

Educational (1895) Department.

ORDINARY MS.

G.O., No. 774

Dated 19th Sept. 1895.

INDEXED.

9-10

[Despatch Abstract.]

MR. HOLDER, ACTING SUPERINTENDENT, SCHOOL OF ARTS

Agreeing ^{with} the Accountant-General in considering that --, is not eligible to draw acting allowance on the higher rate of pay which was offered to Mr. Havell for personal reasons.

BACK PAPERS.

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

FURTHER PAPERS.

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

189

Educational Department.

From

THE DIRECTOR OF PUBLIC INSTRUCTION,

Madras,

To

THE HONORABLE THE CHIEF SECRETARY

TO GOVERNMENT,

Fort St. George.



No. 8790

Dated 18th
Despatched 80
Received 16th
August 1895

No.

ENCLOSURE. /

Subject.

Submitting with remarks
letter from the As Super-
intendent, School of Arts,
for increments to his pay

625: 2. 11. 88
406: 12. 7. 88
248-49: 30. 4. 88
123: 27. 2. 88
560: 24. 9. 88
35-4: 21. 1. 93
830-31: 13. 11. 93

Madras, 18th June 1892.

No. 53/

FROM Edwin Holden Esq
The SUPERINTENDENT,

SCHOOL OF ARTS,

MADRAS,

TO

THE Hon^{ble} The Chief Secretary
to the Government of Madras
The District of Public Instruction.

SIR,

I have the honor to submit for the kind consideration of Government the following case regarding my allowance as Acting Superintendent of the School of Arts.

In April 1892 I took charge of the School and the following year I applied to the Accountant-General for information regarding the Annual increments which Mr. Laell received and which in accordance with the Civil Service Regulations Chapter VIII Article 168 clause (b) I considered I was entitled to draw also. But the Accountant-General in reply wrote to say that the fixed pay of my superintendence

of the Superintendent was only Rs 500/-;
that the increment was sanctioned
in the case of Mr. Howell as a personal
allowance and that therefore I could
not claim it.

I beg leave to state that the
Accountant-General seems to have
misinterpreted the wording of the
despatch No 85 dated 16-8-88 from the
Right Honourable the Secretary of State
for India and the Government Order
No 625 dated 2-11-88 in which no
mention is made about the increased
salary allowed to Mr. Howell being
a personal allowance. Such allowances
are not usually paid by annual
increments.

Besides judging from
Mr. Howell's appeal for increase
of pay copy of which is in the
School of Arts it would appear
that the Government sanctioned the
annual increments not for any
special service that Mr. Howell
may have rendered but to
make the appointment of the
Superintendent

It is not specif-
ically stated, but
the correspondence
read as a whole
leads to that con-
clusion.

This is merely
Mr. Howell's
interpretation of
the papers.

In the case of
Mr. Howell
No. 90. 30. 2
No. 248

Superintendent of this School equal
to that of the Principals of the
Bombay and Calcutta Schools
of Arts. Mr. Howell pointed out
that while he had a much
larger institution to manage and
more hours to work daily, his pay
was much less than that of the
Principals of the Bombay and
Calcutta Schools; each of whom
was in receipt of over Rs 1000/- a
month.

I beg the Government
will kindly decide as to whether
I am entitled to draw the
increments according to the Civil
Service Regulations referred to.

I have the honour to be
Sir
Yours most obedient servant
Mr. A. K. S.
By Superintendent

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EDUCATIONAL DEPARTMENT.

From

THE SUPERINTENDENT, SCHOOL OF ARTS,

MADRAS,

To

*See Hon. the Chief Secy
to Govt of Madras*

THE DIRECTOR OF PUBLIC INSTRUCTION,

MADRAS.

Dated

18 June 1895

Received

ENCLOSURE.

Subject.

*Addressing for Report
the decision of
the Commission as
Supdt. of the School
of Art.*

977
OFFICE OF THE DIRECTOR OF

PUBLIC INSTRUCTION,

Madras, 15th August 1895.

No. 8790

From

THE HONORABLE MR. D. DUNCAN, M.A., D.Sc.,

DIRECTOR OF PUBLIC INSTRUCTION,

Madras,

To

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

FORT ST. GEORGE.

SIR,

In submitting the enclosed letter to your address from the *Ag* Superintendent, School of Arts, I have the honour to state that under very special circumstances Mr. Havell's pay was increased from Rs 500 rising to Rs 1000 by annual increments of Rs 50. It will be seen from Mr. Griggs' letter No. 7872, dated, 9th November 1887, that the above increase was recommended chiefly with a view to retain the service of Mr. Havell. In his Despatch No. 85, dated,

dated, 16th August 1888, the Secretary of State observed that the terms offered to Mr. Havell were unusual and he was quite averse to enter into an agreement of the kind.

This is sufficient to show that the pay of the appointment was never intended to be raised. It was only to re-engage Mr. Havell for 10 years further service that the Secretary of State had to sanction the increased scale of salary from Rs 500 to Rs 1000. This scale of pay was adopted in the Reorganization scheme also, as it was not known at that time that Mr. Havell would resign his appointment.

I have the honour to be,

Sir,

Your most obedient servant,

J. D. Dorman

Director of Public Instruction

because they involved the re-engagement of Mr. Havell for a period of ten years. vide despatch.

no. vide para 6 of Mr. Enigg's letter in 30 123, 27.2.88

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900-237-95

Ed DEPARTMENT.

C. No. 977 of 95

FOR ORDERS.

The pay of the Super of the School of Arts was Rs 500 & it has not been raised. The special terms offered for the re-engagement of Mr. Havell did not affect this point. Mr. Enigg evidently thought that the pay was low & I agree with him, but that does not alter the fact that the pay of the post is Rs 500. accordingly Mr. H^{or} is not entitled to acting allowance as the increment which would have been given to Mr. Havell

Jg
13/9

Mr. Holder is permanent Artistic Instructor and acting Superintendent, School of Arts. His pay as Artistic Instructor is a fixed one viz:- Rs 400; Mr. Havell's pay as Superintendent is a progressive one viz:- Rs 500 rising to Rs 1000 by annual increments of Rs 50. Mr. Havell proceeded on leave in April 1892 and Mr. Holder was appointed to act in his place. Mr. Holder's substantive ^{he contends that} pay is fixed and ~~he acts in~~ ^{he is acting in} an office of which the pay is progressive. ^{Rs 400} Mr. Holder's acting allowance should therefore be calculated in accordance with art 168 (b) of the C. S. R.

Mr. Holder accordingly applied for increased acting allowance in 1893 and was informed by the A.G. in reply that the pay of the appointment of Superintendent of School of Arts was a fixed one on Rs 500; that the increment sanctioned in the case of Mr. Havell was personal and that therefore he (Mr. Holder) was not entitled to it. Mr. Holder now appeals against this and asks Govt to decide whether he is entitled to claim acting allowance on the progressive pay of Rs 500-1000 or not.

Dr. Duncan in forwarding Mr. Holder's appeal ^{express} ~~endeavours~~ to show that Mr. Havell's pay was increased under very special circumstances, that the increase was given on personal grounds and that the pay of the appointment was never intended to be raised. These statements of Dr. Duncan are, it is submitted, not supported by facts. The following extract from Mr. Grigg's letter recorded in G.O. & 27th Feb

FOR ORDERS.

Feb 1888 No 123 Bd. Shows ^{Sec no to ches} that Mr. Grigg considered that it clearly that it was clearly intended at that time to raise the pay of the appointment:-
"If Mr. Havell is unwilling to agree to continue to serve Govt on these terms XXX I would suggest that the S.G.S. be asked to appoint next year a successor to Mr. Havell on the terms above indicated viz, Rs 500 plus free quarters for five years with prospect of employment for a further period of 10 years on a salary of Rs 500 rising to Rs 900 by ten annual increments of Rs 40. I do not consider it possible after the difficulty experienced in obtaining an Art Instructor from home on Rs 400 to secure the services of a highly efficient man for less."

* referred to as the "present pay" of the appointment at page 14 of Dr. Duncan's letter.

The assignment of a pay of Rs 500 rising to Rs 1000 to the post of Supt. of school of arts in the reorganization scheme dealt with in G.O. & 21st Jan'y 93 No 33 Bd is ^{goes to show} further evidence that it was all along intended to raise the pay of the appointment.

it may be argued
that...

In view of these facts Mr. Holder seems entitled to claim acting allowance under art 168 (b) of the C.S.R. but if Govt is unwilling to give him any increment, it can withhold it under art 166 of the C.S.R.

If permitted to draw acting allowance in accordance with art 168 (b), Mr. Holder will draw Rs 510 in the second year, Rs 520 in the third year & so - or in other words his acting allowance will be increased by Rs 10 a year. It will be seen that the post is now vacant & that Mr. Holder does not ask to be appointed.

Sub-protein thereto. Mr. Havell's pay has raised in consequence of the increase assigned in the ^{letter} ~~document~~ in No. 249. & there are for the most part personal reasons. I submit therefore that Mr. Holder is not entitled to higher acting allowance. - Probably he would not be granted any even if eligible. - If this is the view taken by Govt, Mr. Holder might choose to hold that Govt. does not consider that he "should receive acting allowance under art 168 (b) of the C.S.R."

Mr. Holder's acting allowance

H.M.

(For orders)

If the view is not taken, it appears desirable to consult the Secy to General before definitely stating that Mr. Holder is or is not eligible to draw pay under art 168 (b).
12/9/95

[G.]
[24.]
500-23-7-95.

Edl Sep DEPARTMENT.

Papers to be read in proceedings :-

Again G.O., dated	189	, No.
Again G.O., dated	189	, No.
Current No.	of 189	, dated , from
" "	" 189	, " " "
" " 477	" 189	, " " "

ORDER. 19th September 1895, No 774.

The Govt agrees with the Act. Genl in considering that Mr. Holder is not eligible to draw acting allowance on the higher rate of pay ^{which was} offered to Mr. Havell for personal reasons. The pay of the appointment next to be approved as Rs 500/- per annum.

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d.
10.5.55
The S.P.C. (G.O.) 17/9/95
dispo 25/9/95

Mr. Holden's pag.

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

189 .

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURES TO O. No

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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- A = Copy in full.
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