

Edl (1915) Department.

mis SERIES.

G.O. No. 944 ^{Edl} ~~mis~~ ✓

DATED 28-8-'15

18
[Despatch Abstract.]

Law College

Granting to Mr. P. J.
Rajagopala Acharyan asst prof
leave for two months
with effect from the 21st July 1915 and
appointing Mr. P. Chenchiah
to act as asst professor

CONFIDENTIAL.

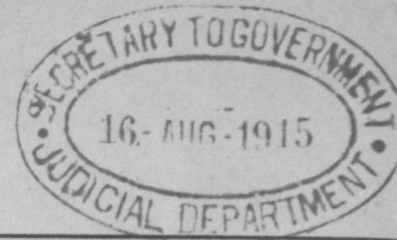
C No. 2811

Recommendations to His Excellency the Governor regarding Appointments and Postings.

Educational DEPARTMENT

c No. 43

Dated 14th August 15



Officer's name.	Appointment and posting now or last held.	Period for which held.	If returning from leave, duration of leave.	Proposed appointment and posting.	Date on which to take effect.	Probable duration of appointment.	Qualification in language of area in which to be employed.	Length of service.	Remarks by the head of the department [including cause of vacancy and reasons for supersession (if any) of officers and for transfers of officers otherwise than on promotion or reversion].
1	2	3	4	5	6	7	8	9	10
		Y.	M.	Y.	M.			YRS.	
Ry Pandipeddi Cheuchiah Garu	Advocate, High Court, Madras						acting Assistant Professor, Law College, Madras		From the date of return of Mr. J. Raja-gopala achariyar to duty page 5 infra Mr. Ry. J. Raja-gopala achariyar, Assistant Professor, Madras Law College who has been ill since the 21st July '15 has applied for two months' privilege leave on medical certificate. As he is not a whole time officer he is declared by the Accountant General to be ineligible for any leave under the Civil Service Regulations. Please see the Accountant General's telephonic message of the 10th instant. As the Principal wishes that a substitute should be appointed in his place immediately, it is proposed that Mr. Ry. P. Cheuchiah B.A., M.L., Advocate, Madras High Court whose name has been suggested by Mr. Davies the Principal Law College, be appointed to act as Assistant Professor, Law College, until the return to duty of Mr. Ry. J. Raja-gopala achariyar who, it is believed, will then have to be reappointed to the post by His Excellency the Governor in Council. The application for leave of Mr. Ry. J. Raja-gopala achariyar is herewith submitted. <i>[Signature]</i> a.g. Director of Public Instruction. The Hon'ble Mr. C. G. Todhunter J.C.S

Mylapore
4th August

From

M R Ry T. Rajagopalachariar avl. M.A.B.
Asst Professor, Law College

To

The Director of Public Instruction
Madras

through The Principal, Law College,

Sir,

I have the honour to apply for
2 months' leave of absence under the
following circumstances.

On the 21st July last I was taken
ill and have had to be absent from
my duties at College from that date.
I was granted casual leave by the
Principal from the 21st to the 30th July, but
was unable to resume my duties on the
expiry of the casual leave.

I append herewith a medical
* certificate granted by my medical
attendant M R Ry M.C. Nanjunda Rao avl.
B.A., M.B. & C.M., Mylapore

* will follow.

3/18/17
I humbly request that you will
be pleased to grant me privilege leave
or such other leave as I may be
entitled to for 2 months from 21st July.

I beg to add in this connection that
I have never been absent on leave of
any kind from the commencement of
my service in February 1902.

I beg to remain

Sir,

Your most obedient Servant

T. Rajagohala Chariar

Asst. Professor, Law College

C No. 128/15



ANJUNDA ROW, B.A. M.B. & C.M.

SASI-VILAS
MYLAPORE, MADRAS

India, 4 August 1915.

This is to certify that Mr. I.
Rajagopalachari, M.A. B.L. has
been laid from an attack of
Heart weakness. Since 21st July
last. I am of opinion that
rest in bed for a period of
at least ~~one~~^{three} ~~month~~^{months}
is absolutely necessary to enable
him to regain his health
and original vigour of the heart.

K. Chandy
M.B. & C.M.



5
6
Telephonic message from the Accountant General, dated
10th August 1915.

Ref. Your T.M. of to-day.

M.R.Ry T. Rajagopala Achariyar Avargal is not eligible
for privilege leave or other leave under the Civil Service
Regulations as he is not a whole time officer of Government.

(True copy)

[Signature]
ag. Director of Public Instruction

7

EDUCATIONAL DEPARTMENT.

The two questions for consideration in this file

are--

(i) the grant of leave to M.R.Ry. T.Rajagopala Achariyar, and

(ii) the appointment of an acting Assistant Professor.

2. As regards the first question the Accountant-General is of opinion that Mr.Rajagopala Achariyar is not eligible for privilege leave or other leave under the Civil Service Regulations, as he is not a whole-time officer of Government. The conditions under which assistant professors are employed do not also contain any provision as to the grant of leave to them. The two courses

now open are (1) to require Mr.Rajagopala Achariyar to resign his appointment or (2) to grant him special leave without allowances. The Director^{seems to} consider the former course proper, as he says that Mr. Rajagopala Achariyar will have to be reappointed by Government when he rejoins. Resignation seems to be the first step, if it is

page 5 ante

cf. no. 50 Sol
30.1.07

(Outline the provisions of the CSR)

page 1 ante

K

8

considered that by his absence he will forfeit his lien on the appointment. It is not, however, clear why the other course, viz., grant of special leave without allowances, should not be adopted. It is observed that the Law Reporters who are part-time officers employed for fixed periods at a time can, under rule 146(4) of the Manual of Appointments and Allowances, be granted leave of absence without allowances (outside the Civil Service Regulations). The post of Assistant Professors in the Law College seems analogous to that of Law reporters and they may perhaps be given special leave without allowances, without their losing lien on the appointments. The Financial Department may perhaps be requested to advise on the point.

3. With reference to the proposal to appoint Mr. P. Chenchiah Garu, Advocate, to act as Assistant Professor, it is observed that he is not one of those formerly recommended by the College Council in connection with the reorganization scheme, nor was he one of those who applied

directly

in fo 603 Ed
277/13

(Pick up in the Law College
reorganization file now
in circulation)

* Mr. N. R. K. Tatachariya
.. R. M. Palat
.. S. Venkataracharya

directly to Government. He is not also of seven years' standing as originally decided in G.O. No. 224 Educational, dated 15th March 1913, as he was enrolled only ~~on 18th July 1913~~ the 18th July 1913. As the matter is urgent, the appointment may perhaps be approved on the distinct understanding that this would confer no preferential claim on him in connection with the appointments that will have to be made when the reorganization scheme is given effect to. The Educational Dept

S.A.

CH
19.8.15

is evidently in favour of the ~~second~~ alternative. The only point of Will Fin and ~~it~~ please say whether leave in trail for all vacancies can be given in this case?

W.D. no 2811-1 Edl
20.8.15

Dr 20/8

Encl us.

20.8.15

CURRENT NO.
5100
Financial
Depd 20.8.15

Page 5 ante

Financial Dept
The Accountant General has stated that MRRy J. Rajagopala Achariyar, not being a whole-time officer of Govt., cannot be granted leave under the rules in the C.S.R.

The only courses left open are :-

1) to ask him to resign his appointment and to reappoint him as Asstt Professor at the end of 2 months; or

2) to give him leave without allowances outside the provisions of the C.S.R.

The D.P. 9 is in favour of the first course, while the Educational Deptt are evidently in favour of the second alternative. The only point of difference between the two courses is that under the first alternative course, it is open to the Govt. to reappoint him or not.

It is not quite clear whether the local Govt. can grant him leave without allowances outside the provisions of the C.S.R. The only precedent is that of the Law Reporter and Asstt Law Reporter - vide para: 146 (4) of the Manual of appointments and Allowances, but certain letters of the Govt. of India are quoted therein ^{as authority} ~~and~~ If the Educl. deptt propose to adopt this course they may be requested to consult the A.G. by telegram.

JAS 21.8.15
GSK 21.8.15

Partim K. m. p. bante

Page 7 ante

Page 47-48 of Manual of Appts. & Allow. not put up

4 of 9 No. 4226 P & 21-8-94
+ " " 2132 Ex 829-4-10.
(These are not traceable -
cf. paras 2 & 4 of 90.
1361 W & 18.10.14. F

4 of 9 No. 4226 P & 21-8-94
+ " " 2132 Ex 829-4-10.
(These are not traceable -
cf. paras 2 & 4 of 90.
1361 W & 18.10.14. F

The only person left...

What is the authority for the statement that this man is not a whole time officer?

of p. Sante

In accordance with the W. a dnt. in £ 0. 50 Educ. of 30.1.07 private practice is prohibited, and in the £ 0. itself nothing is said as regards private practice. The app't might be temporary & non-permanent but this does not mean that it is not whole time.

Will you kindly examine further?

[Signature]
21.8.15

page 3. flag.

cf. also para 2 of letter 723 Edl 7.12.10.

(A)

In L.O. 681 Educ. dated 21-11-190 the Govt. decided that "private practice will be allowed (to the "Assistant Professors of the Law "College) only on the strict "understanding that such "practice will in no way interfere "with their duties in the College - i.e. the officers holding the posts of Asst. Professors are not whole-time officers of Govt.

2. M.R.Ry J. Rajagopala

Achariyar, one of the two
Buddh Professors now in question
has, however, accepted the
post on the condition that he
will not be permitted to
practise in Court. It therefore
follows that, although the
post may usually be held
by a part-time officer, (he
being allowed to practise in
Courts), so far as the present
incumbent is concerned, he
is a full-time officer. But
~~in 1911 he was appointed~~
~~as a full-time officer~~, he has been
permitted to become a paid
Director of the Mylapore
Hindu Permanent Fund, on
the ground that he was a
part-time officer.

$$\begin{array}{r} 218.75 \\ \hline 218.75 \end{array}$$

P.T.O.

M. R. R. T. Rajagopal
out of the two
last Professor now in question
has, however, accepted the
post on the condition that he
will not be permitted to
practice in Court. It therefore
follows that, although the
post may usually be held
by a part-time officer, he
being allowed to practice in
Court, so far as the present
incumbent is concerned, he
is a full-time officer.

As regards further
development since
this letter was written
please see note
below.

As regards further
development since
this letter was written
please see note
below.
1
flag Z

* Page 4 of notes
to go 722 Serial B 7-12-10
J

Page 9 ante

Owing to the statement made in Education depart-
ment letter dated 7th December 1910 that the two
Assistant Professors should be made full time ap-
pointments, and to the fact that both have been
will not be permitted to
allowed remuneration for private work the appoint-
ments cannot be treated as full time ones now.
2. As regards this particular case, the appointment
not being a whole time one, the question of the grant
of leave, outside the Civil Service Regulations and
without allowances, is purely an administrative
one. It is open to Education department to adopt
either of the alternatives they may find more con-
venient. Prima facie leave of absence from duty
appears to be the simpler course.



TAS

EDUCLUP

File 4-0-5100-1
23-8-15

C.S. 23-8-15

MS 23/8



Educational Department
Submitted that the Financial
Department's recommendation that

leave without allowances may be granted to Mr. Rajagopalachariar maybe accepted.

2 The nomination of Mr. P. Chenchiah is for approval. Please see para 3 of note on page 7 & 8 supra

At
12.8.15

Mr. Rajagopalachariar may be granted leave without allowances and Mr. P. Chenchiah may be appointed to ~~act~~ as the district understanding that such appointment gives him no preferential title to appointment in vacancies that may occur hereafter.

8

24.8.15

Ho E. The Governor.

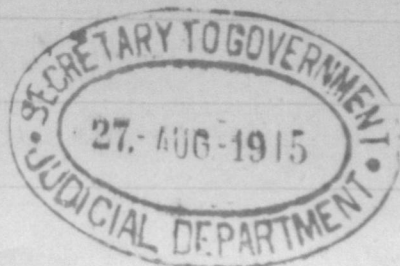
P
25.8.15.

Secy's

SP. in form as in

7th

26/8



Circulated
in S. C. Conf.
Box 2
24.8.15

15
A draft order is submitted for approval.
2. It appears desirable to inform the D.P.D. d.o. of the condition in which Mr. P. Chenchiah is appointed. The following draft d.o. is for approval:—

My dear Duncan,

Orders are separately issuing approving your proposal to appoint Mr. P. Chenchiah as acting Assistant Professor in the Law College. I am directed to inform you that ^{his} ~~the~~ appointment ~~over~~ ~~has~~ has been made on the distinct understanding that it ~~will~~ gives him no preferential ~~claim~~ title to appointment in vacancies that may occur hereafter.

Yours sincerely,

To the Hon. Mr. H.S. Duncan

By
27.8.15.

CR

27.8.15

The P.S.G. has informed

the D.P.D. "as in sat"

"See" ndi"

gr

28.8.15

READ AGAIN G.O. No., dated 191

” ” ” ” ” ” 191

READ ALSO:—

C. No. 2815, From the _____, No. _____, dated _____ 191

” ” ” ” ” ” ” ” 191

" " ***** " " ***** " " ***** " " ***** 191

ORDER.
Musci.

No. 944, dated 28. 8 1951

The following notifications
will be published in the Fort St
George Gazette: —

Notificação

I (leave)

M.R.Ry. J. Rajagopala Acharyar
avl., Assistant Professor, Law
College, to leave without allowances
for two months with effect from the
21st July 1915.

II (appoint.)

M. R. R. Pandipeddi Chenchiah
Esq., Advocate, High Court, Madras,
to act as Assistant Professor,
Law College, during the absence

Santhosh

16
of M.Ry. J. Rajagopala
Acharyar and on leave or
until further orders.

Se
27.8.15

17
8
28.8.15

Ca
27.8.16

The following
will be published in the
Gazette of India
Notification

I
Mr. J. Rajagopala
Acharyar, Professor, Law
College, for leave without
pay for two months with effect from
1.10.15 to 31.12.15

II
Mr. J. Rajagopala
Acharyar, Professor, Law
College, for leave without
pay for two months with effect from
1.10.15 to 31.12.15

no call

C
To The D.P.I.
A.G.

send (2)
8/8/15

Gazetted sent direct 28/8
31/8/15

P.T. Pled 8/8

31/8/15

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

191 .

READ AGAIN G.O. No.
191

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DETTO.

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.