

Educational (1912) Department.

ORDINARY MS.

G.O., No. 174

DATED

28-2-12

✓
(15)

[Despatch Abstract.]

Exemption from the examination rules.

Sanctioning the permanent exemption of Mr. Audi from the Account test, higher grade and the departmental ^{test} in the Board's standing orders for employment as head clerk, St Forest office, South Malabar.

BACK PAPERS.

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

FURTHER PAPERS.

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

[E. & L.]
1,000-11-11.

Educational DEPARTMENT.

CURRENT FILE.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

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

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Department.	Number.	Date.	Original (= O.) or spare copy (= S.C.).	Initials with date of (1) clerk of the Chief Secretariat department acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to departments outside the Chief Secretariat.

REVENUE DEPARTMENT.

CURRENT No.

REVENUE - E

0148

Received



191

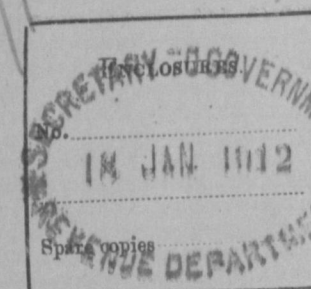
Registered

18-1-12 191

Subject.

Examination rules.

Submitting to Government application from the
Conservator of Forests, Western Circle, for the exemption from
-----of M. Andi, Head Clerk, District Forest Office, South
Malabar.



Forest Reference, No. 3438/11-1

Station M a d r a s, Dated the 12th January 191

Educational no. From (Name) W.G. McFarland, Esq., I.C.S.,

(Designation) Secretary to the Commissioner of
Revenue and Forests.

To the Secretary to the Government of Madras,
Revenue Department.

CRV
19-1-12

Rev. No. 1485/11-1
22-1-12

The Hon'ble Mr. W.O. Horne, Commissioner of Land Revenue and Forests

Read the following letter from P.M. Lushington, Esq.,
Conservator of Forests, Western Circle, R.O.C. No. 3578, dated
November 1911:--

I have the honour to enclose an application from
M. Andi, Head Clerk of the District Forest Office, South

vide G.O. No. 10 G.O. 6.
7.1.12

A general exemption for this man was applied for and
vide Board's Proceedings, Forest No. 60 Mis., dated 11

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-2-
1910. I now ask that his case may be reconsidered, not with a view to permanent exemption, but ~~with~~ with a view to his exemption from the Higher Account Test and Board's Standing Orders as long as he obtains no higher position than that of Head Clerk.

2. He was, as pointed out in his application, confirmed as Head Clerk 21 years ago when but little count was taken of examinations. At that time he had passed the Translation Lower and Precise writing Higher. In 1898 he passed the Account Test Lower and 1911 the "Departmental examination".

3. I knew him to be an efficient Head Clerk as long ago as 1894 and had further experience of his work in 1904 and 1905, and my recent examination of the office still shows him to be efficient. I consider it exceedingly hard that, at the age of 48, he should be called upon to pass examinations and there should be any question of his being ousted from his appointment which he has deservedly held for 21 years in case of his failure to pass examinations which have only recently been introduced. I may say that, for all practical purposes, he has mastered the accounts required in a District Forest Office and has an intimate knowledge of the special kuttikanam accounts which are required in South Malabar.

Reference.

The Board submits to Government letter from the
Conservator

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-3-
Conservator of Forests, Western Circle, requesting that M.R.Ry. M. Andi, Head Clerk, District Forest Office, South Malabar, may be exempted from passing the Account Test, Higher Grade, and the Departmental examination in Board's Standing Orders.

2. M.R.Ry., M. Andi was appointed permanent Head Clerk,

District Forest Office, South Malabar, in June 1890 and he

Account Test,
Lower grade.
Translation
Test, Lower
Grade.

Precise writing,
Higher.
The Departmental
Test in Forest
Code and Accounts.

was ~~only~~ fully qualified to hold the post at the time. He has

passed the examinations specified in the margin. The tests

in respect of which the exemption is now sought, viz., the

Account Test, Higher Grade, and the Departmental Examination

in Board's Standing Orders, were prescribed for the post of

Head clerk in District Forest Offices in 1908 and 1910 respectively (see Public Service notification published at page

613 of the Fort Saint George Gazette, dated 22nd December 1908,

and Government Order, No. 874 Revenue, dated 21st March 1910).

3. In his letter, C.No. 1012, dated 28th October 1909, submitted to Government with Board's Reference, No. 3062, dated 20th

November 1909, Mr. Lodge, the then Conservator of Forests,

Southern Circle, recommended that M. Andi might be permanently

exempted from the Account Test, Higher grade. Government sanctioned his exemption temporarily for three years, i.e., till

the end of 1912. (Government Order, No. 10, dated 7th January

1910, Educational). As regards the Departmental examination

Board's Standing Orders, the exemption was granted only to

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the publication of the results of the test to be held in January 1912. (Government Order No. 718, dated 13th October 1911, Educational). F.

4. Mr. Lushington now requests a reconsideration of the above orders. He does not recommend the exemption of M. Andi permanently from the tests, but only "as long as he obtains no higher position than that of Head clerk." The reasons urged by the Conservator are:

- (1) that M. Andi is an efficient Head clerk;
- (2) that it is exceedingly hard that, at the age of 48, he should be called upon to pass examinations newly prescribed and that there should be any question of his being ousted from his appointment which he has deservedly held for 21 years; and
- (3) that he has fully mastered the accounts required in a District Forest Office, and has an intimate knowledge of the special Kuttikanam accounts of South Malabar.

5. The Board considers that the Conservator's request is reasonable. In their Order No. 54, Educational, dated 31st January 1910, Government recognised the fact, that a strict enforcement of the rule prescribing the Account Test, Higher grade, as a necessary qualification for the posts of Head Clerks and Accountants in Forest Offices would cause hardship to persons who had been employed in Forest Offices before 1st April 1908, and exempted them from the operation of the rule for a period of three years.

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years or until 1912. Government added that persons who were unable to pass the Examination within the time thus allowed should be "reduced." It is not clear whether the condition as to reduction was intended to be enforced in respect of men who had been confirmed in the post of Head Clerk before the introduction of the new rules; but the Board presumes that Government did not contemplate the reduction of permanent incumbents. It is not usual to give retrospective effect to new rules in the Public Service notification (See G.O. No. 50, dated 26th January 1893, Educational, and G.O. No. 424, Educational, dated 11th July 1896). If it was intended that men who already held the posts of Head clerks and Accountants permanently and who fail to pass the tests newly prescribed should be removed, they can only in the Board's opinion be eliminated either by transfer to other appointments on equal pay or by retirement, where possible, without hardship. A similar course was adopted when the scheme for the ^{reorganisation} recognition of the staff of Revenue Inspectors was introduced. (Please see the correspondence on the subject ending with Government Order No. 260, Revenue, dated 4th April 1891). It will, in the Board's opinion, be inequitable to require a permanent incumbent who was fully qualified for the post at the time of his confirmation to pass the test newly prescribed on pain of reduction.

6. For the reasons stated above, the Board is of opinion

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-6-

that M. Andi cannot fairly be reduced. He has held the post of Head Clerk, District Forest Office, South Malabar, for 21 years. It is reported that he is able to manage not only the accounts including the complicated kuttikaram accounts, but the whole office work of South Malabar, and that he cannot be given employment elsewhere for which he is equally suited. In these circumstances, the Board considers that he may be permanently exempted from the test so far as his present appointment is concerned, and accordingly strongly supports the Conservator's recommendation.

W. L. S. Pauland
15.1.12

SECRETARY.

To

The Secretary to Government, Revenue Department, with
M. Andi's petition, dated 9-11-11, in original.

V.R.D./16-1-12

17/1/12

- 7
- Under instructions from the District Forest Officer I beg to note below the dates on which I passed the Examinations mentioned in this application.
1. Account-Test Lower 1898. Fort St George Gazette dated 22-2-1898 pages 4 & 5.
 2. Translation Lower 1885. Fort St George Gazette dated 7-8-1885 pages 4 & 5.
 3. Departmental Examination. Held in July 1911. in Forest Code & Accounts. Result known in August 1911. Fort St George Gazette of 8.8.1911 page 1175.
- I beg to submit ^{here} that I have also passed "Precis writing Higher" in 1889. Please vide Fort St George Gazette dated 22-1-89 pages 6 & 7.
- M. Andi
Head Clerk,
District Forest Office,
South Malabar.
10/1/1911.

To
The Conservator of Forests,
Western Circle, Coimbatore.

Thro'
The District Forest Officer,
South Malabar District.

Respected Sir,

I, M. Andi, Head Clerk, District Forest Office,
South Malabar, respectfully beg leave to submit the fol-
lowing for favour of your Honour's kind consideration and
orders.

2. I have been the Head ^{clerk} of the South Malabar Dist-
rict Forest Office from the 25th June 1890, the date of -
my confirmation in that appointment. At the time I was
confirmed I was fully qualified for the post. The Special
Tests subsequently prescribed for the post of ^{from time to time} Head Clerk in
a District Forest Office till 1909 were:-

1. Account Test Lower;

2. Translation ^{lower} and

3. Departmental Examination in Forest Code & accounts
(Please vide sections 68 and 69 of the Forest Code prior to
the issue of correction slip No. 17 of 1909).

I have passed all the above tests and have been
holding the post of Head Clerk permanently for the last -
21 years.

3. In the Public Service Notification issued in
December 1908 (Please ~~vide~~ vide Board's Proceedings Forest
No. 40, dated 16th February 1910) a change was introduced
and Account Test Higher was prescribed as a necessary quali-
fication for Head Clerks' posts and in 1910 Board's Standing
Orders were also prescribed. I respectfully beg leave to
submit that these orders do not contemplate to be appli-

Forwarded
A. W. in ^{bus}
D.F.O. S. Malabar

9.11.11

(I)
NO. They do contemplate
See RPF 370/11 (Y)
31.3.10
RPF 40 (I)
16.2.10

applicable to me who was confirmed 21 years before the date of the orders. To qualify myself for higher appointments in -- Forest Service I must necessarily pass the examinations prescribed for such posts which I shall endeavour my best to do. But I beg to submit that it shall be very hard on me to be -- called on to pass the examinations recently prescribed for -- the Head Clerk's post, 21 years after the date of my confirmation, in the same post at a time when I was fully qualified -- under the then Public Service Notification.

4 - I therefore beg to request that the orders may not be given retrospective effect to 21 years and that the Account Test Higher and Board's Standing Orders be not made compulsory Tests for me. It may not be out of place to add here that in other departments such orders are not given retrospective effects. I therefore pray that my case may be kindly represented to the Board and that I may be permitted to continue in the post unconditionally with respect to these two examinations. I have now put in a service of over 24 years and am 48 years of age. For any kindness which Your Honour may be pleased to show me at the fag end of my service I shall be most grateful.

I most humbly beg to remain,

Honoured Sir,

Your Honour's Most obedient servant,

Milambur
9th November 1911

M. S. S. S.
Head Clerk.
District Land Office
South Malabar

NOTE FILE.

C. No. 220 From the Board of Rev No 34387 dated 12. 1. 1912.
D.R. Forest

SUBJECT.

Recommending that M. Audi, H^d clerk
D^o Forest office, S. Malabar, may
be exempted from the Account
test, higher grade and the dept^l test
in Board's standing orders.

Submitted that the Revenue Dept^l
may be requested to state whether
they would support the Board's
recommendation. The Board
8K recommends the application
1.2.12. strongly.

S No 220-1.

Re
2.2.12.

hms
2/2/12

Rev depts.



REVENUE - E
0296

Revenue Dept

To Under Secretary

M. Audi became Head clerk of the D^o
Forest office, S. Malabar, on 25.6.1890 when but little
count was taken of examinations. He was
fully qualified to hold the post at that time.

He has passed the following Examinations

1. Account Test, Lower Grade,
2. Translation Test, Lower Grade

CF. p. 8

CF. p. 2

CF. p. 3

CF. p. 7

3. Precise Writing Test, Higher Grade

4. Departmental Test in Forest Code and Accounts.

But the Tests which a Head clerk of a D^r Forest office is now required to pass are.

1. Account Test, Higher Grade,

2. Translation Test, Lower Grade,

3. Departmental Test in Forest Code and Accounts

4. Departmental Test in B.S.O -

The Board therefore now recommends that Audi may be permanently exempted from passing tests 1 & 4 above so far as his present post is concerned.

2 The Account Test Higher Grade was prescribed for the Head clerks of D^r Forest offices for the first time in 1908. The Govt. recognised that some time must be given to those Head clerks who had held appointments in D^r Forest office prior to 1-4-08, to pass the Account Test Higher Grade, because they had no obligation to pass by the Higher Grade prior to 1908. Accordingly in G.O. No 54 Edl. of 31st Jan'y 10, the Govt. sanctioned the temporary exemption ~~for three years~~ from Account Test Higher Grade for three years of all persons

G.O. 2533 Dtd 10.9.08 - D Page 12
3175 Revd 21.11.08 E

M

12/3

who held appointments in St Forest office on 1-4-08. This temporary exemption lasts until the results of the examination to be held in Oct-1912 are published. ^{It was also ordered that persons who were unable to pass the examination within the time allowed should be re-examined.} Prior to the issue of these general orders the Bd had recommended that Audi should be permanently exempted from Account Higher - The Comr (Mr. Lodge) then said that Audi was very well able to manage not only the accounts (including the complicated Kuthikanam accounts) but the whole office work of S. Malabar where he had held the post of Hd ck for 19 years. It was added that his thorough knowledge of everything concerned with the S. Malabar forests ^{rendered} him very valuable in his post of head clerk. The Bd (Mr. Wain) then certified that the exemption would be distinctly in the interests of the public service. But the H.M. observed as follows:

"I would do no more than give him '3 years' exemption with permission to appear for the Higher test. If he 'can't pass in 3 years he must be 'incompetent & undeserving of the 'praise lavished on him"

p 2 of 80/10 m 25 e
7.1.10

p. 3 ibid

p. 11 ibid

13/41

only 3 years' exemption was according
- by sanctioned to him in G.O. No. 10^{edl} 7.1.10

3 The Departmental Examination in Board's Standing orders was prescribed in March 1910 at the instance of the Board of Rev - G.O. No 874 Reedy 24.2.10. Andri did not pass the test even in the half yearly examination held in July 11. The B^d recommended that he may be exempted until the publication of the results of the examination held in Jan'y. 1912 & said that it would warn him to pass the test at that examination. The exemption was accordingly sanctioned in G.O. No 718 Edl d/13.1.1911.

4 ^{without} ~~Applying~~ before waiting for the ^{Andri has} examination of Jan'y 1912, ~~he~~ applied for exemption again and the Conor (Mr. P. M. Lushington) recommended ^{he} that ~~Andri~~ may be exempted permanently from the Account Higher & the Departmental Test in D.S.O. His reasons are:
(a) that ^{he} ~~Andri~~ is efficient.
(b) that it is exceedingly hard ^{that,} at the age of 48, he should be called upon to pass examinations newly prescribed & that there should be any question

C

L

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CF/p 8-9

CF. p2

14 5 ✓
of his being ousted from his appoint-
ment which he has deservedly held
for 21 years. ✓

(C) that he has fully mastered the
accounts required in a D. Forest
Office, & has an intimate knowledge
of the special kuttikanam accounts
of S. Malabar.

The B^d says that if, by the closing sentence
of G.O. No 54 Edl dy 31-1-10, it was intended
that men who already held posts of 4th clks.
& Accountants permanently & who fail
to pass the tests newly prescribed should
be removed, they can only be elimi-
nated either by transfer to other appoint-
ments on equal pay or by retirement.
Where possible, without hardship ^{as was} ~~done~~
done when the staff of Revenue Inspector
was reorganised. The B^d. (Mr. Horne)
considers it to be inequitable to
require a permanent incumbent
who was fully qualified for the post at
the time of his confirmation to pass
the tests newly prescribed on pain of
reduction.

5 The B^d is of opinion that Audi cannot
fairly be reduced. He cannot be given
employment elsewhere for which he is

CF p 5

M

CF p 6

15 63
equally suitable. The B^d considers that he may be permanently exempted from the two tests (?) so far as his present appointment is concerned and accordingly strongly recommends supports the Comr's recommendation. For orders whether Govt. will, as a special case, sanction the recommendation.

CRO
10.2.12

sur.

May I think he exempted.

16.2.12

HM

I think this may be recommended to Educ.

Ayl

16.2.12.

Very well.

23.2.12

Educ

Ayl

26.2.12

Educational Department

A draft order is submitted for approval.

PP

27.2.12

Re

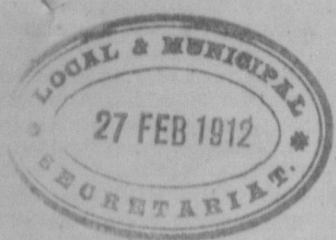
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✓

28.2.12

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Rev. No. 2964/12-1
26.2.12



PR

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718 13 - 10 - 1911

1F

No. 174, dated 28 - 2 - 1912

C

Leist 7/12
28/2

Vide end of 1 board's Ref. on p 69 C.F.

PP
27.2.12
Re
27.2.12

to 282W

To, the Board of Revenue.

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Sond L.R.F.
1/3/12

When given for copying _____
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 When examined _____
 When signed _____

191

READ AGAIN G.O., No.
 191

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
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