

Educational (1907) Department.

ORDINARY MS.

G.O., No. 32

DATED 18.1.07

INDEXED

[Despatch Abstract.]

Charge allowance - Declining to grant to
Mr. M. Velayudasani a — of Rs. 50 per mensem
for the period during which he was in charge of the
Superintendent of the School of Arts.

BACK PAPERS.

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

FURTHER PAPERS.

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[E]
1,000-3-1-08.

EDUCATIONAL DEPARTMENT.

CURRENT FILE.

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From	Number.	Date.	Pages.

[P. T. O. FOR PUT UP PAPERS.]

PAPERS PUT UP WITH CURRENT No.

Papers of the department to which the current belongs.

Number.	Date.	Original (=O) or spare copy (=S. C.).	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

Papers of other departments.

Department.	Number.	Date.	Original (=O.) or spare copy (=S. C.).	Despatcher to note the return of the papers to the departments concerned.

Stock Form No. 135
8,100-17-6-05

EDUCATIONAL DEPARTMENT.



Received 190 , Registered 11-12-1906

Subject.

Recommending that under article 161 of the Civil Service Regulations M.R.R. M. Velayuda Asari, Assistant Superintendent School of Arts, Madras who held charge of the institution during the absence of Mr. Brand on leave may be granted a charge allowance of Rs 50/- per mensem for the period during which he was in charge of the institution.

ENCLOSURES.
No.
Spare copies

Ref on Cur No. 7 2 5 3/06
Station Madras , Dated the 16 November 1906

From (Name) The Hon'ble Mr. T.T. Logan, B.A.
(Designation) Ag: Director of Public Instruction
Madras.



To The Secretary to the Government of Madras,
Educational Department.

Is, /Through
/The Accountant-General/

I have the honour to recommend that, under Article 161 of the Civil Service Regulations, M.R.Ry M. Velayuda Asari, Assistant Superintendent, School of Arts, who in G.O. No. 176 /R Educational dated 30th June 1906, was appointed to hold charge of the office of Superintendent of the school during the absence of Mr. Brand on leave, may be granted a charge allowance of Rs 50/- per mensem for the period during which he was in charge of the school . The charge entailed a substantial increase of responsibility as M.R.Ry Velayuda Asari became responsible for the whole school and it also involved a considerable amount of extra work on the officer in charge as while he continued to perform his own duties which were wholly in the Art department , he was also in direct charge of the

industrial department and had to carry on the work of the office -

I have the honour to be,

Sir,

Your most obedient servant,

Euniasaleman

For Director of Public Instruction

No. 41468

10609

Forwarded to Government.

2. The appointment of Assistant Superintendent, School of Arts, is in the Provincial Educational Service, but the appointment of Superintendent of the School is one of the regular appointments in the Indian Educational Service. The pay of officers holding regular appointments in the Indian Educational Service being fixed on a personal basis and not attached to the appointment there is no 'pay of appointment' within the meaning of Article 39 of the Civil Service Regulations

on which charge allowance can be calculated. It appears to be doubtful therefore whether charge allowance of Rs 50 per mensem can be granted to the Asst. Superintendent ^{for the period he held charge of the office of Asst. Superintendent} without the special sanction of the Govt. of India.

For Secy
Accountant General's Office
10 December 1906

H. S. Bayle
Offg. Accountant General.

To

The Secretary to Government,

Educational Department.

[
15.
2.
1,000-29-5-06.

C. No. 2037 From the D.P. J.

No. 7253, dated 16-11-1906.

SUBJECT. Charge allowance to Mr. R. V. M. Velayudasari for the period he was in charge of the School of Arts, Madras.

Mrs. Brand, Ag. Supt. of the School of Arts, Madras, was granted privilege leave for three months in G.O. No. 146 Bd. dated 6th June 1906 and Mr. R. V. M. Velayudasari, Assistant Superintendent, was put in charge of the office of the Supt. of the School during Mrs. Brand's absence in G.O. No. 176 Bd. 30th June 1906.

2. The D.P.J. now recommends that under Art. 161 of the C.S.R. Mr. R. V. M. Velayudasari may be granted a charge allowance of Rs 50 per mensem for the period during which he was in charge of the School of Arts.

3. The A.G. states that as the pay of the officers of the Indian Educational Service is personal and not attached to the appointment there is no "pay of appointment" (in respect of the post of Supt. of the School of Arts) within the meaning of Article 39 of the C.S.R. on which charge allowance can be calculated and doubts whether a charge allowance of Rs 50 p.m. can be granted to Mr. R. V. M. Velayudasari without the special sanction of the Govt. of I.

4. The A.G.'s contention ^{does not} seems to be correct: ~~but~~ ~~he may it is submitted be asked whether on the~~



Since the appointment of Supdt., School of Arts, is one of the regular appointments in the Indian Educational Service on Rs 500-50-1000 - vide statement A on page 10 of G.O. no. 479 Bdl dated 10th August 1896. At least the A.G.'s present opinion contradicts that given in the case of Mrs. D'Sylva of the College of Agriculture - vide page 3 of G.O. no. 434 Bdl dated 19th June 1906. In the Provincial Educational Service there are nine classes and there is no "pay of appointment" but in the Indian Educational Service there are no such classes and "pay of appointment" seems to exist.

5. ^{If for consideration whether} ~~If it is considered that~~ Mr. D. P. M. Velayudasa Asari should be given a charge allowance, ^{if it is decided that he may be given such allowance the} attention of the A.G. may be drawn to Mrs. Dobbs's opinion printed with G.O. no. 434 Bdl dated 19th June 1906 and he may be asked whether the same ruling will not apply to ~~Mr. D. P. M. Velayudasa~~ Velayudasari.

6. If ~~Mr. D. P. M. Velayudasa~~ Velayudasari is appointed to act as Supdt. of the School of Arts, he will get an allowance of Rs 100 a month under article 139 of the C.S.R. But ~~it may be that it is not~~ ^{apparently is not the intention} considered desirable to ³⁰ appoint him.

TH.
14.12.06
Secy.
The A.G.'s doubt seems to be rather speculative; perhaps the

papers may be referred back to him.
with reference to the opinion in Mr.
D'Sylva's case which seem quite
analogous.

15/12/06

Yes. Will the A.G. kindly consider
the point with reference to the precedent
cited
again.

16/12/06



17/12/06
Sol no. 914 &
17/12/06

In the case of Mr. D'Sylva the question of the calculation of the charge allowance was not considered. The point that was considered in that case was whether in a case that fell under the operation of Article 169 of the Civil Service Regulations the grant of a charge allowance was permissible under the provisions of Article 161 in view of the orders of the Government of India contained in their letter No.4399P of the 16th October 1893 (G.O.No.434 Bd1., dated 19th June 1906). It was decided that those orders did not prevent the grant of a charge allowance provided it does not exceed the acting allowance that could be granted under Article 169, but the question of the method of calculation of that charge allowance did not receive special consideration.

2. On this latter point it may be mentioned that in the case of a service divided into Imperial and Provincial

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Provincial Branches the allowances of an officer are fixed with reference to the particular Branch in which he is, and is not as a rule calculated with reference to the other Branch. For instance, a Deputy Superintendent of Police acting as or in charge of the current duties of the appointment of a District Superintendent of Police would not have his allowances calculated on the rates of pay sanctioned for the Imperial Branch of the Service, but on the rates of pay sanctioned for the Provincial Branch. On this principle, as the Provincial Educational Service is a graded service, neither Mr. D'Sylva nor Mr. Velayudasari would, under Article 169, be entitled to any acting allowance or charge allowance for acting in or holding charge of an appointment usually filled by an Indian Educational officer.

3. The Provincial Educational Service has, however, been made an exception to the above principle in the matter of acting allowances, and special rates of acting allowance have been sanctioned (Article 139, Civil Service Regulations). But no such exception has been made in respect of charge allowances and on this point a reference to the Government of India is necessary. It may be that occasions may arise when Government might think it not desirable to appoint an officer to officiate in an appointment usually held by an officer of the Indian Educational Service or to give him the rate of acting allowance admissible, but may think it will be sufficient to place him only in charge of the current duties of the office and to give him some allowance but less than the acting allowance. It is in the circumstances I have mentioned necessary to decide how such charge allowance should be calculated

U. O.

in such cases and a reference to the Government of India on this point is necessary.

4. It is the case that there is no rate of pay sanctioned for the appointment of Superintendent of the School of Arts. The rate of pay sanctioned is for a service the members of which it is intended should fill the above appointment.

B. D.
2.1.07.

A. G.

A. G. No. 145
2.1.07

2-1-1907

21.

13/9

Educational Department

The point for consideration in this case is whether a charge allowance should be given to Kalyanasari for the period during which he was in charge of the office of Superintendent of the School of Arts, and whether the payment of such charge allowance is admissible under the rules.

2. The Director (Mr. Logan) considers that the charge entailed a substantial increase of responsibility and recommends the grant of a charge allowance of Rs 50 per mensem.

3. The Accountant-General, however, considers that in the present case, no charge allowance can be given under the rules of the Civil Service Regulations.

4. Article 139 of the C.S.R. provides for the case of an officer of the Provincial Educational Service who is appointed in the Indian Educational Service; but

Vide pages of cf

Vide paragraph 2 of his
no note on page 3 of the
Notefile.

He was only placed in charge
of the ~~the~~ office of Superintendence
Vide G.O. no. 176 R.D. 30.6.06 - M.

with his endorsement on
page 2 of it

Vide paragraph 3 of the
A.G.'s note on page
4 of the note file.

but as Velayudhasari was not appointed
to act as Superintendent of the School
of Arts, this article is not applicable to
his case. The Accountant-General (Mr. Dobbs)
observes that as he is to the opinion expressed
by Mr. Wagh that no charge allowance can
be granted to Velayudhasari without the
Special Sanction of the Govt. of India, and
suggests that a reference may be made
on this point, as similar cases may arise
in the future. Orders are solicited whether
the Govt. of India may be addressed. Per-
haps the Financial Department may be
consulted in the matter.

R.D.
3.1.07

Secy.

Mrs. Velayudhasari not

It is for the A.S. to
ask questions, but
to work the points
out; not indulging
in sketchy observations?

877

be considered to have acted during
Mr. Brand's absence on leave & might
not G.O. no. 146 Est. & 30.6.1906 be
modified accordingly? This would
save a reference to India which other-
wise seems unavoidable.

Mr.
2/1/07

I do not consider that any special sanction is
necessary in Velayudhasari's case. Mr. Bourne
specifically recommends that he should be

979

"in charge" only, also there are no reasons
to depart from this ~~rule~~ ^{rule} in
order to give Volaguer Asari an extra
allowance. It was not originally intended
that he should draw more than R250 in the
Post Est Service, but he has recently been
promoted, with retrospective effect to the
R300 grade.

2. I see no reason to alter the
post arrangement or to make any
special recommendation to India. The ~~Govt~~
may simply be informed that the request
is inadmissible.

AM
Value
8710
5707

A draft is placed below for approval.

T.H.
12.1.07.
RDP
12.1.07

Secy. *Ch*
16/1/07
Issue *HO?*
17.1.07

30.195 Ed 8/10.7-06. A

(A.S. will please see
that M; says it will be)
12/1/07
Ch
16/1

T.H.
12/1/07

READ ALSO:—

A-9. $\frac{91488}{10609}$ 10th Dec - 1906.

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