

Educational (1912.) Department.

ORDINARY MS.

G.O., No. 461

DATED 29th May 1912

15

[Despatch Abstract.]

Exemption from the examination rule

Declining to exempt S. Amir Khan from
the examination rules for employment as a
Clerk in the office of the Consular Agent,
Pondicherry.

BACK PAPERS.

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

FURTHER PAPERS.

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

[H. & L.]
2,000-24-2-05.

Ed.
LEGISLATIVE DEPARTMENT.

CURRENT FILE.

CONTENTS.

From	Number.	Date.	Pages.

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 Referencer with date in token of return to Reference department.

Papers of other departments.

Department.	Number.	Date.	Original (=O.) or spare copy (=S. C.)	Despatcher to note the return of the papers to the departments concerned.

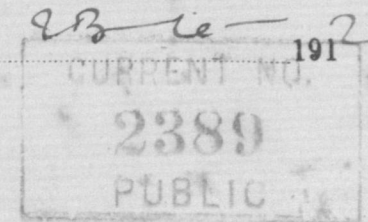
Stock Form No. 137.
4,000-9-5-10.

Public
POLITICAL DEPARTMENT.

Received _____ 191 , Registered *2389* 1912.



Subject.



Recd 26.4.12.

Forwarding S. Amirkhan's petition.

*Edl CNP-1266
1-5-12*

ENCLOSURES.

No. *5*

No. *206*

Spare copies _____ Station *Pondicherry*, Dated the *16th April* 1912..

From (Name) *Lt Colonel A. deC. Rennick, I.A.*

(Designation) *H. M's. Consul.*

78 *Public* To The Chief Secretary to the Government of Madras,

To
The Edcl Dept. v. P.

From
29/4/12

Note
26.4.12.

*The question of
exempting from
examination rules
is one for consideration
in Edcl.*

*Let
1.5.12*

In accordance with para 3 of G.O.No 524 Education
dated 21st July 1899, I have the honour to forward the
accompanying petition from Amirkhan, acting consular clerk
for the favorable consideration and orders of H. Excellency
the Governor in Council.

I have the honour to be,
Sir,
your most obedient servant,
H. M's. Consul.

PR 115

From

S. Amir Khan,

Ag. Consular Clerk, British Consulate,
Pondicherry.

To

His Excellency the Governor in Council,
Fort St. George, Madras.

Through

His Britannic Majesty's Consul,
Pondicherry and Karaikkal,
Pondicherry.

May it please your Excellency:

I, Amir Khan, Acting Consular Clerk British Consulate, Pondicherry, most respectfully beg to approach Your Excellency with this humble petition with full hopes of success.

2. I belong to a respectable family and my great grand father was Subadar Major under the Hon'ble East India Company in the years 1805 and 1820. The original records given to him are herewith submitted for your Excellency's kind perusal and it will be observed therefrom how my ancestors have worked creditably in such appointments under the Hon'ble East India Company.

3. I beg leave to represent that my total service is nearly 14 years. I have read up to Matriculation class but owing to family misfortunes was unable to study for higher education and was glad to get an inferior appointment in Collector's office 14 years ago. My permanent appointment now is 1st Grade Amin on Rs.20/- in the District Court, Cuddalore, and my services have been frequently applied for by his Britannic Majesty's Consul, Pondicherry to act for

the

the Consular Clerk. My officiating service in the British Consulate Pondicherry and Karikal dates from 1904, and I am well versed in all the office work relating to the Political Department. In this connection I pray that Your Excellency may kindly consider how far I am qualified to hold the appointment after such experience.

4. I humbly beg to submit that my hard case is such that it deserves Your Excellency's mercy towards me as I have been kept back by the Examination rules without any chance of permanent promotion in spite of my approved service and merits.

5. Your Excellency has been gracious enough to exempt candidates like me from the examination rules and give due concession with reference to the respectability of the family having regard to the service rendered to Government by my ancestors.

6. I beg to state that for the past 14 years I have worked in several branches of the Revenue, judicial, political Departments and that by this time would have been promoted to some higher grade of pay being a mahomedan, had I not been restricted by the Educational Rules.

7. Your Excellency will realise fully how far my hard case deserves merciful consideration.

8. I humbly beg to submit that I do not aspire for any higher appointments but I only crave Your Excellency to exempt me from the Examination rules in view to my being employed as consular clerk permanently on Rs.40/- whenever there is a vacancy in the British Consulate office, or as Deputy Nazir in the Judicial Department which is the next grade above my present permanent appointment.

9. I have no further claims to put forth for the above concession from Your Excellency's hands except that I am a Mahomedan belonging to a respectable family which served the

East India Company for many years as stated in para 5 supra and that my merits have been duly appreciated by the officers I served.

10. I leave it for Your Excellency to judge whether it will not be very hard on a young Mahomedan like me to be struggling hard throughout my service on Rs.20/-.

11. I therefore most humbly and respectfully pray that Your Excellency will be graciously pleased to grant my prayer of exemption from the Examination rules in view to hold any of the two appointments mentioned in para 8 supra.

For this act of kindness, I shall, as in duty bound, ever pray.

I beg to remain,
May it please your Excellency,
Your Excellency's most obedient and
Amunt Khan humble servant,

Pondicherry
4th April 1912.

6
Recommendation for S. Amirkhan.

S. Amirkhan's services were placed at my disposal by Mr A. E. Elwin, collector South Arcot to act as temporary consular clerk. Though he is an unpassed (subordinate) official he has much common sense and understand his work and has great aptitude in keeping his office in order. I have, always found his work satisfactory; he has a good presence and I shall be glad if he is permitted to hold a better appointment than that he holds now.

A. Brown

H.M.'s Consul.

British Consulate,

Pondicherry, 16th April 1912.

JUDICIAL DEPARTMENT.

FROM

THE

Deputy

2nd

No. 2895

Dated

10 3 April 12

Despatched

Received

Enclosures

4

SUBJECT.

*Returning Rec
application of
S. Amir Khan
with recommendation*

No. 65-A—Civil.

District Court of South Arcot,

Cuddalore, 10 April 1912.

To

~~His~~ His Britannic Majesty's Consul,

PONDICHERRY.

SIR,

In reply to your letter No. 161 of 9th Instant I have the honour to state that I have always been satisfied with Amir Khan's work. I have found him hard working, painstaking, efficient and trustworthy. I promoted him to a 1st Grade Amin's post and would certainly have given him further promotion had the rules permitted it. In my opinion Amir Khan's case is one that deserves favourable consideration by His Excellency the Governor in Council and I hope that His Excellency will grant his request.

I have the honour to be,

Sir,

Your Most Obedient Servant,

[Signature]
District Judge.

[E. & L.]
67
800-15-3-02.

EDUCATIONAL DEPARTMENT.
LEGISLATIVE

NOTES.

C. No. 1266. From the His Majesty's Consul, Pondicherry, No 206, dated 16-4-1912.

SUBJECT. Exemption from the examination rules.

His Majesty's Consul at Pondicherry submits for the favourable consideration and orders of Govt. a petition from Amir Khan, ag Consular clerk, praying that he may be exempted from the examination rules.

para-3-page 2 of

2. Amir Khan's permanent post is 1st grade amir on Rs 20 in the District Court of Cuddalore. He is now ag. Consular clerk (pay Rs 40). He requests that he may be permanently exempted from the examination rules for employment either (1) as Consular clerk permanently on Rs 40 whenever there is a vacancy, or (2) as Dy Nazim in the Judicial Dept. which is the next grade above his present permanent appointment, ~~and the question of~~.

para-8-page 3 of

3. As the application has not been submitted through ~~the District Judge~~ and the High Court the question of exempting him for employment as a Dy Nazim ~~cannot now be considered~~. There remains then the question of exempting him in respect of a clerkship on Rs 40 under H. M.'s Consul at Pondicherry. The clerks in the office of the Consular Agent, Pondicherry, are also required to pass the Account test, lower grade. If Amir Khan is exempted from the provisions of art. 1 of the Public Service notification he becomes eligible to appear for that test.

H. 11 of the Public Service Notification V.

It is doubtful whether he should be ⁹ ~~exempted~~ ^(also) from passing that test

2. It is for consideration whether the application is made in the interests of the Public Service. The remarks of the Public Dept may be obtained and the attention of that department may be solicited to memo. No 729-1 Dtdy 18th March 1912 on page 3

P. of Gono. 355 Dtdy 26-4-12

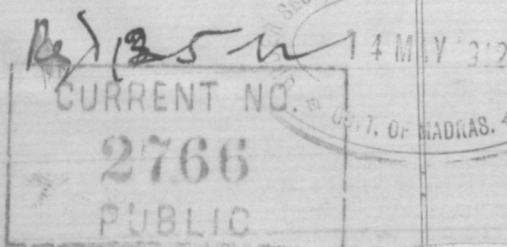
Est No. 1266-1
13-5-12



PR 9-5-12

Public no.

12-5-12



Public Dept

page 192 B. 8
for 1912-1913

The permanent clerical establishment of A. B. M's Consul at Pondicherry and Kanikal consists of a clerk on Rs 80 & a clerk on Rs 40. The Consul does not say that he finds difficulty in getting qualified men to fill these 2 posts & from his end: on p 5 it will be seen that the exemption is recommended more on personal grounds. It does not appear that this Dept can support the Consul's recommendation.

21/5/12
R. S. 12

51

The present policy is to sanction exemptions only on public grounds. The present application need not be supported in this dept.

Canada

Public
2786

Est. Dept. u.o.

from 24/5

Govt 23/5

Est. Dept. u.o.

Why not?

(Please see G.O. 545 & 7.8.11. The Est. Dept. do not appear to have been consulted. I don't question the decision in that particular case - but the view of the High Court is not always accepted as a matter of course.)

G.O. 239 & 25.4.11 is not quite on all fours with the order now passed (H.M. Govt), in this capacity as H.M.

Est. With where persons in departments deal with in this Est. Dept. come up for exemption, I hope Est. will in future invite the opinion of the Est. in all cases)

Educational Dept.

~~The above order is to the Public Dept.~~ The Dy. Secy. remarks above relate to a case concerning the Judicial Dept. The above note will be extracted and answered separately when this case is disposed of.

2. A draft order disposing of this particular case is submitted for approval.



PR
Please put up the notes 29/5

Extracted
PR
29.5.12

PR CR
28.5.12

D
J. S. T.

2. 10

A

11

(I)

It is submitted that in disposing of the application dealt with in G.O.No.545, Edl., dated 7th August 1911, Judicial was not consulted because the High Court clearly stated that the Hon'ble the Judges were not inclined to recommend the exemption prayed for; and the Government relying on the remarks of the High Court summarily rejected the application. This was in accordance with the procedure followed in this Department. Where heads of departments decline to recommend applications for exemption such applications are as a rule disallowed by Government more or less as matters of routine, without troubling the administrative department concerned. When, however, applications are recommended by heads of departments the advice of the administrative department of the Secretariat is invariably obtained before final decision is arrived at. If for the future, however, Judicial ^{Desire} ~~require~~ that all exemption cases relating to the appointments under them, whether recommended by heads of departments or not, should be referred to them for remarks in the first instance, there will be no objection to adopting that course. It is also for consideration whether similar procedure should be adopted in the case of other departments also.

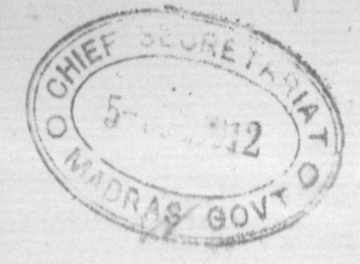
A

P.R. CR
1-6-12. 16/12

Ind. no. for remark

There is a good deal to be said for the procedure at A. I am not aware of the exact principle followed in the office; it seems reasonable to send a good many routine references. L.D. 4. 6-12

Elas. 1580-1
5-6-12 SP 46



CURRENT NO.
2592

Aug 5. 6. 12
Judicial Dept.

For the U.S.

Submitted.

2. In their letter no. 1851 of 26.9.11, the High Court stated that in forwarding applications for exemption from the Examination Rules, they would express no opinion on them unless asked by the Govt. to do so in any particular case. Applications for exemption from the Examination Rules are therefore now received from the High Court without any recommendation, and this seems to make it necessary that a reference should be made to this Dept. in all such cases.

As to the other departments, it is for consideration whether the procedure now followed by the Educational Dept. may continue.

S.D.

7-6-12.

DB

7.6.12

Cases sent up of the High Court do not since Sept. last contain any definite recommendation: in the case of other heads of Dept. under J.S. The procedure at A. overleaf.

Page 1-2 of 695 Ed. &
20.9.11 R

I agree
Ed refers only to cases in which heads of Dept. clearly decline to recommend, the case of the silent H.C. being, of course, excepted.

is acceptable.

10/8/6

13

2.2

18. Sept 40.

Jun: k.o. 2592 A-1
10.6.12



Let the procedure be adopted
in future then.

11-6-12

Office to note

CA
11.6.12

Noted.
PTD
11.6.12

SK
Please note.

Noted

SK
11.6.12

13

Amer Klan.

Bailiff in District Court
of S. Brook seeks
Exemption from the
Examination rules:
- acted as clerk in
Pondicherry Council's
rule -

Application already
sent in but returned
for re-submission through
the High Court.

L'Col Rennie came to
speak to me on his
behalf.

Any papers.

Ld
1-8-12

Please see p. 461. 2d 829 5.12.

OK
1-8-12

Please attach this to the 9.0. I
told Col Rennie that his
exemption would depend on the
recommendation of Judicial

to
2th

very

READ AGAIN G.O., No. _____, dated _____, 19____

[illegible]

READ ALSO:—

C. No. 1266, From the H.M.'s Consul, Pondicherry. 206, dated 16-4-1912.

19

19

O R D E R.

Mus.

No. 461, dated 29-5-1972

and return file to me please
in fact. After sending tables ship to
Madras -
D.P.
29.5.12
l.c

29.5.12

Done

The Govt. has no sufficient reason to exempt S. Amir Khan from the examination rules for employment as a clerk in the office of the Consular Agent, Pondicherry.

2. ^{and} Application ~~for~~ exemption from the examination rules in respect of his employment in the Judicial deptⁿ should ~~be~~ submitted thro' the High Court.

PP CR
28.5.12 28/5/12

5
4.5.1

To Mr. M's Consult at Pondicherry

24-5-12

29/5/12

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

191

READ AGAIN G.O., No.
 191

, DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT.

A A A A A A A

LETTER OF GOVERNMENT.

STATE SENT 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.