

Educational (1899) Department.

ORDINARY MS.

G.O., No. 549-550

Dated 22-8-99

INDEXED.

[Despatch Abstract.]

Addressing the Govt of India on the
subject of the officiating allowances
of members of the subordinate Govt
Service holding appointments reserved
for the Indian or Provincial Govt
Service.

124/8.

BACK PAPERS.

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

FURTHER PAPERS.

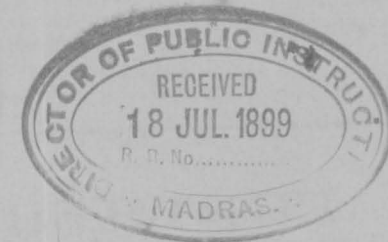
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

[Edl. 5]
1,000-28-6-48

RR No 9793/99

Educational (189) Department.

CURRENT No. 1033



474 Feb copy
250 23/3/98
699 2 papers
874/98 paper
6 3/1/99

From the Govt of India

Endt No 344, dt 17th July 1899.
Order

Referred to the Director
of Public Instruction for remarks.

No. 273

(By order)

Dated 27-6-99

6/15
147

A. R. Sington
Ag. Asst Secretary

Received }
Registered } 10-7-99

Enclosures

Spare copies 7.

7A
11-7-99.
P.S.
13/7/99

SUBJECT.

Forwarding a copy of a letter from
the Govt of the Panjab, re: the officiating
allowances of members of the Provincial &
subordinate Ed Services; & desiring to learn
whether the Madras Govt have any
remarks to offer with regard to the
proposals of the Govt of India in
connection with the above subject.

3 PM

BACK PAPERS.

G.O.	No.	Department.	Date.
	6	: 3-1	99 his
	694	: 8-11	98 4
	200-1	: 23-3	98 4
	479	: 10-8	96 copy

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 849.

FROM

M. W. FENTON, ESQUIRE,

Revenue and Financial Secretary to Government,

Punjab and its Dependencies,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,

HOME DEPARTMENT.

Dated Lahore, 26th April, 1899.

Financial.

SIR,

IN connection with the appointment of certain officers of the Subordinate Educational Service to officiate in the Provincial Educational Service, the Accountant-General, Punjab, has invited attention to a want of definiteness in the regulations as they at present stand, and requested that the orders of the Government of India may be obtained on the following point.

2. Under paragraph 16 of the Government of India, Home (Education) Department, Resolution, No. 204-15, dated the 23rd July, 1896, which has been embodied in Article 154 A of the Civil Service Regulations, the salary of an officer of the Provincial Educational Service officiating for a member of the Indian Educational Service should not exceed the pay of the officer for whom he acts; and, as this limitation is not repeated in paragraph 2 of the Government of India, Home (Education) Department, letter, No. 409, dated the 30th November, 1898, to the Government of Bombay, the Accountant-General, Punjab, is in doubt whether a similar limitation should be applied in calculating the salary of a Subordinate Educational Officer when appointed to act in the Provincial Educational Service, or whether the pay of the lowest grade of the Punjab Provincial Educational Service, namely, Rs. 150, should, under Article 156 of the Civil Service Regulations, be taken as the maximum limit of salary in this case.

3. I am directed to say that, in the Lieutenant-Governor's view, as the ruling of November last is an expansion of that embodied in Article 154 A of the Civil Service Regulations, there can hardly be a doubt that the condition limiting the salary of the officiating officer to the pay of the officer for whom he acts was meant to apply to the cases dealt with in the November letter, and that Article 156 is not applicable to those cases. A specific order on the point is, however, required for the guidance of the Accountant-General.

4. In connection with this matter, I am to explain that, as the highest pay of the Subordinate Educational Service in the Punjab is Rs. 160, and the lowest pay of the Provincial Educational Service is Rs. 150 only, it sometimes happens that an officer of the former Service on Rs. 160 acts for one in the latter Service on Rs. 150, in which case, under the existing limitation, he not only is not entitled to the special acting allowance of Rs. 50 laid down, but must actually

lose in pay. Similar cases would occur if the seniors in the Provincial Service were to act for the juniors in the Indian Service; and I am to recommend that this effect of the present regulations may be removed by the addition of the words—"nor less than his own pay"—to the condition—"provided the salary of the acting incumbent shall not be higher than the pay of the officer for whom he acts." Sir Mackworth Young is of opinion that it is reasonable, when, in the public interests, an officer in the Provincial Service acts for another in the Indian Service, or an officer in the Subordinate Service acts for one either in the Indian or the Provincial Service, that he should, if not entitled to the special allowances laid down, at least not lose in pay.

I have the honor to be,

SIR,

Your most obedient Servant,

M. W. FENTON,

Revenue and Finl. Secy. to Govt., Punjab.

Orders—contd.

lose in pay. Similar cases would occur if the seniors in the Provincial Service were to act for the juniors in the Indian Service; and I am to recommend that this effect of the present regulations may be removed by the addition of the words—"nor less than his own pay"—to the condition—"provided the salary of the acting incumbent shall not be higher than the pay of the officer for whom he acts." Sir Mackworth Young is of opinion that it is reasonable, when, in the public interests, an officer in the Provincial Service acts for another in the Indian Service, or an officer in the Subordinate Service acts for one either in the Indian or the Provincial Service, that he should, if not entitled to the special allowances laid down, at least not lose in pay.

I have the honor to be,

SIR,

Your most obedient Servant,

M. W. FENTON,

Revenue and Finl. Secy. to Govt., Punjab.

No.

Regr. No.

HOME

FROM

THE GOVERNMENT, PUNJAB

1899.

DEPT.

No. 849.

Dated Lahore, 26th April, 1899.

Enclosures

Spare copies

R.

D. No.

Progs.

L. No.

No.

Abstract.

INVITES attention to a want of definiteness in the regulations as they at present stand, under which acting allowances are admissible to certain officers of the Subordinate Educational Service officiating in the Provincial Service and of the latter Service officiating in the Indian Service.

References.

Orders.

Office suggestions.

1899

Dept.

Enclos. No.

To

C. No.

1833

[Over.

CURRENT No. 1633

No. 273

FROM

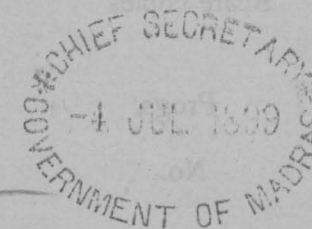
H. LUSON, Esq.,

Deputy Secretary to the Government of India,

TO

The Chief Secy. to the Govt. of Madras.

Home Department.
Education.



Simla, the 27th June 1899.

SIR,

I AM directed to forward a copy of a letter* from the Government of the Punjab asking for orders on certain points connected with the officiating allowances of members of the Provincial and Subordinate Educational Services.

2. The Government of India are disposed to agree with the opinions expressed by His Honour the Lieutenant-Governor, and they therefore propose to issue orders to the following effect:—

(a) that the rule in Article 154-A of the Civil Service Regulations, limiting the salary of an officiating officer to the pay of the officer for whom he acts, should govern the grant of acting allowances to officers of the Subordinate Educational Service holding appointments reserved for the Indian or Provincial Service, such cases being exempted from the operation of Article 156 of the Regulations; and

(b) that an officer of the Subordinate Educational Service officiating in an appointment reserved for an officer of the Indian or Provincial Service should not receive less than his substantive pay.

3. Before taking final action in the matter, however, the Governor General in Council desires to learn whether the Government of Madras have any remarks to offer with regard to the above proposals.

I have the honour to be,

SIR,

Your most obedient Servant,

H. Lusson

Depy. Secy. to the Govt. of India.

Educational (189⁹) Department.

CURRENT No. 1124

*Casey's papers
for Sub 1124*

From *The Director of Public
Instruction,
Madras.*

Order

No. 8278

Dated 24th July 1899.

Received 25 JUL 1899

Registered 88

Enclosures *one file of papers in original*

Spare copies

SUBJECT.

*Suggesting certain
modifications to para 2
(b) of the Government of
India letter regarding
the officiating allowances
of the members of the
Provincial and Sub-
-ordinate Educational
Services.*



BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT No. 1124

Office of the Director of

Public Instruction,

Madras, 24 July 1899.

No. 8278

From

The Honourable Mr. D. Duncan, M.A., D.Sc., L.L.D.,

Director of Public Instruction,

Madras.

To

The Secretary to Government,
Educational Department, Fort St. George,

Sir,

In returning *Government Indorsement, No 344, Educational*
dated 17th instant, I have the honour to state that the orders
proposed to be issued by the Government of India seem
defective in that they do not provide for the case of an
officer of the Provincial Educational Service acting for an
officer in the Indian Educational Service. I would,
therefore, suggest that paragraph 2 (b) of the Government of
India letter be modified as below:-

"that an officer of the Provincial Educational
Service officiating in an appointment reserved
for an officer of the Indian Educational Service,
and an officer of the Subordinate Educational
Service officiating in an appointment reserved for
an officer of the Indian or Provincial Educational
Service should not receive less than *their* substantive
pay"

I have the honour to be,

Sir,

Your most obedient servant,

D. Duncan

Director of Public Instruction.

*Ed
by*

E.
500-7-6-99.

C. No. 1033 + 1124 of 1899.

SUBJECT.

Officiating allowances of members of the Provincial and Subordinate Educational Services.

A.M.

FOR ORDERS.

For India

Under para. 16 of the Home Dept. Resolution No. 4/204-15 dated the 23rd July 1896, which has been embodied in Article 154 A of the C.S.R. an officer of the Provincial Service acting for a member of the Indian Educational Service is entitled to a uniform allowance of Rs. 100 a month, subject to the proviso that the salary of the acting incumbent shall not be higher than the pay of the officer for whom he acts.

For India

2. Under paragraph 2 of the Home Dept. letter No. 409 Ed. dated 30th November 1898, an officer of the Sub-Ed-Service acting in an appointment reserved for a member of the Indian Ed. Service is entitled to an allowance of Rs. 75 a month; and while acting in an appointment reserved for a member of the Provincial Educational Service to an allowance of Rs. 50 a month. But in this case there is no proviso that the salary of the acting incumbent shall not be higher than the pay of the officer for whom he acts.

acts. This has given rise to the question whether the salary of a Sub.Ed. officer acting in the Provincial Educational Service should, under Article 156 of the C.S.R., be taken as the maximum limit of salary in this case.

should be limited to the pay of the officer for whom he acts or whether the pay of the lowest grade of the Prov. Ed. Service

3. The Govt. of ^{the} Punjab, which raised the above question, is of opinion that the ruling in ^{the Govt. of India} Home Dept. letter No. 409 dated 30th November 1898 is an expansion of that embodied in Article 154 A of the C.S.R.; that the salary of a Sub.Ed. officer acting in the Indian or Provincial Educational Service should not be higher than the pay of the officer for whom he acts and that Article 156 of the C.S.R. is not applicable to these cases.

4. In connection with this matter the Govt. of ^{the} Punjab points out that as the highest pay of the Sub. Ed. Service in the Punjab is Rs. 160 and the lowest pay of the Provincial Educational Service is Rs. 150 only, it sometimes happens that a Sub.Ed. officer on Rs. 160 acts for a Provincial Educational Officer on Rs. 150; that in this case, under the existing limitation, the Sub.Ed. officer not only is not entitled to the special acting allowance of Rs. 50 laid down but must actually lose in pay, and that similar cases would occur in the Provincial Service if seniors in that service were to act for juniors in the Indian Service, and recommends that the effect of the present regulations

regulations may be removed by the addition of the words- "nor less than his own pay"- to the condition- "provided the salary of the acting incumbent shall not be higher than the pay of the officer for whom he acts".

5. The Govt. of India is disposed to agree with the opinions expressed by the Punjab Govt. and proposes to issue orders to the following effect:-

- (a) that the rule in Article 154 A of the C.S.R. limiting the salary of an officiating officer to the pay of the officer for whom he acts, should govern the grant of acting allowances to officers of the Sub. Ed. Service holding appointments reserved for the Indian or Provincial Service, such cases being exempted from the operation of Art. 156 of the C.S.R.; and
- (b) that an officer of the Sub. Ed. Service officiating in an appointment reserved for an officer of the Indian or Provincial Service should ^{Substantive} not receive less than his pay.

But before taking final action in the matter the Govt. of India desires to learn whether the Govt. of Madras has any remarks to offer with regard to the above proposals.

6. The D.P.I. to whom the above proposals were referred for remarks, states that the orders proposed to be issued by the Government of India seem defective in that they do not provide for the case

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2/1/99
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of an officer of the Provincial Educational Service acting for an officer in the Ind. Ed. Service and suggests that para.

2 (b) of the Govt. of India's letter be modified as below:-

"that an officer of the Provincial Educational Service officiating in an appointment reserved for an officer of the Indian Educational Service and an officer of the Sub. Ed. Service officiating in an appointment reserved for an officer of the Indian or Provincial Educational Service should not receive less than ^{but not less than} their pay."

7. The defect mentioned by the D.P.I. ^{has} already been pointed out by the Punjab Govt. which recommends the addition of the words- "not less than his own pay" - to the condition-

"provided the salary of the acting incumbent shall not be higher than the pay of the officer for whom he acts".

but the Govt. of India's letter deals only with the case of officers of the Subordinate Educational Service officiating in appointments reserved for officers of the Indian or Provincial Service.

8. There is another defect in the existing limitation. It sometimes happens that an officer of the Prov. acts in an appt. in the Ind. Ed. Service Educational Service which is permanent-ly vacant, in which case, under re-

existences

existing limitation, the ^a salary of the Provincial officer, is limited to the lowest pay ~~of the~~ of the appointment in the Indian Educational Service. If the Provincial officer happens to be a senior officer drawing more than ^{that pay} ~~that pay~~, he not only is not entitled to the special acting allowance of Rs. 100 but must actually lose in pay. This was pointed out to the Govt. of India in para 2 of Mr. Tremenhare's letter No. 201 Ed. dated 23rd March 1898 and it was suggested that the proviso in para 16 of the Home Dept. Resolution No. 4/204-215 dated 23rd July 1896 might be altered as below:-

"Subject to the proviso that the salary of the acting incumbent shall not be higher than the pay of the permanent incumbent or the pay which he would from time to time receive if he held the appointment permanently ^{whichever is greater}."

The Govt. of India did not pass any definite order on the above point but with reference thereto, communicated its letter to the Govt. of Bengal No. 310 Ed. dated 5th October 1898.

In para. 2 of this letter it is stated that the allowance in question (the special allowance of Rs. 100 laid down in para. 16 of the Home Department Resolution of 23rd July 1896) shall only be given to a Prov. Service officer appointed to act in an appointment specifically reserved for the Indian Educational Service. ~~is this~~

orders are solicited.

I think the matter had better be mentioned again, as another similar case might happen, and the whole question can thus be disposed of by India at once if it takes the special case to which the Govt. referred in the letter of 23 March - 98. No 201 is not likely to rise again, and the proposed Amendment really would have operated in a number of other cases, which were in the consideration at the time. I think it is best to raise the here -

It seems sufficient to agree with the proposed condition & to point out that the condition that an officer shall not draw less than his own pay, shall be made applicable both to Provincial Educational Service men & men of the Sub. Educational Service, when acting in either of the Superior Educational Services.]

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9/11/99

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28-7-99
P.H.
29/7/99

[L. & M.]
250-19-12-98.

Educational
LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., No.	dated	189
Again G.O., No.	dated	189
Current No. 1033	of 1899, dated 27 th June	from the Govt. of India
" " 1224	" 1899, " 24 th July	" the S.P.P.
" "	" 189, "	" "

His Excellency the Govt.

ORDER
mis

549 dated 22/8/99

The Govt. of India will be addressed.

From orders

13/8/99
14/8/99
H.O.P.P.

Letter 550 dated 22/8/99

To the Secretary to the Govt. of India
Home Department

Sir,

I am directed to acknowledge the receipt of your letter no 273 Educational of the 27th June 1899 in which you ask whether this Govt. has any remarks to offer with regard to certain proposals of the Govt. of India concerning the officiating allowances of members of the Subordinate Educational Service holding appointments reserved for the Indian or Provincial Service.

2. In reply I am to state that His Excellency the Governor in Council agrees with the proposals of the Govt of India but considers that the condition that an officer of the Subordinate Educational Service officiating in an appointment reserved for an officer of the Indian or Provincial Service should not receive less than his substantive pay should be made applicable also to officers of the Provincial Educational Service acting in appointments reserved for the Indian Educational Service. The desirability of doing so was pointed out by the Panjab Govt in the concluding portion of its letter no 849 d/26th April 1899, which recommended the addition of the words "not less than his own pay" to the condition "provided the salary of the acting incumbent shall not be higher than the pay of the officer for whom he acts" in Article 154 A of the Rules but the letter of the Govt of India under ~~acknowledgment~~ ^{reply} deals only with the case of officers of the Subordinate Educational Service officiating in appointments reserved for officers of the Indian or Prov^l Service.

3. I am also to point out that it sometimes happens that an officer of the Provincial Educational Service acts in an appointment in the Indian Service which is permanently vacant in which case the salary of the Provincial officer is limited to the lowest pay of the appointment in the Indian Service. If the Provincial officer

happens to be a senior officer drawing more than that pay, ^{under the existing limitation} he not only is not entitled to the special allowance of Rs 100 but must actually lose in pay. This defect in the rules was brought to the notice of the Govt of India in para 2 of Mr. Fremantle's letter no 201 d/1 the 23rd

Flag A.

Flag D.

March 1898 and it was suggested that the proviso in para 16 of the Home Department Resolution no 4.204-215 d/1 the 23rd July 1896 might be altered as follows:-

Subject to the proviso that the salary of the acting incumbent shall not be higher than the pay of the permanent incumbent or the pay which he would from time to time receive if he held the appointment permanently whichever is greater. But in disposing of this communication the Govt of India did not pass any definite orders on the suggestion made by this Govt. I am therefore to invite attention to the matter so that it may also be considered with the present proposals.

Endorsement no 311 d/1 the
5th October 1898.

Flag B.

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14/5/99

14/5/99

13/12/99

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When examined _____
When signed _____

189 .

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

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

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