

Edd (1916) Department.

Ms SERIES.

G.O. No. ~~223~~ 323

DATED 24-3-16

[Despatch Abstract.]

Memorial Declining to Comply
with the request of Mr.
Sumanatha Ayyar, a Supervisor
of elementary schools, that a portion
of the extraordinary leave
granted to him may be commuted
into leave of absence.

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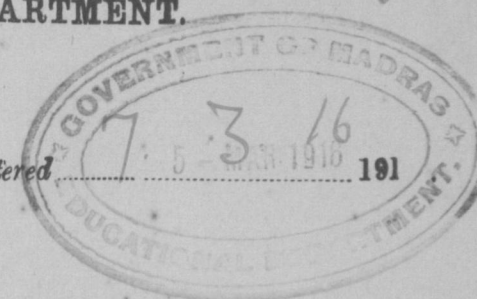
C.F.—29.

EDUCATIONAL

DEPARTMENT.

Received 191 .

Registered 191



Subject.

Submitting with remarks the appeal petition of M.A. Swami-natha Ayyar, Supervisor of Elementary Schools, Erode Sub Range, requesting that the extraordinary leave without allowances granted to him may be commuted into leave on medical certificate.

ENCLOSURES.

No.

Spare copies

Ref on Cur No. 222/1916.

Station M. A. D. R. S., Dated the 3rd March 1916.

From (Name) The Hon. Mr. J. H. Stone, M.A., C.I.E., F.R.H.S.,

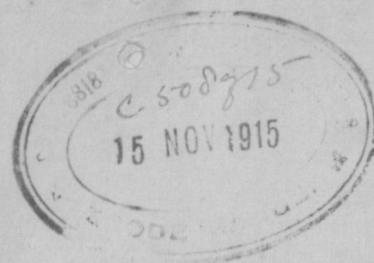
(Designation) Director of Public Instruction.

To The Secretary to the Government of Madras,

EDUCATIONAL

Department.

Sir,



To

His Excellency The Right Hon'ble Lord Pentland of Lyth,
P.C. G.C.I.E.,

GOVERNOR IN COUNCIL,

M A D R A S.

THROUGH THE SUB ASSISTANT INSPECTOR OF SCHOOLS, ERODE RANGE.

The humble Memorial of M. A. Swaminatha Iyer
Supervisor of Schools, Erode Sub Range Most respectfully ----
sheweth:--

That the memorialist begs to appeal against
the Proceedings of the Director of Public Instruction, Madras,
Dis. No. 4,702 of 15 dated 17-8-1915 and R.O.C.No. 3048 of 14
Dated 23-12-1914 (Encl. A & B) herewith submitted. *p. 9 infra (A)* *10/10/15*

2 That the memorialist begs to state the events
that led to the passing of the Proceedings quoted above:--

(a) That the memorialist happened to be a an un-
divided member of his father's family. He was, therefore,
made to answer for a sum of money decreed against his father
and due by him in the Principal District Munsif's Court,
Salem, and his salary was accordingly, attached on that
account. The memorialist, then on 4-2-14, applied for privi-
lege leave for 3 months from 10-3-14 to make a settlement of
his father's family affairs and to pay off the ^{debt} ~~debt~~. The
leave required the sanction of the Director and it was not

(Encl. C.)

3 4

sanctioned, as the application did not reach the Director, as it was detained in the respective offices of the memorialist's higher authorities, till 31-3-1914. In the meantime, the memorialist got Dengue Fever and fell ill. He was admitted for treatment in the L. F. Hospital, Bhavani from 16-3-1914 and the Assistant Surgeon recommended sick leave for 3 months on his behalf. This leave was also not sanctioned, but on 9-6-1914 the memorialist received a memo from the Sub Assistant Inspector of Schools, Gebichettipalayam Range, R. O. C. No. 28 of 14 dated 6-6-14, communicating Proceedings of the Director R. O. C. No. 3048 of 1914 dated 19-5-14, promising combined leave (Privilege leave 3 months, Extraordinary leave without allowances 3 months) and calling for a fresh application for the same; but, on the same date, the Director, in his R. O. C. No. 3048 of 14, had sanctioned the combined leave itself with effect from 16-3-14, the date he was admitted for Medical treatment, with a condition that the memorialist should pay off the debt before the expiry of the leave (Encl. D.). Thus, the Extraordinary leave without allowances was affixed to the Privilege leave on Medical Certificate without an application therefor from the memorialist. This order sanctioning leave having reached the memorialist on 27-6-1914 i.e, nearly 3½ months after the commencement of the leave, the memorialist, in his petitions to the Director on 5-8-14 and to the Inspector of Schools, Vill, Circle on 24-9-1914, requested the conversion of the latter portion of the leave into one on Medical Certificate under Art. 232 of the C. S. R. (5th Edition) as the original leave was sanctioned on Medical Certificate. But the Director was pleased to order that the leave could not be converted under Art. 236. The memorialist most humbly begs to state that only Art. 232 is applicable to this case, as his privilege leave was originally sanctioned on Medical Certificate.

How come this he
saying that it is
stated on the
previous page
the Superintendent
was admitted for
treatment in the
L. F. Hospital from
16.3.14

40 3.4 5
(b) As a matter of fact, the memorialist was made to do duty for nearly 3½ months from 16-3-14, the date of the commencement of the leave on Medical Certificate and was relieved only on 29-6-1914 by directing him to hand over charge to the Head Master, Board Secondary School, Bhavani, in spite of the repeated requests of the memorialists to xxxi relieve him earlier. Thus, No additional expenditure was incurred on account of the memorialist having been on leave during the period. The memorialist was actually ill for 4 months and was then slowly recovering and he had also arranged to pay off the debt, before the expiry of the leave.

(c) As ordered by the Director, the memorialist, after paying off the debt before the expiry of his combined leave, submitted an advance report on 12-9-14, to the Sub-Assistant Inspector of Schools, Gebichettipalayam Range, stating that he was prepared for duty from 16-9-14, the date from which his combined leave expired, declaring of the payment of the debt and requesting him to verify the fact by referring to the Principal District Munsif, Salem, if necessary. The Sub Assistant Inspector not having taken any action on this report, the memorialist presented himself for duty on ---- 16-9-14; and, as the Acting incumbent refused to hand over charge, the memorialist forthwith reported the fact to the Sub Assistant Inspector by a telegram and by a detailed report. The memorialist, then, on 20-9-14, submitted another report, further requesting him to recognise his joining duty on the strength of the declarations made by him in his report as a public servant, for the payment of the debt and to refer to the Principal District Munsif to verify the fact. Still, the Sub Assistant Inspector was not pleased to do anything and the matter was being delayed. On 4-10-14, the Sub Assistant Inspector arrived at Bhavani and the memorialist with the help of some official friends convinced him that he

4 5 b
might have referred to the District Munsif in the matter. The Sub Assistant Inspector then, on that date, wrote to the District Munsif, who replied forthwith that the debt was paid off by the memorialist. ~~xxxxxx~~

(d) And this letter of the District Munsif, having regularly passed the respective offices of the memorialist's higher authorities, reached, in due course of official routine, the Director who was pleased to permit the memorialist taking charge in his Proceedings, R.O.C.No. 3048 of 1914 dated 30-10-1914 and the order, in due course, reached the memorialist on 9-11-14 and he was handed over charge of the Office on 10-11-14. The Director was pleased to treat this period from 16-9-14 to 9-11-14 as an extension of the extraordinary leave without allowances in his Proceedings, R.O.C.No. 3048 of 14 dated 8-12-14.

(e) As a matter of fact, this period from 16-9-14 to 9-11-14 had elapsed in correspondence in the respective offices of the memorialist higher authorities, and the memorialist most humbly begs to submit that he need not suffer for it. The position of the memorialist in the Department is such that he is not permitted to do duty independently and he should be instructed by the Sub Assistant Inspector as regards his work. The memorialist had, from 16-9-1914, the date of his reporting himself for duty, been submitting his weekly diaries and tour certificates to the Sub Assistant Inspector, spending a sum of 0-13-0 from his pocket towards postage and was awaiting his orders.

(f) The memorialist most humbly begs to state that the Sub Assistant Inspector whose correspondence is initiating and who is the officer executing all the orders of the Director, in so far as the memorialist is concerned, might have, in the interest of public service, to save delay

and

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without being
instructed by the
Sub Asst?

x. 6

and, ^{to} avoid inconvenience, written forthwith to the District Munsif, with whom he has been corresponding ever since the attachment of the memorialist's salary and forthwith reported the matter to the Director and obtained his orders, as it is the practice in many cases of official routine; or he might have permitted the memorialist for duty on the strength of his declaration and with-held his pay and allowances etc, till the final orders of the Director were received. Any kind of disciplinary action and even criminal prosecution might have been effected on the memorialist, if he had made a false declaration !

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Quote 2nd

(a) But, the Sub Assistant Inspector, ^{instead} ~~instead~~ of taking any action as described above, was pleased to ---- remain silent, leaving the memorialist, the permanent incumbent out of consideration and allowed the acting incumbent to do duty; but, he had insisted on the memorialist to produce a certificate from the District Munsif, as regards the payment of the debt. This certificate, the memorialist most humbly begs to state, was not contemplated in any of the Proceedings of the Director sanctioning leave, nor was its production required in any of the memos from the memorialist's higher authorities, prior to his joining duty on the expiry of the leave. No certificate is granted to the parties in Civil Courts, when a decree is satisfied; but only the fact is being recorded in them. The memorialist, however, requested the District Munsif both orally and in writing to let the Sub Assistant Inspector know the fact of the debt having been paid off. But he was not pleased to do this, unless he was inquired by the Sub Assistant Inspector ^{regarding} ~~re-~~ the fact.

(b) The memorialist then, in his petition, on 20-1-15, represented to the Director all the above facts in

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in detail and requested him to reconsider his orders sanction-
ing extraordinary leave without allowances for no fault of
his and the same was recommended by the Inspector of Schools,
VIII, Circle, in his No. R.O.C. 460 of 15 dated 8-3-15. But
the Acting Director was pleased to order in his Proceedings,
No. Dis 4702 dated 17-8-15, regretting his inability to re-
consider the orders already passed by the permanent Director
(vide encl. A) and the order reached the memorialist on
8-9-15.

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For which act of kindness and justice, the
memorialist shall, as in duty bound, ever pray.

E R O D E,
Dated 11th November 15.

M. Ramindas
MEMORIALIST.

Enclosure-A.

Proceedings of the Director of Public Instruction Madras

Dis No. 4702 of 15 Date 17.8.15

Read the following paper:—

From the Inspector of Schools, 8th Circle Rode, no. 4600 of 15 Date 8.3.15 regarding the reconsideration of order ~~pass~~ granting leave on loss of pay from 16th September 14 to 9th November 14 to M.A. Aramiah the acting Supervisor of K.L. Schools, Erode.

The acting Director regrets that he does not see his way to reconsider the order ^{already} passed sanctioning extraordinary leave without allowances to M.A. Aramiah being Supervisor of K.L. Schools, Erode.

(A) H.S. Duncanson
As Director of Public Instruction

(B.O.)

(A) S. G. Daniel
As Manager

Dis No. 231 C/15 D 26.8.15

Copy.

Communicated to the assistant Director of Schools, Coimbatore Dist. with ref. to his No. 194 of 15 Date 16.2.15

(A) E.W. Green
As Inspector of Schools,
8th Circle

Dis No. 676 of 15 }
Date 2.9.15 }

Copy sent to the sub-assistant Inspector of Schools, Erode Range with ref. to his No. 61 of 15 Date 9.2.1915

DESPATCHED

7 SEP 1915

(A) K.E. S. Anantaramaiah
Assistant Inspector of Schools
Coimbatore District

True copy

Dis No. 224 of 15 }
Date 5.9.15 }

Copy Communicated to the Supervisor of K.L. Schools, Erode Range for information and guidance
S. B. Sahay 16.9.15

Dis no 6 of 15
Dated 9th January 1915.

Enclosure: B.

Official memorandum

Read the following papers:—

1. Endorsement no. 100 in C no 1466/14 dated 5th December 1914 of the Assistant Inspector of Schools, Coimbatore District; and
2. Proceedings No. 3048 of 14, dated 23.12.1914 of the Director of Public Instruction.

The Assistant Inspector of Schools, Coimbatore District is informed that the Director of Public Instruction has, in the above quoted Proceedings, stated that the request of M. A. Brownie, the A. G. S. Supervisor of Elementary Schools, to permit his leave on long pay into an medical certificate is inadmissible under article 236 of the Civil Service Regulations.

2. The Supervisor is now warned that he should not worry with such unnecessary petitions, when once an order is passed in accordance with rules.

(Signed) H. C. Keshav
Inspector of Schools
Eighth Circle.

Dis no 52 of 15

19-1-1915.

Copy to the Sub-assistant Inspector of Schools, Colliery Palayam Range with reference to his C. no. 290/14 dated 3.12.14 and Copy to the Sub-assistant Inspector of Schools, Erode Range for information and Commencement to the Supervisor.

(Signed) P. S. Sathya Sai
Assistant Inspector of Schools
Coimbatore District

(True Copy)

Dis no 31 of 15
29.1.15

Commenced to the Supervisor of Elementary Schools, Erode Range for information and guidance.

DESPATCHED
31 JAN 1915

S. B. Balraj
29.1.15
Sub-Assistant Inspector of Schools,
Erode Range.

Proceedings of The Director of Public Instruction
Ref. on C.N. 3048 of 1914, dated 19.5.14.

Read The following paper: —

From The Inspector of Schools, 8th circle, R.C.N.
92 C/14, dated 7th May 1914.

To enable him to pay off his
debts, Mr. A. Swaminatha aiyar, Supervisor of
Elementary schools, Bhavani, will be granted
combined privilege leave and leave on loss of
pay for 6 months from 1st June 1914 and he
may be told that he will not be permitted to
return to duty until all his debts have been
discharged.

2. The Inspector is requested to be
good enough to obtain and submit at an early
date the necessary application for leave in the
prescribed form together with the Record of his Service.

(Sd) V. Krishnaswami
for Director of Public Instruction

Dis N. 161 C/14, dated 28.5.14.

Copy communicated to the Assistant
Inspector of Schools, Coimbatore District, with
reference to his R.O.C N. 34/m of 14, dated 13.2.14

2. The leave application received with The
Assistant Inspector's endorsement R.O. Petn N. 117/14
dated 20.5.14 will be submitted from this office
to The Director of Public Instruction with a recom-
mendation for the combined leave in question.

3. No. A. Swaminatha aiyar should be told that he is not to return to duty until all his debts have been discharged.

(Sd) H. O. Kershaw
Inspector of Schools
8th circle.

Roc no 34/14 dated 4th June 1914.

Copy communicated to the Sub assistant Inspector of Schools, Goleichettipalayam Range for information and communication to the Supervisor concerned.

(Sd) V. R. Venkatarama aiyar
Assistant Inspector of Schools
Coimbatore D^o.

Roc no 23 B of 14, dated 6th June 1914.

Copy communicated to the Supervisor of Schools, Bhavani Sub Range for information and guidance.

2. A fresh application for privilege leave from 16.3.14 to 31.5.14 and leave on loss of pay for 6 months from 1.6.14 should be submitted in the enclosed form at once.

3. He should be prepared to hand over charge to the undersigned in a day or two.

4. His address during the leave period should be reported before proceeding on leave.

V. S. Narayana Rao,
7.6.14
Sub asst. Inspector of Schools
Goleichettipalayam Range

no
seen

Please quote this in the reply.

Ref. on C. No. 100 C/14

dated 13th June 1914

Enclosure D.

EdLA-1-100

Official Memorandum.

Dated 1914

Read the following paper:—

Proceedings Ref. on C. no. 3048/14, dated 9-6-14 of The Director of Public Instruction.

The Assistant Inspector of Schools, Coimbatore District is hereby informed that privilege leave on full pay for 3 months from 16.3.14 and extraordinary leave without allowances for three months in continuation thereof is granted in the above Proceedings to No. A. Swaminatha aiyar Supervisor of Schools, Bhavani Sub Range.

2. No. A. Swaminatha aiyar should be strictly given to understand that the leave has been granted with a view to enable him to liquidate his debts and that he will not be permitted to return to duty until he is entirely free of debt.

(Sd) H. O. Kershaw
Inspector of Schools
8th circle.

Roc no 34 m/14
of 18th June 1914.

Copy communicated to the Sub asst. Inspector of Schools, Goleichettipalayam Range.

2. The record of service is herein enclosed.

(Sd) V. S. Narayana Rao
Ag. asst. Inspector of Schools
Coimbatore D^o.

To
The

Communicated to M. A. Swaminatha Aiyar
Superintendent of Schools, Bhavani Sub Range for
information & guidance. He is requested to
hand over charge at once to the Head master,
Board incomplete Secondary School, Bhavani.
His address during the leave period should be
reported before proceeding on leave.



Received on 27.6.14
Superintendent

M. A. Swaminatha Aiyar

Superintendent of Schools, in charge

Sub-assistant Inspector of Schools

Golichetti Palayam Range

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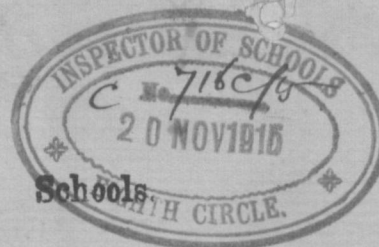
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Department of Public Instruction.

Sub Assistant
Office of the A Inspector of Schools

Circle,
District,
Range,
Erode



Ref. on Cur No. 500 g/15 dated 15 November 1915.

Despatched

Received

1915.

Enclosures. 4

Spare copies.

No. 1651/15.

Subject.

Appeal petition of M. A. Swaminathan, Supervisor of School, Erode Sub Range, against the proceedings of the Director of Public Instruction, Madras, on 4702 g/15 dated 17.11.15 and R.O.C. No. 3048 g/14 of 23.12.14. —
Submitting —

R.O.C. No. 500 g/15.

Erode
15 November 1915

Submitted to the
Assistant Inspector of Schools,
Coimbatore District.

S. V. Balraj 15.11.15.

Sub-Assistant Inspector of Schools,

R.O.C. No. 1651/15 dated 18 Nov. 15

Submitted to the Inspector
of Schools, Eighth Circle
for favour of orders

16/11 Assistant Inspector of Schools,
Coimbatore D.

R.O.C. No. 716 C/15

Dated 8th January 1916.

Office of the Inspector of Schools,

Eighth Circle, Palghat.

Endorsement on R. C. No. 1651/15, dated 18-11-1915
of the Assistant Inspector of Schools, Coimbatore District.

Submitted to the Director of Public Instruction.

Enclosure. 1
1 file.

L.A.K. 8/1.

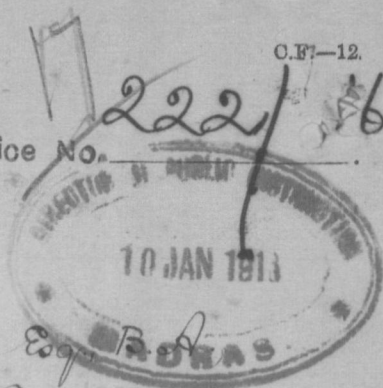
Ag. Inspector of Schools,
Eighth Circle.

DESPATCHED

8 JAN 1916

(Left half for use for draft, etc.,
in the Receiving office.)

Receiving office No.



From E. W. Green Esq. B.A.

To

The Director of Public Instruction.

R.O.C No. 716C/15
Dated 8th January 1916

ENCLOSURES. 1 file.

Date of despatch

Date of receipt

Subject.

Submitting the appeal petition of
M.A. Swaminatha Ayyar, Supervisor of
Schools, Erode Sub-Range, requesting
that the extraordinary leave without
allowances granted to him may be
converted into leave on medical
Certificate in the circumstances stated.

Ref on Cur No. 222 of 1916, dated 3rd March 1916.

Submitted to Government.

2. In the medical certificate produced by the Supervisor, leave was recommended for three months only from 10th March 1914 and for this period privilege leave for which the Supervisor was eligible was granted to him. To enable him to have sufficient time at his disposal to clear off his debts which in Mr. Kershaw, the then Inspector's opinion, would take nearly two years to discharge he was granted extraordinary leave without allowances for three more months in continuation of the privilege leave with the remark that he would not be permitted to resume duty until he was free from debt. A few days before the expiry of the combined leave the Supervisor made an advance report to the Sub Assistant Inspector of the range to the effect that he had discharged all his debts. Thereupon the Sub Assistant Inspector naturally insisted on the production of a certificate from the District Munsiff, Salem, in support of the Supervisor's statement. The Supervisor, however, did not himself take steps to produce such a certificate, but he requested the Sub Assistant Inspector to address the District Munsiff on the subject. This was then done by the Sub Assistant Inspector, and after ascertaining from the District Munsiff that the Supervisor was free from debt the final orders of the Director were obtained by the Sub Assistant Inspector through the Circle Inspector for permitting the Supervisor to return to duty and in accordance with those orders M.A. Swaminatha Ayyar relieved the Acting Supervisor on 10th November 1914.

3. The Supervisor's request for commutation of a portion of

319.

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Combined
of the ~~sanctioned~~ leave is inadmissible under Article 236 of the Civil Service Regulations, according to which extraordinary leave without allowances cannot be converted retrospectively into leave on medical certificate. Further, the Supervisor had not produced a medical certificate for any period after the date of the expiry of the privilege leave granted to him.

4. M.A. Swaminatha Ayyar was one of the Board Supervisors who were taken into Government service sub pro tem on the provincialization of the agency of Supervisors in March 1909. His statement that 'there has been no blot in his service' is hardly correct. Unlike many other Supervisors, this officer's work was reported on unfavourably and his confirmation had to be deferred from year to year until the 16th August 1912 when he was made a permanent Supervisor on the recommendation of the Inspector of Schools, 5th Circle.

O. V. Srinivasan

for Director of Public Instruction.

1/3.16

M. S. S.

C.829 From the D.P.I., R.O.C. 222/16, dated the 3rd March 1916.
Edl.

Subject.—Memorial from supervisor M.A.Swaminatha Ayyar for
the commutation of the leave without allowances ~~granted~~
granted to him into leave on medical certificate.

The facts of the case are clearly summarized in the Director's
Endorsement on pages 18 and 19 of the current file. As pointed out
therein the memorialists request for the commutation of the extraor-
dinary leave without allowances granted to him into leave on medical
certificate is inadmissible under article 236 of the C.S.R. The
memorialist may be informed that the Govt. are unable to interfere in
the matter. A draft order is submitted for approval.

para 3 on
p.19 c.f.

2. There appears however to have been some want of consideration
on the part of the ~~superior~~ officers of the department towards the
memorialist; first, that he was compelled to take six months' leave
when he applied only for three months, and secondly, that he was not
allowed to join duty on the expiry of the six months' leave on the
strength of his report that he had completely discharged his debts.
The District Munsif could have been addressed by the ~~sub~~ Assistant
earlier and the memorialist allowed to join after six months without
further ~~loss~~ ^{have on} of pay. It is for consideration whether the D.P.I.
should be asked to take notice of these irregularities.

Para 2(c) on
p.3 c.f.

Para 2(c) on
p.4 c.f.

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25/3/16.

Draft att. *[Signature]*

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23.3.16

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

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READ ALSO:-

C. No. 829, From the D.P.I. R.O.C. No. 222/16, dated ^{the} 3-3-1916.

" " " " 19 ..

" " " " 19 ..

ORDER.

Mis.

No. 323 dated 24-3-1916.

The memorialist will be - -
informed that the Government ^{cannot} ~~will~~ ~~not~~
interfere in the matter.

To the Director of Public Instruction.

Memorialist thro' the D.P.I.

Ka
24-3-16
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23-3-16

pying }
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STATEMENT WITH DITTO.

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N.B.—

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