

Law (Education) (1925) Department.

Ordinary SERIES.

G.O. No. 1725

DATED 6-10-1928.

[Despatch Abstract.]

Memorial - Subba Rao Patnaick, S. V., Retired Deputy Inspector of Schools
Increase of pension and recovery of excess payments . 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.

From

Kotabommali Gaujam
15th Aug 1925

Srinani S.V. Subbakes Patnaik,
Retired by Inspector of schools,
Kotabommali, Gaujam Dist.

To

The Govt. of Madras
Law (Educational) Department

May it please His Majesty,

I am submitting herewith
a copy of the Proceedings R.O. No. 222 2/5 of 29th April
1925 of the Director of Public Instruction Madras
(Enclosure A) informing me that the Accountant
General has intimated in his office that no
further revision of my pension is possible, I beg to
submit this humble representation for kind and
favourable Consideration of His Majesty's Govt.

1. When the services of the Supervisors' agency
were provincialised on 1-3-1909, I was given a
permanent 2nd grade Supervisorship at Rs 40/-
and from that date I used to draw my pay at Rs 40/-
(besides acting allowances) till 7-2-1917, when I was
promoted to the first grade Supervisorship at Rs 50/-
(Subprotum). Please vide Proceedings, current No.
8768/1916 dt 23rd October 1916 of the Director of
Public Instruction Enclosure (B). I drew my pay
at Rs 50/- throughout the period of my active
service, from 7-2-1917 to 4-3-1922, when I
retired, besides Subprotum and acting allowances
as Sub Assistant Inspector of Schools in
various Ranges and besides temporary addition
to pay.

(2) It appears that in calculating my
average emoluments for 3 years immediately
preceding the date of my retirement (4-3-1922)
my pay was taken to be Rs 40/- up to 31-3-1920
and Rs 52 (40+12) from 1-4-1920. This appears
to be wrong. It ought to be Rs 50/- up to 31-3-1920
and Rs 65 (50+15) from 1-4-1920, as I ~~was~~
continued to draw the first grade Supervisor
pay from 7-2-1917 to the date of my retirement,
which was Subprotum in a permanent
vacancy and on which no one was allowed
to retain my lieu. I was never informed
while I was in Active Service as Supervisor
that my Subprotum promotion of Rs 10/-
(from Rs 40 to Rs 50) had ceased at the
stage of my service. It is clear

Proceedings No. 330/1925 of 22-1-1925 of the Director of Public Instruction Madras Communicating letter No. Pous 148/224-23 of 19-1-1925 that the amount of Rs 50. originally entered in the Service Register was subsequently scored through and corrected to Rs 40.

The correction is rather ~~unauthorised~~ and unjustifiable, as it appears to have been done after my active service.

3. Article 486(A) of the Civil Service Regulations lays down that the term emolument includes Allowances drawn by an officer appointed provisionally or Substantively pro tempore to an office which is Substantively vacant, and on which no officer has a lien. I submit that I was entitled to a Subprotum pay of Rs 65 (50+15) from 1-4-1920 instead of Rs 52 (40+12). As Supervisor and Rs 50. instead of Rs 40. before 1-4-1920, but the Accountant General, Madras calculates my pension on my permanent pay of Rs 40, besides temporary addition of Rs 12 and disallows the Subprotum Allowance on the ground that I was not given substantive promotion to Rs 50.

which is not admissible under the Article ^{referred} ~~referred~~ to above. By this calculation my pension falls short of Rs 2-1-3 As per my calculation shown in Statement enclosure (D).

My Salary for 3 years allowable for pension purposes comes to Rs 52723-1-8 and the average emolument for one month comes to Rs 75-10-3 and the monthly pension for a total Good Service of about 13 years comes to Rs 16-6-3 i.e. $\frac{13}{60}$ of the monthly Average. These figures are shown in detail in enclosure (D). I requested the Accountant General, Madras, through the Director of Public Instruction to furnish me with the Statement worked out for fixing my Average emolument but no such Statement was furnished to me as yet, not was my Statement returned to be corrected with remarks.

4) The Accountant General informs me in Para 2 of his letter No. Pous 148/1922-23 enclosure (C) that my

Substantive pay is Rs 40 ³ only, but not 50 that the entries in the extracts from the Absentee Statements have discrepancies in them, and that the statements in Paras 2 B & C of the Director of the Public Instruction's letter No. R.O.C. 2079/24 of 1-12-24. could not therefore be accepted. There might be slight discrepancies in the Absentee Statements through oversight, but I humbly believe that pay abstracts, acquittances, rolls and Service Registers are the only authority for the calculation of Pension. It is a hardship to cut short my pension on the score of slight discrepancy in the Absentee Statements which are not generally taken as an authority for Pension purposes.

(5) The Average emolument and my pension was at first wrongly calculated and I was given an invalid pension of Rs 14-1-0 only, which was subsequently raised to Rs 14-5-0 on my representation vide enclosure (E), even the revised pension of Rs 14-5-0 is incorrect in accurate.

(6) Under the circumstances represented above, I humbly request that your Majesty's Good will be pleased to order recalculation and revision of my pension, with reference to my Statements Enclosure (D) Pay Abstracts, Acquittances, rolls, and Service Registers which may be revised and brought up to date of my retirement, and a revised pension of Rs 16-6-3 may kindly be sanctioned with retrospective effect from 4-3-1922.

I humbly beg to remain,
your Majesty's humble servant,

Gyulubadur
Retired Deputy Inspector of
Schools
Ramagiri Range,
Ganjam District

From

Srieman
S.V. Subbarao
Patnaik,
Retired Deputy
Inspector of Schools.

Dated 15.5.1925

Enclosures 5
(A to E)

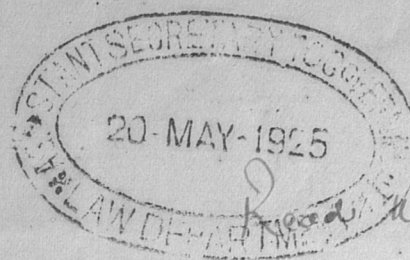
Subject

Pension

Praying that his
average emoluments may
be ordered to be recalculated
correctly and a revised
— of Rs 16.6.3 be
kindly sanctioned.

4
Enclosure A. (A)

Proceedings of the Director of Public
Instruction



R.O.C. No 2220/25 dated 29th April 1925

Read the following:—

With reference to his
petition dated 31st January 1925 and
17th April 1925, Srieman S.V. Subbarao
Patnaik, retired Deputy Inspector of Schools,
is informed that the Accountant-
General has intimated to this office
that no further revision of his pension
is possible.

Sd/- A. Rama Rao
30/4

For Director of Public Instruction

To
Srieman S.V. Subbarao Patnaik
Retired Deputy Inspector of
Schools, Ramagiri Kuppam,
Ichchapuram.
Copy to the District Educational
Officer, Gungam.

(True copy)

Lyell
15.5.25

Enclosure B 5

Proceedings of the Director of
Public Instruction.

Current No 8768 of 1916 dated 23rd Oct 1916

The following promotions of
officers in the Cadre of Supervisors of Elementary Schools
are ordered with effect from the 1st March 1916,
except in cases where other dates are specified.

To Class I (Rs 50) - permanent

- 1 P. Appalanarasimham, Supervisor of Elementary
Schools, Bellamanchili and Sub Probem
Sub Assistant Inspector of Schools, Parvatipore
- 2 A. Venkata Rao - 1st Assistant, Training Section,
Government Training School, Gunder
and Sub Probem 2nd Assistant, Training
Section, Govt Training School, Vizagapa-
patam.

To Class I (Rs 50) Sub Probem

- 25 G. Sanyanasayana - Supervisor, Bobbili -
- 31 S.V. Subba Rao Patnaik, Supervisor, Chattrapote,
and acting Sub Assistant Inspector
of Schools, Kasulonda Range, from
the date of his reversion from his
present officiating appointment
as Sub. Assistant Inspector of Schools.

To Class II (Rs 40) Sub Probem.

- 47 B. G. Patnaik, Supervisor, Aska.

Sd/- G. Krishnaswami
For Director of Public Instruction.

(True Extract)

Communicated to the Headmaster Govt Higher
Elementary Training School, Vizagapatam and the
Assistant

Assistant Inspectors of Schools, Gajam and
 Vizagapatam Districts, and the Sub Assistant
 Inspectors of Schools Parvatepore, Bobbili, Jeypore
 and Razulconda Range for information

Sd, Mr. Ramsford
 Inspector of Schools
 Tenali Circle.

(True copy)

G. Subbhadra
 15.5.25

Proceedings of the Director of Public Instruction

Name R. Littlehailes Esq., M.A

Dis No 330/25

Station Madras Dated 22-1-25

Read the following:-

Copy of letter No Pen S 148 of 22-23
 dated 19th January 25 from the Accountant General,
 Madras to the Director of Public Instruction, Madras.

With reference to his letter No ROC

2079²⁶/24 dated 1st December 1924 forwarding for
 revision the pension papers of Mr S.V. Subba Rao,
 Sub Probation Sub Assistant Inspector of Schools, Ramagiri
 Range, the Director of Public Instruction Madras is
 informed that a revised invalid pension of
 Rs 14-5-0 (Fourteen annas five) only in lieu of
 Rs 14-1-0 admitted in this office Pen. S. 148 of 22-23
 dated 14/15th March 1923 has been found admissible
 and that revised pension payment order is being
 issued (Vide G.O No 551 Pension dated the 27th
 December 1925^(a) for payment of the pension to the
 applicant who should be instructed to appear
 at the Treasury where he is now drawing
 his pension to receive payment-

(2) The amount of Substantive
 pay entered in the "Pay" column in pages 6 to 12
 of the Service book Volume II is Rs 40 only, i.e.,
 Rs 40 up to 31.3.1920 and Rs 52 (40 plus 12) from
 1-4-20 as the amount of Rs 50 originally entered
 therein has been clearly scored out and attested.

The

Not put
 up
 (a)
 mistake for
 1924

8
The entries in the extracts from the absentee statements have discrepancies in them and do not conclusively show that his promotion to the first grade of Supervisor was substantive. The statements in paras 2 (b) and (c) of Director of Public Instruction's letter No RO 2079 & 24 dated 1.12.24 could not therefore be accepted.

3 It is further pointed out that para 4 under Article 371 in the Madras Supplement to the Civil Service Regulation is applicable only to officers without a substantive appointment officiating in an appointment under Government and the above para has no bearing in the present case.

(4) The pension papers are herewith returned with the exception of the applicant's Last Pay Certificate and the copy of the first part of the application which have been retained in this office.

Communicated to Sreeman S.V. Subbarao Patnaik, retired Deputy Inspector of Schools, Ramagiri Range, Kotabommali with reference to his letter dated 21.6.24

(By order)
D. Narayanaswami
25.1.25
Senior Superintendent
Copy to the District Educational Officer, Ganguin.
(Three Copies)
S. Subbarao
15.5.25

Enclosed: Statement of Service and average emoluments of M.R. Ry S.V. Subbarao Patnaik Retired Deputy Inspector of Schools Ramagiri Range for three years preceding the date of retirement (4-3-1922)
Date of entertainment on Rs 40 on 1-3-1909. Date of promotion to 1st grade Supervisorship 7.2.1917.

Serial No.	Name of post	Nature of post	Service		Rate of pay	Salary drawn for the period.	Salary allowable for pension purpose.			Period of Service	Remarks.			
			From	to			Rate	Amount	Y H days					
1	2	3	4	5	6	7	8	8	9	10	11			
1	Sub Assistant Inspector of Schools. Parlakimedi	Sub promotion	4-3-1918	8-4-19	75	81	11	10	50	55	217 0 1 6	Ag. allowance included, post being permanent vacant.		
2	Supervisor of Ely Schools	Transit	9-4-19	13-4-19	50	8	5	4	50	8	54 0 0 5	do		
3	do Parlakimedi	Permanent	14-4-19	25-5-19	50	68	10	4	50	68	104 0 1 12	do		
4	Sub Assistant Inspector of Schools Ichikali	Sub promotion	26-5-19	17-1-20	75	580	10	4	75	580	104 0 7 23	Permanently vacant as Mr G. Ramana Pantula died.		
5	Supervisor of Ely Schools	Permanent	18-1-20	25-1-20	50	12	14	5	50	12	14 5 0 0 8			
6	Sub Assistant Inspector of Schools Chattrapore.	Acting	26-1-20	13-3-20	65	104	13	7	50	80	104 0 1 19	Ag. allowance not claimed		
7	Supervisor of Ely Schools	Permanent	14-3-20	31-3-20	50	29	6	50	29	0	6 0 0 18	Privilege leave.		
8	do	do	1-4-20	28-4-20	50	60	10	8	50	26	10 8 0 0 28	do		
9	do	Transit	29-4-20	29-4-20	65	2	2	8	65	2	28 0 0 1			
10	Sub Assistant Inspector of Schools Cherpuripalli	Sub promotion	30-4-20	31-7-20	75	284	6	10	93	228	4 6 0 0 3	1 Permanently vacant		
11	do	Acting	1-8-20	27-8-20	65	56	9	10	65	56	9 10 0 0 27	Mr M. Parvathaswami Pantula made permanent to the Range from 1.8.20		
12	Supervisor of Ely Schools	Permanent	28-8-20	30-8-20	65	6	4	8	65	6	48 0 0 3	Permanent to the Range from 1.8.20		
13	Sub Assistant Inspector of Schools Ramagiri	Sub promotion	31-8-20	16-9-20	93	53	5	93	22	53	0 5 0 0 17	Permanently vacant.		
14	do	do	17.9.20	16-10-20	46	14	46	1	1	do	92 22 0 1 0	Full Salary is shown in column 9 under Art 487 C.S.A.		
15	do	Sub promotion	17-10-20	28-2-21	93	12	42	5	10	do	420 5 10 0 4	15 Permanently vacant		
16	do	do	1-3-21	3-5-21	100	262	1	7	100	262	1 7 0 2 3	do		
17	Supervisor of Ely Schools	Permanent	4-5-21	3-1-22	74	11	3	4	65	52	0 0 0 8	0	Sanctioned for 10 months	
18	do	do	4-1-22	3-3-22	37	5	74	11	8	65	130	0 0 0 2	0	Sanctioned in G.O. 1349 Law (Eds) d.22.9.23.

Salary for 3 years 2772.0-11 2723.1-8
Average for one month } 75.10.3
Monthly pension at 12/60 of the monthly average } 16.6.3

S. Subbarao
Retired Deputy Inspector of Schools
15.5.1925

Enclosure D



10
Proceedings of the Director of Public Instruction, Madras.

Des. No 1248/23 dated 17.3.23

Copy of letter No Pens 148 of 22-23 dated 14/15.3.23 of the Accountant General Madras to the Director of Public Instruction, Madras.

With reference to his letter

R.O. to No 868 of 22 dated 20th February 1923 forwarding the pension papers of M. R. S. V. Subbarao Patnaik, late Sub Probation Sub Assistant Inspector of Schools Ramagiri, the Director of Public Instruction Madras is informed that an invalid pension of Rs (14-1-0) fourteen annas one only per mensem has been found admissible and that a pension payment order is being issued (Vide G.O. No 551 Pension dated the 27th December 1921) to the Treasury Officer Ganjam for payment of the pension to the applicant who should be instructed to appear at the De Kkali Sub Treasury to receive payment.

Not put up

(2) With reference to G.O. No 22 Finance

(Pension) dated 4th March 1921, a temporary addition to Rs 8-8-0 one anna eight only per mensem is also admissible but the payment of this after 31st October 1923 is subject to reconsideration.

Not put up

(3) The pension papers are herewith returned with the deletion of the applicant's leave Pay Certificate and also copy of the application which have been retained in this office.

Yd. A. Narayan Swami
As Manager

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True copy



Recd Sub 4/21

28.3.23

Communicated

Deputy Inspector of Schools Palakurichi

Rang and S.V. Subba Rao Patnaik

for information and guidance.

Secy P. F. Fyson

Dist. Educational Officer

Gungam

True copy

Subba Rao

15.5.25

Enclosure 2

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Law (200) 1925

C. No. 1545C. From S. V.

Subba Rao Patnaik,
Retired Deputy Inspector of
Schools, dated 15.5.1925

Enot. No. 1545C / 25-1d 22.5.25

Referred to the

D. O. O. for remarks.

21-5-25

Petitioner -
Subba Rao Patnaik,
S. V., Deputy Inspector
of schools (Retired) -
Invalid pension.
Increase.

DESPATCHED

22 MAY 1925 Hg

I

The D. O. O. (with
petition and encl.
in encl. to be returned
with reply).

Remr.
after 3 weeks

Remr.
DESPATCHED

29 11 1925 Hg

Remr.
DESPATCHED

8 AUG 1925 Hg



192 . Registered . 192 .

Subject.

1-2u 1980C
27/25

Petition - Subba Rao Patnaik, S.V. Deputy Inspector of Schools-
(Retired) - Invalid Pension - Increase.

Lodged. Law (edu) dept
The Director may be
reminded again a
month hence.

ENCLOSURES.

No.

Spare copies

R.C.No. 222-C/25.

Station Madras., Dated the 4th July, 1925. 192 .

From (Name) R.G. GRIEVE, Esq., M.A., F.R.G.S.,
(Designation) DIRECTOR OF PUBLIC INSTRUCTION.

To The Secretary to the Government of Madras,

LAW (EDUCATION) Department.

Sir,

With reference to Government Endorsement No.

1545-C/25-1 dated 22-5-25 and the reminder dated 24-6-25
thereon regarding the petition of Sriman S.V. Subba Rao
Patnaik, retired Deputy Inspector of Schools, Ramagiri Range for
increase of pension, I have the honour to submit that the
petition has been referred to the District Educational
Officer, Ganjam, for remarks on certain statements contained
in the petition and has not yet been received back. A
reminder has also been issued to him. On the receipt of the
District

(P.T.O.)

14
District Educational Officer's reply, my remarks on the petition will be submitted to Government.

I have the honour to be,

Sir,

Your most obedient servant,

A Rana Rao
for Director of Public Instruction.

M.R.P.6/7.
10/6/17

Received 192 . Registered 192 .

Subject.

Memorial of Mr. S.V. Subba Rao Patnaick retired Dy. Inspector of schools, Ramagiri Range for increase of pension - with the Director's remarks - resubmitted.

ENCLOSURES.

No.

R.O.C.

No. 222 C/25

Spare copies

Station M a d r a s , Dated the 27th July 1925 192 .

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

(Designation) Ag. Director of Public Instruction

To The Secretary to the Government of Madras,

Law (Education)

Department.

/Through

the Accountant General/

Sir,

p12 aut
In resubmitting with enclosures the petition of Sriman S.V. Subba Rao Patnaick received with Government Endorsement No. 1545 C/25-1., dated 22nd May 1925, I have the honour to report the facts of his case as below.

The Memorialist had put in a pensionable service of 12 completed years and he was therefore granted a pension of Rs.14-5-0 per mensem. In calculating the average emoluments the sub pro tem allowances drawn by him as ~~xx~~ sub pro tem Supervisor of Elementary schools on Rs.50 from 9-4-19 to 25th May 1919 from 18-1-20 to 29-4-20 and from 1-8-20 to 30 -8-20 were not taken into consideration for the reasons mentioned below .

In October 1916 the Memorialist was a permanent

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Supervisor in class II (Rs.40) of the Supervisors cadre and was acting in the Sub-Assistant Inspector cadre. In the same month he was given along with several others a sub pro tem promotion to class I (Rs.50) of the Supervisors cadre - to have effect from the date of his reversion to his permanent appointment. He actually reverted to his permanent appointment on 7-2-17. Unwittingly the memorialist and the Inspector of Schools, under whom he served treated the promotion in question as a permanent one and prepared his service book, Pay bills and Absentee statements accordingly. Even in the consolidated absentee statement for the Supervisors cadre the same error recurred except during the short period from November 19 to January 1920, as the above statement were based on the Inspector's reports. Similarly whenever the memorialist held a sub pro tem or acting appointment in the Sub-Assistant Inspectors cadre after February 1917 his permanent pay was shown as Rs.50 in the Consolidated Absentee statement for Sub-Assistant Inspectors. ^{Further} Finally, the file relating to the promotion of the Supervisors itself does not give any information as to the nature of the vacancies in which each of the officers was given promotion. Thus it would appear that the Memorialist's sub pro tem promotion to class I of the Supervisors cadre has been treated as a permanent one and consequently the permanent vacancy in class I against ~~the~~ which the sub pro tem promotion of the memorialist might have ^{been} shown in the Consolidated Absentee statement for the Supervisors cadre had been omitted. Had it not been for this omission, the number of permanent vacancies in I class that had been shown in the Consolidated Absentee statement for the Supervisors cadre would have been greater by one and the name of the memorialist shown against that vacancy. It is also evident from the above, that the memorialist could have drawn Rs.50 in the first class only if a post of Rs.50 was permanently vacant. For otherwise, he could not have drawn the sub-pro tem allowances as part of his permanent pay as indicated by the original entries in his Service book since sub pro tem or permanent promotion could be given only in a permanent vacancy. Hence I requested the Accountant General

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in my letter R.C.No. 2079 C/24, dated 1st December 1924 to take into consideration the sub pro tem allowances drawn from 9-4-19 to 25-5-19, 18-1-20 to 29-4-20 and from 1-8-20 to 30-8-20 and to issue a payment order for a pension of Rs.14-11-0 per mensem. But the latter declined to accept my proposal in his letter No. Pen. S.1480/2223 dated 19-1-25 on the ground that the Consolidated Absentee statements have certain discrepancies and the original entries in the Service book have been corrected although the correction was made under his own instruction. When the memorialist again appealed to the Accountant General through this office in March last, the latter replied in his letter No. Pen.S-148-52 dated 22nd April 1925 that no further revision of his pension was possible. In the circumstances stated above, it was not possible for me to grant him a pension higher than Rs.14-5-0 per mensem.

2. As regards the truth of the statements contained in the memorial:-

10p 1.2 aut
Para 1 & 2 The memorialist states herein that he was drawing pay at Rs.50 ^{an} inclusive of ^{other} the allowances till his retirement. If by pay he means substantive pay, he is evidently wrong as he treated the sub pro tem promotion given him in the Supervisors cadre as a permanent one. He himself is partly responsible for the wrong entries in the Service book. In order to rectify this initial mistake the entries in the Service Book have been corrected under instruction from the Accountant General so that the promotion might not be taken for a permanent one. This correction was necessary in the absence of the memorialist, since he had retired from service by that time and since the question was raised up only at the time of the sanction of his pension. The actual correction is that Rs.50 shown in the column substantive pay was changed into Rs.40 plus 10 sub pro tem allowance.

12 aut
Para 3 In calculating the average emoluments for broken periods a month should be taken to consist of 30 days according

18
to the Accountant General's instructions. But the memorialist has calculated the number of days which each calendar month consists of. This has resulted in an ~~error~~ ^{excess} of 6 days vide the revised statement enclosed which shows the mistake of the memorialist. In his average emoluments statement he has stated that he drew pay at Rs.100 plus 25 from 1-3-21 to 3-5-21. This is a wrong statement and the District Educational Officer, Ganjam has reported that he never drew pay at that rate. Again he is under the impression that the sub pro tem pay at Rs.65 could be drawn even during the periods of furlough from 30-6-21 to 3-3-22 whereas under the rules his lien in the sub pro tem appointment automatically ceased from the commencement of his furlough. Hence his permanent pay alone could be taken into account for purposes of his leave allowances as well as average emoluments. Further the memorialist has calculated pension for 13 years whereas he has put in a service of 12 completed years only when periods of leave other than Privilege leave are ~~included~~ ^{ex} included. Hence he ~~could~~ be given only a pension of Rs.14-11-0 and not Rs.16-5-3 as claimed by him even if the sub pro tem promotion is taken into consideration for the purpose.

p 24
infra
p 9
ante
Para 4. It is indeed a hardship that the memorialist should forego his pension to the extent of Rs.0-6-0 per mensem for want of details about the nature of the vacancy in which he held a sub pro tem appointment during certain periods of his service. As he was forced to retire from service on the ground that he was suffering from a contagious disease, his case deserves sympathy and I therefore recommend that Government may, if rules admit, be pleased to grant him a pension of Rs.14-11-0 per mensem as ~~shw~~ shown in the enclosed average emolument statement in the light of the information given in the foregoing paras.

3. In the course of the correspondence relating to the main question under consideration it was found that the Memorialist had been paid leave allowances at the rate of Rs.74-11-8 per mensem from 1-7-21 to 3-1-22 and at Rs.37-5-10 per mensem from 4-1-22 to 3-3-22 although he was entitled under article 325 (b) of the

Civil

5-19
Civil Service Regulations for allowances at the rate of his substantive pay (Rs.40) for the first period and at Rs.20 per mensem for the second period since he elected to come under the simplified leave rules issued in G.O.No. 847 Fin., dated 22-9-20. The District Educational Officer has reported that the irregularity was due to ignorance of rules as the part of Mr. A. Thammanna now Dy. Inspector of Schools, Tekkali Range who drew and disbursed the memorialist's leave salary. Although the District Educational Officer's explanation does not appear to me as a satisfactory one, I recommend the waiving of the excess drawn by the memorialist from 1-3-22 to 3-3-22 under para 2(4) of G.O. No. 647 Fin., dated 6-9-24 as the memorialist has ^{already} retired from service and as the excess drawn up to 1-3-22 has been waived in para 4 of G.O.No. 389 Law (Education) dated 12th March 1923.

In this connection I would invite the attention of Government to G.O.No. 1349 Law (Education) dated 22nd September 1923 wherein the period of furlough granted to the memorialist in G.O.No. 751 Law (Education) dated 19th June 1922 was treated partly as furlough on average pay and partly as on half average pay and to state that Sriman S.V. Subba Rao Patnaick was actually on privilege leave from 4-5-21 to 30-6-21 and therefore the period of his furlough begins only from 1-7-21. I therefore request that the date of the commencement of the furlough shown as 4-5-21 in G.O.No. 1349 Law (Education) dated 22nd September 1923 may kindly be altered into 1-7-21.

I have the honour to be,

S i r,

Your most obedient servant,

A Rama Rao
28/7
for Director of Public Instruction.

P.V.S. 28/7

20 (14)

Letter from the Director of Public Instruction to the Accountant General, Madras. R.C.No. 2079 C/24, dated 1st December 1924.

With reference to your memo No. S.148 of 28-23 dated 14th/15 March 1923 issuing a payment order for an invalid pension of Rs.14-1-0 to Mr. S.V. Subba Rao Patnaick retired subpro tem Sub Assistant Inspector, Ramagiri Range, I have the honour to state that the average emoluments of the Sub-Assistant Inspector were originally calculated with reference to your letter No. Pen. 148 dated 17th January 1923 neglecting the sub pro tem allowance drawn by him as sub pro tem Sub-Assistant Inspector from 4-3-19 to 8-4-19 and admitting pay only at the rate of Rs.40 instead of Rs.50 from 9-4-19 to 25-5-19 and 18-1-20 to 31-3-20 and at Rs.52 instead of at Rs.65 from 1-4-20 to 29-4-20 and from 1-8-20 to 30-8-20 though the higher rates were drawn during the periods for the reason that the nature of the vacancy in connection with which his sub pro tem appointments were made was not at that time traceable.

2. The following additional information is now available regarding the nature of the vacancy in which he held sub pro tem appointments and consequently drew higher rates of pay.

(a) 4-3-19 to 8-4-19. The post of Assistant Inspector Ganjam was vacant during the period consequent on the confirmation of Mr. H.A. Hart as Inspector of Schools with effect from 6-4-15 Vice Mr. A.C. Pratartihara Ayyar retired and Mr. Subba Rao Patnaick was given a sub-pro-tem promotion in connection therewith Vide extract from the Consolidated Absentee statement for Sub-Assistant Inspectors enclosed.

(b) 9-4-19 to 25-5-19. In October 1916 Mr. Subba Rao was permanent Supervisor in class II (Rs.40) and was acting in the Sub-Assistant Inspectors' cadre. In the same month he was given with several others a sub pro tem promotion to class I (50) in the Supervisors' cadre to have effect from the date of his reversion to his permanent appointment. But the file containing orders relating to this promotion does not give any clue as to the nature of the particular vacancy in which each of the Supervisors mentioned therein was

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given the promotion. But it is a fact that there had been several vacancies in that class. Mr. Subba Rao actually reverted to the Supervisors cadre on 7th February 1917. But his sub pro tem promotion has been taken to be permanent from that date up to the date of his retirement as will be observed from the original entries in the Service book Vol. I and Vol. II. Even in the Consolidated Absentee statement for the Supervisors cadre from February 1917 to September 1920 except for November, December '19 and January '20 he has been treated as permanent in I class. Similarly whenever he held acting or sub pro tem appointment in the Sub-Assistant Inspectors cadre after February '17 his permanent pay has been shown on many an occasion as Rs.50 in the Consolidated Absentee statement for the Sub-Assistant Inspectors cadre Vide extract enclosed.

(c) 18-1-20 to 29-4-20 and 1-8-20 to 30-8-20. During the periods from 18-1-20 to 13-3-20 and from 1-8-20 to 30-8-20 when he acted as Sub-Assistant Inspector, Chatrapur and Chepurupalli and during the period of his privilege leave from 14-3-20 to 29-4-20, his permanent pay has been shown as Rs.50 in the Service Book as well as in the Consolidated Absentee statement for the Sub Assistant Inspector and Supervisors cadres. From the above it would appear that the sub pro tem promotion of Mr. S.V. Subba Rao has been treated as permanent one to class I of the Supervisors cadre and consequently the permanent vacancy in class I in which the sub pro tem promotion of Mr. S.V. Subba Rao might have otherwise been shown has been altogether omitted in the Consolidated Absentee statement for the Supervisors cadre except during ~~the~~ a short period. Had it not been for this error, the number of permanent vacancies in class I that have been shown in the Consolidated Absentee statement for the Supervisors cadre would have been greater by one and the name of Mr. Subb Rao would have been shown against it. From the above it is evident that the sub pro tem promotion was only in a permanent vacancy and the retired officer actually drew the sub pro tem allowance as partly of his permanent pay as per entries in the Service book.

2.2 15
It appears therefore that the rate of pay drawn at Rs.50 from 9-4-19 to 25-5-19 and from 18-1-20 to 31-3-20 and at Rs.65 from 1-4-20 to 29-4-20 and from 1-8-20 to 30-8-20 may be taken into account in calculating the average emoluments under article 486 (H) of the Civil Service Regulations. Kindly let me know whether you have any objection to revise the pension payment order by ~~enhancing~~ enhancing his pension to Rs.14-11-0 per mensem as supported in Average emoluments statement I. If the above is not agreed to, kindly state whether Government may be approached under para 4 of the ruling in the Madras Supplement to C.S.R. 371 ^{with effect} ~~under which~~ for the grant to the retired officer of the concession to count the sub pro tem service during the periods for the purposes of pension. If any of the above proposals is found inadmissible kindly issue a revised payment order for an invalid pension of Rs.14-5-0 as supported by the average emoluments statement No. II

3. The original pension papers of the retired officer are herewith forwarded for reference and return.

(True Copy)

N. 6.7
A Rama Rao
— 28/7
for Director of Public Instruction.

23 (16)
Copy of letter Pen.S.148-52 dated 22nd April 1925 from the
Accountant-General, Madras, to the Director of Public Instruction.

With reference to your endorsement No.R.C.222-C/25 dated
27th March 1925, forwarding the petition of Mr.S.V.Subba Rao Patnaik
I have the honour to request that the petitioner may be informed
that his case reported in your letter No.R.C.2079-C/24 dated 1st
December 1924, was fully considered and that no further revision
of his pension is possible.

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18
OFFICE OF THE ACCOUNTANT-GENERAL, MADRAS,

Fort St. George, the 7th of September 1925.

No. Pen Mis 6-679



ENCLOSURES.
16 sheets

J. En 2875C
9/9/25 -

Forwarded.

2. An extract of para 2 of this office letter No Pen-S-148-22-23 dated 19-1-25 to the Director of Public Instruction is enclosed for information of Government. In the circumstances stated therein, a revision of the pension of the memorialist does not seem necessary.

3. The statement of the Director of Public Instruction in para 1 of his letter No. R.O.C. 222 C/25 dated 27-7-25 to the effect that ^{sub-protem} promotion could be given only in a permanent vacancy is not correct, vide Article 90 Civil Service Regulations.

4. For the period of furlough average pay from 1-7-21 to 3-1-22 the memorialist was eligible for leave salary at Rs.52/- per mensem and thereafter at Rs.26/- per mensem. There is no audit objection to the overdrawn amount being waived by Government.

Whitaker
Dy. Accountant General.

To

The Secretary to Government,
Law (Education) Department.

V.B.

V.B.

Section II-5 (a)—28,703—6-12-24. (6)

Date.

Initials.

When received for Fair-copying.

When copied

When examined

When signed

When despatched

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

” ” ” ” ” 192

READ ALSO :—

C. No. 1545 C From the _____, No. _____, dated _____ 1922

” ”-----” ” ”-----” ”-----” ”-----” 192

” ” ” ” ” ” ” 192

ORDER.

Misc.

No. ~~30668~~ dated 6-10-1925.

The Director of Public Instruction is requested to communicate an extract of paragraph 2 of the Accountant-General's letter No. Pension-S-148-22-23, dated the 19th January 1925, to Sriman retired S. V. Subba Rao Patnaick, Deputy Inspector of Schools, and to inform him that there are no grounds for enhancing the pension allowed to him.

2. In the circumstances reported in paragraph 3 of the Director's letter R.O.C.No.222 C/25, dated the 27 ~~August~~ ^{July} 1925, the Government direct in modification of G.O.No.1349 Law (Education), dated the 22nd ~~xxx~~ September 1923, that the date of commencement of the furlough granted to the memorialist be shown in

is service register as the 1st July instead
of the 14th May 1921. The Government also
approve of the proposal that the recovery
of the excess leave salary drawn by the
memorialist up to the 3rd March 1922 be
waived.

CR
28.9.25

V.K.
30.9

To

The D. P. I. (with refce. to his
letter R.O.C.No.222 C/25 dated 27-7-25)

" A. G. (with refce. to his Lndt.
No. Pen.Mis6-679 dated 7-9-1925)

DESPATCHED

7 OCT 1925



Law (Edus) 15450.2
30/9/25

34413
21/9/25

Through the A.C.C. with reference to
the concluding portion of para 2 of the
draft order.

CM
2.7.25

L-En 3134C

Fin W.O. 34413 *SM*
5/10/25



Note. *may* go to Finance for acceptance.

CR
28.9.25

Finance n/o.

Finance (SAP)

The draft order may
be accepted.

Law (Edn)
21/9/25

hgb
22/9/25

When given for copying
When copied
When examined
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 RITTO

PAPERS NOT FILED OF, BRING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

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