Scott. II-29—26,503—6-12-24.

Law (1925) Department.
(Education)

Ordinary SERIES.

G.O. No. 860

DATED 20 - 5 - 1925

[Despatch Abstract.]

Public Service Notification.

Representation from the Mangalore Non-Gazetted Government Officers' Association--reconsideration of G.O.No.164,Law(Education),dated the 4th February 1925 --declined.

BACK PAPERS.

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

FURTHER PAPERS.

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

No.19, Bell's Road,
Triplicane, dated 1-4-1925.

L. Edu 997/B
16/4/25

Rec'd on 21.4.25 & 4.5.25

Original of G.O. 164 L. E. dated 22.4.25 issued

To

The Secretary to Government,
Law (Education) Department,
Fort St.George, Madras.

Sir,

I have the honour by direction to forward for the favourable consideration and early orders of Government a copy of the resolution passed by the Mangalore Branch of this Association, together with a memorandum on the subject.

2. As the orders of Government in question affect a large number of men with a long period of service and great experience, in all the departments and more especially in the Revenue Department, I am directed to request that Government will be pleased to consider their case sympathetically and modify their orders in accordance with the prayers contained in the resolution and the memorandum.

I have the honour to be,
Sir,
Your most obedient servant,
V. Sankaran
General Secretary.

Encl. 1. Copy of the resolution
2. Memorandum.

Enclosure I - Copy of the Resolution.

This meeting, having regard to the immense hardship inflicted upon unpassed clerks by G.O.No. 164 Law(Education), dated 4-1-25, published at page 66 of Part 1 B, of the Fort St. George Gazette, dated 17-2-1925, places on record its emphatic protest against the enforcement of the G.O., and recommends to Government that unpassed candidates should be allowed to rise automatically in the present time-scale at least up to Rs.60 with retrospective effect from the date of the introduction of the time-scale, and that the amount of the increments, if any, once paid to them and then subsequently recovered, should be refunded.

(True copy)
V. Sankaran

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Enclosure 2.

MEMORANDUM OF THE CASE OF THE UNPASSED CLERKS IN ~~THE~~ Government SERVICE ADVERSELY AFFECTED BY G.O.NO. 164, LAW(EDUCATION), DATED 4-2-1925 PUBLISHED ON PAGE 66 OF PART I-B OF THE FORT ST.GEORGE GAZETTE, DATED 17th February 1925.

First of all the result of G.O.No.164 Law(Education), date 4-2-1925, seems to be that unpassed clerks in the Revenue Department only are affected by it, the unpassed clerks in allthe other departments having already been granted by the respective heads of the departments a general exemption to draw increments up to Rs.50. Hence one of the most ~~main~~ serious results of the G.O. is the distinction between unpassed men in the Revenue Department and those in the other departments. This is on the very face of it inequitable.

2. The G.O. is opposed to G.O. No.722 Law(Education), dated 13-6-22, which in revising the pay of clerical establishments made no distinction whatever between passed and unpassed men up to a limit of Rs.50, but merely prescribed in the case of the latter, an efficiency bar at Rs.50 to cross which alone, the sanction of the head of the department concerned was necessary.

The Accountant-General has in his reply No. T.M.25-9-4095, dated 20th/21st March 1923, to the reference, R.O.C. No. 480/23 from the Registrar of the Madras High Court, given the same interpretation to the G.O. No.722, dated 13-6-1922. The Government also were pleased to give the same interpretation to the G.O. in their reply to the interpellation No.759 (a) of the Hon'ble Mr.C.V.Venkatramana Iyengar at the Madras Legislative Council Meeting held on 25-3-1924. It is therefore clear that unpassed clerks are eligilbe to draw increments in the time-scale up to Rs.50 without any restriction and that heads of offices themselves, independent of the heads of the departments, are to sanction increments to unpassed clerks up to Rs.50. In the case of unpassed clerks an efficiency bar has been placed at Rs.50. To cross this efficiency bar the sanction of the Head of the Department is necessary.

G.O. No.722 Law (Education), dated 13-6-1922 was passed with the intention of benefiting the unpassed clerks also as they had made representations (before the time-scale system was introduced) to Government, through memorials and through the NON-GAZETTED OFFICERS' ASSOCIATIONS and to the Salaries Committee as well, to the effect that no distinction should be made between passed and unpassed clerks while revising the pay of clerical establishments.

3. Except the Revenue Board, the heads of all the other departments, such as Judicial, Forest, Educational, Registration, Police, Excise, Etc., taking the G.O. No.722 Law(Education), dated 13-6-1922 in the same light as that shown in para 2 have given a general formal sanction to draw increments up to Rs.50 for all the unpassed clerks in their departments.

4. The heads of offices in the Revenue Department also, namely, Collectors, Revenue Divisional Officers &c. taking the same view of the said G.O.No. 722 Law(Education), dated 13-6-1922, had for a very long time passed and drawn increments for the unpassed clerks in the offices under their control without any

objection even from the Accountant General. It is only on receipt of orders from the ~~Revenue~~ Board of Revenue stopping the increments for unpassed clerks that they ceased to draw increments for such men. For instance in South Kanara, increments were drawn for unpassed clerks for 14 months (from March 1923 to April 1924), that is, the clerks were drawing the second year's increment. In May 1924 the ~~Revenue~~ Board of Revenue in their B.P. No.2008 Routine, dated 13-5-1924 ordered that they ~~are~~ were not prepared to permit these unpassed clerks to rise automatically in the time-scale unless the Collector for SPECIAL REASONS recommended their exemption individually. This B.P. is entirely contrary to the G.O. No. 722 Law (Education), dated 13-6-1922, according to which the Board being the head of the department has no jurisdiction to interfere in the matter of granting increments to unpassed clerks up to Rs.50. Their sanction is necessary only to rise above Rs.50. The B.P. arose as a reply to the South Kanara Collector's report, R.O.C. No.5231/23/A 2, dated 10-4-1924, recommending a formal sanction for all the unpassed clerks in his District to draw increments up to Rs.50. This reference from the Collector was unnecessary as he himself being the head of the office was competent under the G.O. No. 722 Law (Education), dated 13-6-1922, to sanction the increments. On receipt of the B.P. the Collector ceased to draw increments for the unpassed clerks and also ordered the recovery of the increments paid to them in the previous 14 months. The increments were thus stopped to unpassed clerks and the increments already paid to them for such a long time without any objection even from the Accountant General were recovered.

It will not be out of place to mention here that the Board acted contrary to their own B.P. quoted above by refusing exemptions to two unpassed clerks in South Kanara who applied for exemption and whom the Collector recommended individually for exemption. ~~This shows clearly the attitude of the Revenue Board towards unpassed men.~~

5. G.O. No. 164 Law (Education), dated 4-2-1925 is not also in accordance with the ~~instructions~~ intentions expressed by Government, expressed in G.O. No. 168 Judicial (Police), published on page 742 of

of part I of the Fort St. George Gazette dated 1-5-1923 and the principles laid down in para 23 of Chapter II and para 84 of Chapter VII of the Salaries Committee's report, Volume I, approved by Government in G.O. No. 711 Finance, dated 11-7-1921.

6. Unpassed clerks are entrusted with work as onerous and responsible as is assigned to passed men. Therefore, fairly speaking, they like unpassed clerks in the Postal and other departments under the Imperial Government ought to have been treated with equality with passed men. Far from being so treated they are denied by the present G.O. No. 164 Law (Education), dated 4-2-25, even the benefits extended to them in G.O. No. 722 Law (Education), dated 13-6-1922, of drawing increments at least up to Rs.50.

7. Under the time-scale even the acting clerks (Passed) after a continuous service of 2 years are entitled to draw increments. It can well be imagined how painful and heart-rending it is that permanent and experienced unpassed clerks with several years of HARD AND HONEST SERVICE behind them are deprived of the privilege of drawing increments which even the acting clerks enjoy.

8. Without increments the unpassed clerks will have no incentive for arduous work and in the interests of Government service it is absolutely necessary that they are given the increments.

9. Under the time-scale increments are attached even to the Menial service. The present G.O. No. 164 Law, Education, dated 4.2.1925 makes the position of the unpassed clerks worse than men in the menial service.

10. The unpassed clerks in the Postal and other departments under the Imperial Government are treated without any distinction from passed men.

11. Even in Local Boards, Municipalities Etc., wherein the clerks are mostly unpassed men, time scale system has been introduced.

12. Even if the Government were now to interpret the G.O. No. 722 Law (Education), dated 13-6-1922 otherwise and were not to regard as correct their reply to the interpellation of Mr. C.V. Venkataramana Ayyengar and the Accountant General's reply to the Madras High Court, the mere consideration of the immense hardship inflicted on unpassed clerks by the G.O., No. 164, dated 4-2-1925, is alone a sufficient ground for its cancellation. It may be argued, as the Revenue Board does in its Proceedings No. 2008 Routine, dated 13-5-1924 referred to above, that Rs.35/ is a fair pay for unpassed men in comparison with a pay of Rs.20 which they could get under the old scale. But in making this comparison it must not be overlooked that the prices of food stuffs and other necessaries have increased 3 or 4 times more than what they were before the Great War. On this account the salaries of men in Government offices as well as in private institutions all over the world have been revised and increased. Even ordinary coolies' wages have risen 3 times more than in peacetime. In these hard days, it is extremely difficult for one with a pay of Rs.35/ to make both ends meet.

13. The prayer of the unpassed clerks is therefore that G.O. No. 164, dated 4-2-1925, may be cancelled and that they may be allowed to draw increments in the time scale without any restriction at least up to Rs.50 with retrospective effect, and the increments once paid to and them recovered from them may be refunded to them.

(True copy)
V. Sankaran

1 6

Law (Edn) Deptt

C.No. 997 B. From the General Secretary, the Non-Gazetted Govt Officers' Assn, Madras, D) 1.4.25.

Subject Grant of increments in the time scale of pay to unpassed clerks.

pp. 2-6 cf. Please see copy of resolution passed at a meeting of the Mangalore Branch of the Non-Gazetted Govt Officers' Assn, Madras, protesting against the enforcement of G.O. 164 Law (Edn) D) 4.2.25. The resolution is accompanied by a Memorandum, in which the arguments in support are advanced.

(E) removed

(E) The first point, that the G.O adversely affects the unpassed clerks in the Revenue Deptt only is not true to facts. Please see pages 99-100 of notes to the G.O in which hitherto summarised the replies from several Heads of depts to the references made to them by the Revenue deptt to ascertain the practice followed in granting increments to unpassed clerks. It will be seen therefrom that certain Heads of depts, such as the D.P.I, High Court, I.G of Prisons etc, have been allowing the clerks in question to rise in the time scale without further exemption subject to the efficiency bar at Rs 50, while others like the Surgeon General

G.O. 164 L(Ed) / 4.2.25 (E)

2/

Commissioner of Police ~~the~~ have specifically granted exemptions with reference to G.O 722 Law (Edn) d. 13.6.22 before allowing them to rise in the progressive scale of pay. As the practice differed in different depts it was decided to issue a general order emphasising the need for exemption as a condition precedent to the grant of increments to the unpassed clerks ~~above referred~~ referred to in the representation. ~~under consideration~~ Thus the G.O 164 Law (Edn) d. 4.2.25 ~~instructed~~ under all clerks who are not qualified under article 1 of the Public Service Notifn. ← and who have not till now been exempted, should first be exempted before they are allowed to draw increments, affects the unpassed clerks in other depts also.

The next point, that by the action of G.O. 722 Law (Edn) d. 13.6.22 all unpassed candidates are eligible for increments without further exemption upto Rs 50, had already been fully examined in G.O 164 Law (Edn) d. 4.2.25 (vide pp 62-66 N.f ibid) before final orders were passed.

The ~~next~~ Another point urged is that the ~~G.O~~ (vide paragraph 5 on pp 4-5 of) G.O 164 d. 4.2.25 is not in accordance with the intentions of Govt expressed in G.O 168 Jud d. 10.4.23 and G.O. 711 Fin. d. 11.7.21. In regard to this it is submitted that neither has any bearing on the question under consideration.

(J) (E) (E) (D) (C)

3/ 1

The orders in G.O. 164 Law (Edn) d. 4.2.25 were passed as recently as February last after full ~~circlo~~ circulation. No additional reasons have been urged in the representation of the Non-Gazetted Govt officers' Association for reconsideration of the orders. The Assn may, it is submitted, be told that the Govt are unable to reconsider their decision. A draft order is submitted for approval.

22/ 5.5.25 KOW 8.5.25

8/5/25

VTK 11.5

Law (Edn) no 997 B-1 / 12.5.25

Rev U.

REVENUE-D 2684

Rev. Deptt

Do Asst. Secy

3/5/25

Attention is solicited to the notes of the Hon members on pp 72 and 101-102 of G.O. no. 164 Law (Edn) d. 4.2.25. The draft may be accepted and the file returned to Law (Edn)

(E) removed with separately

D.R.S 16.5.25

18.5.25

Remp 2684 C/25-1 / 18-5-25

Law (Edn)

Law Edn 1325-B / 18/5/25

Law (Edn) Dept

The draft may now issue.

KOW 18-5-25

18.5.25

VTK 19.5

ASST. SECRETARY TO GOVT. 13 MAY 1925 REVENUE DEPARTMENT

ASST. SECRETARY TO GOVERNMENT 12-MAY-1925 LAW DEPARTMENT

Sectt. II—10 (a)—7-2-16.

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Law (Ex.) DEPARTMENT.

8

Public Service Notification — representation from the Mangalore Non-Gazetted Govt Officers Association — reconsideration of G.O. 164 Law (Ex) of 4. 2. 25 — Declined.

READ AGAIN G.O. No. ....., dated ..... 191 .

" " " " ....., " ..... 191 .

READ ALSO:—

C. No. 997B, From the Non-Gazetted Govt Officers' Ass^n, Madras No. ....., dated 1. 4. 1925

" " ....., " " ....., " ....., " ..... 191 .

" " ....., " " ....., " ....., " ..... 191 .

ORDER.

No. 860 dated 20-5- 1925.

The Govt are unable to reconsider ~~the~~ the orders issued in G.O 164 Law (Ex) of 4. 2. 25.

27
5.5.25
KPW
8.5.25

CR
8/5/25

V.T.K.
11.5

To,

The General Secretary,
The Non-Gazetted Govt Officers' Association, Madras.

DESPATCHED
20 MAY 1925

When given for copying
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} 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 DITTO.							
PAPERS NOT FILED OF, BEING MEANT FOR DESPATCH IN ORIGINAL.							

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