

Home (1919) Department.

Execution

Criminal SERIES.

Home
G.O. No. 80

DATED

1-7-19

INDEXED

[Despatch Abstract.]

Permission to appear for special tests.

Declining to grant A. Kesava Rao, clerk, district
munsif's court, Taddarur.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

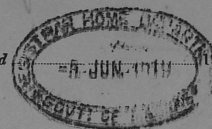
Number.	Date.	Original (= O.) or spare copy (= S.O.)	Remarks. (In this column each of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

Papers of other departments.

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

DEPARTMENT.

Received



Registered

1919

Subject.

Forwarding an application from A. Kesava Rao
clerk, District Munsif's Court, Peadapur, for
exemption from examination rules.

ENCLOSURES.

No.

B.O.C. No. 1389/19

Spare copies

Station Madras, Dated the 28th May 1919. 191

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

(Designation) Deputy Registrar, High Court,
Appellate Side.

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

Hon'ble Sir,

I am directed to forward for the orders of His Excel-
lency the Governor in Council, an application dated the 14th April
1919, from A. Kesava Rao, clerk, District Munsif's Court, Peadapur
for exemption from the examination rules, so as to enable him to
appear for the special test examinations in the year 1919 and
succeeding years.

A letter No. 2065, dated the 24th April 1919 from the
District Judge of Godavari forwarding the application is also
enclosed.

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

G. S. White

Deputy Registrar.

I. S.
mk

long map 2
3
From the District Judge, Godavari, No.2065, dated the 24th
April
~~February~~ 1919.

I have the honour to forward, for such orders as the Government may be pleased to pass, the petition of Arni Kesava Rao, clerk, District Munsif's Court, Teddapur, praying that he may be declared equal to a school final certificate holder entitled to appear for special tests.

2. I may observe that the petitioner's case does not come under the 2nd paragraph of article 1 of the Public Service Notification as stated in paragraph 3(a) of his petition (by 1st foot-note he evidently means the 2nd paragraph of article 1) as he does not say that he has passed any examination similar in character to those mentioned in the 1st paragraph of the article.



To

His Excellency

The Right Honourable Baron Willingdon,

G. C. S. I., G. C. I. E., G. B. E.,

THE GOVERNOR OF FORT ST. GEORGE, IN COUNCIL,

MADRAS.

THROUGH

The
The Honourable Judges of The High Court of Judicature, Madras,
The District Judge, Godavary and The District Munsif, Peddapuram.

The humble petition of Arni Kesavarow,
clerk (now Sub proteum Examiner of
copies), District Munsif's Court of Pedda-
pur in the Godavari District.

May it please your Excellency :

Most humbly sheweth :—

1. That the petitioner has been a clerk in the District Munsif's Court of Peddapuram since 1910—stagnant—not being qualified under public service notification for promotion to higher posts carrying ~~Rs. 20 and~~ upwards of Rs. 20/--

2. That the petitioner appeared for the Matriculation Examination of 1908 and obtained marks therein but not the minimum as was then prescribed by the University of Madras, for passing the Examination and therefore stands on the same level with a Secondary School leaving certificate holder who is not eligible for a collegiate course but eligible for promotion to appointments of Rs 20 and upwards in Government service ;

X not necessary as appointed to this long service to fix any
3. That the recent pronouncement of the Hon'ble Sir A. G. Cardew in the Madras Legislative Council in reply to the Hon'ble Mr. B. Venkatapathiraju, to question No. 27 (Pray vide page 26 part IV of the Fort St. George Gazette dated 26th March 1918) that all Secondary School leaving certificate holders irrespective of marks obtained by them in the public examination can sit for all the special tests for which the Matriculate of before 1908 is eligible, has thrown the petitioner in the back ground, while mere certificate holders unable to speak English correctly or to write a couple of English sentences are climbing higher above him every day ;

4. That the expression 'unpassed men' is a vague term—an all embracing one—which includes the illiterate as well the person that has undergone the High school course and failed in the Matriculation Examination of 1908 and before, but now practically means to apply only to the illiterate and to one that has neither completed the High School course, nor appeared for the public examination ;

provided they are not for various of answer at p. 6 of Sec. 10 22.1.3.19 21.2.19 (R)

(b) 'Unpassed men' is a term in vogue when test was the only qualification for recognition, but the term ceases to exist when test has been dispensed with and has been reduced to a High or Secondary School course with a 'finishing touch' of entry of the public examination, which 'finishing touch' the petitioner possesses;

A statement of comparison is detailed below.

The S.S. L. C. holder.	Completes the High School course.	Appears at the public examination	Gets some marks (more or less).	Eligible for higher appointments of Rs. 20 and upwards and for appearing for the tests.
The petitioner	Completed High School Course.	Appeared for the Matriculation Examination of 1908 for the last time.	Failed in the Matriculation examination 1908.	Not eligible.

5. That the petitioner is very strong in English and for matter of that—this petition is a noticeable instance;

6. That the petitioner belongs to a family which believed and still fondly believes in the permanence of British Rule and Justice and which has a firm conviction in the great minister's (William Pitt's) dying words:—Let us hope that England having saved herself by her energy, may save Europe by her example;

7. That your petitioner's ancestors laid their past glory, present ambition, and future hope at the altar of Government, rendering meritorious services as detailed below:—

(a) My maternal grand-father late Polur Srinivasa Row was an Uncovenanted Assistant in the then consolidated Board of Revenue and was known as Zamabandi Srinivasa Row in 1870 and thereabouts, was a recipient of a medal at the hands of His late Imperial Majesty King Edward VII, Emperor of India when his Majesty visited Madras as Prince of Wales, and was a Government pensioner for 15 years from 1891.

(b) My uncle (father's brother) late Arni Narayana Row was a Deputy Collector in Kurnool District in 1892;

(c) My uncle (father's younger brother) late Rai Bahadur Arni Raghunatha Row was a first grade Subordinate Judge and acted as District Judge of Godavari and Ganjam on different occasions, retired in 1916 and was a recipient of the title of Rai Bahadur at the hands of Your Excellency's Government;

(d) My father late Arni Sarvathama Row was a Supervisor in the Revenue Settlement Party No. V, rendered whole-hearted service for over 32 years, retired in 1914 winning the golden opinions of officers, Messrs. A.E. Castle Stuart, G. F. Paddison, at present Collector of Madura and W. G. Mearland (now on leave);

8. (a) That the petitioner submits this petition for special favour and orders of Your Excellency under 1st foot-note to para 1 of the public service notification;

(b) The 2nd foot-note to the above mentioned notification runs thus:—Persons not being natives of India who have passed no public examination and natives of India who have not attended any Secondary School will be eligible if they satisfy Government that they have received an education at least up to the standard of the late Upper Secondary or Matriculation Examination.

The rule of Your Excellency's Government that natives of India who have not attended any Secondary School should adduce evidence of an education at least up to the Matriculation standard for eligibility in Public service, the petitioner humbly begs to submit, is applicable to and includes much more the natives of India who have attended and completed High or Secondary School course and appeared for Matriculation examination. (Pray vide copy of the certificate of the Registrar of the University of Madras dated 11th March 1919).

9. That the petitioner is desirous of rendering himself more useful in a congenial sphere by passing special tests, while at the same time bettering himself;

10. That the petitioner is thoroughly confident that he is above the average matriculate and that he deserves for that reason the recognition and the helping hand of the Government to remove the bar that is at present stunting his growth—at least as a special case;

11. And that in conclusion the petitioner humbly prays Your Excellency to take a generous and sympathetic view

- of his 7 years' service as a clerk on Rs 20 in the Judicial Department of Your Excellency's Government,
- of his having completed the High School course and having appeared for the Matriculation Examination of 1908,
- of the 2nd foot-note to the Public Service notification which is quoted in para 8,
- of his ancestry and its meritorious services to Government,
- of his sound and practical knowledge of English and English literature,
- last but not least of his unflinching and steadfast loyalty and devotion to His Imperial Majesty, King George V, Emperor of India and Defender of Faith,

and declare that he is equal to a School-final certificate holder entitled to appear for special tests for 1919 and succeeding years for the reason of his having undergone High School course and appeared for the Matriculation Examination of 1908.

12. For which act of compassion, kindness and justice, your petitioner as in duty bound shall ever pray.

The petitioner begs to remain,

May it please Your Excellency,

Your Excellency's most obedient and humble servant,

PEDDAPUR,

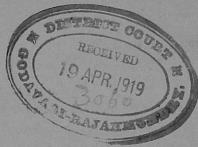
Dated, 14-4-1919.

A. Krishna Rao.

Petitioner,

Enclosures

- Copy of the Register of the University of Madras
- Extract of endorsement of the District Magistrate, Peddapur



His 876
17.4.19

Submitted to the District
Judge for favorable
consideration and kind
action by recommending
him for exemption.

P. R. Kesava Rao
17.4.1919



Office of the Registrar, University of
Madras SENATE HOUSE,
Dated 11 March 1919.

OFFICIAL MEMORANDUM NO. 1707.

Re:----- His letter dated 4th March 1919.

This is to state that Arni Kesava Rao appeared for
the Matriculation Examination of 1908 with Register No. 669 and
failed.

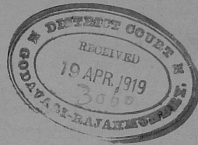
/Sd/ Francis Dewsbury

Registrar.

Mr. Arni Kesava Rao.

(True copy)

A. Kesava Rao
Petitioner.



Office of the Registrar, University of
Madras General House

ORIGINAL MEMORANDUM NO. 1907

His letter dated 14th March 1919.

His letter dated 14th March 1919.

Letter.

RECEIVED
19 APR 1919
3060

RECEIVED
19 APR 1919
3060

(Time copy)

RECEIVED
19 APR 1919
3060

Extract of endorsement on Petitioner's application for
the post of Head clerk in the Taluk Board Office Peddapuram.

In forwarding the application of Mr. A. Kesava Rao,
I have the honour to state that the applicant is a well behaved
young man very respectably connected. He writes as this
specimen of his hand writing shows a fine flowing hand. He is in
my opinion quite competent to pursue complicated correspondence
and put up concise drafts in simple and chaste language. He has
put in a service of more than 6 years as a clerk in this
Department. He has been particularly anxious to improve his
prospects in life by sitting for the Special Test Examinations
for which he tells me the bestowal of this appointment would pave
the way. I am glad to say that I have found his work satisfactory
during the last two years when I assumed charge of this court. I
fully believe that he deserves the promotion he seeks.

/Sd/ N. Narasimham
District Munsiff.

Peddapuram,
Dated 21-8-17

TO
The President District Board, Godavari.
TO
The President Taluk Board Peddapuram.

True Copy)
A. Kesava Rao
Petitioner.

Home (Gen) Dept

C. 1118-B- From the Dy Registrar, Appellate Side, High Court No 1309/1987 28.5.19.

Subject:— Eligibility to appear for the special tests

Under para 1 (iii) of G.O. No 1021, Home (Gen) 8.6.8.17, the special tests are open to all Govt servants possessing the minimum general educational qualification, viz: a completed secondary school leaving certificate or its equivalent.

Any one of the examinations recognized under Art. 1 of the Public Service Regulations for admission to the Public Service is equivalent to the S.S.L.C.

The petitioner who is a clerk in the Dt. Municipality court at Paddapuram failed in the Matriculation examination in 1908 and requests that he may be declared ^{eligible} ~~entitled~~ to appear for all the special tests. The main ground urged in support of his request is that every Govt servant

who possesses a completed S.S.L.C., irrespective of the marks obtained by him, is entitled to appear for the special tests.

(T)

(D)

para 2 of the petn p. 4 of

para 11 ibid p. 6 of

para 3 ibid p. 4 of

Answers to be at the meeting at 10.00

(R)

But still admit him into Govt service if he is eligible and answer

NOTES.

Page 2

para 11 of the petition
p. 6 of

Gov. No 1549 (2004)
7-12-17

(M)

(S)
cf also sub-para (3) of
Art. 1 of the P.S. Notifi-
cation p. 3 of (D)

para (3) to Art. 1 of
the P.S. Notification (D)
and Art. 4 of the Sp.
Tests Notification (E)
para 2 of the petition

Tests and that therefore a "failed" Matriculate be
himself who is not necessarily inferior to a
holder of a S. S. L. C. and who has put in a
Satisfactory service of 7 years may be given
the same privilege.

2. Heads of departments have
been empowered to fix any minimum number
of marks they like in selecting candidates
possessing Secondary School Leaving certi-
ficates for appointments in their offices
and the appointing authorities have been asked
to see that preference is given to candidates
who hold the best certificates - Vide Gov. No
649 (201) of 15-12-09 - There is therefore
no reason to suppose that the discretion
vested in the heads of departments is not
being exercised properly.

Moreover, candidates who passed the
Matriculation examination prior to 1910
are eligible to appear for the special
Tests and the petitioner who failed in
the Matriculation examination in 1908
does not seem to deserve any special
consideration.

3. It is therefore submitted
that Govt. may decline to comply with
the petitioner's request that he may
be declared eligible to appear for all

para 11 of the petition

all the special tests.

4 It may be observed that none of the special tests are required for clerical appointments on Rs 25 and below in the Judl. Dept and that even if the petitioner is permitted to appear for the special tests required for appointments in the higher grades, viz, the Civil Judicial, the Criminal Judl. and the Translation Tests, he cannot be appointed to posts on pay exceeding Rs 20 per mensem without being exempted from the provisions of Pt. I of the P. S. Notification. It is for consideration whether he may be permitted to appear for the special tests mentioned above on not more than two occasions in each case. For a precedent, please see Gov. No 598, Home (Ld.) d/12.5.19. The Dt. Muniff forwards the application for favourable consideration, while the Dt. Judge and the High Court have not made any recommendation on ^{the petitioner's} behalf.

5. The remarks of the Judl. Section may be obtained u.o.

24
12-6-19

IL
12/6/19

The petitioner's arguments cannot hold water. The Dt. Muniff's recommendation is of half-hearted nature. Indd.

pp 6-8 of the
Spl. Tests Notification

(E)

(D)

(A)

(C)

p. 7 of

pp 1-2 of

File no. 1118 B-1
21-6-19. 90
JUL 23/19
21-6-19

Ref me, Val., ad.?

no.

~~Indians may follow~~
~~springs to the springs of Eden~~
~~at B' and f 2 etc In view~~
of the fact that the District
23.6.9.

Judge does not endorse the Municipals recommendation, it is for consideration whether the application may not be refused

Ad 0
24-6-19

2007  21/11 Refuse
Hwy
20/11/19

Jul 21 3/13-1
266.68

A draft letter is linked.

26.6.19

27.64

Permission to appear for Special tests.

Home (Ed. 2)

Desiring to grant A. Karsawa Rao
clerk, Dist. Munsif's Court,
Paddapur

Lo-1118/B

Letter No. 811, d/1-7-19
Mrs.

To the Honble. the Chief Justice
of the High Court of Judicature at Madras.

Honble. Sir,

With refer. to Mr.

White's letter R.O.C. No. 1389/19, d/

28th May 1919, I am directed to

state that the Govt. see no
sufficient reason to permit

A. Karsawa Rao, clerk, Dist.

Munsif's Court, Paddapur, Solapur
Dist., to appear for the Special
tests.

I have etc.

26.6.19

27.6.19

Examine

Please return
the original
of this order

to the
Munsif's Court
Paddapur

26.6.19

When given for copying

When copied

When examined

When signed

19

GRAD. 1918 G.O. No.
19

DATED

CURRENT No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAID FOR FILED UP, ENDS MEANT FOR OFFICE
IN CHIEF.

N.B.—

A -- Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.