

Haw (1911) Department.
Education
Ordinary SERIES.

<i>Litter</i>
G.O. No. 1355
DATED 3-11-11

INDEXED

[Despatch Abstract.]

Exemption

Sanctioning the permanent --- from the provisions of Article 1. of the Public Service Notification of C.E. Srinivasa Rao, Sub protom clerk, District court, Trichinopoly, with a view to his employment as clerk on Rs20 per mensem in the Judicial department.

BACK PAPERS.

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

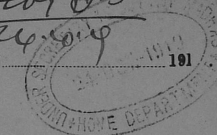
FURTHER PAPERS.

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

Received



Registered



Subject.

Forwarding to Government a memorial from C.R. Sreenivasa Rao, sub protom clerk of the District Court, Trichinopoly, for exemption from the Examination Rules.

ENCLOSURES.

No. 2

Spare copies

R.O.C. No. 3157/19

Station Madras, Dated the 18th October 1919.

From (Name) G. S. White Esquire (Solicitor)

(Designation) Deputy Registrar, High Court
Appellate Side.

To The Secretary to the Government of Madras,
Home (Education) Department.

Sir,

I am directed to forward for the orders of His Excellency the Governor in Council, a memorial dated the 12th August 1919, from C.R. Sreenivasa Rao, permanent typist copist and sub-protom clerk of the District Court, Trichinopoly, praying for permanent exemption from the Examination Rules.

A copy of a letter No. 4743 dated the 19th September 1919, from the District Judge, Trichinopoly, forwarding the memorial is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

[Signature]
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[Signature]
Deputy Registrar

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Copy of letter from the District Judge, Trichinopoly, No.4/43, dated the 49th September 1919, to the Registrar, High Court, Madras.

I have the honour to forward herewith an application from C.R. Srinivasa Rao, permanent Typist Copyist and a sub protom clerk of this court on Rs.20/- praying that, as he is an unpassed candidate, he may be exempted from the examination rules so as to become eligible for confirmation on Rs.20/-. He has not passed the necessary minimum service test, but has received education which approximates to the present School Final Class and has passed the Typewriting Examination in the Intermediate Grade.

2. The applicant was first entertained as an acting Copyist early in 1912 and was confirmed as an enrolled Copyist in August of that year. The conversion of the Copyist post held by him into that of a Type-writing Copyist was sanctioned in High Court's Proceedings No.1080/15-8-1913. Though the minimum pay of a Copyist is Rs.10/- a Type-writing Copyist is entitled during working months to earn twice as much as an enrolled Copyist and is further entitled to a pay of Rs.15 per mensem during vacation months of the Court. He can, had his appointment been pensionable, be said to be an officer in superior service within the meaning of the (amended) Article 396 Civil Service Regulations, which provides that all service on pay exceeding Rs.10/- in an appointment (subject to the exception mentioned therein) should be classed as superior.

In fact Copyists employed in Civil Courts, have been treated as "Superior servants" in G.O.No.155 (Financial) dated the 26th February 1914 (communicated in High Court's Dis.No.653 dated the 3rd April 1914). If the recognition of their status as "Superior servants" is not intended to be restricted in its scope for the purpose of classification in pay bills alone (as the G.O.quoted above seems to imply) but can be extended to apply for other purposes as well, then the applicant is protected by clause(a) of the Notification appended to G.O.No.991 Home (Education) dated 29-7-1918, which provides that the new rule in G.O.No.1021 Home (Education) dated 6-8-1917 does not affect persons who were

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-3-

holding permanent appointments in the superior service of Government prior to 6-8-1917. In this view, the applicant being a permanent Typist Copyist since 1913, may be said to be eligible for promotion to and confirmation on Rs.20 without any necessity for exempting him from examination rules. No such exemption is also necessary in case he is confirmed as Typist Clerk in any civil court as there is no bar to the appointment of unpassed candidates as Typist Clerks, whose pay is regulated by the orders of Government in G.O.No.369 Financial dated the 4th May 1918.

3. As it is doubtful whether a Copyist can be treated as an officer in superior service for all purposes, and as there is no Typist Clerk's post now vacant to which the applicant can be appointed, I have submitted his application for the favourable consideration of the High Court.

4. The applicant has been acting as a clerk off and on in the regular establishment of this Court and of the Sub Court here since September 1913 and his total service aggregates to 1 year 11 months and 8 days (vide details in the application enclosed). The total period falls short of the prescribed period of 2 years (vide G.O.No.991 Home (Education) dated 29-7-1918) by 22 days, but this is a fit case in which the small deficiency can be condoned. It is not clear whether an officer's acting service prior to 6-8-1917 should be a continuous one as stated in paragraph 2 of G.O.No.991 aforesaid so as to bring him within its purview, for the word "continuously" occurring in paragraph 2 of the G.O. does not find a place in clause (b) of the Notification appended to it. Whatever it may be, this condition, even if one is necessary, need not be insisted on in the present case as the applicant has been appointed to act as clerk several times whenever suitable vacancies arose. He has also been acting for some time past in this Court as a clerk and entrusted with the second type-writer supplied to this Court as per High Court's Proceedings Dis.No. 848 dated 3-8-1912, he having been temporarily exempted from examination rules under the power vested in District Judges,

in the absence of a suitable candidate having the necessary qualification and experience for the post. I may add that I have had opportunities of watching his work both in this court and in the Sub Court and have found it satisfactory. In view to his eventual confirmation as clerk he has been trained in and has picked up all the details of clerical work including that of a bench clerk. He ~~talks~~ talks and writes good English also.

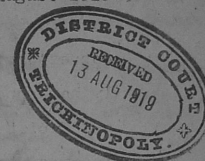
5. In the above circumstances, I have the honour to state that there are good grounds for exercise of the power of exemption in favour of the applicant and I beg to recommend that the High Court may be pleased to procure his exemption from examination rules so as to make him eligible for confirmation on Rs.20.

6. I further beg to seize this opportunity to solicit definite instructions whether having regard to the wording of clause (b) of the Notification aforesaid, it is the intention of Government that the acting service of an officer prior to 6-8-1917 should be a continuous one in view to entitle him to the benefit conferred by G.O.No.991, quoted above.

Plu

Trichinopoly,

12th August 1919.



To

The District Judge,

Trichinopoly.

Most Honored Sir,

I, C.R.Srinivasa Rao, sub protem clerk and permanent Typist Copyist of your honor's Court, beg to place before your honor the following few lines for your honor's very kind consideration and favorable orders.

I am a permanent Typist Copyist of your honor's Court and have been acting as a Clerk and Typist on various occasions in the District and Sub Courts. My total acting period till now, comes to 4 years. I have studied up to and inclusive of the Matriculation Standard and have passed the Type writing Examination in the Intermediate Grade. I beg to submit that as per G.O.No.991, Home ^(Education) ~~Ministry~~ dated 29-7-1918 my case falls within its purview but it may be said that my acting period has not been continuous for 2 years before 6th August 1917. My acting period though not continuous, works up to a total of 1 year 11 months and 8 days prior to 6-8-1917 as set out below. I have been acting continuously since 13-2-1917 up to date without any break whatsoever.

Period with dates.	Name of Court.	Ag. Appointment.	Y.	M.	Period. D.
18-9-1913 to 18-9-14.	Dt. Court	Typist	1	..	..
6-10-15 to 6-11-15	do.	2nd Typist	..	1	..
24-8-16 to 14-9-16	do.	do.	..	1	..
21-9-16 to 1-11-16	do.	Clerk.	..	1	12
1-12-16 to 4-2-1917	Sub Court.	do.	..	2	4
13-2-17 to 6-8-1917	do.	do.	..	5	22
Total			1	11	8

From the Sub Court I was taken into the District Court on 4-11-18 as acting Typist for one month and after this I have been acting as second Typist.

I understand that on the score of my being an unpassed candidate temporary exemption has been obtained till

cf. G.O. 17224
14.6.2.19.

apply for exemption
M
1579/19.

3157/19, d/ 18th Oct. 1919, I am
directed to state that H. S. the
Governor in Council is
pleased to sanction the
permanent exemption from
the provisions of Art. 1 of the
Public Service Notifications
C. R. Srinivasan Rao, Sub-
postmaster of the Dist.

Respectfully,
with a view to his employment
as clerk in the
in the Judicial Dept.

2. Advancing to
para 6 letter No. 4743, d/
19th Sep. 1919 from the

Dist. Judge of Tiruchinopoly,
I am to say that the acting
services of ~~an officer~~
prior to the 6th Aug. 1917
should be continuous in
order to entitle him to

the benefit of the
G.O. No. 991 dated 24th July 1918.

to be considered however

25.10.19
21.10.19
22.10.19

21.10.19

Note: Judicial Dept.

27.10.19
28.10.19

28.10.19
31.10.19

31.10.19
31.10.19

Home (Adm.)
Subj: for appl. of draft.

27.10.19
3.11.19

3.11.19

29.10.19
31.10.19

31.10.19

When given for copying
When copied
When examined
When signed

REAP. LEAD. G.O. No.
19

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER GOVERNMENT

STATEMENT WITH LITTO.

PL. AND NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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