Scott. II-27—37,604—18-11-46

E&P.H. (1946) Department.

No. SERIES.

(1)

G.O. No. 1152 Edn

Dated 11-6-46

[Despatch Abstract.]

Establishment – Municipal High School, Coimbatore – certain teachers – Eligibility for enhanced rate of hill allowance – Orders passed – Applicability of concession to all subordinates of the Municipality – Instructions issued

B4.

Municipal High School,
Ootacamund,
2nd August 1945.

To
The Secretary,
Local Administration Department,
Government of Madras,
M A D R A S.

(2) 6331

Through
The Commissioner,
Ootacamund Municipality,
O O T A C A M U N D.

AND

The Headmaster,
Municipal High School,
O O T A C A M U N D.

Sir,

In October 1944 I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Government and Local Board servants xxx towards meeting the increased cost of living caused by the existing war conditions.

2. Incidentally I beg to state briefly that the question of the grant of compensatory hill allowance to the Secondary Grade Teachers employed in the Municipal High School, has had a chequered career. Till before 1932, the scale of pay for Secondary Grade Teachers was Rs.40-4-60+10 (hill allowance). In 1932 the local Municipal Council abolished the hill allowance altogether and at the same time increased the scale of pay itself to Rs.40-3-70. Subsequently in 1935 the revised scale of pay (i.e. 30-2-50 + hill allowance) on a presidency wide basis was introduced. With a view to bring the existing incumbents within the purview of the revised general scale, such of the teachers as had already reached the maximum of the old scale (Rs.40-3-70) or were drawing more than the maximum of the new scale, were made to draw the maximum of the revised scale (Rs.50/-) as their basic pay, the excess over the maximum being treated as personal pay for each individual concerned. It would thus appear that in the case of all old incumbents (teachers who were already in the permanent employ before the introduction of the revised scales of pay) the system of granting hill allowances was abolished. At the sametime their Provident Fund Contributions are being deducted from their entire pay (basic pay - personal pay) which would not have been the case if part of the emoluments had included the compensatory hill allowance. (Please vide Rule 2(1) of the P.F.Rules, page 83 of the Statutory Rules under the District Municipalities Act of 1920).

3. Under Fundamental Rule 23, whenever the scale of pay of a post is changed, the holder of the post has the right to continue in the existing (old) scale of pay so long as he does not vacate his post. Also it is to be noted that this Municipality is following the Fundamental Rules 'entoto' and has not framed any other rules of its own guidance. So I had hoped that with the introduction of the (general) revised scales of pay - H.A, the older set of teachers like myself, would also get the Hill Allowance as a matter of course, especially as the scales of hill allowances are calculated with a reference to pay drawn by the incumbents. In my petition dated 10th October 1944 I have pressed for the grant of hill allowance. While continued delay in granting my request hits me hard, I am afraid that the local authorities, perhaps, find it difficult to comply with it, as accumulated arrears may possibly tend to m request not being favourably reviewed.

4. In this connection I beg to point out that my claim to the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently when the scales of pay came into operation it was referred to the Government, if the pay I was drawing then, might be split into Rs.50/-, the maximum of the new scale, - Rs.9/-, hill allowance, and the balance of Rs.11/-, personal pay. The Government definitely ruled it out and said that Rs.50/- should be the basic pay and the balance of Rs.20/- should be treated as personal pay. As indicated above the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be withheld, part or whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay, if I elect to go on transfer to the plains. Thus it is clear that except as a punishment my pay cannot be reduced. Viewing from any aspect therefore, my humble contention is that I have been all these years, since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Board servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay - hill allowance brought about by the Statutory Rules tends one to believe that the protection sought to be afforded by them in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Board Servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,

J. Sathianathan
Assistant. M.H.S.
8.8.45

Copy submitted direct to

The Secretary to the Govt of Madras.
Local Administration
(E.H.H.) Madras.

N.Dis No: 511/65 dt 8/8/65
Submitted
K. Thadhavan Nambiar
Headmaster
8-8-65

4 95
3 8 45

Municipal High School,
Ootacamund,
2nd August 1945.

To
The Secretary, (Education and Public Health)
Local Administration Department,
Government of Madras,
M A D R A S.

Through
The Commissioner,
Ootacamund Municipality,
O O T A C A M U N D.

AND

The Headmaster,
Municipal High School,
O O T A C A M U N D.

6190

Mr Prasad knows about such matters
3.8

Sir,

In October 1944 I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Government and Local Board servants towards meeting the increased cost of living caused by the existing war conditions.

2. Incidentally I beg to state briefly that the question of the grant of compensatory hill allowance to the Secondary Grade Teachers employed in the Municipal High School, has had a chequered career. Till before 1932, the scale of pay for Secondary Grade Teachers was Rs.40-4-60+10 (hill allowance). In 1932 the local Municipal Council abolished the hill allowance altogether and at the same time increased the scale of pay itself to Rs.40-3-70. Subsequently in 1935 the revised scale of pay (i.e. 30-2-50 + hill allowance) on a presidency wide basis was introduced. With a view to bring the existing incumbents within the purview of the revised general scale, such of the teachers as had already reached the maximum of the old scale (Rs.40-3-70) or were drawing more than the maximum of the new scale, were made to draw the maximum of the revised scale (Rs.50/-) as their basic pay, the excess over the maximum being treated as personal pay for each individual concerned. It would thus appear that in the case of all old incumbents (teachers who were already in the permanent employ before the introduction of the revised scales of pay) the system of granting hill allowances was abolished. At the sametime their Provident Fund Contributions are being deducted from their entire pay (basic pay - personal pay) which would not have been the case if part of the emoluments had included the compensatory hill allowance. (Please vide Rule 2(1) of the P.F.Rules, page 83 of the Statutory Rules under the District Municipalities Act of 1920).

3. Under Fundamental Rule 23, whenever the scale of pay of a post is changed, the holder of the post has the right to continue in the existing (old) scale of pay so long as he does not vacate his post. Also it is to be noted that this Municipality is following the Fundamental Rules 'entoto' and has not framed any other rules of its own guidance. So I had hoped that with the introduction of the (general) revised scales of pay - H.A, the older set of teachers like myself, would also get the Hill Allowance as a matter of course, especially as the scales of hill allowances are calculated with a reference to pay drawn by the incumbents. In my petition dated 10th October 1944 I have pressed for the grant of hill allowance. While continued delay in granting my request hits me hard, I am afraid that the local authorties, perhaps, find it difficult to comply with it, as accumulated arrears may possibly tend to my request not being favourably reviewed,

4. In this connection I beg to point out that my claim for the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently when the scales of pay came into operation it was referred to the Government, if the pay I was drawing then, might be split into Rs.50/-, the maximum of the new scale, - Rs.9/-, hill allowance, and the balance of Rs.11/-, personal pay. The Government definitely ruled it out and said that Rs.50/- should be the basic pay and the balance of Rs.20/- should be treated as personal pay. As indicated above the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be witheld, part or whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay, if I elect to go on transfer to the plains. Thus it is clear that except as a punishment my pay cannot be reduced. Viewing from any aspect therefore, my humble contention is that I have been all these years, since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Board servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay - hill allowance brought about by the Statutory Rules tends one to believe that the protection sought to be afforded by them in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Board Servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,

V. Raghunatha Rao

Copy submitted direct to the Secretary, Local Administration (Education & Public Health) Department, Madras.

Submitted
K. T. Madhavan Lambert
Headmaster
3/8/45

495
3.8.45

Municipal High School,
Ootacamund, 2nd August 1945.

To

The Secretary, (Edn. & Public Health)
Local Administration Department,
Government of Madras,
M A D R A S.

Through
The Commissioner,
Ootacamund Municipality,
O O T A C A M U N D.

AND

The Headmaster,
Municipal High School,
Ootacamund.

Sirm

I, October 1944, I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Gvernment and Local Board servants towards meeting the increased cost of living caused by the existing war conditions.

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3. Under Fundamental Rule 23, whenever the scale of pay of a post is changed, the holder of the post has the right to continue in the existing (old) scale of pay so long as he does not vacate his post. Also it is to be noted that this Municipality is following the Fundamental Rules 'entoto' and has not framed any other rules of its own for guidance. So I had hoped that with the introduction of

of the (general) revised scales of pay + Hill Allowance the older set of teachers like myself would also get the Hill Allowance as a matter of course, especially as the scales of hill allowances are calculated with a reference to pay drawn by the incumbents. In my petition dated 10th October 1944 I have pressed for the grant of hill allowance. While continued delay in granting my request hits me hard, I am afraid that the local authorities, perhaps, find it difficult to comply with it as accumulated arrears may possibly tend to my request not being favourably reviewed.

4. In this connection I beg to point out that my claim for the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently when the scales of pay came into operation it was referred to the Government if the pay I was drawing then, might be split into Rs. 50/-, the maximum of the new scale, - Rs. 9/-, hilla allowance, and the balance of Rs. 11/-, personal pay. The Government definitely ruled it out and said that Rs.50/- should be the basic pay and the balance of Rs.20/- should be treated as personal pay. As indicated above the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be witheld, part or whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay, if I elect to go on transfer to the plains. Thus it is clear that except as a punishment my pay cannot be touched. Viewing from any aspect therefore, my humble contention is that I have been all these years, since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Bard servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay + hill allowance brought about by the Statutory Rules tends one to believe that the protection sought to be afforded by them in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Bard servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,
K Subbaraya
Assistant
2.8.45.

Submitted
K. T Madhavan Nambiar
Headmaster
3/8/45

495
3.8.45

Municipal High School,
Ootacamund,
2nd August 1945.

(5)

6193

To
The Secretary,
Local Administration Department,
Government of Madras,
MADRAS.

Through
The Commissioner,
Ootacamund Municipality,
OOTACAMUND.

AND

The Headmaster,
Municipal High School,
OOTACAMUND.

Sir,

In October 1944 I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Government and Local Board servants towards meeting the increased cost of living caused by the existing war conditions.

2. Incidentally I beg to state briefly that the question of the grant of compensatory hill allowance to the L.T.Grade Teachers employed in the Municipal High School, has had a chequered career. Till before 1932, the scale of pay for L.T. Grade Teachers was Rs. 100-5-125 (hill allowance). In 1932 the local Municipal Council abolished the hill allowance altogether and at the same time increased the scale of pay itself to Rs. . Subsequently in 1935 the revised scale of pay (i.e. - hill allowance) on a presidency wide basis was introduced. With a view to bring the existing incumbents within the purview of the revised general scale, such of the teachers as had already reached the maximum of the old scale (Rs. 125/-) or were drawing more than the maximum of the new scale, were made to draw the maximum of the revised scale (Rs.100) as their basic pay, the excess over the maximum being treated as personal pay for each individual concerned. It would thus appear that in the case of all old incumbents (teachers who were already in the permanent employ before the introduction of the revised scales of pay) the system of granting hill allowances was abolished. At the sametime their Provident Fund Contributions are being deducted from their entire pay (basic pay - personal pay) which would not have been the case if part of the emoluments had included the compensatory hill allowance. (Please vide Rule 2-(1) of the P.F.Rules, page 83 of the Statutory Rules under the District Municipalities Act of 1920.)

3. Under Fundamental Rule 23, whenever the scale of pay of a post is changed, the holder of the post has the right to continue in the existing (old) scale of pay so long as he does not vacate his post. Also it is to be noted that this Municipality is following the Fundamental Rules 'entoto' and has not framed any other rules of its own for guidance. So I had hoped that with the introduction of the (general) revised scales of pay - H.A, the older set of teachers like myself would also get the Hill Allowance as a matter of course, especially as the scales of hill allowances are calculated with a reference to pay drawn by the incumbents. In my petition dated 10th October 1944 I have pressed for the grant of hill allowance. While continued delay in granting my request hits me hard, I am afraid that the local authorities, perhaps, find it difficult to comply with it, as accumulated arrears may possibly tend to my request not being favourably reviewed.

4. In this connection I beg to point out that my claim for the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently when the scales of pay came into operation it was referred to the Government, if the pay I was drawing then might be split into Rs. , the maximum of the new scale - Rs. hill allowance, and the balance of Rs. , personal pay. The Government definitely ruled it out and said that Rs.100/- should be the basic pay and the balance of Rs.257/- should be treated as personal pay. As indicated above the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be witheld, part or whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay, if I elect to go on transfer to the plains. Thus it is clear that except as a punishment my pay cannot be touched. Viewing from any aspect therefore, my humble contention is that I have been all these years, since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Board servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay - hill allowance brought about by the Statutory Rules tends one to believe that the protection sought to be afforded by them in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Board servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,
T.R. Subramanya Iyer
B.A.,L.T.
Mathematics Asst.
3/8/45.

4-H.School
Ootacamund

Two copy submitted direct to the Secretary to Government (Educational + Pub. Health Dept.).

Submitted
K.T. Madhavan Nambiar,
Headmaster
3-8-45.

4 9 5
3.8.45.

6194

Municipal High School,
Ootacamund. 2nd Aug. 1945

To
The Secretary to the Government of Madras,
Local Administration (Education & Pub. Health) Department,
Madras.

Thro'
The Commissioner,
Ootacamund Municipality, Ootacamund.

-and-

The Headmaster,
Municipal High School, Ootacamund.

Sir,

In October 1944, I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of compensatory hill allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Government servants and local Board servants towards meeting the increased cost of living caused by the existing war conditions.

2. Incidentally, I beg to state briefly that the question of the grant of compensatory hill allowance to the Commercial Instructor employed in the Municipal High School has had a chequered career. Till before 1932, the scale of pay for Commercial Instructor was Rs 60-2-70 plus Rs 10 hill allowance. In 1932 the local municipal council abolished the hill allowance altogether and at the same time increased the scale of pay itself to Rs 60-4-80 . Subsequently, in 1935 the revised scale of pay (i.e., Rs 30-2-50 plus hill allowance) on a presidency wide basis was introduced. With a view to bring the existing incumbents within the purview of the revised general scale, such of the teachers as had already reached the maximum of the old scale (Rs 60-4-80) or were drawing more than the maximum of the new scale, were made to draw the maximum of the revised scale (Rs 50/-) as their basic pay, the excess over the maximum being treated as personal pay for each individual concerned. It would thus appear that in the case of all old incumbents (teachers who were already in the permanent employ before the introduction of the revised scales of pay) the system of granting hill allowance was abolished. At the same time their Provident Fund Contributions are being deducted from their entire pay (basic pay plus personal pay) which would not have been the case if part of the emoluments included the compensatory hill allowance. (please vide Rule 2-(1) of the P.F. Rules, page 83 of the Statutory Rules under the District Municipalities Act of 1920).

3. Under Fundemental Rule 23, whenever the scale of pay of a post is changed, the holder of the post has the right to continue in the existing (old) scale of pay so long as he does not vacate his post. Also it is to be noted that this Municipality is following the Fundemental Rules 'entoto' and has not framed any other rules of its own for guidance. So I had hoped that with the introduction of the (general) revised scales of pay plus hill allowance, the older set of teachers like myself would also get the Hill Allowance as a matter of course, especially as the scales of hill allowances are calculated with reference to pay drawn by the incumbents. In my petition dated 10th October 1944, I have pressed for the grant of hill allowance. While continued delay is granting my request hits me hard, I am afraid

that the local authorities, perhaps, find it difficult to comply with it, as accumulated arrears may possibly tend to my request not being favourably reviewed.

4. In this connection, I beg to point out that my claim for the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently, when the scales of pay came into operation it was referred to the Government, if the pay I was drawing then, might be split into Rs 50, the maximum of the new scale, plus Rs 9/- hill allowance, and the balance of Rs 21 personal pay. The Government definitely ruled it out and said that Rs 50/- should be the basic pay and the balance of Rs 30 should be treated as personal pay. As indicated above, the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be withheld, part of whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay, if I elect to go on transfer to the plains. Thus it is clear that except as a punishment my pay cannot be touched. Viewing from any aspect therefore, my humble contention is that I have been all these years, since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Board servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay plus hill allowance brought about by the Statutory Rules tends one to believe that the protection sought to be afforded by them in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Board servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,
V. Govindaraja Mudaliar
Commercial Instructor,
Municipal High School,
Ootacamund.

Copy submitted direct to the Secretary to the Government of Madras, (Education and Public Health Department).

Submitted
K. T. Madhavan Nambiar
Headmaster
3-8-45

495/3-8-45 1/3.8 11

Municipal High School,
Ootacamund,
2nd August 1945.

(T) 6196

To
The Secretary,
Local Administration Department,
Government of Madras,
MADRAS.

Through
The Commissioner,
Ootacamund Municipality,
OOTACAMUND.

AND

The Headmaster,
Municipal High School,
OOTACAMUND.

Sir,

In October 1944 I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Government and Local Board servants towards meeting the increased cost of living caused by the existing war conditions.

2. Incidentally I beg to state briefly that the question of the grant of compensatory hill allowance to the L.T.Grade Teachers employed in the Municipal High School, has had a chequered career. Till before 1932, the scale of pay for L.T. Grade Teachers was Rs.100/5/125+10(hill allowance). In 1932 the local Municipal Council abolished the hill allowance altogether and at the same time increased the scale of pay itself to Rs.100-5-140. Subsequently in 1935 the revised scale of pay (i.e.65-5/2-100+13½=(hill allowance) on a presidency-wide basis was introduced. With a view to bring the existing incumbents within the purview of the revised general scale, such of the teachers as had already reached the maximum of the old scale (Rs.), or were drawing more than the maximum of the new scale, were made to draw the maximum of the revised scale (Rs.100) as their basic pay, the excess over the maximum being treated as personal pay for each individual concerned. It would thus appear that in the case of all old incumbents (teachers who were already in the permanent employ before the introduction of the revised scales of pay) the system of granting hill allowances was abolished. At the sametime their Provident Fund Contributions are being deducted from their entire pay (basic pay - personal pay) which would not have been the case if part of the emoluments had included the compensatory hill allowance. (Please vide Rule 2-(1) of the P.F.Rules, page 83 of the Statutory Rules under the District Municipalities Act of 1920.)

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4. In this connection I beg to point out that my claim for the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently when the scales of pay came into operation it was referred to the Government, if the pay I was drawing then might be split into Rs. 100, the maximum of the new scale, 13½ Rs. hill allowance, and the balance of Rs. 26½ personal pay. The Government definitely ruled it out and said that Rs. 100/- should be the basic pay and the balance of Rs. 40/- should be treated as personal pay. As indicated above the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be witheld, part or whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay, if I elect to go on transfer to the plains. Thus it is clear that except as a punishment my pay cannot be touched. Viewing from any aspect therefore, my humble contention is that I have been all these years, since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Board servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay - hill allowance brought about by the Statutory Rules tends one to believe that the protection sought to be afforded by them in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Board servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,

S. Ramachandran, B.A.L.T.,
Senior Science Assistant,
Govt. H. School, Ootacamund.

Submitted
K. T. Madhavan Nambiar
Headmaster
31/8/45

Municipal High School,
Ootacamund, 2nd August 1945.

To

The Secretary,
Local Administration Department,
(Education + Pub. Health)
Government of Madras,
M A D R A S.

Through
The Commissioner,
Ootacamund Municipality,
O O T A C A M U N D.

AND

The Headmaster,
Municipal High School,
Ootacamund.

Sirs,

In October 1944, I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Government and Local Board servants towards meeting the increased cost of living caused by the existing war conditions.

2. Incidentally I beg to state briefly that the question of the grant of compensatory hill allowance to the Secondary Grade Teachers employed in the Municipal High School, has had a chequered career. Till before 1932, the scale of pay for Secondary Grade Teachers was Rs. 40 -4-60+10 (hill allowance). In 1932 the local Municipal Council abolished the hill allowance altogether and at the same time increased the scale of pay itself to Rs. 40-3-70. Subsequently in 1935 the revised scale of pay (i.e. 30-2-50 + hill allowance) on a presidency wide basis was introduced. With a view to bring the existing incumbents within the purview of the revised general scale, such of the teachers as had already reached the maximum of the old scale (Rs. 40-3-70) or were drawing more than the maximum of the new scale, were made to draw the maximum of the revised scale (Rs. 50/-) as their basic pay, the excess over the maximum being treated as personal pay for each individual concerned. It would thus appear that in the case of all old incumbents (teachers who were already in the permanent employ before the introduction of the revised scales of pay) the system of granting hill allowances was abolished. At the same time their Provident Fund Contributions are being deducted from their entire pay (basic pay + personal pay) which would not have been the case if part of the emoluments be included the compensatory hill allowance. (please vide Rule 2-(1) of the P.F.Rules, page 83 of the Statutory Rules under the District Municipalities Act of 1920).

3. Under Fundamental Rule 23, whenever the scale of pay of a post is changed, the holder of the post has the right to continue in the existing (old) scale of pay so long as he does not vacate his post. Also it is to be noted that this Municipality is following the Fundamental Rules 'entoto' and has not framed any other rules its own for guidance. So I had hoped that with the introdu

of the (general) revised scales of pay - Hill Allowance the older set teachers like myself would also get the Hill Allowance as a matter of course, especially as t e scales of hill allowances are calculated with a reference to pay drawn b the incumbents. In my petition dated 10th October 1944 I have pressed for the grant of hill allowance. Whil continued delay in granting my request hits me hard, I am afraid that the local authorities, perhaps, find it difficult to comply with it as accumulated arrears may possibly tend to my request not being favourably reviewed.

4. In this connection I beg to point out that my claim for the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently when the scales of pay came into operation it was referred to the Government if the pay I wa drawing then, might be split into Rs. 50/-, the maximum of the new scale, + Rs. 9/-, hilla allowance, and the balance of Rs. 11/-, personal pay. Te Government definitely ruled it out and said that Rs.50/- should be the basic pay and the balance of Rs.20/- should be treated as personal py. As indicated above the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be witheld, part or whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay if I elect to go on transfer to the plains. Thus it is clear that except as a punishment my pay cannot be touched. Viewing from any aspect therefore, my humble contention is that I have been all these years, since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Bord servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay - hill allowance brought about by the Statutory Rules tends one to believe that the protection sought to be afforded by them in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Bord servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,

M.K. Swaminathan.
6-8-1945.

Copy Submitted direct to the Secretary, Local Administration (Education and Public Health) Department, Madras.
N. Dis NO: 501/45 Dt 6-8-1945.
Submitted
K. T. Madhavan Nambiar,
Headmaster
6/8/45

Municipal High School,
Ootacamund, 2nd August 1945.

To
The Secretary,
Local Administration (Education and Public Health) Department,
Government of Madras,
MADRAS.

(9) 9/8/8 9 6151

Through
The Commissioner,
Ootacamund Municipality,
OOTACAMUND.

COMMISSIONER OOTACAMUND 7 AUG 1945

AND

The Headmaster,
Municipal High School,
Ootacamund.

Sir,

In October 1944, I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employe of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I ave not been so far favoured with orders on the petition. Since then the Government issued orders in the month of Sepember 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Gvernment and Local Board servants towards meeting the increased cost of living caused by the existing war conditions.

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[illegible]3, whenever the scale of pay of a [illegible] [illegible] has the right to continue in the [illegible] long as he does not vacate his post. [illegible] Municipality is following the [illegible] not framed any other rules of [illegible] that with the introduction of

of the (general) revised scales of apy - Hill Allowance the older set of teachers like myself would also get the Hill Allowance as a matter of course, especially as the scales of hill allowances are calculated with a reference to pay drawn by the incumbents. In my petition dated 10th October 1944 I have pressed for the grant of hill allowance. While continued delay in granting my request hits me hard, I am afraid that the local authorities, perhaps, find it difficult to comply with it as accumulated arrears may possibly tend to my request not being favourably reviewed.

4. In this connection I beg to point out that my claim for the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently when the scales of pay came into operation it was referred to the Government if the pay I was drawing then, might be split into Rs. 50/-, the maximum of the new scale, - Rs. 9/-, hilla allowance, and the balance of Rs. 11/-, personal pay. Te Government definitely ruled it out and said that Rs.50/- should be the basic pay and the balance of Rs.20/- should be treated as personal pay. As indicated above the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be witheld, part or whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay if I elect to go on transfer to the plains. Thus it is clear that as a punishment my pay cannot be touched. Viewing from any aspect therefore, my humble contention is that I have been all these years since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Bord servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay - hill allowance brought about by the Statutory Rules tends me to believe that the protection sought to be afforded by them in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early order[illegible] passed granting me local compensatory allowances at the sa[illegible] are allowed to Government and District Bard servants in Ootac[illegible]

I beg to remain,
Sir,
Your most obedient servant,
Nallammal James

Copy Submitted direct to the Secretary, Local Administ[illegible] Department, Madras.
N.Dis NO: 502/45
K S

Municipal High School,
Ootacamund,
2nd August 1945.

To
The Secretary,
Local Administration Department,
Government of Madras,
MADRAS.

Through
The Commissioner,
Ootacamund Municipality,
OOTACAMUND.

AND

The Headmaster,
Municipal High School,
OOTACAMUND.

Sir,

In October 1944 I submitted a petition to the Commissioner Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Government and Local Board servants towards meeting the increased cost of living caused by the existing war conditions.

2. Incidentally I beg to state briefly that the question of the grant of compensatory hill allowance to the older set of teachers employed in the Municipal High School, has had a chequered career. Till before 1932, the scale of pay for Secondary Grade Teachers was Rs. 40-?-60-10 (hill allowance). In 1932 the local Municipal Council abolished the hill allowance altogether and at the same time increased the scale of pay itself to Rs. 40-3-70. Subsequently in 1936 the [illegible] revised scale of pay (Rs. 30-?-50 - hill allowance) on a presidency wide basis was introduced with a view to bring the existing incumbents within the purview of the revised general scale. [illegible] teachers as had already reached the maximum of the old scale (Rs. 40-3-70) or were drawing more than the maximum of the new scale, were made to draw the maximum of the revised scale (Rs. 50/-) as their basic pay, the excess over the maximum being treated as personal pay for each individual concerned. It would thus appear that in the case of all old incumbents (teachers who were already in the permanent employ before the introduction of the revised scales of pay) the system of granting hill allowance was abolished [illegible] and Contributions are being deducted from their [illegible] basic pay - personal pay [illegible] case if part of the emoluments had included the compensatory hill allowance [illegible] under Rule 2(1) of the R.F. Rules, page 83 of Statutory Rules under the District Municipalities Act of 1920.

Under Fundamental Rule 23, whenever [illegible] is the holder of the post has the right to continue in the existing (old) scale of pay so long as he does not vacate his post. Also it is to be noted that this Municipality is following the Fundamental Rules [illegible] and has not framed any other rules of its own for guidance. So I had hoped that with the introduction of the (general) revised scales of pay - H.A. the older set of teachers like myself would also get the Hill Allowance as a matter of course, especially as the scales of hill allowances are calculated with a reference to pay drawn by the incumbents. In my petition dated 10th October 1944 I have pressed for the grant of hill allowance. While continued delay in granting my request hits me hard, I am afraid that the local authorities, perhaps find it difficult to comply with it, as accumulated arrears may possibly tend to my request not being favourably reviewed.

-2-

4. In this connection I beg to point out that my claim for the grant of hill allowance at the same rates as are allowed to new entrants after 1935 has nothing to do with the rate of pay, basic or personal, I have been drawing hitherto. Subsequently when the scales of pay came into operation it was referred to the Government, if the pay I was drawing then, might be split into Rs.50/- the maximum of the new scale, - Rs.5/- hill allowance, and the balance of Rs.21/-, personal pay. The Government definitely ruled it out and said that Rs.50/- should be the basic pay and the balance of Rs.30/- should be treated as personal pay. As indicated above the hill allowance is independent of pay proper and is only compensatory towards increased cost of living. Its grant can be witheld, part or whole, if conditions of living return to normal or when I leave the hill station on transfer or on leave. Again I beg to add that were part of my pay to be taken as constituting hill allowance, the question would arise whether I should be entitled to less pay, if I elect to go on transfer to the plains. Thus it is clear that except as a punishment my pay cannot be reduced. Viewing from any aspect therefore, my humble contention is that I have been all these years, since 1932, rather unjustly denied the local compensatory hill allowance which is paid to all Government and District Board servants employed in Ootacamund on the same scale of pay as mine. The continued denial of this allowance even after the introduction of the revised scales of pay - hill allowance brought about by the Statutory Rules tends one to believe that the protection sought to be afforded by the in respect of conditions of service is not available to me.

5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Board Servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,
P.R. Chidambara Ayyar
Asst., M.H. School, Ooty.

P.S

Besides the above in general about Secondary grade, I beg to place before you the hard and heartrending nature of my case. ~~...~~
It was specially advertised for an F.A. or Inter trained strong in English and under very special circumstances I joined this School on the 15th June 1920, since which there were several revisions of salary scales, all keeping my maximum at the Rs 80/-, I draw even today. Since the 1st of April 1927, I draw this Rs 80/-, when arose the contention that the hill allowance was merged in this itself. A perusal of my service register will prove that while many of those, who got 40-2-60 grade in 1927 and 40-3-70 [illegible], were drawing Rs 20, 30, 35 and 40, I, as a special [illegible] trained Intermediate trained, was getting 55-[illegible] [illegible] that Rs 80/- from 1927, I have reached the [illegible] end of my service, when at least, I pray the contention that the hill allowance is merged in the 80/- itself, will be waived off. Pray for sympathetic consideration.

Obediently yours
P.R. Chidambara Ayyar.

(True copy submitted direct)
N. Dis No: 563/45 Dt 4/8/45.
Submitted
K. T. Madhavan Nambiar
Headmaster
4-8-45

6240 8-8 (11)

Municipal High School,
Ootacamund, 2nd August 1945.

To

The Secretary, Education & Public Health ~~Local Administration~~ Department,
Government of Madras,
M A D R A S.

Through
The Commissioner,
Ootacamund Municipality,
O O T A C A M U N D.

AND

The Headmaster,
Municipal High School,
Ootacamund.

Sir,

In November ~~October~~ 1944, I submitted a petition to the Commissioner, Ootacamund Municipality, for the grant of Compensatory Hill Allowance which is allowed to all Government servants and employees of local bodies working in the hill stations like Ootacamund, Coonoor and Kodaikanal in this Presidency. I have not been so far favoured with orders on the petition. Since then the Government have issued orders in the month of September 1944 enhancing the scales of compensatory hill allowances by 50% with effect from 1-4-1944. This enhancement has been made solely with a view to give relief to low paid Government and Local Board servants towards meeting the increased cost of living caused by the existing war conditions.

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3. Under Fundamental Rule 23, whenever the scale of pay of a post is changed, the holder of the post has the right to continue in the existing (old) scale of pay so long as he does not vacate his post. Also it is to be noted that this Municipality is following the Fundamental Rules 'entoto' and has not framed any other rules of its own for guidance. So I had hoped that with the introduction of

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5. I therefore humbly beg to request that early orders may be passed granting me local compensatory allowances at the same rates as are allowed to Government and District Bard servants in Ootacamund.

I beg to remain,
Sir,
Your most obedient servant,

R. Srinivasa Rao
2.8.45.
Assistant.

N.Dis No: 4985/45 D/ 3/8/45

Submitted
K. T. Madhavan Nambiar
Headmaster
3/8/45

N. Dis 134 No. 6151/45. dated 11-9-1945.

Submitted to the Secretary to Government, Education & Public Health Department, Fort St.George, Madras, through the Chairman, Ootacamund Municipal council with copies of my note for council dated 28-8-1945 and council resolution No.355 dated 5-9-1945.

A statement showing the pay and personal pay drawn by them as well as the hill allowance including the 50 per cent increase admissible in each case is also herewith submitted.

R. Parthasarathi
Commissioner, 17.9.45
Ootacamund Municipality.

4180/

Forwarded.

Chairman.

17/9/45

Note for council.

The Government having sanctioned in their Order No.2815 L.A. dated 30-12-44 an increase in hill allowance payable to xhexxx their officers and servants up-to 50 per cent. of their present rates temporarily for the duration of war. Certain teachers in the Municipal high school and certain subordinates working in this office have petitioned the commissioner requesting to grant them hill allowance as provided in the Madras Special Pay and allowance rules plus 50 per cent increase in addition to their pay and personal pay.

The principle enunciated by Government and the Inspector of Ml.Cls. in the matter of grant of hill allowance in fixing the designation, strength, scales of different establishments in this municipality is that the pay plus personal pay of an officer or servant should not exceed the maximum in the new scales of pay plus hill allowance. Accordingly the subordinates whose names are mentioned in the enclosed list have not been allowed hill allowance as they are drawing personal pay in excess of hill allowance.

Their petitions were placed before the council at its meeting held on 21-2-1945, when the council required further details as to whether the teachers were getting hill allowance at the time when the scales of pay were fixed in 1935 and if such allowances were merged in their pay so fixed. With reference to this it is found that neither the teachers nor the other subordinates were drawing hill allowance when the scales were fixed by Government in the case of teachers in 1935 and in the case of other subordinates by the Inspector of Municipal councils and Local Boards in 1940.

In G.O.No.6244-A1-L. and M. d/ 4-10-1935 the Government remarked as follows in regard to the payment of hill allowance to the teachers in the Municipal high school.

"The Government observe that no separate hill allowance is now given to the secondary school staff. The existing scales of pay which are very liberal presumbably take into account the costliness of living in the locality. The Government, therefore, consider that no separate hill allowance need be sanctioned to the existing incumbents."

Even in the matter of 50 per cent increase in hill allowance the Inspector Ml.Cls. has permitted in his proceedings D.Dis.No. 708-45, d/ 30-3-45, the payment of the amount equivalent to the difference between the personal pay drawn by the incumbent of a post and the enhanced amount of hill allowance that would otherwise have been admissible to the holder of a post. On further representations made to him requesting to permit all subordinates who are in receipt of personal pay to draw 50 per cent of the hill allowance admissible to their grades in addition to what they are getting now, the Inspector has declined to modify his orders.

In the circumstances stated above and in view of the latest orders of the Inspector of Ml.Cls. quoted above the claim of the teachers and other subordinates for hill allowance in addition to their pay would appear to be unsupportable. The following 10 teachers have now submitted memorials to Government praying for the grant of hill allowance in addition to the personal pay drawn by them. They are herewith enclosed.

The council may express its view on these memorials for being submitted to Government.

K.Ramaswamy, 28-8-45.
Commissioner.

xTruexcopy

1. Sri J.Sathianathan, Assistant, Municipal high school.
2. " V.Raghuthama Rao -do-
3. " I.Subba Iyer -do-

4

4. Sri T.R.Subramaniya Iyer, B.A, L.T. Municipal High school. -do-
5. .. R.Sankarasubba Iyer -do-
6. .. S.Ramachandra Rao, B.A., L.T. -do-
7. .. M.K.Swaminathan -do-
8. Mrs. Nallammal James -do-
9. Sri P.R.Chidambara Iyer -do-
10. .. T.Srinivasa Rao -do-

Copy of resolution No.355 dated 5-9-1945.

Read the memorials to Government from 10 of the teachers in the Municipal high school, Ooty requesting to sanction for them the Hill allowance payable to their grades in addition to their present pay and commissioner's note thereon.

Resolution.-

In view of the Inspector's orders on the subject the council feels that the petitioner's request can't be considered.

/True copies/

17-9-45

Commissioner.

24 27

15 (15)

Details of Municipal Establishments.

Name of Establishment and designation of post.	Number.	Scale of pay sanctioned for each appointment.	Number and date of the Order sanctioning the scale of pay.	Salary per Mensem			Salary per Annum.		
1	2	3	4	5			6		
		Rs.		Rs.	A.	P.	Rs. Hill allowance including 50% increase.	A.	P.
1. Mr. Sathianathan.			Pay	50	-	-	13	8	-
			P.A.	17	.				
2. Sri V. Ragothama Rao			Pay	50	-	-	13	8	-
			P.A.	20	-	-			
3. Sri L. Subbier			Pay	50	-	-	13	8	-
			P.A.	20	-	-			
4. Sri T. R. Subramania Iyer.			Pay	100	-	-	20	4	-
			P.A.	25	-	-			
5. R. Sankara Subba Iyer.			Pay	50	-	-	13	8	-
			P.A.	30	-	-			
6. Sri. S. Ramachandra Rao.			Pay	100	-	-	20	4	-
			P.A.	40	-	-			
7. M. N. K. Swaminathan.			Pay	50	.	.	13	8	-
			P.A.	20	.	.			
8. Mrs. Nallammal James.			Pay	50	-	-	13	8	—
			P.A.	20	-	-			
9. Sri. P. R. Chidambara Iyer.			Pay	50	-	.	13	8	—
			P.A.	30	-	.			
10. Sri. L. Srinivasa Rao.			Pay	50	-	-	13	8	-
			P.A.	20	.	-			

[signature] 17-9-45
Commissioner
O.N.C.

[initials] 17/9/45

Details of Municipal Establishments.

Name of Establishment and designation of post.	Number.	Scale of pay sanctioned for each appointment.	Number and date of the Order sanctioning the scale of pay.	Salary per Mensem			Salary
1	2	3	4	5			
		Rs.		Rs.	A.	P.	Rs.

C.F. 32.

Local Administration Department

From (Name) K.M.Unnithan Esq., I.C.S.

Designation Inspector of Ml.Cls.& Local Boards,

Station Madras.

Received 24 OCT 1945 Registered

To

The Secretary to Government,
Education & Public Health
Department.

Enclosures: L.Dis. No. 29581/45 dated 20-10-45. 194 .

Sir,

Subject:-Establishment - Ootacamund municipality - Hill allowance - payment to persons in receipt of personal pay.

...

I forward herewith the petitions dated 21-7-45, 22-7-45 and 1-8-45 of some members of the teaching staff of the Municipal High School, Ootacamund with the Endorsement N.Dis.B4.No.6151/45 dated 13-9-1945 of Commissioner, Ootacamund municipality.

The petitioners have made a representation for a revision of the orders issued in this office circular D.Dis.No.706/45 -- dated 30-3-45 regulating the grant of hill allowance to those in receipt of personal pay. The orders issued in the above circular are that the Inspector permits the payment of hill allowance, equivalent to the difference between the personnel pay drawn by the incumbent of a post and the present enhanced amount of hill allowance that would otherwise have been admissible to the holder of a post. These orders closely follow the instructions previously issued in this office D.Dis.No.5951/40 dated 23-4-40 regarding the grant of hill allowance, under which the total pay of an officer or servant including his personal pay should not exceed the maximum in the new scale of pay plus the hill allowance admissible to him. In this connection, I may point out that the original circular D.Dis.No. 5951/40 dated 23-4-40 and the latter circular of 1945 regulating the grant of hill allowance have been issued on the basis of similar instructions issued by the Government in G.O.No.296 E & P.H., dated 26-1-1940 in the case of public health staff, and in consultation with the Examiner of Local Fund Accounts, But the above circulars of this office have been issued in relation to the payment of hill allowance to incumbents of posts, in respect of which the designation strength, scales of pay of teachers were not fixed by the Inspector the above orders cannot be made applicable to them. It is, however, for the consideration of Government whether the payment of hill allowance to the teaching staff in the municipality may not be brought into line with that admissible under the above orders to incumbents of posts in respect of which, the designation, strength, scales of pay etc. were fixed by the Inspector, unless there are reasons to the contrary. The Commissioner, Ootacamund municipality in his Roc.No.B1.7373/44 dated 16-3-45, solicited a modification of the orders issued in this office D.Dis.No.706/45 dated 30-3-45, so as to enable members of the staff who are getting personal pay in excess of the hill allowance to draw the enhanced hill allowance, irrespective of the amount of personal pay. As the request of the Commissioner was for a general modification of the orders issued in the above circular, it was not complied with in this office L.Dis.No.14506/45 dated 19-6-45. The present representation of the teachers does not also call for a modification of the orders passed in the circular referred to above, but only raises a question, whether the payment of hill allowance to teachers in receipt of personal allowance may not be brought into line with that admissible to other members of the staff, as per the orders issued in the above circular, and instructions issued by Government in G.O.No.296 E & P.H. dated 26-1-1940 in the case of public health staff.

I submit herewith copies of this office circulars D.Dis.No. 5951/40 dated 23-4-40 and D.Dis.No.706/45 dated 30-3-45 with a copy of this office L.Dis.No.14506/45 dated 19-6-45 for reference of

.x. were fixed by the Inspector. As the scales of pay of

Government.

Spare 1 to A3.

for Inspector.

Copy of this office circular D.Dis.706/45 dated 30-3-45.

Subject:-Establishment - Hill allowance - grant of hill allowance to municipal and local board subordinates - instructions issued.
Read:Government Order No.296 Edn. & P.H., dated 26-1-1940.
Government Order No.2819 L.A., dated 30-12-44.
From the Commissioner, Coonoor Municipality dated 15-12-44.

In G.O.No.Ms.2819 L.A., dated 30-12-44 Government have permitted the Nilgris District Board and municipal councils of Ootacamund, Coonoor and Kodaikanal to increase the hill allowance payable to their officers and servants by 50% of the present rates temporarily for the duration of the war, subject to the condition that the entire extra cost is met from the funds of the local bodies concerned and that no grant is claimed for the purpose. The question has been raised whether in the case of persons who ar in receipt of personal pay (which includes hill allowance element) as a result of the fixation of scales of pay in the past, and who are not now in receipt of hill allowance, may be allowed any hill allowance in view of the temporary increase in the hill allowance sanctioned by the Government.

According to the orders already passed by this office and by the Government (Vide G.O.No.Ms.296 E. & P.H., dated 26-1-40 in the matter of hill allowance is subject to the condition that the pay plus personal pay of an officer or servant should not exceed the maximum in the new scales of pay plus hill allowance. As no amendment to rule 16 of the Madras Manual of Special Pay and Allowances has been issued by Government regarding the increase in the hill allowance and as this temporary increase ~~xxxxxxxxxx~~ can be paid only if the local bodies concerned can meet the extra cost from their funds the orders already issued regarding the payment of hill allowance cannot be made to apply to this temporary increase and hence increase in pay is necessary. The Inspector of Municipal Councils and Local Board is, however, pleased to permit the payment of hill allowance equivalent to the difference between the personal pay drawn by the incumbent of a post and the enhanced amount of hill allowance that would otherwise have been admissible to the holder of a post, subject to the same condition as laid down in G.O.No.Ms.2819 L.A., dated 30-12-44.

Not sent

Copy of this office circular D.Dis.5951/40 dated 23-4-40

...

Subject:Establishments - Municipal Councils of Ootacamund, Coonoor and Kodaikanal - Hill allowance - fixed.

...

Under sub-section (3) of section 70 of the Madras District Municipalities Act, 1920, as amended, the powers under which have been delegated to him by Government in G.O.No.5093 L.A., dated 20-12-38, the Inspector hereby directs that the hill allowance admissible to Government servants under the Madras Special Pay and Allowances Rules shall be granted to officers and servants of the Municipal Councils of Ootacamund, Coonoor and Kodaikanal whose designation, strength, scales of pay etc. are fixed by him.

Not sent

This order will come into force on and from 1-4-40 and is subject to the conditions specified in the said Rules and to the further condition that the total pay of an officer or servant including his personal pay does not exceed the maximum in the new scales of pay plus the hill allowance admissible to him.

The following examples will illustriate the principles involved.

(17)

Example.1.

An officer whose pay on 1-4-40 is fixed at Rs.69/- in the scale of Rs.30-50 plus a personal pay of Rs.2/- will be eligible to draw the full hill allowance admissible to that grade.

Example.2.

An officer whose pay on 1-4-40 is fixed at Rs.50/- in the scale of Rs.30-50 plus a personal pay of Rs.2/- will be eligible to draw a hill allowance of Rs.7/- only i.e. Rs.50 maximum in the new scale of pay plus Rs.9/- hill allowance admissible to that grade minus Rs.52/- being his pay and personal pay on 1-4-40.

Example 3.

An officer whose pay on 1-4-40 is fixed at Rs.50/- in the scale of Rs.30-50 plus a personal pay of Rs.10/- will not be eligible for any hill allowance, as his total emoluments exceed the maximum in the new scale of post plus the hill allowance admissible to that grade.

Copy of this office L.Dis.No.14506/45 dated 19-6-45.

..

Subject:Establishment - Hill allowance - Ootacamund municipality - grant of - reconsideration of orders - declined.

Read:This office proceddings 706/45 dated 30-3-45. P.3 note
~~xxxxxxxxx~~ From the Commissioner, Ootacamund Roc.No.B1. 7575/44 dated 16-5-45.

...

P.T.O.

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The Inspector of Municipal Councils and Local Boards finds no case to modify the orders issued in the proceedings read above.

.....

MSV23x45

3/8

MUNICIPAL HIGH S. COTACAMUND

4965
2-8-45

6151 33

Municipal High School,
Ootacamund. 1st August 1945

(18)

From

R. Sankarasubba Ayyar,
Commercial Instructor, Municipal High School,
Ootacamund.

3/8

To

The Secretary to the Government of Madras,
Education & Public Health Department, Madras.

MUNICIPAL COMMISSIONER OOTACAMUND

Thro'

The Commissioner, Ootacamund Municipality,

-and-

The Headmaster, Municipal High School, Ootacamund.

Sir,

Your humble petitioner begs leave to appeal to you for redress against the orders of the Inspector of Local Fund Boards and Municipal councils, Madras, in his I.L.B. No. 14506/45 dated 19-6-45 communicated to the petitioner in the Municipal Commissioner's R.O.C. No. B/1-7373/44 dated 16-5-45 and D.Dis. 7373/44 dated 12-7-45.

Government have directed the payment of 50% increase in the rates of local allowance paid to employees in hill stations with effect from 1-4-1944. Accordingly, the Ootacamund Municipal council has also sanctioned this enhanced rate of local allowance to all the employees, irrespective of any personal pay drawn by any of them. The Commissioner and the council have been only very fair to the employees getting personal pay. The implications of G.O. No. Ms. 104 - Education dated 26-1-1944 also justify their action and grant a claim for such employees for the enhanced 50% hill allowance in addition to the personal pay drawn by them.

Your humble petitioner is the Commercial Instructor in this High school of 22 years of service, now on Rs 50/- in the Commercial Instructor's grade of Rs 30-2-50 plus Rs 30/- personal pay fixed for him in 1935. At the time of fixing the above pay in the revised grade, your petitioner was already drawing a substantive pay of Rs 80/- in his old grade of Rs 60-4-80. The fixation of personal pay was then only with a view to compensate for the difference between the maximum of the standardised provincial scale and the actual earned pay of the incumbent, earned by virtue of his past service at the time of the revision. This was done in common to every employee in the Presidency.

A local allowance of Rs 9/- attached to standardised rate of pay, which was due to the petitioner in addition to the personal pay was then denied to him for reasons not then definitely told to him. Since 1935 your humble petitioner had no increments and he cannot hope for any addition to his pay unless the grade be again advantageiouly revised. While therefore a claim from the petitioner for the payment of full rate of Hill allowance in addition to his personal pay would only be equitable and just, he is given to understand that the local allowance due to him (Rs 9/-) remains merged in his pay. Even if that is so, the petitioner humbly begs to point out that only Rs 9/- is said to be merged in the petitioner's personal pay of Rs 30/- (Rs. Thirty).

As such, when Government have been pleased to sanction 50% increase in the rates of local allowance in view of extra living cost in hill stations, your humble petitioner who is also equally affected along with everyone else in this extra costly hill station, reasonably expects to be paid this extra 50% increase temporary allowance (Rs 4½/-) per month for his grade along with the others from 1-4-1944. This has however been denied to him by the Commissioner for the only reason that the Inspector of Municipal councils has not accorded his definite approval in the matter.

34 -2- 2485

The Inspector of Municipal councils in his I.L.B. No. 706/45 dated 30-3-45 regrets his inability to give his approval. A second reference to the Inspector of Municipal councils was made by the Commissioner on the same subject. But unfortunately the Inspector of Municipal councils has only been pleased to reiterate his original reply.

Under the circumstances, therefore, your humble petitioner who has been hit hard has no other option but to appeal to the Government for redress.

Your humble petitioner ~~xxxx~~ prays for early orders directing the payment of the withheld enhanced hill allowance of Rs 4-8-0 per month due to me from 1-4-1944. Your humble petitioner is asking this amount to be paid to him as a temporary increased local allowance, until the time this enhancement exists in force, and not as any enhanced personal pay attached to the petitioner

Begging to be excused for the trouble and thanking the Government for its kindness,

Your humble petitioner begs to remain,

Sir,
Your most obedient servant,
K. Ramakrishnan,
Commercial Instructor,
Municipal High School,
Ootacamund.

True copy submitted direct to The Secretary to the Govt. of Madras, Edn. & P.A. Dept., to save delay.

Submitted
K. T. Madhavan Nambiar
Headmaster
2-8-45

sd

23-7-45 OOTACAMUND

From,
S. Ramachandra Rao B.A.L.T.,
Second Assistant, Municipal High School,
Ootacamund.
21.7.45.

To
The Secretary to the Govt. of Madras,
Education and Public Health Department,
Fort St. George, Madras.

Through
The Commissioner,
The Ootacamund Municipal Council, Ootacamund.

Sir,

Your humble petitioner begs leave to appeal to you for redress against the orders of the Inspector of Local Boards and Municipal Councils, Madras, in his I.L.B.No.14506/45 dated 19.6.45 communicated to the petitioner in Commissioner's D.Dis. 7373/44 dated 12.7.45.

Government have directed the payment of 50% increase in the rates of Local allowance paid to employees in hill stations, with effect from 1.4.44. Accordingly the Ootacamund Municipal Council has also sanctioned this enhanced rate of local allowance to all its employees, irrespective of any personal pay drawn by any of them. The Commissioner and the Council have been only very fair to the employees getting personal pay. The implications of G.O.No.1118, Education dated 26.1.44 also justify their action and grant a claim for such employees for the enhanced 50% local allowance, in addition to the personal pay drawn by them.

Your humble petitioner is a teacher of 23 years of service in the Ootacamund Municipal High School, now on Rs.100/- in the L.T. grade of Rs. 65-5½-100 plus Rs.40/- personal pay fixed for him in 1935. He was then drawing a substantial pay of Rs.140/- in his old grade of Rs.100-5-140. The fixation of personal pay was then only with a view to compensate for the difference between the maximum of the standardised provincial scale and the actual earnt pay of the incumbent, earnt by virtue of his past services, at the time of the revision. This was done in common to every employee in the presidency. A local allowance of Rs.13/8/- attached to the Standard-

dised rate of pay which was due to the petitioner, in addition to the personal pay, was then denied to him for reasons not then definitely voiced to him. Since 1935 your humble petitioner had no increments and he cannot hope for any addition to his pay unless the grade be again advantageously revised. While therefore a claim from the petitioner for the payment of full rate of hill allowance in addition to his personal pay would be equitable and just, he has now been definitely told that the local allowance of Rs. 13/8/- due to him remains merged in his personal pay. It is therefore definite and Government have also held that only Rs. 13/8/- lies merged in the petitioner's personal pay of Rs. 40/-. (Vide G.O. No. MS. 104 - Education dated 26.1.44).

As such, when Government have been pleased to sanction 50% increase in the rates of local allowance, in view of extra living cost in hill stations your humble petitioner, who is also equally affected along with every one else in this extra-costly hill station, reasonably expects to be paid this extra temporary allowance (Rs. 6-12-0 per month for his grade) along with the others from 1.4.44. This has however been denied to him by the Commissioner for the only reason that the Inspector of Municipal Councils has not accorded his definite approval in the matter.

The Inspector of Municipal Councils, in his I.L.B. 706/45 dated 30.3.45 regrets his inability to give his approval only for the reason of Govt. Statutory provisions regulating the payment of local allowance to employees drawing personal pay in excess of local allowance rates, not having been revised suitably by Govt. to enable payment of this enhanced rate to such employees. A second reference to the Inspector

by the Commissioner was to request the Inspector to obtain the necessary revision to statutory provisions and then to approve the Council's decision. But unfortunately the Inspector has only been pleased to reiterate his original reply. Under this circumstance therefore, your humble petitioner who has been hit hard, has no other option but to appeal to Government for redress.

I humbly pray for early orders directing the payment of the withheld, enhanced temporary local allowance of Rs. 6-12-0, due to me from 1.4.44. I am asking this amount to be paid to me as a temporary increased local allowance only and not as any enhanced personal pay attached to me. Begging to be excused for the trouble and thanking the Government for the kindness,

I beg to remain,
Sir,
Your most obedient Servant,
Ramachandran.
Second Assistant, Govt. H. School, Attacanad.

(True copy submitted to the Secretary, Education department, Govt. of Travancore direct, to save time.)

439/23-7-45

Submitted
K. T. Madhavan Nambiar
Headmaster
23-7-45

286 6 12

13 7 6184/45

Cotacamund. 39
22-7-1945.

(21)

From

L. SrinivasaRao,
Secondary Grade Assistant,
Municipal High School, Cotacamund.

To

The Secretary to the Government of Madras,
Education and Public Health Department, Madras.

Through.

The Commissioner,
Municipal Council, Cotacamund.
and
The Headmaster,
Municipal High School, Cotacamund.

Sir,

Your humble petitioner begs leave to appeal to you for redress against the orders of the Inspector of Local Boards and Municipal Councils, Madras, in his D.L.B. No. 14506/45 dated 19-6-45, communicated to the petitioner in Commissioner's R.o.c. 7373/44 dated 16.5.45.

D.Dis. 7373/44-12-7-45.

Government have directed the payment of 50% increase in the rates of Local allowance paid to employees in hill stations, with effect from 1.4.1944. Accordingly the Cotacamund Municipal Council has also sanctioned these enhanced rates of Local allowance to all its employees, irrespective of any personal pay drawn by any of them. The Commissioner and the Council have been only very fair to the employees getting personal pay. The implications of G.O. No. MS. 104, Education, dated 26.1.1944 also justify their action and grant a claim for such employees for the enhanced 50% local allowance, in addition to the personal pay drawn by them.

Your humble petitioner is a teacher of 21 years of service in the Municipal High School, now on Rs 50/- in the Secondary Grade of Rs 30-2½-50, plus Rs 20/- personal pay fixed for him in 1935. He was then drawing a substantive pay of Rs 70/- in the old grade of Rs 40-3-70. The fixation of personal pay

pay was then only with a view to compensate for the difference between the maximum of the Standardised Provincial Scale and the actual earnt-pay of the incumbant, earnt by virtue of his past-service, at the time of the revision. This was done in common, to every employee in the Presidency. A local allowance of Rs 9/- attached to the Standardised rate of pay, which was due to the petitioner in addition to the personal pay was then denied to him for reasons not then definitely told to him. Since 1935, your humble petitioner has no increments and he cannot hope for any addition to his pay unless the grade be again advantageously revised. While therefore a claim from the petitioner, for the payment of full rate of hill allowance in addition to his personal pay would only be equitable and just, he has been definitely told that the local allowance due to him remains merged in his pay. (vide implications in G.O. No. M.S. 104/- Education, dated 26-1-44). It is therefore definite and Government have also held that only Rs 9/- lies merged in the petitioner's personal pay of Rs 20/- :

As such, when Government have been pleased to sanction 50% increase in the rates of local allowance, in view of extra-living cost in hill stations, your humble petitioner who is also equally affected along with anyone else in this extra costly hill station, reasonably expects to be paid this extra temporary allowance (Rs 4-8-0) per month for his grade, along with the others from 1-4-1944. This has however been denied to him by the Commissioner for the very reason that the Inspector of Municipal Councils, has not accorded his definite approval in the matter.

The Inspector of Municipal Councils, in his D.L.B. No. 706/45 dated 30-3-45 regrets his inability to give his approval. A second reference to the Inspector of Municipal Councils was made by the Commissioner on the same subject. But unfortunately, the Inspector of Municipal Councils has only been pleased to reiterate his original reply. Under this circumstance therefore, your humble petitioner who has been hit hard has no other option but to appeal to Government for redress.

I humbly pray for early orders directing the payment of the withheld enhanced temporary local Allowance of Rs 4-8-0 due to me from 1-4-1944. I am asking this amount to be paid to me as a temporary increased local allowance only and not as any enhanced personal pay attached to me. Begging to be excused for the trouble and thanking the Government for the kindness,

I beg to remain,
Sir,
Your most obedient Servant,

K. Srinivasa Rao
assistant,
22.7.45.

True copy - Submitted to the Secretary, Education and Public Health Department, Govt. of Madras, for favour of information.

23.7.45. Submitted
K. T. Madhavan Nambiar,
Headmaster
23-7-45

Copy of the Resolution No 354 dated 5-9-1945. (23)

Subject No 354.

Read the memorials to Government from the following Municipal high school teachers requesting to pay the enhanced hill allowance sanctioned in G.O. No. Mis 2819 L.A. dated 30-12-1944 with effect from 1-4-1944 and Commissioners' Endorsement thereon.

1. Sri. S. Ramachandra Rao. B.A.L.T.
2. Sri. R. Sankara Subba Iyer. Commercial Instructor.
3. Sri. L. Srinivasa Rao. Secondary grade assistant.

Resolution.

In view of the Inspector's orders on the subject the Council feels that the petitioners request cannot be considered.

/True copy/.

17-9-45
Commissioner

N
1719.

N.Dis.B4-No.6151/45 dated 13-9-1945.

Submitted to the Secretary to Government, L.S.G. & P.H. Dept. Madras through (1) The Chairman, Ootacamund Municipal council (2) The Inspector of Ml.Cls., Madras.

The following petitioners are the teachers of the Municipal high school, Ootacamund and their scales of pay were fixed in G.O.No.3638 L & M., d/ 7-9-45 1935. In G.O.No.4639 L & M., Mis. dated 11-11-1935, the Government sanctioned the grant to the teachers in this school of personal allowance equivalent to the difference between their pay on 31-8-1935 and the maximum of the revised scale as proposed by the Municipal Council in its resolution No.II d/ 17-10-1935 with effect from 1-9-1935. Accordingly the petitioners are given pay and personal allowance as follows.-

1. Sri S.Ramachandra Rao, B.A. L.T.	Pay Rs.100		hill allce.including 50% increase.
	personal allce.	40	Rs.20-4-0
2. .. R.Sankarasubba Iyer	Pay Rs.50		Rs.13-8-0
Commercial instructor	personal allce.	30	
3. .. L.Srinivasa Rao	pay Rs.50		Rs.13-8-0
secondary grade asst.	personal allce	20	

The Government in their order No.Mis.2819 L.A. d/ 30-12-44 have permitted this Municipal council to increase the hill allowance payable to their officers and servants up to 50% of the present rates temporarily for the duration of the war with effect from 1-4-1944. The Municipal council in its resolution No.282 d/ 6-12-44 has sanctioned the payment of 50% increase from 1-4-44 irrespective of the personal allowance drawn by the teachers as well as by certain other subordinates. In this office letter No. 7373/44, d/ 9-12-44, the Inspector of Municipal councils was addressed for sanction to the proposals of this council. The Inspector of Ml.Cls. in his proceedings D.Dis.No.706/45, d/ 30-3-45 permitted the payment of hill allowance equivalent to the difference between the personal allowance drawn by the incumbent of a post and the enhanced amount of hill allowance that would otherwise have been admissible to the holder of the post subject to the same condition as laid down in G.O.No.Ms.2819 L.A. d/ 30-12-44. Again in this office letter B1-No.7373/44 d/ 18-5-45, further representation was made to the Inspector of Municipal councils at the request of the teachers employed in the Municipal high school that the subordinates who are already getting personal allowance in excess of what is admissible inclusive of what may be apportioned as equivalent to 50% of the prescribed hill allowance on the basis of the orders of the Inspector of Ml.Cls. referred to above felt strongly that this could not have been the intention of the Inspector and pleaded for a clarification of the point.

The Inspector in his proceedings No.L.Dis.14506/45, d/ 19-6-45 has passed final orders to the effect that he finds no case to modify the orders issued in his previous orders.

The memorials submitted by the teachers of the Municipal high school were placed before the council and the council in its resolution No.354 d/ 5-9-45 (copy enclosed) has resolved that in view of the Inspector's orders on the subject the council feels that the petitioners request cannot be considered.

All the three pettioners are drawing personal allowance in excess of hill allowance plus 50% increase.

Commissioner, 17-9-45.
Ootacamund Municipality.

Forwarded.

Chairman.

The previous disposal on the subject have been submitted in another case. So this may lie over till 4.10.45

[illegible]
2.10.45

[illegible]
3.10.45

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28/9

45

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E&PH(B)

Establishment - Ootacamund Municipal Council - Teaching staff in the Municipal High School - petition for the grant of hill allowance

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Sent to D.P.I. in orgl. CRO 6331/45. Petitions from teachers, Mcl High School Ootacamund d 2.8.45

do — Endt of the Commr. Ootacamund Mty. Dis 1&2 no 6151/45 d 11.9.45

Memo. No. 34050-2B., dated, 28-9-'45.

Referred to the D P I for remarks

[illegible]
27.9.45

[illegible]
27/9/45

Despd with endt
K.N.
29.9.45

To
The D P I
(with C.7. in orgl. to be retd. with reply) Recd on 19/11/45

R.C.No.1519-G/45

Office of the
Director of Public Instruction,
Madras, Dated 24-11-1945

From

Dr. S.R.U. Savoor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.

To

The Secretary to Government,
Education and Public Health Department.

Sir,

Sub: Establishment - Municipal Council, Ootacamund - Teaching Staff in the Municipal High School - Petition from certain members for the grant of Hill Allowance.

Ref: Govt. Memorandum No.34050-2-B dated 28-9-1945.

In resubmitting herewith the papers referred to me for remarks I have the honour to state that the increase of 50% in the Hill Allowance sanctioned to Government Servants has been obviously sanctioned on account of the conditions brought about by the War and it does not seem reasonable to deny this temporary benefit to the Municipal High School Staff in question. Therefore, I recommend that Government may sanction the grant of 50 per cent of the Hill Allowance to which the teachers would otherwise have been entitled with reference to their pay in the revised scale as it appears unfair to exclude this category of teachers for the simple reason that they were in the old scale of pay prior to the coming into force of the standardised scales.

for Director of Public Instruction.

27

Estt(B)

Establishment - Municipal Council - Cotacamund.

Teaching staff in the Municipal High School Petchois from certain members for the grant of hill allowance ——.

Crc. 6331/45. Petchois from certain teachers of the Municipal High School, Cotacamund ℈ 2-8-45

From the Inspector of Municipal Councils & Local Boards L.Dis no 29581/45 ℈ 20-10-45

From the DPI Rc no 1519-G/45 ℈ 24-11-45

Memo. No. 34050-3B., Dated, 31-12-45.

The letter from the Inspector of Municipal

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Councils and Local Boards cited above is forwarded to the DPI for remarks with reference to the recommendation he has made in his letter read above.

KSR
28/12/45

OBM
29/12/45

To Rr. 18/2/46.
M.R. 10/3/46

The DPI with pp 21-27 cf + 29-44 cf in orgl to be retd with reply

Issd with Endt
2-1-46.

Note. The DPI's recommendation on p 45 cf is not in accordance with the Inspector's remarks on p 29 cf. It seems necessary to obtain the remarks of the DPI on the Inspector's recommendation as the recommendation of the DPI was made without seeing the Inspector's letter.

KSR
28/12/45

OBM
29/12/45

B1

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: :

Education Department.

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From

Dr. S.R.U. Savoor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras

To

The Secretary to the Government of Madras
Education and Public Health Department,
Fort St. George, M a d r a s.

ASST. SECRETARY TO GOVERNMENT
15 MAR 1946
EDUCATION AND PUBLIC HEALTH DEPT.

R.C.No.1519-G/45 dated 12th March 1946.

15004

Sir,

ESTABLISHMENT--Municipal Council, Ootacamund--Teaching Staff in the Municipal High School--Petition from certain members for 'grant of Hill Allowance'
Reference:-Government Memorandum No. 34050-3 B dated 31..12..1945.

pp. 48-49 ante

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In resubmitting herewith the papers referred to me for remarks I have the honour to state as follows:

p. 29 ante
p. 30 ante
p. 47 ante

The letter L.Dis.No.29581/45 dated 20.10.1945 of the Inspector of Municipal Councils and Local Boards does not contain any fresh arguments other than those stated in his proceedings D.Dis.706/45 dated 30.3.1945 which were considered while submitting my remarks to Government in my letter R.C.No.1519-G/45 dated 24.11.1945.

(B) 73-76

The decision of the Inspector of Municipal Councils and Local Boards seems to be based on the orders of Government in G.O.No.296 Education and Public Health dated 26.1.1940 under which the pay and personal pay of a servant should not exceed the maximum in the revised scale plus Hill Allowance admissible.

In G.O.No.533-Finance dated 7.10.1946, Government increased the rates of Hill Allowance for Government servants specified in Rule 16 of the Madras Manual of Special Pay and allowances by 50% temporarily for the duration of the war and, based on these orders, G.O.No.2819-L.A., dated 20.12.1944 was issued in respect of local board and Municipal servants. The Inspector of Municipal Councils and holds the view that the teachers who are in receipt of pay and personal pay can be paid only the difference between enhanced rate of Hill Allowance and personal pay. By the application of the above principle none of the teachers in question who in receipt of Personal pay becomes eligible for any extra emoluments.

(C)

The Principle underlying the G.O. on the enhancement of Hill allowance appears to be that each man, whatever may be his scale of salary, has been forced now to incur higher expenditure proportionately than previously due to adverse conditions created by the war. The men whose cases are now under consideration, were living, at the time of the outbreak of the war, in respect of the salaries actually drawn by them, at a certain level and have now new obligations arising from the same inescapable conditions as the rest, which they do not be expected to meet from their normal sources of income. So long as normal rates are given, these men cannot have any complaint, but where special increases are paid in the basis of salaries drawn by others, these have also a corresponding claim for increase on the basis of salaries drawn by them.

In these circumstances it is submitted that it could not have been the intention of the Government to exclude this group of persons from deriving the temporary benefit of 50% increase due to the present abnormal conditions. The cases of these should be treated a class by itself and should be given the temporary benefit of a proportionate increase in respect of their salaries just as others are given a similar temporary benefit in respect of theirs. A discremination in its application to their prejudice does not appear to be fair.

P.T.O.

51

: 2 :

I therefore do not see any reason to alter the recommendations already made.

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

For Director of Public Instruction.

s. 13-3.

14/3

E&P.H.(B.1)

Lr. 296 Edn. d. 26-1-40 quoted on p. 50 ante has been called for from R.Rs, Chittor. Its receipt may be awaited till 25/3/46.

24/3/46.

29/3/46

29/3/46

DISTRICT EXAMINER OF ESTABLISHMENTS
1 MAY 1946
WESTERN CIRCLE, SALEM

29 29 52 E&P.H.Dept (B.1)

11/6 11/6

Subs:- Establishment - Municipal High School, Ootacamund - certain teachers - Eligibility for enhanced rate of hill allowance - orders passed - Applicability of concession to all ~~municipal~~ subordinates of the Municipality - Instructions issued.

C.No. 34050 B.1/45.

From Messrs T. Sathianathan, V. Ragothama Rao, L. Subbiah, T.R. Subramania Iyer, R. Sankara Subba Iyer, S. Ramachandra Rao, M.K. Swaminatham, P.R. Chidambara Iyer, L. Srinivasa Rao and Mrs. Nallammal James, Petitions d. 2 8/45.

Mf. 1-29 cf.

p. 21 cf. From the Commissioner, Ootacamund Mlby, R. Dis. B.4. No. 6151/45 d. 11 9/45

Mf. 29-30 cf. " Inspr. of Vil. Schs + L. Boards, L. Dis. No. 29581/45 d. 20-10-45.

p. 43 cf From the Commr, Ootacamund Mlby, R. Dis. B.4- No. 6150/45 d. 13-9-45.

p. 47 cf. " D.P.I., R.C. No. 1519-A/45 d. 24-11-45.

pp. 50-51 cf. -do- -do- 12-3-46.

Order No. 1152 Edn. d. 11-6-46.
Rs.

10/6/46

The Govt. direct that the teachers of the Municipal High School Ootacamund who are in receipt of personal pay in lieu of the hill allowance admissible to them under the Rules and who have not been granted on that account the temporary increase of 50% of hill allowance

P.T.O.

Abstract at (X)

Sanctioned in G.O. No. 2819 L.A. d. 30-12-44, be granted in addition to their present emoluments an allowance equal to 50% of the hill allowance they would be eligible for on the basis of their pay; that is, the two L.T. assistants among the ten teachers whose names are cited above should be paid Rs. 6-12-0 p.m. and the other teachers should be paid Rs. 4-8-0 p.m. ~~the amounts being one half 50% of the hill allowance of Rs. 13-8-0 and Rs. 9 p.m.~~ they would be eligible for respectively.

pp 3-4 n.f.

2. The Inspector of Ml. Cls. & Local Bds. is ~~requested~~ informed that the emoluments already fixed should be taken to include hill allowance at the rates then in force and that the subordinates should not be denied the benefit of the 50% increase. He is requested to issue modified instructions to the Municipal Council so that the concession sanctioned in para 1 above may apply to all municipal subordinates.

Sd/ 4/6/46.

usth / 4.6.46

R 10.6.46

To the Petitioners thro' the Commr., Ootacamund Mlty. (10 copies)
To the Commr., Ootacamund Mlty., thro' the C.M.C.
D.P.I.
Inspr. of Ml. Cls & L.Bds. thro' L.A. Dept.
L.A. Dept.
Exr. of L.F. Accts.

Desptd 12-6-46

Government of Madras.
Education and P.H. Department.
G.O. Ms. No. 1152-Edn., dated the 11th June 1946.

Abstract.

Establishment - Municipal High School, Ootacamund - Certain teachers - Eligibility for enhanced rate of hill allowance - Orders passed - Applicability of concession to all subordinates of the Municipality - Instructions issued.

Read the following:-

From Messrs J. Sathianathan, V.Raghothama Rao, L. Subbier, T.R.Subramania Iyer, R.Sankara Subba Iyer, S.Ramachandra Rao, M.K.Swaminathan, P.R. Chidambara Iyer, L.Srinivasa Rao and Mrs. Nallammal James, petitions dated 2-8-1945.
From the Commissioner, Ootacamund Municipality, N.Dis.B.4. No.6151/45, dated 11th September 1945.
From the Inspector of Municipal Councils and Local Boards, L.Dis.No.29581/45, dated 20th October 1945.
From the Commissioner, Ootacamund Municipality, N.Dis.No. B.4.6151/45, dated the 13th September 1945.
From the Director of Public Instruction, Rc.No.1519-G/45, dated 24-11-1945 and 12-3-1946.

ORDER.

The Government direct that the teachers of the Municipal High School, Ootacamund, who are in receipt of personal pay in excess of the Hill Allowance admissible to them under the

rules

55

rules and who have not been granted the temporary increase of 50 % of hill allowance sanctioned in G.O.No.2819-L.A., dated 30-12-1944, be granted in addition to their present emoluments an allowance equal to 50 percent of the hill allowance they would be eligible for on the basis of their pay; that is, the two L.T.Assistants among the ten teachers whose names are cited above should be paid Rs 6-12-0 per mensem and the other teachers should be paid Rs 4-8-0 per mensem.

2. The Inspector of Municipal Councils and Local Boards is informed that the emoluments already fixed should be taken to include hill allowance at the rates then in force and that the subordinates should not be denied the benefit of the 50 percent increase. He is requested to issue modified instructions to the Municipal Council so that the concession sanctioned in paragraph 1 above may apply to all municipal subordinates.

(By Order of His Excellency the Governor).

P.S.Viswanatha Ayyar,.
Secretary to Government.

To the Petitioners, through the Commissioner, Ootacamund Municipality.
" Commissioner, Ootacamund Municipality, through the Chairman, Municipal Council, Ootacamund.
" Director of Public Instruction.
" Inspector of Municipal Councils and Local Boards, through the Local Administration Department.
" Local Administration Department.
" Examiner of Local Fund Accounts.

True copy. Forwarded/By Order. K.S.Krishnaswami
Superintendent.

ASR.

(Please see the decision on p. 27 ...)

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(31)

	Name	Pay Rs.	Personal pay Rs.	Amount of H.A. admissible Rs.	Amount of 50% increase in Hill allowance. Rs.
1	Sri T.R.Subramania Iyer.	100 (in the scale of Rs 65-5/2-100)	25	13-8-0	6-12-0
2	S.Ramachandra Rao	100 -do-	40	13-8-0	6-12-0
3	Sri Sathianathan	50 in the scale of Rs. 30-2/2-50)	17	9-0-0	4--8-0
4	Sri V.Ragothama Rao	50 -do-	20	9-0-0	4--8-0
5	" L.Subbier	50 -do-	20	9-0-0	4--8-0
6	" R.Sankara Subba Iyer	50 -do-	30	9-0-0	4--8-0
7	" M.K.Swaminathan	50 -do-	20	9-0-0	4--8-0
8	Mrs.Nallammal James	50 -do-	20	9-0-0	4--8-0
9	Sri P.R.Chidambara Iyer	50 -do-	30	9-0-0	4-8-0
10	" L.Srinivasa Rao	50 -do-	20	9-0-0	4--8-0

cf 9/4/46.

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(32)

Notes 32

E.& P.H.Dept.(B.1)

From the Commissioner, Ootacamund Mlty., N.Dis.B4-No.6151/45
" Inspr.of Ml.Cls.&L.Bds. L.Dis.No.2958/45 dated 13-9-45.
" D.P.I., R.C.No.1519-G/45 dated 24-11-45.
" " 12-3-46.

Sub:- Establishment - Municipal Council,Ootacamund - Teaching staff in the Municipal High School - Grant of enhanced rate of hill allowance.

Certain teachers of the Municipal High School,Ootacamund who are in receipt of personal pay have not been granted the 50% increase in the hill allowance sanctioned in G.O.No.2819 L.A. dated 30-12-1944. The teachers represent that they may be granted the enhanced rate of hill allowance. The Inspector of Ml.Cls. and Local Boards does not recommend the request for the reasons stated in his letter on page 29 c.f. The D.P.I. on the other hand supports the request of the teachers.

2. It will be observed that based on the principles involved in G.O. No.296 P.H. dated 26-1-1940 and in consultation with the Examiner of L.F. Accts., the Inspector of Ml.Cls. has issued a circular to the effect that the staff who are in receipt of personal pay may be paid the difference between the personal pay and the enhanced rate of hill allowance. As the teachers in question are all in receipt of personal pays which exceed the enhanced rate of hill allowance to which they would be eligible, they are not entitled to any increased hill allowance according to the Inspector's circular. Based on the Inspector's circular the Municipal Council has negatived the request of the petitioners.

3. It may be pointed out that the Inspector's circular is applicable to the staff whose designation, strength, scales of pay etc. are fixed by him. The powers in regard to the fixation of designation, strength, scales of pay etc. of teaching staff of local bodies are exercised by the Director. If the Director's recommendation to show special consideration to the teachers in question is accepted, similar claims from the staff who are affected by the Inspector's circular cannot be resisted. It seems better to follow a uniform procedure for all the staff. In the circumstances it is for consideration whether the request of the teachers may be negatived. It is also for consideration whether the Director may also be requested to consider the desirability of issuing instructions similar to those issued by the Inspector in order to avoid individual representations from similar staff in

2

ther places.

The remarks of L.A. may be invited u.o.

9/3/46
7/3/46

30-3-46.

1. I think the D.P.I.'s view must be accepted rather than the Inspector's. The orders in (B) were to the effect that in cases like the present the emoluments already drawn must be taken as including the element of hill-allowance & so no fresh payment on that account would be justified — but that decision must be taken as applicable only to the then level of hill-allowances. When there has been a temporary increase in the quantum of hill-allowance it is not unreasonable that this class of persons should be allowed also to benefit proportionately.

2. But how will this proportion be fixed in each of these cases? Unless the 'hill-allowance' element in their emoluments is isolated how can a percentage increase be applied? Can such isolation be made? Or what is the appropriate alternative for calculation otherwise?

5/4/46.

Para 2 of Secretary's note above.

A statement showing the pay and personal pay drawn by the teachers in question and the amount of hill allowance and the 50% temporary increase that would be admissible on the basis of the pay drawn by them is put up at (D). It seems a percentage increase in their emoluments can be applied only if the 'hill allowance element' in their emoluments is isolated. There seems to be no objection to such an isolation of the 'hill allowance' element for the purpose. The Examiner may perhaps be requested to offer his remarks on this point.

Nos. 1 & 2 in the statement ...

(33)

are L.T. assistants and the rest are secondary grade teachers. Their present emoluments (which include hill allowance) should be taken to include only such H.A. as they are eligible for under the rules, according to their respective grades of pay. For example, in the case of Nos 1 & 2 their salaries should be taken to include a H.A. of Rs 13-8 and in the case of the rest Rs 9. Applying this idea these teachers should also have the benefit of the increased H.A. (50 p.c.) being now granted in addition to their existing emoluments one half of the H.A. they are eligible for under the rules Rs 6.12.0 for Nos 1 & 2 and Rs 4.8.0 for others.

In several cases the Dept have issued orders agreeing on the principle that total emoluments should not exceed the max. of the revised scale plus the H.A. as now temporarily increased by 50 p.c. For the sake of uniformity these cases also will have to be brought into line with the cases now under discussion in this file.

L.A. and Ex. of the accts may first see for remarks.

18.4.46

24.4.46

L.A.

H.H. no. 34050 B.1/45-4
23-4-46.

APR 1946
11873

L.A.Department

Please see the notes of E&P.H. on pp.1-3 ante. Subd. that this Department may agree that the teachers whose pay in the revised scale has been fixed at the maximum plus a personal pay to bring their total emoluments to the amount which they were getting in the old scale may be allowed hill allowance at half rates (i.e., the temporary 50 % increse in h.a. which others are getting). The rise in the cost of living is common to all and the personal pay of the teachers cannot be said to have been fixed taking into account the present unprecedented increase in the cost of living. If this view is accepted, E&P.H. may ask the Inspector to issue modified instructions to the Ootacamund Ml.Cl. so that the present concession may apply to all the ml.subordinates and not merely to the teachers.

With these remarks, the file may be passed on to the Examiner of L.F.Accts. u.o.

1 MAY 1946
65.

LA.uo. 11873-1A
29/4/46

Examiner's Office.

I agree with the views expressed in the L. A. Department note above.

P.M.Rau
Examiner of Local Fund Accounts..

25 MAY 1946
15973
SECRETARIAT, MADRAS

L. A. Dept. U.O.

LA.uo.15973-1A

28734
30 MAY 1946

E&P.H.(B.1) Dept

A draft order is subd. for approval.