

Law (1921) Department.
(Education)

Ordinary SERIES.

G.O. No. 1666

DATED 22-11-1921

[Despatch Abstract.]

Ramaswami S. M. R. Ry. -- Assistant Professor, Law College --
petition regarding his claims for appointment as Professor
orders passed.

BACK PAPERS.

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

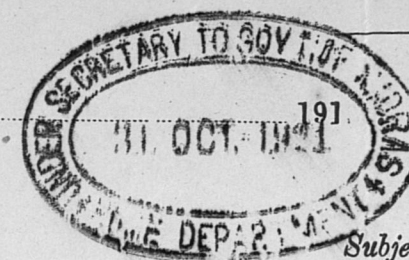
FURTHER PAPERS.

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

LAW (EDUCATION)

DEPARTMENT.

Received

Registered *Can 5293 A* 191

Subject.

Submitting the petition ~~addressed to Government~~ of M.R.Ry. S. Ramaswami Ayyar, Assistant Professor, Law College, Madras, regarding his ^{claims for} appointment as Professor in the place of M.R.Ry. K.P. Lakshmana Rao.

ENCLOSURES.

No.

Spare copies

R. Cl. No. 66/1921.

Station *M a d r a s*, Dated the *28th* October 1921.From (Name) *R. Littlehales Esquire, M.A.*(Designation) *Director of Public Instruction.*

To The Secretary to the Government of Madras,

LAW (EDUCATION)

Department.

~~Signature~~

Submitted to Government.

for Director of Public Instruction.

Confidential.

No.

Law College, Madras,
14th October 1921.

From

Arthur Davies, Esq., M.A., Bar-at-Law,

To

Principal.

The Director of Public Instruction,

Si

M a d r a s.

I have the honour to ^{submit}~~forward~~ the enclosed representation which Mr. S. Ramaswami Ayyar requests may be placed before the Government for consideration.

I have the honour to be,

Sir,

Your most obedient servant,

Arthur Davies

14-X-21.
Principal.

Law College. Madras.
14th October 1921.

From

S. Ramaswamy Ayyar, Esq., B.A., B.L.,

Assistant Professor.

Law College. Madras.

To

The Honourable The GOVERNMENT OF MADRAS. (EDUCATIONAL)

The Government have by G.O. No. 387 (Law Dept. Edn. dated 10.9.21)

appointed Mr. K. Subrahmania Pillai, M.A., M.L., Assistant Professor Law College to act as Professor in the place of Mr. K.P. Lakshmana Rao on other duty. The said appointment took effect from the 3rd of October when the college reopened after the Michaelmas Holidays and he took charge. I beg respectfully to raise my humble protest against the said appointment and to submit to Government that by failing to appoint me in this vacancy a serious injury has been caused to me by Government besides giving room for inferences unfavourable to me but wholly unmerited. Neither by reason of the work which I have been doing in the college nor by reason of the opinions of those who know me and my work have I deserved the treatment that has been accorded to me now. Servants of Government are generally treated by Government fairly and even generously, if

if their superiors are satisfied with their work and capacity but in my case I have to suffer the disappointment that follows on a supersession when a chance of promotion occurs.

I do not presume to suggest that the case has suffered from any lack of consideration by Government. But my excuse for writing this is because I feel that the extent of the harm done to me has not been ^{given} the importance that among other considerations it deserves.

The principles that regulate the appointment to the Professorship are well known. They have been followed in recent appointments ; the last of them was that of Mr. C. Kunhi Raman and was gazetted on the same date as the appointment which is the subject of my communication. The principle underlying all these appointments is that if there is a member of the staff who by seniority and merit is qualified for the place, he is appointed to any vacancy that occurs ^{in the Professorship.} I may be pardoned if I say that this principle should have been applied ^{in my case.} on this occasion ~~also~~. That I am not presumptuous in saying so is clear from the fact that so recently as March last the Government was pleased to appoint me to act in ^{an} ~~the~~ Acting Vacancy. The Honourable the then First Minister whom I had the privilege of seeing after the acting appointment was made expressed himself as pleased with the reports he heard about me and my work and said that that was

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King (M)

was the reason why he preferred me to Mr. K. Subrahmaniam Pillai who was junior to me also and whose claims were strongly pressed at the time. The opinions of authorities and officials on which Government is generally known to act in making these appointments were according to my information in my favour on the present occasion as they were in March last; besides this, the rule of seniority which is usually an important consideration in the eyes of Government and on which I rely though not solely on it, is in favour of my being preferred. The chief consideration pressed in favour of Mr. K. Subrahmaniam Pillai, viz, his degrees and distinction as TAGORE Law Lecturer was prominently before Government in March last also and has not weighed with Government so far as to promote him over the heads of other seniors in the College. Messrs. Lakshmana Rao, Mir Zynuddin and Kunhi Raman were equally his seniors like myself and have been appointed to the Professorship after his entry into the College Service. There has been and can be no suggestion, that ^{regards} in the discharge of our duties my case is in any way different from theirs; nor that ^{the quality of} my work in the college which is after all the deciding factor in this matter is inferior to his.

The conditions of service in the college are such that departure from the above considerations that normally guide Government's action does great and irreparable injury to the party concerned. The Assistant Professorship is a low

Appoint a Professor
G.P. no 270 (E)
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low paid office . There are only ~~two~~ Professorships and the service not being a regular cadre, the chances of promotion are rare and precarious. The ~~service~~ is neither permanent nor pensionable. The work is however difficult and for a practitioner, taxing; ^{kind} it is the same whether a person is an Assistant Professor or A Professor. The chief incentive to hard work is the hope of promotion if and when the turn comes. Since I entered the College I have honestly endeavoured by hard and strenuous work to give satisfaction to the large ^{of students} classes to whom I have lectured and to my Principal. I have also tried to prepare the lectures in the Law of Torts in a form which will be worth publication as a theoretical Treatise and am in the course of writing them. This has involved a considerable amount of study and specialisation in the subject on which I have spent great labour and much time even at the risk of hurting myself in the Profession. Even otherwise a ^{lecturer} ~~professor~~-ship in the College has injurious effects on professional advancement as almost every practitioner who has been in the College will testify. The Appointment to the Professorship on Rs.500/- is some compensation for the sacrifice necessarily involved in the work of the College, ~~and for the labour involved,~~ and it is no small hardship to be deprived of that promotion when the turn comes ^{and to be treated differently from} ~~as it has come before~~ for others who have gone before.

I have stated the above facts to show that a great injury has been caused to me. Government does not usually permit it to happen in the case of its servants whose work has been hard and zealous and to the satisfaction of those under whom they are placed. I humbly request GOVERNMENT therefore to remove the injury done to me by re-considering the acting arrangement now gazetted and appointing me the Permanent Vacancy of Mr. K.P. Lakshmana Rao.

I have the honor to be
Your obedient servant

S. Ramaswami, Jr.
Asst. Prof. Law

14-10-1921.

Through the Rainier
Lawrence.

10

Eno.

Petition from Mr. S. Ramaswami Iyer, Asst.
Professor, Law College, Madras.

[CNo - 5293A]

From the S.P.D. - R.P. No. 65 d. 29.11.

his

(W)

Attention is solicited to the
note ^{on pages 14 + 15 of notes to} ~~enclosed~~ No. 1266, Law (Raj)
d. the 10.9.21.

2. Also for advs.

10/11/21

7-11-21
M3

11.11.21

M3

~~But recognize the claims of the
petitioner, the fact that he was not
selected & the petitioner's age
was not such that he is not fit for
the place. All the circumstances
relating to the candidates were
carefully considered at the time of appointment.
But report that there are no fresh
grounds for reconsideration.~~

11/11/21

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petitioner, the fact that he was not
selected & the petitioner's age
was not such that he is not fit for
the place. All the circumstances
relating to the candidates were
carefully considered at the time of appointment.
But report that there are no fresh
grounds for reconsideration.

When received for Fair-copying.

When copied . .

When examined

When signed

When despatched

Date.

Initials

Law (852) ~~Roll~~

DEPARTMENT.

Ramaswami S. MRR - Asst. Prof.

Law College - petition by. his
claim for appt. as Professor
- order passed.

READ AGAIN G.O. No. _____, dated _____ 192

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READ ALSO:—

C. No. 5293A, From the D.P. I - Ref. No. 66, dated 28-X, 1921

” ” ” ” ” ” 192

" " " " " "

192

ORDER.

No. 1666, dated 22-11 1927

The Govt. gave very careful consideration to all the circumstances ~~relating to~~
~~the circumstances~~ relating to
the candidate for the vacant
Professorship at the time of
appointment. They regret that
there are ~~no grounds~~ ^{unable to comply with}
~~his petition~~ ^{his petition} request for reversal of
~~decision~~ ^{his decision}.
The fact that the
petitioner was not selected
for the professorship does not
imply that he ^{was} not fit for the post.

DESPATCHED
22 NOV. 1921

To ✓ ~~Mr~~
The S.P.D. (900)

~~157R~~
157R

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Handwritten notes on the left page, including "When examined" and "When signed".

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When signed

192

READ AGAIN G.O. No.
192

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DISCUSSION

PAPERS NOT FILED UP, BEING MEANT FOR DISPATCH
IN ORIGINAL

N.B.—

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