dl.
6.]
—24-4-97.

Educational (1898) Department.

ORDINARY MS.

G.O., No. 635-6

DATED 6-10-98

INDEXED. 10-11

[Despatch Abstract.]

Informing the Govt of India that this Govt can have n
objection to Mr. Havell's request to be allowed to count
for furlough and pension the period of service
rendered by him under this Govt prior to his
employment under the Govt of Bengal bei

Complied with

BACK PAPERS.

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

FURTHER PAPERS.

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

[Edl. / 5 / 1,00—5-3-97.]

Educational (1898) Department.

CURRENT No. 662

269/93 ✓ 471-2/95 &c ✓
933/93 341/96 & further
934/93 R 492
746/93
28/96 ✓ 63/94

Offt Secy

From G of I Home Depfr

No. 124

Dated 10 } 5. 98
Received 20
Registered 23
Enclosures 1 with 7. sc
Spare copies.

~~Order~~

D Gos. 746/11-10-93 (A), 933/26-12-93 (B), 934/28-12-93 (C)
& GO 63/2-2-94 (H) & the original of GO 471/7-6-95 - all regarding Mr Havell's resignation & re-entertainment are not available. They are with the School of Arts re-organization file which is believed to be in circ. May this case lie over till the papers are available!

7R/31-5-98

This should be definitely ascertained. If it is & the G.O.s are necessary the file will have to lie over till they are received, but put up as soon as they come in

A.E. 2/7/98

It has been ascertained that the School of Arts reorganization file is with H.E. the Governor.

7A/24-8-98

SUBJECT.

Forwarding copy of letter from the Bengal Govt. submitting application from Mr. E.B. Havell re the period of service rendered by him under the Govt of M.

Lik 27/5/98
Subpapers re Mr Havell's Supply
Wood 26/5/98

BACK PAPERS.

G.O.	No.	Department.	Date.
R.O. Entry Book			dt 27/5/98
	341 :	8-6-96	Mis
	471-2 :	7-6-95	Copy
	63 :	2-2-94	Mis abst
	933 :	26-12-93	„ „

934 : 28-12-93 „ „

FURTHER PAPERS.

G.O.	No.	Department.	Date.

778 : 23-10-93 Mis
746 : 11-10-93 „ abst
269 : 24-4-93 Mis
and record papers

✻CHIEF SEC
20 MAY
GOVERNMENT OF M

No. 1062, dated 19th March 1898.

From—The Officiating Secretary to the Government of Bengal,

To—The Secretary to the Government of India, Home Department.

I AM directed by His Honour the Lieutenant Governor of Bengal to submit, for the consideration and orders of the Government of India, the accompanying copy of a letter No. 1147, dated 7th March 1898, from the Director of Public Instruction, Bengal, and enclosure, recommending that Mr. Havell, the Superintendent of the Government School of Art, Calcutta, may be allowed to count for furlough and pension the period of service he had rendered under the Government of Madras prior to his employment under this Government.

No. 1147, dated Calcutta, the 7th March 1898.

From—C. A. MARTIN, Esq., LL.D., Director of Public Instruction, Bengal,

To—The Secretary to the Government of Bengal, General Department.

I HAVE the honour to forward to you the accompanying representation from Mr. E. B. Havell, Superintendent of the Government School of Art. His prayer is that his service prior to his employment under the Government of Bengal may be allowed to count for furlough and pension, and, as he has a desire to apply for furlough next year, he thinks that he is in order in sending in his representation at this time.

[illegible]
Flag E

2. Mr. Havell's case briefly is as follows:—He began service under the Government of Madras as Superintendent, School of Art, Madras, on the 18th January 1884, and, having served in that capacity for a little more than eight years, he was allowed to go on furlough from the 25th April 1892. His furlough as subsequently extended, expired on the 25th December 1893. While he was on furlough, the Principalship of the Mayo School of Art, Lahore, became vacant, and, in order to be a candidate for the post, Mr. Havell tendered his resignation to the Madras Government (it being part of his agreement that he should give at least six months' notice before leaving its service), and, at the same time, he applied for the vacant appointment at Lahore, asking the Madras Government to support his application. Unfortunately for him, just at this very time the whole question of the advisability of retaining the Schools of Art in India was raised, and, accordingly, the Madars Government thought fit to accept Mr. Havell's resignation. This, Mr. Havell contends, was "a mere accident," and his contention appears to me to be well grounded, and in support of his argument that no break in his services would have resulted but for this accident, bring together. Mr. Havell points to the fact that, immediately after it was finally decided to retain the Schools of Art, he was selected by the Right Hon'ble the Secretary of State for the Calcutta post which had then fallen vacant.

"Resignation of an appointment to take up another appointment, service in which counts, is not held to be a resignation of the public service."

3. Mr. Havell now prays that the Government of Bengal will submit his case for the consideration of the Government of India on the ground that, under Article 460 (*b*) of the Civil Service Regulations (quoted in the margin), his resignation under the circumstances stated above should not be held to be a resignation of the public service. The interruption which took place was caused only by the coincidence that, at the time when he was an applicant for the Punjab post, the question of retaining the Schools of Art under Government came under discussion.

4. Mr. Havell points out that, by the decision of this case in his favour, he will become entitled to furlough in 1899, whereas, if the decision goes against him, he will have to wait for this privilege till 1904, notwithstanding the fact that he has already performed close upon ten years' active service.

5. It is right that I should here mention that Mr. Havell, on his appointment to the School of Art in Calcutta, had in February 1896 addressed the Under-Secretary of State for India, requesting that his previous service in Madras should be allowed to count for pension, and he was informed in reply from the India Office in 360 J. and P., dated 18th March 1896, that the Secretary of State for India regretted that he was unable to accede to his application, there being however added:—"It will, however, be open to you to make an application to the India Government at the proper time." For the correspondence on this subject I would beg leave to refer you to General Department, Education Branch, endorsement No. 2243, dated the 14th July 1896.

6. Mr. Havell now sends up this application on the ground that he may desire to take furlough some time in 1899; and he thinks that it would be well to have the pension question settled at the same time, when all the facts of the case are before the Government of India.

7. I make no allusion to the excellent work which Mr. Havell did while he served under the Government of Madras and of the high estimation in which he was held by that Government. Evidence of these are brought forward by Mr. Havell in his representation. His service under this Government has been eminently satisfactory.

8. In conclusion, I beg leave to commend this case to the very favourable notice of the Government as being one deserving of very special consideration.

No. 2743, dated Calcutta, the 8th February 1898.

From—E. B. HAVELL, Esq., Supdt. of the Govt. School of Art,

To—The Director of Public Instruction, Bengal.

IN his despatch No. 47 Public (Educational, dated the 21st May 1896), communicated in your No. 339J., dated the 19th September 1896, the Right Hon'ble the Secretary of State has left for the recommendation of the Government of India the question whether my former service in Madras is to be allowed to count in my present appointment. Though my prospects of pension are at present remote, the decision in this matter involves the question of leave also, and affects my prospects of furlough after July 1899. As the final decision rests with the Secretary of State, I hope it will not be considered premature to represent both questions to the Goverenment of India at the present time.

2. The facts of the case are briefly these:—When I was on furlough in July 1893, the post of the Principal of the Mayo School of Art, Lahore, became vacant, and the Punjab Government had applied to the Secretary of State for a new Principal. I thereupon tendered my resignation of my appointment to the Government of Madras, and at the same time applied for the vacant appointment at Lahore. I was induced to resign my appointment chiefly because I believed that there was wider scope in the Punjab for the scheme of technical and industrial art education I had initiated at Madras. The terms of my agreement required me to give six months' notice of my intention to resign, and, as the Madras Government might have raised objections had I left my appointment there without notice, I tendered my resignation, at the same time asking the Government for their support to my application for the Lahore School. Subsequently understanding that my resignation might prejudice my prospects of appointment to Lahore, I asked to be allowed to withdraw it; my request was submitted to the Government of Madras with the support of the Director of Public Instruction, before any orders had been passed on my previous letter, but, as in the mean time a despatch from the Right Hon'ble the Secretary of State had raised the whole question of the advisability of retaining the Schools of Art in India, the Madras Government in the same orders accepted my resignation and refused to allow me to withdraw it. The resignation of my appointment in Madras was not at all taken with the intention of severing my connection with India, but under the impression that it would simplify the transfer of my services to Lahore. This impression I afterwards found to be an erroneous one. Had I retained my appointment in Madras, as I ought to have done, if I had consulted my own interests, there would have been no break in my service. It was a mere accident, and for me an unfortunate one, that, while my resignation was in the hands of the Madras Government, the question of the continuance of Schools of Art as Government institutions should have been raised by the Secretary of State The point raised by the despatch delayed the consideration of my application at the India Office for the Lahore appointment until the reply of the Government of India had been received. Immediately after the final decision had been taken to retain the Schools of Art under Government control, the Right Hon'ble the Secretary of State, on the strong recommendation of a Committee appointed to select a candidate, was pleased to appoint me to the vacancy which had occurred in the mean time in the Calcutta school. It will thus be seen that, but for the raising of this question of the continuance of the Schools of Art as Government institutions, there would have been no break in my service, such as would interfere with my service in Madras being counted for leave and pension. Previous to this the Director of Public Instruction, Madras, had strongly recommended the Government that my service should be re-engaged there under my former agreement, in which case my previous service would have counted, but the Government of Madras did not accept the Director's proposals until after my appointment to Calcutta. The delay on the part of the Madras Government in accepting the Director's proposals was due to the fact that a Committee had been appointed to consider in what way the operation of the Madras school of Arts might be modified and extended, and Government was desirous to have the report of this Committee before it.

…of Mr Havell
…31st 1893, and with
…No. 746, d 11th Oct
…Flag A

…o 2092 …
…Dec. 93 Flag B

Flag D

vide … 149
Flag AL …
… 471 …
7-6-95

3. I would beg leave of the Government of Bengal to submit for the consideration of the Government of India, that under the circumstances my case comes within the intention, if not within the strict literal sense of Article 460 *(b)* of the Civil Service Regulations, which states that "Resignation of an appointment to take up another appointment, service in which counts, is not held to be a resignation of the public service." As regards the interruption in my service from 25th December 1893 to 5th July 1896, I would submit for special consideration the fact that the interruption was caused only by the interval required for the reply of the Government of India to the despatch of the Secretary of State referred to above. If the vacancy in the Lahore school had been filled up when the application was made by the Punjab Government in July 1893, there would have been no interruption in my service. I applied at the India Office for permission to rejoin my appointment at Madras pending consideration of my application, but permission was not accorded to me.

4. I would further beg leave to submit to the Government of India that though I have already completed more than eight years' active service in Madras, the terms of my appointment in Calcutta, by requiring of me a further service of eight years without furlough, would place me under the same disadvantages as an officer just arrived in this country—disadvantages which I should not have incurred had I been re-engaged, as proposed by the Madras Government under my old agreement. I also venture to hope that the Government of India will be pleased to take into consideration the exceptional character of the work I was engaged in at Madras, not only as a head of a large industrial art establishment requiring constant supervision for nine hours daily throughout the year, without any of the usual vacations which educational officers enjoy, but as Inspector of Mufassal Schools, Reporter to Government on Arts and Industries and as a member of several important Committees connected with Technical Education and Exhibitions. The official returns show that, during the time I was in charge, the attendance at the School of Arts, Madras, was trebled, while in every other School of Art in India the numbers remained nearly stationary. A Commission on Technical Education, appointed by the Government of the North-Western Provinces in 1890, after visiting all the Schools of Art and similar institutions in India, reported as follows regarding the School of Arts, Madras:—"Compared with the Schools of Art at Calcutta, Bombay and Lahore, the Madras institution is remarkable for the attention paid by it to art in its application to various industries * * * *. The Madras school appears more likely to be useful than any other similar institution in India." The Acting Director of Public Instruction, Madras, in his review of the School Report for 1893-94, referred to

my services as follows :—" The institution sustained a heavy loss in Mr. Havell, and the Acting Director takes this opportunity to place on record his appreciation of the valuable services rendered by that officer to the cause of Technical Education in the Presidency during the time he presided over the institution." A copy of the official record of my services in Madras is enclosed.

5. Finally I would submit for the special consideration of the Supreme Government the fact, that after my appointment to Calcutta, the Government of Madras were prepared to re-engage me *under my former agreement*: had I returned to Madras, my previous service would therefore have counted towards both leave and pension.

Extract from the Civil List of Officers in the Educational Department as it stood on 1st April 1892.

NAME.	Age.	Caste.	Degree or certificate with optional subjects.	Where educated.	Vernacular or other Oriental languages.	Previous appointment with dates and salaries of the same.	Present appointment with date of the same.	Total service.	Present salary.	Date of present increment.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12
Ernest Binfield Havell, Esq.	Y. M. D. 30 3 0	European.	Science and Art Department, South Kensington; Art Masters' certificates, 1st and 2nd, 4th and 5th groups.	National Art Training School, South Kensington.	Tamil.	Superintendent, School of Arts, Madras, 18th January 1884 (Government Order Educational, dated 14th January 1884, No. 17), on deputation to visit the Indian Court at the Calcutta Exhibition (Government Order Educational, dated 21st February 1884, No. 99 Miscellaneous); Member of Art Committee to secure some permanent record of Indian Art displayed at the Calcutta Exhibition (Government Order Public, dated 17th June 1884, No. 1317); Member of Committee for the collection of exhibits for the Indian and Colonial Exhibition, London, 1886, (Government Order Revenue, dated 16th September 1884, No. 1046); Reporter to Government on Arts and Manufactures of the Madras Presidency (Government Order Public, dated 13th October 1884, No. 2221 Miscellaneous); Member of Committee to fix the details of the courses and the exact character of the syllabuses connected with the scheme of Technical Education (Government Order Educational, dated 11th September 1885, No. 540); Reporter to Government on Arts and Manufactures of the Madras Presidency (Government Order Educational, dated 5th January 1886, No. 3 Miscellaneous); received thanks of Government of India for his services in connection with the Indian and Colonial Exhibition, London, 1886 (Government Order Revenue, dated 27th May 1886, No. 393); Reporter to Government on Arts and Manufactures of the Madras Presidency (Government Order Educational, dated the 21st January 1887, No. 48 Miscellaneous); Member of Committee for the collection of exhibits for the Glasgow International Exhibition, 1888 (Government Order Revenue, dated 1st July 1887, No. 3794); Reporter to Government on Arts and Manufactures of the Madras Presidency (Government Order Educational, dated 30th November 1887, No. 654); on deputation to visit the agricultural shows held at Bellary and Salem in 1888 (Government Order Educational, dated 9th January 1888, No. 10, and Government Order Educational, dated 29th February 1888, No. 130); Honorary Secretary, Madras Committee, for the Poona Exhibition of Native Arts and Manufactures, 1888, (Government Order Revenue, dated 21st June 1888, No. 448). Confirmed, 15th January 1892, on Rs. 700. *Addendum.*—Author of Articles in the Journal of Indian Art and Industry on the Art Industries of Madras and of papers on Technical Education in India.	Superintendent, School of Art, 18th January 1884.	Y. M. D. 8 2 13	Rs. 700		Also Rs. 50 per mensem for house-rent. Pay Rs. 500—50—1,000.

G. C. Press, Simla.—No. 393 H. D.—13-5-98.—70.

1898
52
Enclos. No. 1
O. No. 662

CURRENT No. 662

No. 124

From

H. Luson, Esqr.,
Dy: Secy: to the Govt. of India.

To

The Chief Secretary to the Govt. of Madras.

CHIEF SECRETARY
20 MAY 1898
GOVERNMENT OF MADRAS

Educational

Home Department.
(Education).

Simla, the 10th May 1898.

Sir,

I am directed to forward a copy of a letter from the Government of Bengal No. 1062 dated the 19th March 1898 and enclosures submitting an application from Mr. E. B. Havell, Superintendent of the Government School of Art, Calcutta, to be allowed to count for furlough and pension the period of service rendered by him under the Government of Madras, prior to his employment under the Government of Bengal.

2. I am to request that, with the permission of the Governor in Council, the Government of India may be furnished with an expression of the opinion of the Government of Madras on Mr. Havell's application and especially with reference to the statements made in paragraph 2 of the letter

235-7

letter from the Director of Public Instruction, Bengal, No 1147 of the 7th March 1898 and in paragraph 2 of that from Mr. Havell No 2743 of the 8th February 1898.

I have the honour to be,
Sir,
Your most obedient Servant.

H. Luson.

Dy: Secretary to the Govt. of India.

[Edl. / 5]
1,000—29-4-98.

Educational (1898) Department.

CURRENT No. 1108

From

The Govt. of India
Home Dept

~~Order~~ Note.

Submitted to A.S.

Cno 662 re. Mr. Havell's pensionary service is lying over for certain G.Os which are put up with the School of arts reorganization file which appears to be still with His Excellency the Governor.

[illegible]
29.8.98.

No. 260

Dated 15. 8. 98

Received in m.o 26. 8. 98

Registered

Enclosures

Spare copies.

SUBJECT.

Reqn. of early reply to their communication re. the pensionary service of Mr. E. B. Havell, Supdt. School of Arts. Calcutta

Fin B

Put up the file. [illegible]

Put up [illegible] 26.8.98

letter from

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS

G.O.	No.	Department.	Date.

1108

SECRETARY TO GOVERNMENT
24. AUG. 1898
LOCAL & MUNICIPAL DEPARTMENT

No. 260

CHIEF SECRETARY
24 AUG. 1898
GOVERNMENT OF MADRAS

From

R. Nathan, Esq.,
Under Secy. to the Govt. of India,

To

The Chief Secy. to the Govt. of Madras.

Home Department.
(Education)

Simla, the 15th August 1898.

Sir,

I am directed to invite attention to the communication* noted in the margin on the subject of the pensionary service of Mr. E. B. Havell, Superintendent, School of Art, Calcutta, and to request the favour of an early reply.

* No. 124, dated 10th May '98

I have the honour to be,
Sir,
Your most obedt. Servant,

R. Nathan

Under Secy. to the Govt. of Indi

Sub 28/9 C 29-9.
R 26/9 R 3/10
[G./25]
500—27-4-98.

1.

10

Educational Department.

C. Nos. 662 and 1108.

~~His Excellency The Governor.~~

~~The Hon'ble Sir Henry Bliss, K.C.I.E.~~

~~The Hon'ble Mr. Grose, C.I.E.~~

SUBJECT.

Mr. Havell's pensionary service.

Flag C

FOR ORDERS.

JHM - ~~JHA~~

~~In~~ with the first of the above currents the Govt. of India forwards a copy of a letter from the Govt. of Bengal submitting an application from Mr. E.B. Havell, Supt., School of Arts Calcutta, to be allowed to count for ~~a~~ furlough and pension the period of service rendered by him under the Govt. of Madras prior to his employment under the Govt. of Bengal. The Govt. of India asks for an expression of opinion on the part of this Govt., and especially as to the statements made in para. 2 of the letter from the D.P.I., Bengal.

2. A short history of Mr. Havell's services will be found appended to the letter of the D.P.I. under cover of G.O. No. 812, Educational, dated 23rd October 1894. [redacted]

Flag K.

3. Mr. Havell's case is [redacted] correctly stated in his letter to the D.P.I., Bengal, and in the latter letter to the Govt. of Bengal forwarde

with

with C. No. 362, but there are one or two points in these letters which require notice.

With regard to the statement in para. 2 of Mr. Havell's letter- that Govt. accepted the proposal of the D.P.I. to reengage Mr. Havell under his former agreement after [redacted] [redacted] he had been appointed to the School of Arts, Calcutta, please see the note for orders and the D.O. to Mr. Bolton No. 342, dated 7th July 1896, and the D.O. of the D.P.I., No. 398, dated 18th June 1896, from which it appears that it was decided to ask Mr. Havell to return but on enquiry it was ascertained that he had been appointed to the School of Arts, Calcutta.

Flag. O

As regards Mr. Havell's contention referred to in para. 2 of the Bengal Director's letter - that it was an "accident" that the Madras Govt. thought fit to accept Mr. Havell's resignation that it was owing to the question of retaining the Schools of Arts in India having been raised at the time,- please see the note for orders and H.M's remarks, dated 16th Decr. 1895 on Mr. Havell's request to be permitted to withdraw his resignation.

Under cover of G.O. No. 933 Edl. 26-12-95 Flag B

Mr. Havell [redacted] seems to be [redacted] correct in stating that "no breach in his services would have resulted but for this accident." It may be noted, however, that Govt. decided that if Mr. Havell were to be allowed to

return

return, his breach of service would not be condoned.

Vide page 43 of the note for orders on the reorganization of the School of Arts. (to be kindly referred to.)

Flag N.

4. At the same time, it is submitted, that although Mr. Havell made a mistake in resigning his appointment in Madras in order to become an applicant for the post at Lahore, there appears to be no objection as far as this Govt. is concerned to allowing Mr. Havell's service up to the time of his resignation to count towards his pension, and, it is submitted, it would be hard on him were it decided otherwise. ORDERS are requested as to the terms in which a reply should be sent to the Govt. of India.

5. The file has been delayed for want of certain G.O's in the file on the School of Arts which is still in circulation.

ARe
26/9/98

AT
26 9 98

Asst Secy
Before this goes to H.M. & H.E., please draft answer to India in above sense
AT

Secy
Please see the draft order + letter below
ARe
27/9/98 AH

AT
27 9 98

I quite agree.
AT 28.9.98.

AT

A.S.H
2.10.98

Educational Department.

cmo 6624 1108

ORDER No. 635 Q 6-10-98

The Government of India will be addressed.

A.G.H. 2.10.98

ak 27/9/98

LETTER No. 636 Q

dept from Govt 6-10-98

To

The Secretary to the Govt. of
India, Home Dept. (Edcl.)

H.M. & H.E. the Governor.

AD 28.9.98

A.G.H. 2.10.98

Sir,

In reply to Mr. Luson's letter No. 124, dated 10th May 1898 requesting an expression of the opinion of this Govt. on an application from Mr. E.B. Havell, Superintendent of the Govt. School of Arts, Calcutta, to be allowed to count for furlough and pension the period of service rendered by him under this Govt. prior to his employment under the Govt. of Bengal, I am directed to state that the facts of the case are correctly set forth in the letters of Mr. Havell and of the Director of Public Instruction, Bengal, referred to in para. 2 of Mr. Luson's letter. I am to add that this Govt. ~~has~~ can have no objection to Mr. Havell's request being complied

with

with, should the Govt. of India think fit to do so.

ab
27/9/98

JT
27 9 98

When given for copying
When copied 5/10 189 8
When examined
When signed

READ AGAIN G.O., No. DATED
189 .

CURRENT No.

ENCLOSURES TO C. 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.

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.