

Law (Education) (1925) Department.

Misc SERIES.

G.O. No. 1052.

DATED 20-6-25.

[Despatch Abstract.]

MEMORIAL.

Swaminatha Ayyar, M.A. - Assistant, Model

School, Government Training School, Trichinopoly -

Orders passed.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
ru	626	L. E	23.4.24				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	8-1542 16.8.26						

CF. 30-11,000-8-9-24.

Law (Education)

DEPARTMENT.

Received



Registered

192

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16/4/25

Revision petition of M.R. Ry M.A. Swaminatha Ayyar Avergal, Assistant

Government Training School, Trichinopoly to Government

-submitted.

ENCLOSURES.

No.

Memorial

Spare copies

R. C. No. 3665-C/24

Station Madras, Dated the 9-4-25 192

From (Name) R.G. Grieve Esq., M.A.,

(Designation) Ag. Director of Public Instruction

Madras

To The Secretary to the Government of Madras,

Law (Education)

Department.

Sir.

I have the honour to submit herewith the revision petition of M.R. Ry M.A. Swaminatha Ayyar Assistant Model School, Government Training School, Trichinopoly asking Government again for a reconsideration of his case. The facts stated in the present petition are almost the same as those set forth in his previous memorial submitted with my letter R.C.No.2994 C/23 dated 21-2-24 and disposed of in G.O.No.626 Law (Education) dated 23-4-24. I beg to offer the following further remarks on the statements contained in each para wherever necessary.

Paras 1 and 2. The petitioner is not a Trained graduate and reports about his work and character were

not

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not satisfactory vide my remarks on para 5 of his previous memorial contained in my letter R.C.No.2994 C/23 dated 21- 2- 24 already quoted.

Para 3 Nil.

Para 4 and 5. The remarks 'a paper lodged down in the Directors office more than six months ago was picked up etc. are incorrect as the complaint against him was then only under correspondence. His argument that the suspension should have been ordered only after having made an enquiry, is untenable as there is no rule prohibiting a competent authority to first suspend a Government servant on suspicion and then to order enquiry into the case. He next complains that his leave question has been mixed unnecessarily with the case under appeal although there was no connection between the two. This was only accidental and he was placed under suspension from the date of his absence from duty (on account of ill health).

Para 6. Charge I. The petitioner's contention is wrong since the personal Assistant's post though temporary was included in a provincial cadre and as such the petitioner could not draw pay at Rs.75 per mensem without the specific sanction of the Director vide also my remarks on para 22 C in my letter R.C.No.2994 C/23 dated 21- 2- 24 quoted supra.

Charge II. Please see the remarks on paras 15 and 16 in the same letter.

Para 7. He could not but be reverted to his permanent appointment for reasons of the irregularities committed by him as the Personal Assistant to the Assistant Inspector, Salem District, for which he was suspended and which form the subject of the case under appeal. Further he had no claim for reappointment as Sub Assistant Inspector since his lien on the subprotem appointment automatically ceased from the date of his

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his furlough ie from 30- 9- 19.

Para 8. The transfer referred to here was made prior to the commencement of the regular enquiry into the case under appeal. The transit pay question was however disposed of only after the case was finally decided.

Para 9. The petitioner's remarks against the character of M.R.Ry V.Vembu Sastri are uncalled for.

Para 10. The requests made herein are inadmissible.

Para 11. Regarding the statements contained in this para attention is invited to my remarks on para 2 V of the previous memorial.

Para 12. The memorialist apparently wants an order direct from Government. He was only informed of the contents of G.O.No.626 Mis Law(Education) dated 24- 4- 24 as ordered therein.

Para 13. The petitioner complains that Government have not stated the reasons for which they refused to interfere with the Directors orders. This is a matter for decision by Government.

Para 14. As regards the merits of the requests made in the first part of this para, please see my remarks on para 26 of his previous memorial. The two additional requests made in the latter part of the para are (1) the institution of a fresh enquiry into his case under appeal and failing that (2) grant of permission to his proceeding to a court of Law for redress. There seems no need to hold a fresh enquiry into the case at present. As regards permission to the memorialist proceeding to a court of law, his case does not come under para 24 of the Government servants conduct Rules.

I have the honour to be,
S i r,
Your most obedient servant,

J R Sundarany
of Public Instruct

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To

His Excellency, The Right Hon'ble, The Viscount Goschen
of Hawhurst, G.C.I.E., C.B.E.,
Governor, Fort St. George, Madras.

Through

The Director of Public Instruction,
Madras.

and

The Head Master, Government Training School,
Trichinopoly.

The humble Revision Petition of M. R. Ry, M. A. Swaminatha Iyer,
late Sub-Assistant Inspector of Schools, Aruppukotai Range,
Ramanad District and at present, acting Head Master, Model
Section, Government Training School, Trichinopoly:

Most Respectfully Sheweth:---

That the petitioner has put in a service of 25 years
in the Educational Department, without any blot, as it is
evident from his Service Register. After his training, in the
Teachers' College, Saidapet, in 1899, he was employed for 3
years as Ist. Assistant and Headmaster in Aided Lower Secondary
Schools, at Madras and Ootacamund and as Assistant in the
Aided High School at Coonoor. On 15-12-1902, he was appointed
Local Fund Supervisor of Schools in the Coimbatore District
and he continued to do his duty as such, until 1-3-1909,
on which date the Provincialisation of the Supervisors, was
organised and he was confirmed in the Government service, as
Supervisor of Schools, with effect from that memorable date.

2. That he had been an Inspecting Officer in the Educational
Department for more than 19 years and had discharged his
duties efficiently, to the satisfaction of his superior offi-
cers. He has passed one Branch of B.A. Degree Examination
and holds Trained Teachers' Certificate, of the Second Colle-
giate grade. He is also fully qualified for the post of the
Deputy Inspector of Schools and has completed, already in 1918

-2- 5 31/4

1918, all tests prescribed for it, to earn his increments of pay beyond Rs. 100 in the time-scale, in the public Service Notification.

3. That the petitioner was the sub-protem Sub Assistant Inspector of Schools, Aruppukottai Range, Ramnad District, from 19-12-1918 and was doing the duties of that office. On 6-9-19, he fell seriously ill, all on a sudden, and lost all consciousness. The Local Fund Sub Assistant Surgeon, Aruppukottai, who attended him, found him getting hopeless. On his advice, he was removed from the station for better treatment elsewhere. This occurrence was reported by wire to the Higher Authorities, by his office establishment and the Director of Public Instruction was pleased in his proceedings, R.C.No. 8481 dated 24-9-19 (Enclosure No 1.) to direct the Inspector of Schools, VI circle Tanjore, to obtain a medical certificate on behalf of the petitioner, as to the period of leave necessary for his recovery.

4. 3. That, within a week after the passing of the above proceedings (Enclosure I), a paper lodged down in the office of the Director of Public Instruction, more than six months ago, concerning ~~one~~ Mr. Vembu Sastri, who had exceeded his joining time by 15 days, was picked up and through misrepresentation of facts, the Orders of the Director were obtained, in his proceedings R.O.C.No. 7240 of 1918 dated 2-10-1919 (Enclosure No. II) for placing the petitioner immediately under suspension, with effect from 6-9-1919, the date on which he fell seriously ill. In the exigencies of the occasion, the Director seems to have ordered the petitioner's suspension forthwith, without even waiting to ascertain, by a regular enquiry, if the petitioner was really at fault. This paper concerning Mr. Vembu Sastri, had no connection whatever, with the petitioner's illness and the grant of leave promised by the Director, in his proceedings, (Enclosure I) and it was taken up with a view to favour Mr. Vembu Sastri and to ruin the Petitioner.

5. That, after placing the petitioner under suspension, charges against him to justify the order, ^{were} sought for and the

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following charges were framed against him as exhibited in
memo No. 436A of 1918 dated 7-10-19 of the Inspector of Schools
p-22 mpa Vth circle Vellore (Enclosure III)----

(1) That the petitioner had drawn his salary at Rs. 75 per mensem, instead of Rs. 45/- (Pay Rs. 30 plus Rs. 15 A.A.), for the period he acted as Personal assistant to the Assistant Inspector, Salem District.

(2) That he had halted for 5 days from 29-11-18 to 3-12-18 in a locality, beyond the limits of his jurisdiction, Salem District, without previous sanction.

(3) That the hours of his travelling entered in his ^{office} journal, were not in accordance with his actual movements.

6. That the charges made out against the petitioner were imaginary, futile and unfounded, as it is plain from the following facts and evidences:---

I Charge:-----

not put up
The appointments of Personal Assistants to the Assistant Inspectors, were temporary and the petitioner was entitled, under G.O. No. 1450, Educational, Ms. Dated 19-12-1914, to the pay of Rs. 75/-, the pay of the ^{last} ~~first~~ class of the Cadre of the Sub Assistant Inspector of Schools, in which he was appointed to act:--Vide Proceedings of the Director in R.C.No.7240 of 1916 (Encl.IV). The Treasury Officer, Salem had admitted his claim and passed his bills for months together and the payments were also admitted by the Accountant General, Madras. Thus the Charge is only imaginary.

II Charge:--

The petitioner had halted in a choultry at Venganur, a hamlet, within the limits of Trichinopoly District, two furlongs off, Kavarapanai, a hamlet ^{within} the limits of his jurisdiction, Salem District, for five days, from 29-11-18 to 3-12-18, conducting the Annual Inspection of Schools in the Salem District, his jurisdiction. All hamlets do not provide accomodation for touring officers and it is an occurrence not uncommon to such officers.

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Several Sub-Assistant Inspectors had made similar halts, without previous sanction, and all those halts have been admitted by their controlling officers, as it is evident from the records maintained. The petitioner had been to the locality, for the first time, and as he did not anticipate the unforeseen circumstances, which compelled his halts in the choultry, outside the limits of his jurisdiction, especially for safety during nights, he had not obtained previous sanction. He had, however, noted the strange occurrence in his office journal, and had subsequently reported on the same to his controlling officer, the Assistant Inspector. The petitioner had no motive for his halt in the Choultry, other than the circumstances stated above, and so, this is not a proper and sufficient charge against the petitioner to justify his suspension from duty. Subsequently this period of his halt, was included in his duty admitted by the Director up to 5-12-18 in his proceedings Dis. No. 3502 of 1922, dated 12-5-22 (Encl No. V) and full pay and fixed travelling allowance at Rs. 75 plus 35 were drawn up to 5-12-18 and disbursed to the petitioner.

III Charge:--

The petitioner as Personal Assistant to the Assistant Inspector, was an officer, drawing a monthly fixed travelling allowance and he was not also required to spend any specific period, in a month, on tour. The petitioner, therefore, had no advantage in recording in his office journal, any time, other than the one, in which he had travelled. However, he had noted the correct time indicated by the watch he has been keeping and there is no reason to suspect it.

The charge was based on the oral statements in Tamil, of some Village School Masters, but translated and recorded in English by the Assistant Inspector, Salem District who had made informal enquiries in the matter. The statements were ^{recorded} received in the absence of the petitioner, who was then, on duty, as Sub-Assistant Inspector Aruppukottai and he was not given any opportunity to be present at the enquiries and cross-examine the deponents when the statements were recorded.

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The statements obtained are 16 in number, 15 from Village Elementary School masters, and one from a dismissed village Munsiff. They are very vague and quite inconsistent with one another. Even the teachers in the same locality and in the same school, had contradicted with one another. The Statements do not substantiate any charge against the petitioner, as only a few of the deponents, who had no watches or time-pieces, had spoken of the petitioner's hours of journeys and halts from their memory, and that, after the elapse of more than two months from the event. Further, the oral vernacular statements of the deponents are recorded by the Assistant Inspector in English, a language not understood by the deponents who were asked to affix their Tamil signature in them and they were not subjected to cross-examination by the petitioner.

Besides the oral statements of teachers, recorded by the Assistant Inspector, no other records or references were furnished to the petitioner, in support of the charge framed against him. The charge, therefore is unfounded and imaginary.

7. That the charges framed against the petitioner were imaginary and unfounded, as explained above, and they were not therefore, substantiated. After having placed the petitioner under suspension for 11 months, the Director, in his Proceedings, R.C.No. 7240 of 1918 dated 5-7-1920 (Enclosure No. VI) ordered the petitioner, without assigning any reasons, to revert from his officiating appointment on Rs. 75/- to his permanent appointment on Rs. 30/-. Immediately, on the communication of the above proceedings, the petitioner submitted a printed petition to the Director on 22-7-20 describing his case at full length, supported by recorded and other evidences and ^{requesting to} redress him under Article 193(b) of civil Service Regulations, as no charges were substantiated against him. No orders have yet been passed on this petition even up to date.

8. That the Director, then in his Proceedings, Dis No. 6845 of 1920 dated 14-10-20 (Enclosure No. VII), ordered that he had treated the duty done by the petitioner from 28-11-18

to 10-12-1918, as extraordinary leave, without allowances and also the period he was in transit, from 11-12-1918 to 19-12-18, in continuation thereof, on his transfer from Salem to Aruppukottai. The grant of leave without allowances ~~for~~ the period of petitioner's duty done, as Personal Assistant to the Assistant Inspector, Salem district, under whose orders the duty was done and admitted by him, as it is evident from his review on the petitioner's diary, is not justified. Again, the grant of leave without allowance ~~for~~ the period he was in transit, is not also justified and not supported by any of the rulings or standing orders of the Government. The petitioner was transferred on public grounds and on promotion, and that to his better advantage, from an Acting appointment to a Sub:Protem appointment on Rs 75/- He was also paid the travelling allowance for this transfer.

Then again, in the same proceedings, the Director had ordered that he had treated the period of his suspension for 11 months and one day, from 6-9-19 to 6-8-20, as combined privilege leave and furlough---(Privilege leave 24 days on Rs. 75 and furlough on Rs. 15 per mensem, half his permanent salary of Rs 30/). The grant of leave to the petitioner's great disadvantage, for the period he was placed under suspension, when no charges were substantiated against him, is not justified and it is not also supported by any of the rulings ~~or~~ standing orders of the Government. Immediately, on the communication of these proceedings, he submitted a further petition on 7-11-20, stating that the orders are not justified and that they are not supported by any of the Rulings or standing orders of the Government and requesting again, for the reconsideration of his orders. No orders have yet been passed even on this petition, up to date.

9. The petitioner, after having waited patiently for a pretty length of time, for orders on his two petitions dated 22-7-20 and 7-11-20, submitted a third petition on 22-4-21, making reference to his two petitions already submitted. Then, after a lapse of more than a year, the Director, in his Proceedings, Dis. No. 3502 of 1922, dated 12-5-22 (Encl.V.), ~~and Dis. No. 6845 of 1920~~ ^{had ordered.}

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infra

had
ordered that he had admitted the petitioner's duty done as Personal Assistant to the Assistant Inspector of Schools, Salem District from 28-11-18 to 5-12-18, by modifying the orders passed in his proceedings R.C.No.7240 of 1918 dated 2-10-1919 (Encl-II) and Dis. No.6845 of 1920, dated 13-10-20 (Encl-VII) and considered the joining time of Mr. Vembu Sastri, as having been extended by the same period, viz., from 28-11-18 to 5-12-18.

Mr. Vembu Sastri, before joining duty at Salem on 11-12-18, had exceeded his joining time by 13 days. The petitioner had been on duty, as Personal Assistant to the Assistant Inspector, Salem district up to 10-12-18, and handed over charges of that office to Mr. Vembu Sastri, on the fore-noon of 11-12-18. Mr. Vembu Sastri's explanation for having exceeded his joining time was dealt with, in the proceedings of the Director, R.C.No.7240 of 1918 dated 22-1-20 (Encl-VIII). In the course of his explanation, Mr. Vembu Sastri had ~~initiated~~ initiated the three charges against the petitioner stated in para 5 above, with reference to the petitioner's pay bill and diary, fabricated from his habitual vagaries, to escape the penalty for his having exceeded the joining time. The charges against the petitioner, imaginary and unfounded as they were, as explained in para 6 above, were given a colouring and magnified to the highest degree possible, by the Inspector, Vth Circle, Vellore, who reported on the same to the Director, with his suggestion in his endorsement, No. 436 A of 1918, dated 15-3-19, to consider Mr. Vembu Sastri, as having joined duty, on the forenoon of 28-11-18. This suggestion of the Inspector was approved by the Director and accordingly the same was ordered in para 2 of his proceedings, R.C.No. 7240 of 1918 dated 2-10-19, (Encl-II). To uphold this order, therefore, the Director was pleased to treat the period of the petitioner's duty from 28-11-18 to 10-12-18, as leave without allowances as also the period he was in transit, from 11-12-18 to 19-12-18, in continuation thereof, in his proceedings Dis.No.6845 of 1920 dated 13-10-20 (Encl-VII)

10- That, in the orders contained in the proceedings of the Director, Dis.No.3502 of 1922, dated 12-5-22 (Encl-V) the petitioner's duty done up to 5-12-18 only, was admitted, while no mention was made regarding his pay and travelling allowances for his duty,

p. 26
infra

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infra

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infra

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infra

for his duty

from 6-12-18 to 10-12-18, and for the period he was in transit from 11-12-18 to 19-12-18, in the light of the justification made in para 3 of his proceedings Dis.No.6845 of 1920 dated 13-10-20 (Encl-VII). Again, no mention was made in the proceedings for redressing the petitioner, under Art. 193(b) Civil Service Regulations, for his having been unjustly placed under suspension, though he had requested for the same, in all his three petitions already submitted. The petitioner, therefore, immediately on the communication of the Proceedings, Dis. No. 3502 of 1922 dated 12-5-22, (encl.V) submitted, to the Director, a further printed petition, on 5-7-22 requesting for final and complete orders and for the redress of his grievances enumerated therein. This petition stood over, till 6-6-23. In the meantime, the Director, by making a reference to the Inspector of Schools, Madura, and Ramnad Districts, ascertained that the petitioner was not disbursed any pay for the period he was in transit, from 11-12-18 to 19-12-18, on his transfer to Aruppukottai.

11. That on 6-6-23, the Director, in his Proceedings R.C. No. 2150 C/1922 (Encl-IX), was pleased to pass orders on his representations made in his printed petition, dated 5-7-22 and they are the following:---

In para 1 of the proceedings, the Director was pleased to lay down the arguments for having admitted the petitioner's duty, from 28-11-18 to 5-12-18, ordered more than a year ago, in his proceedings Dis. No. 3502 of 1922 dated 12-5-22, (Encl.V). It would have been appropriate that these arguments were embodied in those proceedings. The arguments now assigned are:--

(1) That the office tapals of the petitioner were not properly redirected to his camp.

(2) That the petitioner had not returned to his head-quarters on 6-12-18, on the receipt of the intimation of his transfer on 4-12-18.

The petitioner begs to state that the arguments assigned by the Director are inconsistent with recorded evidences and other facts connected with them, as it is clear from the following:--

I Argument. The Postal authorities at Salem had not re-directed his tapals to his camping station from 26-11-18 to 6-12-18,

as
as
It is evident from letter No. P.C.350, post and Telegraphs, dated 27-8-19 of the Postmaster General, Madras (Encl.X). These tapals were delivered in the Assistant Inspector's Office, Salem, and detained by the petitioner's office clerk, without any authority, up to 7-12-18, on which date only, he had redirected them all to ~~them all~~ to the petitioner's ^{is} camping station, as it ~~is~~ also evident from his explanation dated 11-12-18 (Encl.XI). In these tapals, the orders transferring the petitioner on promotion, duly communicated by the Inspector, were found and they were delivered to the petitioner, in his camping station on 9-12-18, and he returned to his head-quarters forthwith, the next day, i.e. 10-12-18, and The petitioner has also still preserved the covers of all these tapals, with postmarks thereon.

IIArgument. The intimation, referred to in the proceedings regarding petitioner's transfer, is vague and it was given by his office clerk in a post card, (Encl.XII) when the petitioner had arrived at Viraganur, a Union Village, 50 miles away from his headquarters by road journey. As stated in the petitioner's previous representations, this clerk was a mischievous man, as

his conduct may also be judged, from his explanation (Encl. XI). He admits that he had learnt on 27-11-18, the petitioner's camping station and that he had addressed to that station, his post card, intimating the petitioner's transfer (Encl. XII) as well as another post card written by Mr. Vembu Sastri. He should have, also, on the same and subsequent dates, redirected the petitioner's office taps then and there, as he had taken delight to intimate the petitioner's transfer alone. His action in having detained the office taps, wrongly delivered by the postal authorities at Salem, from 26-11-18 to 7-12-18, ~~for~~ reasons cooked out from his own imagination, is without authority. He had also not cared to take instructions from the Assistant Inspector, Salem District, in the matter. The Assistant Inspector had, also during the period from 28-11-18 to 10-12-18, been at Salem, where Mr. Vembu Sastri was waiting to take charge of the petitioner's office.

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The Assistant Inspector had already received the orders transferring the petitioner, in proceedings of the Director R.C.No.9592 of 1918, dated 22-11-18 (Encl.XIII), wherein no mention is made that Mr. Vembu Sastri should relieve the petitioner. Mr. Vembu Sastri was the permanent Sub Assistant Inspector Ambasamudram Range. In spite of his having received orders of the petitioner's transfer and Mr. Vembu Sastri waiting to take charge of the petitioner's office, the Assistant inspector had remained silent and had not ordered the petitioner to return to his head-quarters. In this conjuncture, the petitioner did not consider it prudent, to rely on the vague intimation given by the clerk regarding his transfer and to return to his head-quarters forthwith, leaving off the Annual Inspection of Schools, already in arrears, without specific orders from the Assistant Inspector, or without the orders of his transfer duly communicated to him, by his superior officers. The petitioner therefore, wrote to the Assistant Inspector forthwith, on the subject of the post card from his office clerk (Encl.XII) and on that from Mr. Vembu Sastri, and requested for orders from him in the matter and continued to conduct the Annual Inspection of Schools. In reply to his letter, the Assistant Inspector ordered the petitioner on 7-12-18, in his memo, R.C.C.No.1123 of 1918 to return to head quarters, delivered to the petitioner, by post on 9-12-18, and the petitioner forthwith arrived at his head quarters on the afternoon of 10-12-18 (the next day), having travelled a distance of 32 miles, by Road journey, in bad roads, during the rainy season, when the motor service also was stopped on that account.

That, from the recorded evidences and facts stated above, it may be observed that the treating of the petitioner's duty, from 6-12-18 to 10-12-18, as leave without allowance, ordered in the Director's proceedings, Dis. No.6845 of 1920 dated 13-10-1920 (Encl.VII) on the ground of the petitioner not having returned to his head quarters on 6-12-18, on receipt of the vague intimation regarding his transfer, is not justified.

Then again, the petitioner was in transit from 11-12-18 to 19-12-18, on his transfer from Salem to Aruppukottai. As stated in para 6 supra, the petitioner's transfer was ordered

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on public grounds and on promotion, and that, to his better advantage, from an acting to Sub:protem appointment, on Rs. 75/- and the petitioner was also paid his travelling allowances for the transfer. The Director, also ascertained by a reference to the Inspector Madura and Ramnad and on perusing the copy of the last pay certificate issued from and the pay bill and acquittance roll maintained in the Sub Assistant Inspector's office, Aruppukottai, that the petitioner was not disbursed any pay for the transit period. The non-payment of the transit pay due to the petitioner and the Director ^{not having} made any mention of the same in the proceedings are not justified.

In paras 2 and 3 of the proceedings, the Director has ordered that he would not reinstate the petitioner as Sub Assistant Inspector, ^{on} for the ground that he was not a permanent Sub Assistant Inspector and that Art. 193(b) of C.S.R. does not apply to ^{his} case for the payment of full salary and allowances for the period of his suspension. The petitioner begs to state that the Article referred to, ^{makes} no distinction between an acting and permanent appointments, but permits the reinstatement of an officer, in the office from which he was suspended and Art 193 A. C.S.R. permits the ^{reinstatement} of a temporary employee also. The appointment of the Sub Assistant Inspector held by the petitioner was also permanently Vacant, as the permanent holder, Mr. Seshagiri ^{Rao} had died and the petitioner had a superior ^{lien} on the appointment as he was holding it Sub Protem. Again, as no charges were substantiated against the petitioner, as explained above, he is entirely free from blame and the Article 193(b) C.S.R. automatically applies to his case. He is therefore entitled to the benefits provided in the Article (1) for his reinstatement in the office of the Sub Assistant Inspector and (2) for the payment of his full pay and allowances attached to that office under its sub division (1). ^{But} if the Director ^{would} wish that the petitioner should have obtained a decree or judgment to entitle him to the benefits awarded in the Article, it should have been done by a regular and formal enquiry, ordered against the petitioner and the Director ^{was} pleased to order such an enquiry, in spite of the fact that it is

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not therefore just that the petitioner should suffer for this omission made by the Director.

p. 28 infra In para 4 of the proceedings, the Director is pleased to justify that the petitioner's claim for his salary and allowances as Sub Assistant Inspector from the date of his suspension to the date of his reinstatement is untenable, on the ground that the petitioner had not performed the duties of that office. It was the Director that ordered the petitioner's reversion from his Sub Protam appointment ~~xxxx~~ ^{as} Sub Assistant Inspector on Pay-

p. 26 infra Rs. 75, which was permanently vacant and on which the petitioner had a superior claim, to his permanent appointment as Supervisor on Rs. 30, in his Proceedings R.C. No. 7240 of 1918, dated 5-7-20 (Encl. VI).

In the face of these orders, the petitioner was not permitted to do the duties of the Sub Assistant Inspector, though he was prepared to do the same. The petitioner ~~has~~ ^{put in} a service of 25 years in the Educational Department and has also been fully qualified for the post as the Sub Assistant Inspector, even 6 years ago, and has completed all the tests prescribed for the post, in the Public Service Notification to earn increments of pay beyond Rs. 100 in the time scale, when nearly 75% of the Deputy Inspectors now on duty, are not so qualified. The petitioner has simply to abide by the orders of the Director and it is not his fault if he had ~~not~~ ^{not} done the duties of any office, not assigned to him by the Director.

p. 28 infra 12. That, as the orders contained to his proceedings R.C. No. 21500 ^{C.} of 1922 dated 6-6-23 (Encl. IX), discussed in the preceding ~~para~~ ^{para}, were not justified and also incomplete, as explained, the petitioner, on the communication of the proceedings, ~~submitting~~ ^{submitted} his further representation to him on 22-7-23 and requested for the redress of all the wrongs and hardships unjustly imposed upon him. But the Director was pleased to order in R.O.C. No. 111 of 1923, dated 12-8-23, that he would not revise the orders already passed by him. The petitioner, thereupon, having no other means

Deposited in 610 No. 626 of relief from the Director, submitted his appeal to His Excellency's Government, on 12-10-23. No orders have yet been communicated from the Government. The appeal was disposed of.

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though the petitioner is entitled to a copy of the same, under the Rules in force. But the Director, in his Proceedings, Dis. No. 1543 of 1924, (Encl. XIV), had directed the District Educational Officer, Trichinopoly, to inform the petitioner that the Government, in their No. G.O. 626 Mis. Law (Education) dated 24-4-24, had ordered that they were unable to interfere on his behalf. The petitioner has not been, at the same time, let known for what reasons, the Government were unable to interfere on his behalf. ✓

13. That the news of the Director's proceedings, informing him of the disposal made by the Government on his appeal, stunned the petitioner almost to death. The Director has done him great injustice, supported by recorded evidences and in contravention to the rules and regulations promulgated by the Government, and if the Government were to order that they were unable to interfere on his behalf, without framing any issues in the matter, or holding any enquiry whatever, giving him also, an opportunity to make his personal representations and without even letting him know the reasons for which they were unable to interfere on his behalf, the petitioner's case is hopeless and highly deplorable. At least, if he had been let known the reasons for which they were pleased to pass such an order, he would have submitted his further representations in the matter, supported by recorded evidences, still in his reserve, to convince them further in the matter and prove the great injustice done to him. These representations he had omitted in his appeal to the Government, dated 12-10-23, for fear it would have been, unusually long. Even in this petition, he has represented the most salient points of his case, for fear that this may not be very long. For example, the hardships imposed upon the petitioner in subjecting him to medical examination twice by the Chief Medical officers of the districts of Salem and Coimbatore, and the seriousness with which the Director had doubted, on the false report of the Sub Assistant Inspector, Arupukottai, that the petitioner had already drawn

his transit

--14-- 17 17

his transit pay, from 11-12-1913, to 19-12-1913, the inordinate delay in the issue of his last pay certificate and other details, all supported by recorded evidences, have been omitted.

14. In conclusion, the petitioner begs to state that the Director of Public Instruction has done him great injustice, (1) by placing him under suspension for 11 months and 1 day, when no charges were substantiated against him and converting the period of the suspension into one of leave, to the great disadvantage of the petitioner, unsupported by any rules or regulations of the Government in force, (2) by not holding a regular and formal enquiry to substantiate the charges alleged against him, (3) by not passing a final decision or judgment, discussing with pros and cons, the order of suspension imposed upon him (4) by not awarding him the benefits of the provisions of Art.193 (b) (i) C.S.R. when the suspension was not justified

&

(5) by treating the period of his duty from 6-12-1913 to 10-12-13 and the period he was in transit from 11-12-1913 to 19-12-13, when his transfer was on his promotion and on public grounds, as extraordinarily without allowances. Had it not been for the orders of suspension, unjustly imposed upon him, and his reversion ordered, in consequence thereof, from his officiating appointment on Rs. 75/- to his permanent appointment on Rs. 30, he would have been a permanent Deputy Inspector of Schools, along with his colleagues, drawing a pay of Rs. 130 in the time scale, instead of his present pay of Rs. 55/-

The petitioner, therefore, prays that His Excellency The Governor may be graciously pleased to order:--

(1) That the petitioner may be reinstated in the post of the Sub Assistant Inspector, now Deputy Inspector of Schools, the post from which he was suspended and that the salary and allowances of that post, from the date of his suspension to the date of his reinstatement in that post, may be paid to him &

(2) That the petitioner's salary and fixed travelling allowance for the period of his duty done as Personal Assistant

to the Assistant Inspector, Salem District, from 6-12-1913 to 10-12-18 and the salary for the period he was in transit, from 11-12-18 to 19-12-18, may be paid to him.

The petitioner hopes that his representations made in this petition with the recorded evidences attached, will convince His Excellency for the grant of the prayers stated above; and if His Excellency find them still insufficient, the petitioner begs to request that His Excellency will be graciously pleased to order for a regular and formal enquiry in his case, which has been gravely omitted by the Director, to sift the whole matter in its entirety. And if it please His Excellency to order for his trial in a Court of Law, the petitioner is quite willing to subject himself to such a trial also.

By the grant of this one and only alternative request made finally, in the preceding para, His Excellency will, as a matter of grace, be conferring a great boon on the petitioner, a poor and afflicted public servant, belonging to His Excellency's Government, burdened with a family of 5 members, entirely dependent on him, as he will, thereby, be prevented ~~from~~ ^{from} meeting an early grave, with a broken heart, owing to the pain and sorrow caused, by his having been subjected to severe punishment, without regular enquiry and proper judgment, in spite of his honest and good service of 25 years in the Educational Department and his having completed all the tests prescribed for the post of the Deputy Inspector of Schools, to earn his increments of pay beyond Rs. 100/- in the time scale.

Trichinopoly,
12-12-1924.

Sd/- M.A. Swaminatha Iyer,
Ag. Headmaster, Model School,
Govt., Training School, Trichinopoly.
Petitioner.

(True Copy).

Submitted to the Director of Public Instruction, Madras, in obedience to his Endorsement N.R.O.C. No. 3665/24 dated 6-1-1925, through the Headmaster, Government Training School, Trichinopoly.

copy in
p. 34
infra

2. Soon after the submission of his original petition, the petitioner learnt that the Government, in their Order, G.O. No. 7888/1 "Public" dated 20th October 1924, had drawn the attention of the Heads of Departments to Rule XIV, of the Rules issued by the Secretary of State for India, published on pages 486 to 488 dated 10-5-21 and on pages 887 to 890 dated 5-8-1924 of Part I of the Fort St. George Gazette, requiring that the order of dismissal, removal or reduction of an officer, unless it is based on facts or conclusions at a - - - judicial trial, should be preceded by a properly Recorded Departmental Enquiry and that each of the charges framed against the Officer, should be discussed and that a finding should be recorded on each charge.

charges were
framed
explanation
on every one
of the charges
was taken
p. 2 of 600
No. 626 (V)
23-4-24

3. In the concluding para of his petition, the petitioner has, as an alternative course, prayed for the holding of a proper and regular enquiry in his case and that, in a Court of Law, at the discretion of His Excellency The Governor. As the G.O. quoted above, is in support of this prayer, the petitioner now begs to add a copy of the same as Enclosure XV to his petition.

p. 34 infra

M. Chinnappa 31/1/25
Ag Headmaster, Model School,
Govt. Training School, Trichi-
nopoly.
Petitioner.

25/1/25

Informant

20 ~~Enclosure~~
Enclosure No. 20

Proceedings of the Director of Public Instruction, Madras.

Re.No. 8481-1919.

Dated 24th September, 1919.

Read the following:--

From the Inspector of Schools, VI circle, Re.No.643 of 19, dated 15-9-1919, copy of the telegram from the Assistant Inspector of Schools, Ramnad district, reporting that the Supervisor, Aruppukottai, has been asked to be in charge of the office of the Sub-Assistant Inspector of Schools, Aruppukottai range.

—*—

The Assistant Inspector's action is approved.

2. The Inspector is requested to be good enough to obtain and submit as soon as possible a certificate from a proper Medical Officer as to the period of leave that will be necessary for M.R.Ry., M.A.Swaminatha Ayyar, to enable him to return to his duties.

3. The record of service of the Sub-Assistant Inspector, should also be submitted.

(By order.)

(Sd.) V.C.Srinivasa Achari,
Manager.

(True copy.)

Swaminathan 17/9/23
First Assistant, Model Section
Government Training School, Trichy, Poly

Proceedings of the Director of Public Instruction, Madras.

Re. No. 7240-1918, dated 2-10-1919.

Read the following papers:---

From the Inspector of Schools, V Circle, Re. No. 436-A-1919 dated 15-3-1919.

The explanation of M.R. Ry., M. A. Swaminatha Ayyar for the several discrepancies found out in the diary and in the pay bill has not been obtained. It should now be obtained and submitted.

2. As suggested by the Inspector, in his endorsement read above, M.R. Ry., V. Vembu Sastri will be considered to have joined duty, on the fore-noon of 28-11-1918.

3. M.R. Ry., M. A. Swaminatha Ayyar, Supervisor of Elementary Schools, Erode sub-range, and acting Sub-Assistant Inspector of Schools, Aruppukottai range, is placed under suspension with effect from the date of his absence from duty, viz, 6-9-1919. pending a final decision on the complaint against him, which will be made, on receipt of his explanation called for.

4. The record of service of M.R. Ry., M. A. Swaminatha Ayyar which was called for, in Proceedings, Re. No. 8481-19, dated 24-9-19, need not be submitted.

(By order) (Sd.) V.C. Srinivasachari
Ag. Manager.

Endorsement of the Inspector of Schools, VI circle, No. 383/19, dated 13-10-1919.

Communicated to the Assistant Inspector of Schools, Ramnad district and Sub-Assistant Inspector of schools, Aruppukottai range.

2. A copy of the order should be sent to M.R. Ry., M. A. Swaminatha Ayyar.

(Sd.) P. Raghavachari.
Ag. Insp. of Schools.

Endorsement of the Assistant Inspector of Schools, Ramnad district. Re. 368-19 dated 23-10-1919.

Forwarded to M. R. Ry., M. A. Swaminatha Ayyar, Sub-Assistant Inspector of Schools under suspension at Erode. S.I.R., in continuation of this office N. No. 268/19, dated 19-10-1919.

(True Copy).

(Signed) J.S. Krishnaswami
Asst. Inspector
of Schools,
Ramnad.

M. Swaminatha Ayyar, 12.12.24
Ag. Headmaster,
Model School,
Government Training School
Incl. in reply.

22
Enclosure. No. III

Roc. No. 436/ A/ 18.

Office of the Inspector of Schools,
V. Circle, Vellore, Dated 7-10-19.

OFFICIAL MEMORANDUM.

M. R. Ry., M. A. Swaminatha Ayyar is requested to submit his explanation for the following irregularities noticed in his diary as acting Personal Assistant to the Asst. Inspector of Schools, Salem District, from 29-11-18 to 9-12-18, an extract of which is herewith enclosed:---

From the enquiries made, it appears that the entries made by him in the office-journal, were not in accordance with his actual movements, and that he had made an unauthorized stay of five days, at Vanganur, from 29-11-18.

Explanation should also be submitted for his having drawn acting allowance, at a higher rate than that to which he was entitled. He was appointed to act as Personal Assistant in the Proceedings, Roc. No. 7240-18, dated 5-9-18, and that he was accordingly eligible for an acting allowance of Rs. 15 ^{only} ~~only~~, in addition to his ^{permanent} ~~permanent~~ pay of Rs. 30. But it is observed from the office copies of the pay-bills that he has drawn pay at the rate of Rs. 75 for the period he acted as Personal Assistant.

(Sd.) M. Ramaswami Ayyangar,
Ag. Inspr, of Schools, V. Circle

N. Roc. 268-S-19, dated 19-10-1919.

Copy forwarded by registered post To Mr R. Ry., M. A. Swaminatha Ayyar, Sub-Assistant Inspector of Schools, under Suspension at Erode S. I. R. (Coimbatore District) for favour of very early compliance.

(Sd.) T. S. Krishnamoorthi,
Assistant Inspector of Schools,
Ramanad District.

(True copy)

M. Swaminathan 12.12.24
Ag Headmaster
Model School,
Government Training School,
Trichinopoly.

Proceedings of the Director of Public Instruction, Madras. (D)

Roc. 7240-18.

Dated the 5th September, 18

.....

 2. M. R. R. y., M. A. Swaminatha Ayyar, Supervisor of Schools, Erode range, to act as Personal Assistant to the Assistant Inspector of Schools, Salem District, in the Probationary class, of the cadre of Sub-Assistant Inspectors of Schools. To join expeditiously on relief.

(Sd.) S. Venkatarama Ayyar,
 Manager.

(True Copy)

[Signature] 12.12.24
 By Headmaster
 Model School
 Government Training School, Trichinopoly.

Enclosure V 24/11/22

Proceedings of the Director of Public Instruction, Madras.
Dis. No. 3502-22 Madras, Dated 12th May, 1922.

Read the following:----

Letter R. C. No. 765-Tr of 20, dated 11-4-1922 of the
Inspector of Schools, Trichinopoly and Salem Districts.

In modification of Proceedings Rc. No. 7240/18, dated 2nd
October 1919, and Dis. No. 6345/20, dated 13th October 1920, the
joining times of M. R. Ry, V. Vembu Sastri, formerly Personal
Assistant to the Assistant Inspector of Schools, Salem District
and at present second Assistant, Government Training School, Ram-
nad, will be considered to have been extended up to and inclusive
of 5th December 1918 and M. R. Ry M. A. Swaminatha Ayyar,
Supervisor of Karur Sub-range, will be considered to have been
on duty as Personal Assistant to the Assistant Inspector of
Schools, Salem district until and including that date.

Trichy-Salem Dists. Inspector, of Schools Dis. 785 Tr.20, dated
25-5-22.

Copy communicated to the Sub-Assistant Inspector of Schools,
Karur range, with reference to his Rc. No. 509-S-21, dated
30-3-1922 for information and guidance.

(Sd.) T. K. Venkataraman.

Inspector of Schools.

Trichy Government Training School Head Master's N. Dis.124/22,
dated 19-6-22.

Copy forwarded to M. R. Ry., M. A. Swaminatha Ayyar, for
information.

(Sd.) M. G. Sandaram Ayyangar,
Head-Master.

(True Copy)

M. G. Sandaram Ayyangar 12.12.24
Ag. Headmaster
Model School
Government Training School
Trichinopoly.

Enclosure No. IV

Proceedings of the Director of Public Instruction, Madras.
Dis. No. 3502-22 Madras, Dated 12th May, 1922.

Letter R. C. No. 765-Tr of 20, dated 11-4-1922 of the
Inspector of Schools, Trichinopoly and Salem Districts.

In modification of Proceedings Rc. No. 7240/18, dated 2nd
October 1919, and Dis. No. 6345/20, dated 13th October 1920, the
joining times of M. R. Ry, V. Vembu Sastri, formerly Personal
Assistant to the Assistant Inspector of Schools, Salem District
and at present second Assistant, Government Training School, Ram-
nad, will be considered to have been extended up to and inclusive
of 5th December 1918 and M. R. Ry M. A. Swaminatha Ayyar,
Supervisor of Karur Sub-range, will be considered to have been
on duty as Personal Assistant to the Assistant Inspector of
Schools, Salem district until and including that date.

Trichy-Salem Dists. Inspector, of Schools Dis. 785 Tr.20, dated
25-5-22.

Copy communicated to the Sub-Assistant Inspector of Schools,
Karur range, with reference to his Rc. No. 509-S-21, dated
30-3-1922 for information and guidance.

(Sd.) T. K. Venkataraman.

Inspector of Schools.

Trichy Government Training School Head Master's N. Dis.124/22,
dated 19-6-22.

Copy forwarded to M. R. Ry., M. A. Swaminatha Ayyar, for
information.

(Sd.) M. G. Sandaram Ayyangar,
Head-Master.

(True Copy)

M. G. Sandaram Ayyangar 12.12.24
Ag. Headmaster
Model School
Government Training School
Trichinopoly.

ENCLOSURE. ~~IX~~ VI

25
69

Proceedings of the Director of Public Instruction, Madras. H

R. C. 7240-18, dated 5-7-1920.

Read the following paper:-----

M. A. Swaminatha Ayyar, Supervisor of Elementary schools, Udumalpet and acting Sub-Assistant Inspector of Schools, Arupukottai Range now under suspension, is informed that he should immediately join his permanent appointment as Supervisor of Elementary Schools, Udumalpet.

2. The following transfer is ordered:-----

M. Krishnaswami Rao, Sub-Protom Supervisor of Elementary Schools, Udumalpet to act as Supervisor of Elementary Schools, Namakkal. To join on relief by Mr. M.A. Swaminatha Ayyar.

3. (i) M. A. Swaminatha Ayyar's stay out of his jurisdiction, from 29-11-18 to 3-12-18, should be dealt with, under the provisions of Article 56 of the C.S.R.

(ii) From 4-12-18, till the date of his joining the Arupukottai Range, he will be granted leave of any kind that he might have been eligible for. The Inspector of Schools-9th Circle, should report to the Director, what kind of leave may be granted to him.

(iii) For the period he was under suspension, i.e., from 6-9-19, till the date of his joining the Udumalpet sub-range, M.A. Swaminatha Ayyar will be granted leave. The Inspector of Schools, 9th Circle, should report for what kind of leave M.A. Swaminatha Ayyar is eligible.

(By Order)

(Sd.) S. Venkatrama Ayyar,
MANAGER.

(True Copy).

M. Swaminatha Ayyar, 12.12.24
Ag. Headmaster,
Model School,
Government Training School,
Trichinopoly.

Enclosure No. VII

Proceedings of the Director of Public Instruction, Madras.
Dis. No. 6845 of 1920. Dated 13th November, 1920.

M. A. Swaminatha Ayyar, Supervisor of Elementary Schools, Udumulpet now at Karur Sub-range, will be considered to have been granted extra-ordinary leave without allowances from 27th November, 1918 to 19th December 1918, inclusive and combined privilege leave and furlough for 11 months and 1 day (i.e., privilege leave for 24 days and furlough for 10 months and 8 days in continuation thereof), from 6th September 1919 to 6th August 1920 inclusive.

2. The furlough allowance of M. A. Swaminatha Ayyar will, as a special case, be fixed at Rs. 15 per annum.

3. The Inspector of Schools, IX Circle, is informed that, as the absence of M. A. Swaminatha Ayyar during the period from 27th November 1918 to 3rd December 1918 has to be treated as extra-ordinary leave without allowances, he loses his title to all his previous privilege leave earned. So he has been granted extra-ordinary leave without allowances, from 27th November to 19th December 1918.

Endorsement of the Inspector of Schools, 9th Circle, dis. No. 97-S-20, dated 22-10-1920.

Copy communicated to the Sub-assistant Inspector of Schools, Karur Range, with the record of service of M. A. Swaminatha Ayyar, and the Assistant Inspector of Schools, Trichinopoly District.

Sd. T. K. Venkataraman,
Ag. Inspector of Schools, IX Circle

Endorsement of Sub-Assistant Inspector of Schools, Rec. No. 148-Sup-20, dated 23-10-1920.

Copy communicated to M. A. Swaminatha Ayyar, Supervisor, Elementary Schools, Karur Sub-Range for information.

Sd. N. Sesha Ayyar.
Sub-Assistant Inspector
Of Schools.

(True Copy)

12.12.24.
Ag. Headmaster
Model School,
Government Training School,
Trichinopoly.

IX

III

Proceedings of the Director of Public Instruction, Madras
Dated 18th November, 1920.

M. A. Swaminatha Ayyar, Supervisor of Elementary Schools,
Udumalpet now at Kurnool Sub-range, will be considered to have been

granted extra-ordinary leave without allowance from 27th
November, 1918 to 13th December 1918, inclusive and completed pri-

viilege leave and furlough for 11 months and 1 day (i.e. privilege
leave for 24 days and furlough for 10 months and 8 days in con-

tinuation thereof) from 6th September 1919 to 6th August 1920
inclusive.

2. The furlough allowance of M. A. Swaminatha Ayyar will
as a special case be fixed at Rs. 18 per month.

3. The Inspector of Schools, V. Circle, is informed that
as the absence of M. A. Swaminatha Ayyar during the period from

27th November 1918 to 13th December 1918 has to be treated as
extra-ordinary leave without allowance he loses privilege to

all his previous privilege leave earned. So he has been granted
extra-ordinary leave without allowance from 27th November to

13th December 1918.
Indorsement of the Inspector of Schools, V. Circle, dated 22-10-1920.

Copy communicated to the Assistant Inspector of Schools,
Kurnool Sub-range, for information.

Copy communicated to the Assistant Inspector of Schools,
Kurnool Sub-range, for information.

Engagement of Sub-Inspector of Schools, Kurnool, dated 22-10-1920.

Copy communicated to M. A. Swaminatha Ayyar, Supervisor,
Elementary Schools, Kurnool Sub-range for information.

M. A. Swaminatha Ayyar, Supervisor,
Elementary Schools, Kurnool Sub-range.

Copy communicated to the Assistant Inspector of Schools,
Kurnool Sub-range, for information.

Copy communicated to the Assistant Inspector of Schools,
Kurnool Sub-range, for information.

Enclosure. No. VIII

27

Proceedings of the Director of Public Instruction, Madras

Rc. No. 7240/18

22nd, January. 1919.

Read the following:--

Letter from the Inspector of Schools, V. Circle Roc, No. 436-A
1918, dated 24-12-18, submitting with remarks explanation of
M. R. Ry., V. Vembu Sastri, Personal Assistant to the Assistant
Inspector of Schools, Salem District, for exceeding his joining
time by 13 days.

The Inspector of Schools, V. Circle, is requested to be good
enough to obtain and submit with his remarks the explanation of
M. R. Ry., M. A. Swaminatha Ayyar, for the delay in handing over
charge to M. R. Ry., V. Vembu Sastri.

By Order, (Sd.) S. Venkatarama Ayyar,
Manager.

(True Copy)

Communicated to M. R. Ry., M. A. Swaminatha Ayyar, through the
Inspector of Schools, VI circle, for favour of very early compliance

12.12.24
By K. R. Sastri
Model School
Government Training School, Kurnool.

(True Copy.)

(Sd.) M. Ramaswami Ayyangar,
26-1-1919.

Inspector of Schools
V Circle.

28
28
E

Proceedings of the Director of Public Instruction, Madras.
Roc. No. 2150-C-22. Dated 6th June, 1923.

Read the following:---

R.C.No.414-Tr.22, dated 28-8-22 of the Inspector of Schools Trichinopoly and Salem on the petition dated 5th July 1922 of Mr. M.A. Swaminatha Ayyar.

The District Educational Officer, Trichinopoly, is requested to be good enough to inform Mr. M.A. Swaminatha Ayyar, that the orders contained in Proceedings Dis.No.3502-22, dated 12th May, 1922, do not apply to his stay outside jurisdiction from 29th November to 3rd December 1918. The proceedings only consider him to have held the post of Personal Assistant up to 5th December 18 and at the same time extend joining time of Mr. V.Vembu Sastri up to that date. ~~This concession~~ This concession was given to him in view of the circumstances that official tapals ~~were~~ not properly re-directed to him (while in camp) and he received intimation of his transfer only on the 4th December 1918. The 4th and 5th December constituted the time allowed to him for return to head-quarters

2. As regards the second request in his petition, dated 5-7-22, the petitioner should be informed that the question of his re-instatement as Sub-Assistant Inspector does not arise, as he only held an acting appointment as Sub-Assistant Inspector and was never a permanent Sub-Assistant Inspector.

3. The Director is not prepared to comply with the 3rd of his request, viz., to treat the period of suspension as one spent on duty as his case does not come under Article 193(b) (i) C.S.R. The fundamental Rules do not apply to events occurred prior to 1st January 1922.

4. The appellant's 4th request is untenable as he did not actually perform the duties of a Sub-Assistant Inspector.

5. As regards his last request, asking for permission to prosecute Mr. Vmbu Sastri in a court of law, the petitioner should be informed that it should form the subject of a separate communication which should state clearly the specific defamatory acts done by Mr. Sastri.
(Trichy, Dist. Edl. Officers Rc. 112-S-22, 15-6-23. Copy)

Copy communicated to the Head-Master Government Training School, Trichinopoly, with reference to his Rc. No. 158/22, dated 10-8-23 (with service book of M.A. Swaminatha Ayyar) for information and guidance.

Sd. K.V. Subbay Ayyar.
Dist. Edl. Officer.

Govt. Trg. Sch. Head-Master's N. Roc. 158/22, 19-6-1923.

Copy communicated to M.A. Swaminatha Ayyar, First Assistant, Model Section, for information and guidance.

(Sd.) G. Rama Ayyangar
Head-Master

(Sd.) G. Rama Ayyangar
Head-Master
Govt. Training School, Trichinopoly

Rc. No. 2150-C-22

Proceedings of the Director of Public Instruction, Madras

Enclosure No. III

Sd. K.V. Subbay Ayyar

Dist. Edl. Officer

(Sd.) K.V. Subbay Ayyar

Dist. Edl. Officer

Govt. Training School, Trichinopoly

Govt. Training School, Trichinopoly

Govt. Training School, Trichinopoly

XI

Annexure No. 2.

(Sd.) K. V. Li
Supdt.,
Vellore Di

Suptt.,
Vellore Di
M. Mammia
12-12-24
By H. C. Linsley
Model School,
Government Training Inst.

Enclosure No. XI

Copy of explanation, dated 11-12-18 of E.V. Ramachandra Ayyar, clerk to the Personal Assistant to the Assistant Inspector of Schools, Salem District:-----

"In obedience to your question I beg to state that one letter was received on 26-11-18. I thought that you would have changed the camp and I was expecting information from you regarding the postal station attached to it. Hence it was kept in the office. on the 27th I received Mr. Vembu Sastri's letter, dated 26-11-18. Since I do not know the camp station then, the letter too could not be sent. I was under the apprehension that, if they were sent to Attur, you may not receive them in time, since the Postman expressed to the Assistant Inspector's clerks that he did not know the camp station. The next day, Mr. Vembu Sastri came to office at 11.A.M. He wrote a letter requesting you to go to head-quarters immediately. I too wrote a letter stating that you were transferred to Aruppukottai and to return at once. Those two letters were addressed to Attur, in pursuance of your letter which I received on 27-11-18. From the 27th forward I was expecting your return to head-quarters every day, ^{as} and I thought that you would have received proceedings of transfer prior to 26th. Every day I was disappointed. I was seriously contemplating that if you were to return to head-quarters immediately after my re directing them to Attur, they would be delayed. After the receipt of the instruction on 7-12-18, I sent them all to Attur on that date.

(True copy),

M. V. Ramachandra
12-12-24
Ag. Headmaster
Model School,
Government Training School
Trichyopoly.

XI

Copy of post card from E. V. Ramachandra Ayyar, Clerk, dated 28-11-18 to M. A. Swaminatha Ayyar Avl., Personal Assistant to the Assistant Inspector of Schools, Salem District Camp

In obedience to your order I have to state that one letter was received on 28-11-18 from E. V. Ramachandra Ayyar, Clerk, dated 28-11-18 to M. A. Swaminatha Ayyar Avl., Personal Assistant to the Assistant Inspector of Schools, Salem District Camp

The letter was received on 28-11-18 from E. V. Ramachandra Ayyar, Clerk, dated 28-11-18 to M. A. Swaminatha Ayyar Avl., Personal Assistant to the Assistant Inspector of Schools, Salem District Camp

Since I do not know the date of the letter, I am unable to say when it was received. I was under the impression that it was sent to you. You may not receive it in time, since the post was expressed to the Assistant Inspector's office and he did not know the date of the letter. The next day, I was under the impression that it was sent to you. I wrote a letter requesting you to go to the office at 11 A.M. to see the letter.

You were transferred to Aruppukottai and to return at once. Two letters were addressed to you in the name of the Assistant Inspector. I received one on 11-12-18. I am sorry that I did not receive the other one. I am sorry that I did not receive the other one. I am sorry that I did not receive the other one.

I am sorry that I did not receive the other one. I am sorry that I did not receive the other one. I am sorry that I did not receive the other one. I am sorry that I did not receive the other one. I am sorry that I did not receive the other one.

I am sorry that I did not receive the other one. I am sorry that I did not receive the other one. I am sorry that I did not receive the other one. I am sorry that I did not receive the other one. I am sorry that I did not receive the other one.

Enclosure No. XII

Copy of post card from E. V. Ramachandra Ayyar, Clerk, dated 28-11-18 to M. A. Swaminatha Ayyar Avl., Personal Assistant to the Assistant Inspector of Schools, Salem District Camp

You have been transferred to Aruppukottai. Mr. R. Ry., V. Vembu Sastriar has been relieved on 20-11-18 and he has come to-day to take charge. I thought that the memo transferring you would have been received by you and I was expecting your arrival to-day. The letter from Mr. Vembu Sastriar and your letter from Odayatthur was received by me only on 27-11-18. Hence I could not intimate or redirect the letter earlier. You may return to Salem and hand over the charge to him.

(True copy)

M. A. Swaminatha Ayyar, 12-12-24
Ag. Headmaster,
Model School,
Government Training School,
Trichinopoly

Enclosure. XIII

Proceedings of the Director of Public Instruction, Madras.

Roc. 9592-18.

Dated, 22 Nov, 18.

The Director of Public Instruction is pleased to make the following appointments:---

3. M. R. Ry., M. A. Swaminatha Ayyar, Supervisor of Elementary Schools, Udumalpet, acting as Personal Assistant to the Assistant Inspector of Schools, Salem District, to act as Sub-Assistant Inspector of Schools, Aruppukottai Range, Sub-protem, in the probationary class vice M. R. Ry., D. Sekhagiri Rao, on other duty or until further orders, to join on relief from his present officiating appointment.

(By Order)

(Sd.) S. Venkatarama Ayyar.

Manager.

V th Circle Inspector of Schools R. C. No. 436-A-18, dated 26-11-18.

Communicated to the Personal Assistant to the Assistant Inspector of Schools, Salem District.

Despatched on 28-11-18.

Received at Attur on
9th December, 1918.

(Sd.) T. S. Krishnamoorthi,

Ag. Inspector of Schools,

Vth Circle.

12-12-24
Ag. Headmaster
Model School
Government Training School
Trichinopoly
(True copy)

Enclosure No. XII

Copy of postcard from E. V. Ramaswami Ayyar, dated
28-11-18 to M. A. Swaminatha Ayyar, Personal Assistant
to the Assistant Inspector of Schools, Salem District.

You have been transferred to Aruppukottai.

V. Venkatarama Ayyar has been relieved on 20-11-18 and he has come

to-day to take charge. I thought that you were transferring you

would have received by and I was expecting your arrival to-day.

The letter from Mr. Venkatarama Ayyar and your letter from Odayar

was received by me on 20-11-18. Hence I cannot say

not intimate or request the letter earlier. You may return

to Salem and hand over the charge to him.

1 True copy

12-12-24

Ag. Headmaster

Model School

Government Training School

Trichinopoly

33

Enclosure No. XIV

(62)

(K)

Copy of the Proceedings of the Director of Public Instruction
Dis No. 1543/24 dated 29-4-24. ✓

Read the following:---

Eddorsement R. C. No. 1125/23 dated 12-11-23 of the District
Educational Officer. Trichinopoly.

The District Educational Officer, is requested to be good-
enough to inform M. A. Swaminatha Ayyar First Assistant, Model
School, Government training School, Trichinopoly, that Government
have ordered, in G. O. No. 626 ~~Mis~~: law: (Education) dated 23-4-24, V
that they are unable to interfere on his behalf.

R. C. 112/23 dated 22-5-24. ✓ Communicated to the Head
Master, Government Training School, Trichinopoly with reference
to his R. C. No. 158 of 22 dated 16-10-23 for information and
guidance.

(Sd.) K. Natesa Ayyar,
Dt. Educational Officer,
Trichinopoly.

(True Copy)

R. C. 158 of 23 Communicated to M. A. Swaminatha Ayyar ofor
information. (True copy)

M. A. Swaminatha Ayyar 12-12-24 (Sd.) D Ragunatha Rao, 17-7-24 ✓
Ag. Head Master
Govt. Training School.
Trichy.
Trichinopoly

Received at Trichinopoly
15-11-24

Communicated to the District Educational Officer, Trichinopoly
15-11-24

(Sd.) K. Natesa Ayyar,
Dt. Educational Officer,
Trichinopoly.

(6)

of Schools, Salem District.

Communicated to the District Educational Officer, Trichinopoly
15-11-24

(Sd.) K. Natesa Ayyar,
Dt. Educational Officer,
Trichinopoly.

the appointment.

or until further orders, to join on relief from his present office-
national office. ✓
Inspector of Schools, Salem District, to act as Deputy
Schools, Government Training School, Trichinopoly, that Government
have ordered, in G. O. No. 626 ~~Mis~~: law: (Education) dated 23-4-24, V
that they are unable to interfere on his behalf.

Enclosure No. XIII

Enclosure No. XIV

Dated, 25 Nov. 1924.

34

33

Enclosure XV.

Copy of Government Order (Public Department) No.7888/1 dated 20th October 1924.

The attention of all Heads of Departments, is invited to rule XIV, of the Rules issued by the Secretary of State for India, under section 96-B(2) of the Government of India Act, published at pages 486-88 of Part I of the Fort St. George Gazette, dated 10th May 1921 (also pages to 890 of Part I of the Fort St. George Gazette dated 5th August 1924), describing the procedure to be followed in cases of dismissal, removal or reduction of an officer. The rule requires that the order shall, except when it is based on facts or conclusions established at a judicial trial or when the officer concerned has absconded with the accusation hanging over him, be preceded by a properly recorded departmental enquiry. At such an enquiry, a definite charge in writing should be framed in respect of each offence and explained to the accused, the evidence in support of it and any evidence which he may adduce in his defence, should be recorded in his presence, and his defence should be taken down in writing. Further, each of the charges framed should be discussed and a finding should be recorded on each charge.

2. Cases have recently come to the notice of Government in which these instructions have not been followed. As the rule is a statutory rule, it must be complied with; and further such errors in the initial stages cause difficulties in the disposal of appeals received from aggrieved officers. Heads of departments are therefore requested to see that officers empowered to award the punishments in question follow the prescribed procedure strictly.

(True copy)

Ag Headmaster, Model School, Govt. Training School, Trichinopoly.

XXXXXX

XI

Copy of Government Order (Public Department) No.7888/1 dated 20th October 1924.

Government Order (Public Department) No.7888/1 dated 20th October 1924.

(26) Mr. Headmaster, Model School, Trichinopoly.

XIV

Copy of Government Order (Public Department) No.7888/1 dated 20th October 1924.

C.No. 1189 C - From the D.P.I., R.O.C.No. 3665 C /24
dated 9-4-1925.

Subject:- Petition from M.R.Ry. M.A. Swaminatha Ayyar,
Assistant, Govt. Training School, Trichino-
poly, praying for a reconsideration of the
orders dismissing his appeal.

For a full account of the petitioner's
case, please see the notes on pages 106-113 of G.O.No.
626 Law (Education), dated 23-4-1924. The charges
against the petitioner were:-

- (i) Evasion to hand over charge to his successor;
- (ii) Unauthorised stay outside jurisdiction;
- (iii) Falsification of diary; and
- (iv) Overdrawal of pay.

In the notes referred to above, it was explain-
ed that the really serious charges were not conclusively
proved against the petitioner.

Dewan Bahadur Ramachandra Rao then noted as

follows:-

" I approve of the Director's recommendation

* * * A man whose mentality is on the borderland
of insanity is not fit to be Deputy Inspector."

The Government declined to interfere on behalf of the
petitioner.

2. No fresh grounds have been adduced in the
present petition. The petitioner, however, complains

- (i) that the order on his previous petition was
not communicated to him direct;
- (ii) that the Director did not hold an enquiry and
record evidence as directed in Public Memo
No. 7888/1 dated 20-10-24.

The first complaint need not be ~~seriously~~ consi-
dered as the substance of the order has been communi-
cated to the petitioner by the D.P.I.

The second complaint requires consideration.

On the previous occasion the Director stated that
charges were framed and that the petitioner's expla-
nation on every one of the charges was obtained.

Under the rules this is not sufficient. The evidence

against

(K) (minor
of the file) (V)

(i), (iii) & (iv)

p. 114 of G.O.No.
626
23-4-24 (V)

p. 6 ibid.

G.O.No. 626
23-4-24 (V)

Paragraph 12 on
Pt 15-16 of
Paragraph 14, p. 17 of
copy on p. 34 of

p. 33 of -

p. 2 of G.O.No.
626
23-4-24 (V)

Public memo on
p. 34 of

against the accused and any evidence which he may adduce in his support should be recorded in his presence. Further each of the charges framed should be discussed and a finding should be recorded on each charge. This procedure does not seem to have been observed. It is for orders whether the Director should ~~now~~ be requested to follow this procedure. If, as a result of the enquiry, the petitioner ~~honourably~~ is honourably acquitted of the charges, he may get the concessions detailed on page 113 of G.O.No.626 Law (Education), dated 23-4-1924. It may be noted that in the case of a dismissed Jail Warder, the I. G. has been asked to allow the accused to cross-examine the witnesses against him. The present case is one of reduction, but the procedure referred to above applies to such cases also.

3. It may, however, be noted that what will really benefit the petitioner is his reappointment as Deputy Inspector of Schools. The Director is not in favour of appointing the petitioner as Deputy Inspector, as the reports about his work and character are not satisfactory.

linked file
distilled

p. 1-2 of

For orders with reference to paragraph 2 above.

28.4.25 28.4.25
There can be no question now of promoting him back to the Dy Inspector Cadre. He had been acting as one for pretty long time & the D.P.I. did not find him satisfactory. Accordingly reverted him to his permanent post. In this reversion and for the loss of the acting billet no 'formal' enquiry need be instituted at all. On this point the case need not be reopened.

The point, however, is about the period of suspension for 11 months. Except for a short period of 24 days during which he drew his acting pay of Rs 75, he actually drew only Rs 15

p. 26 of

In this period. If the charges were found to be unsustainable he would be entitled to the full salary. It is therefore in connection only with the treatment of the period of suspension that the question of enquiry arises. He has now undergone two courses of punishment viz: (1) a reversion to the permanent post involving a monthly loss of Rs 45 & above. & (2) loss of increments for about ten months. The first cannot be helped. As regards the second, ~~if the reversion~~ it may probably be considered whether the position may not be regarded as having been restored to his permanent post with full pay (viz: Rs 125) from the date on which his privilege leave with Rs 75 ceased. This will avoid ~~any~~ the need for any enquiry, and with the reversion will be based more upon his incompetence to hold the responsible post of Dy Inspector than upon the charges framed. After all as admitted by the D.P.I. himself there is much of doubt in the case & he was himself inclined

1-2901 and 2902

100-55 = 45

p. 12 & 18 of

p. 4 of
G.O. No. 626 (V)
23.4.24

4-38

to give him the benefit of doubt
There is no doubt suspicion, but
no proved fact in the case.

The D.P.I may be asked whether
he agrees to this command it is true

CR 29.4.25
VTK 1.5

Law En no 189 R-1
2-5-25

D.P. 1 u.o
U.O. Reply No. 29-4-25-12-5-25

The adoption of the suggestion on page 3 of the
Secretariat note appears to involve the conclusion that
the petitioner was honourably acquitted. It is true,
of course, that one charge, the falsification of the
diary, has not been conclusively proved and the evidence
for and against this charge not recorded in his presence.
It was on these grounds that the petitioner was not
actually punished for the charge and was given the bene-
fit of doubt. The other charges could be judged of from
the written records available. If the alternative to
the grant of full pay is the conducting of an enquiry
afresh this could be done, though after this long inter-
val of time it does not seem at all desirable and the
result might be infructuous.

The period of suspension lasted from 6-9-19 to
6-8-1920. The petitioner at first applied for leave
for 2 months and then for 6 weeks. When he was directed
to appear before the D.M. & S.O., Salem, the latter refused
to recommend any sick leave and declared him fit for
duty on 29-10-19. But for the matter of suspension he
could have been given the leave for which he was eligi-
ble from 6-9-19 to 29-10-19. Consequently if the original
orders are to be revised the memorialist could be given
privilege leave from 6-9-19 to 29-9-19 and furlough on
half average pay (Rs.15) from 30-9-19 to 29-10-19, under
the rules then in force. The period from 30-10-19 to
6-8-1920



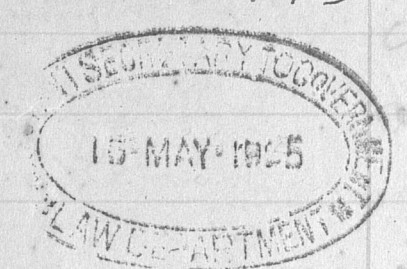
16-193
w.o. - 10/25
K

39 (26)

1. 22 of
G.O. 626
23.4.25
(V)

1-2221
of Ar. 193 (a) of
the C.S.R. B

d. En 1500C
15/5/25



6-8-1920 can be treated as duty and as on full
pay only by cancelling the original grant of
furlough on half pay and by considering the
memorialist as having been honourably acquitted.
This would involve an extra cost of about Rs.135/-
since a substitute was working in the place of
the memorialist during the period, vide Article
193(c) of the C.S.R. The grant of leave for the
suspension period is apparently unauthorised and
the memorialist should have been given only a
proportion of his full pay as laid down in
Article 193(b(ii) of the C.S.R. and not leave
and leave allowances. The grant of leave up to
30-10-19 and grant of a proportion of his pay
(Rs.15) from 30-10-19 to 6-8-1920 under Article
193(b)(ii) of the C.S.R. would be a modification
of the order which would result in the leave at
credit of the memorialist being increased. This
could be sanctioned by Government under Article
193(c) of the C.S.R. As to the proportion of
his pay to be given, I deprecate the grant of
the full amount, but if Government consider that
an enquiry is essential unless the full amount
is given, it may be given by them as a special
case without Government committing themselves to
an expression of opinion that the officer has
been exonerated from the charges brought against
him i.e. it may be given as an act of mercy, not
as a matter of right.

299
12/5/25

Law (En) Dept

The period of suspension of
the petitioner lasted from 6.9.19 to

6.8.20. The Director granted privilege leave up to the 29th September 1919 and furlough on half pay for the rest of the period. He now

p. 62 of
G.O. No 626
23.4.24 (V)

points out that the grant of leave for the period of suspension was unauthorised and that the petitioner should be granted full salary or a proportion of the full salary as laid down in Art.

of Art. 193(a) of
the C.S.R.

p. 6 ante

193(b)(i) & (ii) of the C.S.R.

2 The Director ~~recommends~~ ^{states} that

(i) the petitioner may be given ^{in continuation of the} ~~granted~~ privilege leave from 6.9.19 to 29.9.19 ^{already sanctioned,} ~~on~~ furlough on half pay from 30.9.19 to 29.10.19, and

p. 5 ante

(ii) that the period from 30.10.19 to 6.8.20 may be treated as on duty, the petitioner being given full salary, or

Art. 193(b)(i)
of the C.S.R.

(b) that a proportion of the full salary may be given.

Art. 193(b)(ii)
of the C.S.R.

(i) above may be accepted as the period was the time when the petitioner was ill.

M 108-109

of G.O. No 626
23.4.24 (V)

(ii) (a) above is not recommended by

by the Director. He considers that, if the Board are disposed to give full salary to the petitioner, they should not express an opinion that

p. 5 ante

the petitioner was exonerated from (the) charges framed against him.

Art. 193(b)(i) of
the C.S.R.

p. 5 ante

The grant of full salary involves the conclusion that the petitioner has been honourably acquitted. As the Director is not in favour of an opinion on the merits of the case being expressed, it would seem better to

Art. 193(b)(ii) of
the C.S.R.

give only a proportion of the full salary.

p. 7 ante

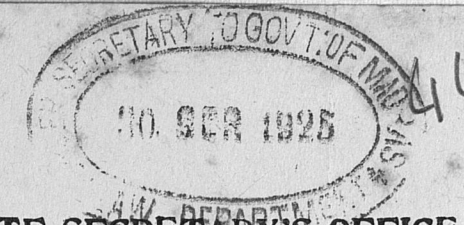
(ii) (b) above may, therefore, be accepted. It is for orders ^{an allowance equal to,} whether three-fourths of the full salary may be given to the petitioner. The amount of the allowance would then be Rs 22 $\frac{1}{2}$ a month and the extra cost would amount to Rs 70/-.

Expenditure at Rs 2 $\frac{1}{2}$ a month for 9 months & 7 days

Rs	P	A
18.5.25	20.5.25	20.5.25
		5
		1.11
		21.5

A draft order is subd. It may be sent to Finance w/o for acceptance. Since the expenditure is small it may be possible to pay it from the savings.

$$\frac{V.TK}{2.6}$$



P.S. 4-2,500-15-12-21

39

PRIVATE SECRETARY'S OFFICE, MADRAS.

L. E. 3090C
30 Sept

Memo. No. *2052-815/25*

Transferred to the Secretary to Government, *Law (Education),*

Department, for favour of disposal.

ENCLOSURES :

4

(By order of His Excellency the Governor.)

E. Muthiah

Private Secretary.

C.A.

MADRAS GOVERNOR'S CAMP,

The *26. Sept* 192*5*.

LAW (EDUCATION) DEPARTMENT.

Received 192 . Registered 192

Subject.

Memorial of M.R.Ry M.A.Swaminatha Ayyar, Secondary Grade teacher, Government Training School, Trichinopoly - Requesting for a copy of G.O.No. 1052, Law (Education) dated 20th June 1925 - submitted.

ENCLOSURES.

No.

Spare copies

R.O.C. No. 3665 C/24

Station Madras , Dated the 22nd Sept. 1925 192

From (Name) R. G. Grieve Esq., M.A.,
(Designation) Ag. Director of Public Instruction

To The Secretary to the Government of Madras,
LAW (EDUCATION) Department.

Sir. I have the honour to submit herewith the Memorial of M.R.Ry M.A.Swaminatha Ayyar, Secondary Grade teacher, Government Training School, Trichinopoly requesting for a copy of G.O.No. 1052, Misc. Law (Education) dated 20th June 1925 and to state that the memorialist was informed as directed in the 1st sentence of the G.O that there was no need for a fresh enquiry into his case. As the remaining portion was intended for necessary action in my office a true copy of the G.O. was not furnished to the Memorialist.

I have the honour to be,
Sir,
Your most obedient servant,
Rama Ray 24/9
for Director of Public Instruction

To

46
H
(A)
His Excellency The Rt. Hon'ble The Viscount
Goschen of Hawkhurst, G.C.I.E., C.B.E.,
Governor of Fort St. George, Madras.

Through

The Director of Public Instruction,
Madras.

&

The Head-master,

Government Training School, Trichinopoly.

The humble petition of M.R.Ry, M.A. Swaminatha Iyer, late
Sub Assistant Inspector of Schools, Aruppukottai Range, Ramanad
District and at present, Assistant, Government Training School
Trichinopoly:

Most Respectfully Showeth:---

1. That the petitioner learns that His Excellency was pleased
to pass Orders in G.O. No. 1052 Misc, Law (Education), dated,
20-6-1925, on his revision petition dated 12--12--1924.
 2. That, on the receipt of the above G.O. by the Director
of Public Instruction, Madras, he had passed his own Orders
in his Proceedings, No. R.C. 3665 c/24 dated 29-6-1925, and
30-7-1925 (Enclosures I & II).
 3. That, as the Orders now passed by the Director are still
unfavourable to the petitioner, in view of the fact that His
Excellency was pleased to consider that there is no need for
an enquiry into his case, under Rule XIV of the Rules issued
by the Secretary of State for India, under section 96 B (2)
of the Government of India Act, as Ordered in the G.O. quoted
above, the petitioner applied to the Director for a copy
- 18p4
with

3-47-9
-2-

(42)

in the matter accordingly. But the Director was not pleased to communicate to the petitioner, copy of the G.O., as it is evident from his Proceedings No. R.C.3665 c/24 dated 20-7-25 (Enclosure III).

That the petitioner therefore prays that His Excellency will be pleased to order that a copy of the G.O. No. 1052 Mis Law, (Education) dated 20--6--1925, passed on his revision petition dated 12--12--1924, may be communicated to him.

Trichinopoly,
9-9-1925.

M. Chinnappa
Petitioner.



NRe 158/1922 of 10.9.25
Submitted to the District
Educational Officer, Trichinopoly
Arundaram
Headmaster,
Government Training School,
Trichinopoly.

DESPATCHED DESPATCHED
10 SEP 1925 15 SEP 1925

Rere 1001/25
15-9-25
Submitted to the Director
of Public Instruction
with ref to Gov. Rere 3665-C/24
of 20 July 1925.

22. 12.25
D. E. L. Officer
Trichinopoly

48
49
Enclosure No. I.

Proceedings of the Director of Public Instruction, Madras,
R.C. 3665 c/24 dated 29-6-1925:

Reference:--

- (1) Proceedings Dis. No. 6845 dated 13-10-1920.
- (2) Proceedings, Dis. No. 3502, dated 12-5-1922.
- (3) G.O. No. Misc. 1052, Law, (Education) dated 20-6-1925.

In partial modification of the Proceedings quoted above,
the Director is pleased to grant M.R. Ry, M.A. Swaminatha Iyer
Assistant, Government Training School, Trichinopoly, Extra-
ordinary leave without allowances from 6-12-1918 to 19-12-1919
both days inclusive and combined privilege leave and furlough
from 6-9-1919 to 29-10-1919, the privilege leave being for 24
days from 6-9-1919. During the furlough portion of the leave
the teacher will draw half of his substantive pay. The Director
is also pleased to grant the teacher under orders of Government
pay not exceeding three-fourths of his substantive pay for the
period of his suspension from 30-10-1919 to 6-8-1920, under
Article 193b (ii) of the Civil Service Regulations.

2. The District Educational Officer, Trichinopoly is requested
to be good enough to inform M.R. Ry, M.A. Swaminatha Iyer that
Government do not consider that there is any need for a fresh
enquiry into his case. The copy of the enclosed petition dated
12-10-1923 may be returned to the petitioner.

Communicated in No. 1587/1922 of the Headmaster, Government
School Trichinopoly
9-7-25

(True copy).

Assistant, Govt., Training School,
Trichinopoly.

519 94
Enclosure No. II.

Proceedings of the Director of Public Instruction, Madras,
R.C. No. 3665 c/25 dated 30--7--1925.

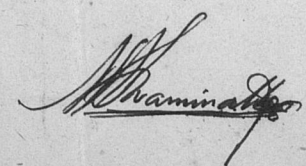
Read:-R.C. No. 1015/25 dated 24--7--1925 of the District
Educational Officer, Trichinopoly.

The District Educational Officer is informed that M.R.Ry,
M.A. Swaminatha Iyer could draw leave allowances for the --
period of his furlough only at the rate of half of his subs-
tantive pay under Article 340 (1) of the Civil Service Regula-
tions i.e., at Rs. 15/- per mensem. The term Pay used in the
Civil Service Regulations should be interpreted as substantive
pay and not salary which alone includes acting allowances etc.

The teacher should also be informed that as his lieut
during the period of furlough had automatically been moved to
his permanent appointment and as he was entitled to be posted
to his permanent appointment as Supervisor on Rs. 30/- only,
on the expiry of his leave, even if no suspension followed it,
he could draw allowances only at the rate of three-fourths of
his substantive pay Rs. 30/- during the period of his suspension,
which substantive pay he would have drawn but for the suspen-
sion. Further, the rate of allowance fixed for him during
suspension was under the discretion allowed to the appellant
authority in Article 193 (b) 1 (ii) of the Civil Service
Regulations.

Communicated in R.C. No. 158 of 1922 dated 10-8-25 of the
Headmaster, Government Training School, Trichinopoly

(True copy).


Assistant, Govt., Training School,
Trichinopoly.

650 90
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Enclosure No. III.

Memorandum.

R.C. No. 1001/25 dated 31--7--1925 from the District Educational Officer, Trichinopoly:

---XXX---

The Head-master, Government Training School, Trichinopoly is requested to inform M.R.Ry, M.A. Swaminatha Iyer that the Director has, in his Proceedings, R.C. No. 3665 c/24, dated 20--7--1925, said that the G.O., is not intended for communication to him.

Communicated in R.C. No. 158 of 1922 of the Headmaster, Government Training School Trichinopoly 3. 8. 25

(True copy).

M. Swaminatha
Assistant, Govt., Training School,
Trichinopoly.

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(40)

Law (Enr) Refr

Memo No. 3040/c-1, d. 5-10-25

Refr: Letter from the
S.P.D., R.O.C. No. 3665 X/2

dated 22.9.1925-

Petition from M.R. Ry.

H. A. Swaminatha

Ayyar, Gov. Training

School, Trichinopoly,

asking for a copy of
G.O. No. 1052 Law

(Enr), dated 20.6.1925.

Final

MC. f.

MP 2.3 C. f.

clear
stop
10

T

The S. P. D. is

requested to furnish

a copy of G.O. No. 1052

Law (Enr), dated 20.6.

1925 to the petitioner.

T

To

The S. P. D.

now
20/9/25
1-10-25

CR
2/10/25

DESPATCHED
6 OCT 1925
H.

V.T.
3.10.

note

There seems to be

no objection to furnish-

ing a copy of G.O. No.

1052 L.E. d. 20.6.25-

to the petitioner.

T

now

When given for copying
 When copied
 When examined
 When signed

192

READ AGAIN G.O. No. , DATED
 192

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DFTO.

PAPERS NOT FILED OF, 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.

42