College and that these are merely additional duties of one of the Professors of the college for which additional remuneration is given in a special form. The performance of only the duties of Principal of the college cannot therefore be considered as the holding of an additional office for the purposes of article 168 of the Civil Service Regulations or of the orders of the Secretary of State in his despatch No. 53, dated 4th May 1899, communicated in G.O., No. 413, Educational, dated 1st July 1899. For the extra work and responsibility falling upon the Professor who undertakes the duties of the Principal of the Presidency College in addition to his regular duties as Professor a special personal allowance is granted, of which such portion not exceeding one-half, as is not drawn by the permanent incumbent, may, under the orders of the Secretary of State communicated in Madras G.O., No. 70, Educational, dated 13th February 1900, be drawn by the officiating incumbent. To the officiating incumbent, only the undrawn portion of this special allowance may under the above orders be granted. As the Hon'ble Mr. Bilderbeck, while on deputation, is in receipt of the full amount of this special allowance no portion is available for payment to you.

From E. W. MIDDLEMAST, Esq., M.A., Acting Principal, Presidency College, Madras, to the Accountant-General, Madras, dated 13th February 1904, No. 73.

With reference to your letter No. G. 1956/11651, dated 10th February 1904, I have the honour to observe that the ruling therein contained proceeds on the supposition that the appointment of Principal of the Presidency College has no separate existence but is necessarily connected with one or other of the professorships in the college. I desire to point out that this is not the case: the very fact that Government has been pleased to appoint me to act as Principal, though I am not a Professor in the college, shows that a separate appointment does exist. If it can be proved that Government, in appointing to act as Principal an officer who has no professorial duties in the college, has exceeded its powers, I have nothing further to say except that I desire to be relieved from such an anomalous position; but failing that I beg to urge that the appointment in which I have been made to act is in my case an additional office within the meaning of article 168 of the Civil Service Regulations. I accordingly request that your ruling may be reconsidered or that the orders of Government may be sought.

From W. DOBBIE, Esq., Accountant-General, Madras, to the Acting Principal, Presidency College, Madras, dated Fort St. George, 22nd February 1904, No. G. 2013/12079.

I have the honour to acknowledge the receipt of your letter No. 73, dated 13th February 1904, and in reply to state that the question whether Government has exceeded its powers in appointing you to act as Principal of the Presidency College does not in the least arise. There was nothing in my previous letter that implied that these powers had been exceeded and it is not clear why such a question should have been raised by you. It is as permissible for Government to appoint you to act in the office of Principal as it has been in the past to appoint one of the Professors of the college to that post. The question is one merely of the allowances admissible to you for discharging the duties of Principal.

2. There is no separate appointment of Principal carrying with it the pay of an officer of the Indian Educational Service. It was always intended that the office of Principal should be combined with an appointment of the Indian Educational Service. That this was the intention is clear from the correspondence connected with the reorganization of the Educational department in 1896, and I need only refer you to paragraph 3 of the resolution of the Government of India communicated in Madras G.O., No. 479, Educational, of the 10th of August 1896. That this has been the practice also is evident from the fact that hitherto the office of Principal has always been combined with the appointment of Professor. Hitherto there has been no other appointment than that of Professor with which the office of Principal could well be combined, but the recent creation of the appointment of Deputy Director of Public Instruction has introduced another appointment with which this combination could be effected. The office of Principal of the Presidency College is not "independent" appointment in the sense used in article 168 of the Civil Service Regulations.

3. For the extra work and responsibility which devolves upon the officer, who may discharge the duties of the office of Principal in addition to his own, a personal allowance of Rs. 250—50—500 has been sanctioned. This allowance being a personal allowance is not subject to the provisions of article 168 of the Civil Service Regulations but to the special rules which relate to

personal allowance modified by the special orders of the Secretary of State. Under these orders a portion not exceeding a moiety of the personal allowance to the extent of the savings available may be granted to the officer who as a temporary measure may be discharging the duties of Principal. In your case there are no savings available as the full amount of the personal allowance is being drawn by the Hon'ble Mr. Bilderbeck.

4. The case is not in my opinion a doubtful one or one which cannot be dealt with under existing rules and orders, and there is therefore no reason why this office should make any reference to Government. If you are not satisfied with existing orders or the interpretation put by this office on those orders it rests with you rather than with this office to make such a reference.

Ref. on C. No. 2267, dated 22nd March 1904.

Submitted to the Secretary to Government, Educational Department, and recommended that the allowance applied for be paid as a special case.

A. G. BOURNE,
Director of Public Instruction.

ORDER—No. 328, Educational, dated 1st June 1904.

Mr. Middlemast should be informed that the Government regret that his claim is inadmissible.

(True Extract.)

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

To the Director of Public Instruction.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 328, EDUCATIONAL, DATED 1st JUNE 1904.

[SUBJECT.—An allowance to Mr. Middlemast for acting as Principal of the
Presidency College.]

From the Director of Public Instruction, dated 22nd March 1904, No. 2267.

In G.O., R. No. 589, Educational, dated 22nd December 1903, Mr. Middlemast was appointed to act as Principal of the Presidency College during the absence of the Hon'ble Mr. Bilderbeck on other duty and without prejudice to his duties as Deputy Director of Public Instruction. Mr. Middlemast now applies for an allowance of Rs. 200 per mensem in consideration of the additional work devolved on him as Principal of the Presidency College.

2. The Accountant-General considers that the Principalship of the Presidency College is not an independent appointment within the meaning of article 168 of the Civil Service Regulations; that the duties of the Principal are merely additional duties of one of the Professors of the college or of an officer of the Indian Educational Service, to which a special allowance is attached and that, as the Hon'ble Mr. Bilderbeck draws this allowance in full, no portion of it is available for Mr. Middlemast—*vide* ruling in paragraph 11 of the Secretary of State's despatch, No. 163, Public, dated 7th December 1899, printed in G.O., No. 70, Educational, dated 13th February 1900.

3. The Accountant-General appears to be correct and under the rules no allowance can be sanctioned for Mr. Middlemast. But by holding the Principalship in addition to his own duties Mr. Middlemast had much additional work to do and seems to be entitled to some additional remuneration. The Director also recommends that Mr. Middlemast may be paid an allowance of Rs. 200 per mensem as a special case. Perhaps the Accountant-General may be asked to state whether under any other article of the Civil Service Regulations the Government can sanction an allowance to Mr. Middlemast.

This is pure assertion.

G. S. F[ORBES].

T. KANAKASUNDARAM PILLAI—25-3-04.

As long as Mr. Bilderbeck is in Calcutta, he should apparently be regarded as an officer outside the Indian Educational Service. His salary is now drawn in Calcutta and is apparently debited to 18. GENERAL ADMINISTRATION—LEGISLATIVE COUNCIL—and not to 22. EDUCATION. For the calculation of his salary the personal allowance drawn by him is taken into consideration, but that seems to be a different matter. His appointment as Professor of English is considered as temporarily vacant and Mr. H. S. Duncan is acting for him in that capacity. It may, therefore, after all be allowable for another officer to draw the personal allowance attached to the appointment and a reference may be made unofficially to the Accountant-General, who will then have the advantage of considering the question in this aspect also.

P. T. THARYAN—25-3-04.

The whole of Mr. Bilderbeck's personal allowance has in fact lapsed and is available and may be given to Mr. Middlemast if what he is now drawing is a Legislative and not an Educational salary. The allowance is personal, but it is at the same time strictly Educational. Mr. Bilderbeck would carry it away with him on leave, but not on deputation in another department. Conferring it on Mr. Middlemast sub. *pro tem.* would be analogous to making a sub. *pro tem.* appointment to a post.

A. GALLETTI—28-3-04.

A reference may be made u.o. to the Accountant-General as proposed.

A. G. CARDEW—29-3-04.

To the Accountant-General.

The case has to be decided with reference to the special orders of the Secretary of State in connection with these Educational personal allowances. Under these orders a portion of the allowance not exceeding one half may be paid to an officiating incumbent of a post to which they are attached only when there is an actual saving equal to the amount to be paid to the officiating incumbent. In the present case there is no such saving, the full amount of the personal allowance having been paid to Mr. Bilderbeck while he was on deputation, and the allowance asked for can only be granted with the sanction of the Secretary of State. The orders of the Secretary of State to which I have referred are contained in G.Os., No. 70, Educational, dated 13th February 1900, and No. 604, Educational, dated 30th September 1902. I would invite special attention to the latter orders, from which it will be seen that although the Government of India recommended that a share of the personal allowance should be paid to an officiating officer when the permanent officer was on deputation, the Secretary of State distinctly refused to sanction the arrangement. This is a precisely similar case to that of Mr. Bilderbeck and Mr. Middlemast.

W. DOBBIE—9-4-04.

The Accountant-General seems to have misunderstood the contention of this office, which was, that the full amount of the personal allowance drawn by Mr. Bilderbeck is available in the present instance. The orders of the Secretary of State quoted by the Accountant-General seem to refer only to cases where the incumbents of posts to which personal allowances are attached are absent on leave. However, as the Accountant-General has decided that no portion of Mr. Bilderbeck's personal allowance can be paid to Mr. Middlemast without the sanction of the Secretary of State, he is not likely to reconsider that decision. Orders are solicited whether the Secretary of State may now be addressed (through the Government of India).

P. T. THARYAN—11-4-04.

It seems to me the Accountant-General is right; and if the Secretary of State is to be addressed, we should not fall foul of the Secretary of State's express orders in the matter of Educational personal allowances or say Mr. Middlemast should get one of

It is all public money.

G. S. F[ORRE].

These allowances because Mr. Bilderbeck was being paid it out of funds other than Educational; but should ask for a special allowance for Mr. Middlemast on the merits of his case. The argument might be: The case is really one to which article 168, Civil Service Regulations, applies as Mr. Middlemast was holding two appointments, and if it were not for a technical difficulty, the Local Government would have power to give him a special allowance. The technical difficulty is that it has hitherto been held that the Principalship of the

Presidency College is not an independent appointment but is merely ancillary to a professorial or other Educational appointment. However, the Government are in this case satisfied that the duties of the Principalship have been sufficiently arduous to earn for Mr. Middlemast a title to increased pay.*

* A maximum of Rs. 200 a month or one-fifth of salary—*vide* G.O., No. 413, dated 1st July 1899.

A.G.

2. If the Government are of opinion that the duties were not sufficiently arduous, there is no case.

3. The case is novel in this point. Hitherto the Principalship has always been held by a Professor in the college. The Professor was on the spot; he did not have to drive there from the Director's office as Mr. Middlemast has had to do. The work may not be much, but Mr. Middlemast had to spend time getting to the college before he could do it. The duties of the Principalship might be regarded as merely ancillary to the duty of teaching in the same building (especially as a Principal can arrange to give himself less teaching work to do if the duties of the Principalship take up much time), and yet it might be held that the duties of the Principalship are a considerable, and real addition to, and in no way a part of, the duties of an officer whose proper work is unconnected with the college has to be performed in another part of the town and is sufficiently heavy in itself to occupy all that portion of an officer's time and energy which Government can reasonably claim.

A. GALLETTI—12-4-04.

I understand that Mr. Middlemast actually had a good deal of additional work through holding the office of Principal.

2. That office does not exist as a separate appointment, but is recognized in so far only as that it gives a claim to one of the allowances.

3. Mr. Stone's junior allowance is vacant. Can't that allowance be given, temporarily, to Mr. Middlemast during the period he acted as Principal of the College? The money is available, and, on the analogy of the half-allowance given to an acting Principal, while the permanent holder is on leave, it may perhaps be given to Mr. Middlemast.

4. The Accountant-General may be asked u.o., if he can pass this.

A. G. CARDEW—12-4-04.

To the Accountant-General.

I am afraid it would not be permissible to pass the allowance suggested.

2. The allowance sanctioned for the Principal of the Presidency College has been drawn by Mr. Bilderbeck and the acting Principal's claim can only be dealt with under the orders of the Secretary of State mentioned in my previous note. It is true that there is a junior allowance vacant, and that there is therefore a saving to Government, but that saving has no connection whatever with Mr. Bilderbeck's deputation or Mr. Middlemast's officiating appointment.

3. The junior allowance that is vacant is allotted to the Principals of the Kumbakonam or Rajahmundry Colleges, or to one of the Inspectorships or of the two Senior Professorships of the Presidency College. Had Mr. Middlemast been filling one of these appointments the allowance could have been given to him, but only as filling one of these appointments and not as officiating Principal of the Presidency College.

W. DOBBIE—18-4-04.

To the Educational department.

Draft to India.

A.G.—19-4-04.

A draft is placed below for approval.

T.K.—23-4-04.

P. T. THARYAN—28-4-04.

Honourable Member has not yet seen the papers.

A.G.—29-4-04.

H. D. TAYLOR—29-4-04.

If any representation is to be made to India (about which I am not as yet quite satisfied), there is no use referring in any detail to the question of the Educational personal allowance admissible to a Principal of the Presidency College.

2. Clearly Mr. Middlemast for the reasons given by the Accountant-General has no claim based, directly or indirectly, on that; and in addressing India it would be enough to say that nothing is rested on that ground.

3. There only remains the question whether, under the ordinary rules, the Government can grant him an allowance for holding two offices, at the same time, assuming that the double duty entailed a substantial increase of work and responsibility. Personally I am not sure that it did, but this point I will consider again.

4. Meantime, I should like to have more authority for the statement, the correctness of which in my view is essential to the decision, that the Principalship cannot be regarded as a separate office. The Accountant-General asserts it. Please have this particular point more fully examined.

G. S. F[ORBES]—17-5-04.

Please look carefully into the point referred by the Honourable Member.

H. D. TAYLOR—20-5-04.

I went on something not very definite — a sentence in paragraph 3 of the Resolution of the Government of India in G.O., No. 479, dated 10th August 1896, "it might be found a preferable plan to attach to the office of Principal a special pay . . . on account of the extra work and responsibility falling on the Professor who undertakes it." Will Second Assistant try and throw further light on the point?

Professor not Deputy Director (who did not then exist).

A.G.

A. GALLETTI—20-5-04.

According to appendix A on page 10 of G.O., No. 479, Educational, dated 10th August 1896, the Indian service includes 5 Principalships and 6 Professorships and the Provincial service 3 Professorships. The reorganization thus provided for 5 Principalships and 9 Professorships. Of the 9 Professorships * two were for the College of Engineering, namely (1) Professor of Engineering and (2) Professor of Mathematics. For the Presidency College, therefore, the reorganization provided 1 Principalship and 7 Professorships. There were and are, however, 8 Professorships in the College — (1) English (2) Mathematics (3) Chemistry (4) Biology (5) Physics (6) Philosophy (7) History and (8) Sanskrit. The intention thus was that one of the Professorships should be held with the Principalship.

* One more has now been added—vide G.O., No. 4, dated 5th January 1904.

2. The remaining 4 Principalships are those of the Rajahmundry, Kumbakonam, Teachers' and Agricultural Colleges. There are no Professorships in any of these Colleges but only Lecturerships or Vice-Principalships.

3. It is submitted therefore that the Accountant-General is correct in holding that the Principalship of the Presidency College cannot be regarded as a separate office. By the same argument, however, there cannot be an eighth Professorship by itself but the Accountant-General has allowed that.

P. T. THARYAN—20-5-04.

A.G.—21-5-04.

I am of opinion that the office of Principal is one entitling to allowance only, and cannot be held as a separate office apart from a Professorship. There is no Professorship vacant and hence it would seem that no charge allowance can be drawn by Mr. Middlemast.

H.D.T.—21-5-04.

Can we give him a carriage allowance for travelling between the Presidency College and the Director of Public Instruction's office?

G.S.F.—21-5-04.

The office will please note on this point.

H.D.T.—24-5-04.

Under article 70 of the Civil Service Regulations "any increase which would have the effect of raising a salary above Rs. 5,000 a year and any increase to a salary already in excess of Rs. 5,000 a year requires the sanction of His Majesty's Secretary of State for India." "Salary" does not include conveyance allowance, but the expression "any increase" apparently does? If so, the Local Government have no power to grant Mr. Middlemast any carriage allowance without the sanction of the Secretary of State.

I think "increase" means "increase of salary"; I don't see how an increase of not-salary can "raise" (=increase) salary.

A.G.

H.D.T.—26-5-04.

G.S.F.

2. Under article 1075, no additions can be made to the list of permanent conveyance allowances without the sanction of the Government of India. The principles on which such allowances are granted will be found in the letter from the Government of India in G.O., No. 331, Financial, dated 8th May 1888.

Temporary conveyance allowances can only be given to menials and certain non-Gazetted higher officers—Civil Service Regulations, 1080.

A. GALLETTI.

3. In 1901 when this Government wanted to give a carriage allowance to Miss Adams, Assistant Superintendent, Maternity hospital, they applied to the Government of India for the necessary sanction—vide G.O., Nos. 60—61, dated 5th February 1901. The Government of India sanctioned a reduced allowance in their letter in G.O., No. 304, Educational, dated 4th June 1901. The case fell under article 76 of the Civil Service Regulations as Miss Adams' salary was only Rs. 200—300.

P. T. THARYAN—25-5-04.

A. GALLETTI—25-5-04.

Paragraph 1 of the above note is clearly beside the point. An allowance for specific expenditure cannot be deemed to be "salary" for any purpose.

2. Article 1075, Civil Service Regulations, and appendix 26 relate only to permanent allowances, or do not apply to this case.

3. Article 1080 applies only to actual expenditure and is inapplicable, while article 1081, Civil Service Regulations, under which temporary allowances on a fixed scale can be granted, applies only to persons summoned to a Presidency Town from outside. This cannot apply to Mr. Middlemast's case.

4. The case is somewhat analogous to that of Miss Adams in which an allowance of Rs. 20 a month was granted by G.O., No. 304, Educational, dated 4th June 1901.

5. The Local Government is unable to grant any conveyance allowance in the present case.

H. D. TAYLOR—26-5-04.

I do not think this is a particularly hard case justifying a representation to India to give Mr. Middlemast a special allowance. And the tone of his letters on the subject, as if he had an inherent right to such a concession, does not dispose favourably to the claim. There is no public department which makes so many claims for "additions" (in the way of examination fees, etc.) as the Educational Department. The principle

is that an officer's whole time belongs to the State, and in a graded service the pay depends not so much on the duty as on the grade. Extra remuneration is a pure concession.

2. In this case the Principalship has been made a mere accessory office—to a Professorship ordinarily. I do not see that Mr. Middlemast's case is in any sense substantially different from that of a hardworked Professor who has to discharge the duties of Principal at the period of the year during which Mr. Middlemast was appointed.

3. Some of the Professors too live a long way from the college.

4. It was perhaps unfortunate for Mr. Middlemast that he was selected for the post, but it was the best arrangement in the circumstances; and all officers have on occasion to do extra work.

5. In ordinary course a Professor doing the Principal's work during his absence on deputation might have been in precisely the same case as Mr. Middlemast.

6. The special allowance which is attached to the Principalship is essentially a personal allowance. The object of the personal allowances in the Educational department was to increase the pay of the senior men, and certain posts were designated as posts which are ordinarily held by the senior men. Hence a Professor who is permanent Principal takes the allowance with him on leave and the Secretary of State has distinctly ruled, notwithstanding a recommendation of the Government of India to the contrary, that an officiating officer was not to draw any share of the personal allowance attached to the Principalship during the Principal's deputation (*vide* despatch of 27th June 1902 printed with G.O., No. 604, Educational, dated 30th September 1902).

7. Mr. Middlemast is thus no worse off than if he had been a regular Professor discharging the Principal's duties. The whole *raison d'être* appears to be that these special allowances are personal and intended for senior men, and that others must look to their grade pay for their remuneration.

8. I thought that he might perhaps get a carriage allowance, but we could not make out a case. All the work was in Madras. Even to the Collector of Chingleput proceeding on duty from Saidapet to the Fort or Chepak, such an allowance is not admissible.

A 9. I think therefore Mr. Middlemast must be told that the Government regret that his claim is inadmissible.

Let His Excellency see.

G. S. F[ORBES]—27-5-04.

Submitted to His Excellency the Governor.

H. D. TAYLOR—30-5-04.

I agree with Honourable Member.

J. T[OMSON]—31-5-04.

Please draft as at "A".

H.D.T.—1-6-04.

A draft is placed below for approval.

P. T. THARYAN—1-6-04.

A.G.—1-6-04.

H.D.T.—1-6-04.

[G.O., No. 328, Educational, dated 1st June 1904.]

Educational (1904) Department.

CURRENT No. 525

From

[Name] The Hon'ble Mr. A.C. Bourne, D.Sc., F.R.S.,

[Designation] Director of Public Instruction,

[Station] Madras.

Ref. No. C.No. 2267 of 04,

Received 1904.

Dated 22nd March 1904.

Enclosures 5 Registered 23 3 1904

SUBJECT.

Submitting, with recommendation, correspondence relating to the claims of Mr. E. W. Middlemast, by Director, for an allowance of Rs 200 p.m. in consideration of his holding the office of the Principal, Presidency College.

BACK PAPERS.

479-10-8-96
413-1-7-99
70 13-2-00

5892-22-12-03

FURTHER PAPERS.

To

The Secretary to Government,
Educational Department.

Sir,

With reference to your letter no 1956 dated 10th February 1904 I have the honor to observe that the ruling therein contained proceeds on the supposition that the appointment of Principal of the Presidency College has no separate existence but is necessarily connected with one or other of the professorships in the college. I desire to point out that this is not the case; the very fact that Government has been pleased to appoint me to act as Principal, though I am not a professor in the college shows that a separate appointment does exist. If it can be proved that Government, in appointing to act as Principal an officer who has no professorial duties in the college, has exceeded his powers, I have nothing further to say except that I desire to be relieved from such an anomalous position; but failing that I beg to urge that the appointment in which I have been made to act is in my case an additional office within the meaning of art 168 of the C.S.R. I accordingly request that your ruling may be considered or that the orders of Govt may be sought.

(True copy)

The Presidency College
13th February 1904.

No 73

From

E. W. Middlemast Esq. M. A.
As Principal.

To

The Accountant General,
Madras.

Sir,

With reference to your letter no 1956 dated 10th February 1904 I have the honor to observe that the ruling therein contained proceeds on the supposition that the appointment of Principal of the Presidency College has no separate existence but is necessarily connected with one or other of the professorships in the college. I desire to point out that this is not the case; the very fact that Government has been pleased to appoint me to act as Principal, though I am not a professor in the college shows that a separate appointment does exist. If it can be proved that Government, in appointing to act as Principal an officer who has no professorial duties in the college, has exceeded his powers, I have nothing further to say except that I desire to be relieved from such an anomalous position; but failing that I beg to urge that the appointment in which I have been made to act is in my case an additional office within the meaning of art 168 of the C.S.R. I accordingly request that your ruling may be considered or that the orders of Govt may be sought.

He is not a professor in the college but has no professorial duties in the college. I have nothing further to say except that I desire to be relieved from such an anomalous position; but failing that I beg to urge that the appointment in which I have been made to act is in my case an additional office within the meaning of art 168 of the C.S.R. I accordingly request that your ruling may be considered or that the orders of Govt may be sought.

I have the honor to be,

Sir,
Your Most Obedient Servant
(Signed) E. W. Middlemast
As Principal

(True copy).

The Presidency College
9.3.1904

E. W. Middlemast
As Principal

I am directed to address
the Government of India on the
subject of an application made
by Mr. E. W. Middlemost, Deputy
Director of Public Instruction,
Madras, for an allowance of Rs. 200
per

Lx

the Presidency
 2000 Nov 6945 H
 1-12-05

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The ~~Accountant General~~ ^{Commissioner} objects to pass ^{ing} any such allowance on the grounds

~~(4)~~ that the Principalship of the Presidency College is not an independent appointment within the meaning of article 168 of the C. S. D.; but is merely an office the

(2) that the duties of the Principal to which a special allowance is attached are merely additional
wh. fall to be discharged by
duties of one of the Professors of
the College or of an officer of the
Indian Educational Service;

(3) that this Special allowance is subject not to the provisions of article 168 of the C.S.R., but to the Special

Special rules which relate to personal allowance, modified by the special orders of the Secretary of State contained in his despatches no. 163 Public, dated 17th December 1899 and no. 60 Public, dated 27th June 1902 - communicated with Home Department Letters no. 56 (Education), dated 3rd February 1900 and no. 801 (Education), dated 19th September 1902 respectively and

(4) that as under these orders, the Honble Mr. Bilderbeck drew the special allowance in full while at Calcutta, no portion of it was available for Mr. Middlemast.

4. While admitting the force of the Accountant-General's arguments, His Excellency in Council considers that ~~by holding the Principalship in addition to his own duties Mr. Middlemast had much additional work and responsibility imposed upon him~~ and that he is therefore justly entitled to additional remuneration. I am accordingly ^(to request) that the Government of India will be pleased as a special case to sanction the

Mr. Middlemast's appointment to the Principalship of the Presidency College, added greatly not only to his responsibilities, but also to his labours.

I am to point out that the duties of the Principalship, when held as it ordinarily is, in conjunction with a professorial chair in the same institution, may indeed be regarded as merely ancillary to the duty of teaching, especially as the Principal can at the time of year, when his special duties become onerous, re-arrange the time-table of lectures and devolve on his colleagues a portion of his professorial work; but ^{that} when the Principalship is held, as it was in this case, at that particular time of year by an officer whose ^{ordinary} ~~substantive~~ ^{work} ~~post~~ is unconnected with the institution, ~~where~~ has to be performed in another part and distant part of the town, and is sufficient in itself to task all the energies of one man, its duties must, in the opinion of the Government, be regarded as a considerable

Yes: but probably as the duties are royalistic & unimportant, they were released. No doubt. S. F.

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Mr. Middlemast should be informed that the Govt. respects that his claim is inadmissible.

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