

TN
Law (1925) Department.
Education

Ordering SERIES.

G.O. No. 978

DATED

11/6/25

[Despatch Abstract.]

Venkataramayudu, M.R.Ry. I.

Increment in his officiating appointment as Assistant Professor of
Sanskrit in the Presidency College - Memorial - Rejected.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
		920 12-1-25					
		13-1-25					
		651 1-5-25					

C F. 30-41,000-8-9-24.

Law(Education)

DEPARTMENT.

Received.....192 / . Registered.....192



Subject.

Petition of M.R. Ry L.Venkataratnam Naidu Acting Assistant Professor, Presidency College regarding the date of his increment in his officiating appointment. For orders of Government submitted.

ENCLOSURES
No. <i>1</i>
Spare copies

R. C. No. 2542-C/24

Station Madras, Dated the 20-1-25 192

From (Name) R. Littlehailes Esq., M.A.,

(Designation) Director of Public Instruction

Madras.

To The Secretary, to the Government of Madras,

Law(Education) Department.
Through the Accountant General, Madras.

Sir,

I have the honour to submit herewith for favour of orders the petition of M.R. Ry L.Venkataratnam Naidu, permanent Deputy Inspector of Schools, Satyavadu Range and officiating Assistant Professor of Sanskrit, Presidency College together with copies of correspondence between this office and the Accountant General on the subject ~~on~~ of the date of his increment in his present officiating appointment and to state that had Mr. Venkataratnam been reverted to his permanent appointment for a short period and reappointed to act in the

Subordinate

Mr 3-5 infra

Mr 6-10 infra

Subordinate Educational Service Collegiate Branch
once again, he would be eligible for an officiating
pay of Rs.155, the next higher stage as stated in the
letter of the Accountant General, Bombay to the
Auditor General communicated in Government Memo No.
3461 C.S.R. Finance dated 2-2-23.

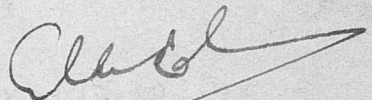
2. It is not possible to confirm Mr.L.Venkataratnam
Naidu in the Subordinate Educational Service, Collegiate
Branch as there is no permanent vacancy of an
Assistant Professor in Sanskrit in any of the Govern-
ment colleges.

3. The Directors Proceedings Dis.No.847/23
dated 21-2-23 quoted in para 3 of the petition, is this
office circular communicating Government Memo No.
3641 Civil Service Regulations-Finance dated 2-2-23 to
subordinate officers of this Department.

I have the honour to be,

S i r,

Your most obedient servant,

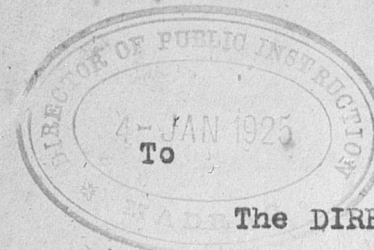

for Director of Public Instruction

A.R. 22-1-25

From

M.R.Ry.L. Venkataratnam Nayudu, M.A., L.T.,

Officiating Assistant Professor of Sanskrit,
Presidency College, Madras.



To
The DIRECTOR OF PUBLIC INSTRUCTION,

M A D R A S.

Through

The PRINCIPAL, PRESIDENCY COLLEGE, MADRAS.

Through

The PROFESSOR OF SANSKRIT AND COMPARATIVE PHILOLOGY.

Sir,

With reference to your Proceedings R.C. No.2542/24,
dated 11th November 1924, stating that I can be allowed increment
in my officiating appointment as Assistant Professor in the
Collegiate Branch of the Subordinate Educational Service only
from 1st March 1927 in accordance with the Accountant-General's
letter No.Edn.1/646, dated 15th September 1924, I beg to bring
the following facts for your kind consideration:--

2. The Accountant-General in his Objection Statement No.
Edn.527, dated 1st August 1924 objected to my drawing pay at
Rs.155/- from 1st July 1924 in my present appointment as offi-
ciating Professor on the ground that if I had drawn pay in the
scale sanctioned for the cadre of Assistant Lecturers, I would
not have reached the Rs.150/- stage on 1st July 1924 and that
I cannot have the benefit of increments both in my substantive
post of Deputy Inspector and in my officiating post as Assistant
Professor. With reference to the first part of the Accountant-
General's objection, I beg to submit that my pay in the officia-
ting appointment is governed by F.R. 32 and under the last
sentence of that rule my officiating pay on 1st July 1923
became Rs.150/- as the presumptive pay in my substantive post
in the Deputy Inspectors' cadre was Rs.150/- on that date.

The Accountant General's argument based on hypothetical premises, viz., that if I had drawn pay in the scale of Assistant Professors, I would not have reached Rs.150/- on 1st July 1924 cannot hold water as my pay in my officiating appointment became Rs.150/- on 1st July 1923 in accordance with the last sentence of Fundamental Rule 32. The Accountant-General's second contention also will not hold good as I have reached the maximum on 1st July 1923 in my permanent appointment in the Ordinary Grade of Deputy Inspectors and have claimed the increment on 1st July 1924 only in the officiating appointment under the second sentence of Fundamental Rule 32.

3. With regard to the Accountant-General's letter dated 15th September 1924 in which he states that I have been conceded the option of drawing the presumptive pay of my substantive appointment instead of the pay in the officiating appointment, I humbly beg to submit that the last sentence of Fundamental Rule 32 lays down that when the presumptive pay of the substantive appointment exceeds the officiating pay calculated under the rule, the officer will draw pay equal to that presumptive pay. In such cases the rule does not give the officer the option of drawing the officiating pay of the appointment. The Auditor-General's decision regarding the application of Fundamental Rule 32 communicated with Proceedings Dis.No.847/23, dated 21st February 1923 also supports this view. Even granting for argument's sake that such an option is allowed there is nothing in the rule to show that the option once exercised is final and cannot be revoked when the pay in the officiating appointment becomes advantageous. I have drawn an officiating pay of Rs.150/- from 1st July 1923 and since officiating promotions with allowances are declared admissible to Deputy Inspectors of Schools appointed to act in the Collegiate Branch of Subordinate Educational Service -- vide G.O.No.920, Law (Education), dated 28th June 1923, I was eligible on 1st July 1924 for the next increment

in G.O. No.
944 (B)
6-11-22

Mr 7-8
in p

No-Vide
K on p.2
of memo
346-1 C.S.
2-2-23 (V)

(F)

increment in my officiating appointment under the second sentence of Fundamental Rule 32. The Accountant-General's statement that had I been confirmed as Assistant Professor I would have drawn Rs.140/- only from 1st March 1924 will be true only if I had no substantive post at the time of my confirmation as Assistant Professor. But inasmuch as I hold a substantive appointment in the Deputy Inspectors' cadre and my substantive pay on 1st July 1923 was Rs.150/-, I would be eligible for a pay of Rs.155/- under Fundamental Rule 22 a (ii) on 1st July 1923 and to the usual increments from that date if I had been confirmed as an Assistant Lecturer on 1st July 1923. This could not be done for want of vacancies and I should not be made to suffer on this account. The last sentence of Fundamental Rule 31 quoted by the Accountant-General does not seem applicable to my case as the pay of the officiating appointment (Rs.125 - 250) is not less than the presumptive pay of the substantive post held by me which is in the ordinary grade of Deputy Inspectors on Rs.75-5-100-10-150.

4. I beg to point out that if I am reverted to my permanent appointment for even a short period and then re-appointed to my present officiating post in the Presidency College I would be eligible for a pay of Rs.155/- under Fundamental Rule 32. In the above circumstances I request you will be so good as to address Government if necessary on the subject and to permit me to draw my increment in my officiating appointment from 1st July 1924 as it would work great hardship on me to remain without any increment till 1st March 1927.

Submitted And recommended,

S. Venkataratnam

20/12/24 *Prin. of Presidency College*
Comparative Biology
Presidency College
Madras

Submitted

S. Venkataratnam
Principal
26.12.24

I beg to remain,

Sir,

Your most obedient servant,

L. Venkataratnam
20.xii.24

*True the
was no
vacancy in
in 1st March
of 1924*

*But he
didn't
actually
revert
Govt 944
6.11.24
(B)*

*Recd 33/24
3.1.1925*

Copy of letter Edn. 527

Accountant General's office
Dated 1-8-24.

To

The Principal, Presidency College, Madras

Estt. Bill for Rs.3827/13/0 has been passed for payment for Rs.3822-13-0 only. The difference of Rs.5/- has been disallowed for the reason given below.

Pay claimed for Mr. L.Venkataratnam Naidu

due to increment from 1-7-1924. Rs.155-0-0

Admitted his permanent pay as

Deputy Inspector. 150-0-0

Excess. 5-0-0

Mr.Naidu is officiating in the cadre of Assistant Lecturer and if he had drawn pay in that scale he would not have reached the Rs.150/- stage on 1-7-24. The sum of Rs.150 drawn by him hitherto in the officiating post represents the pay which he would have drawn in his substantive post as Deputy Inspector of Schools, for the reason that when he officiates as an Assistant Lecturer he should not be in a worse position than he would be in, if he actually held the post of Deputy Inspector. He cannot however have the benefit of increments both in his substantive post of Deputy Inspector of schools and in his officiating post of Assistant Lecturer.

Copy of letter R.C.No.2542 C/24 dated 22-8-24.

from the Director of Public Instruction, Madras to the Accountant General, Madras.

With reference to your objection statement No.Edn. 527 dated 1-8-24 regarding the increments claimed by M.R.Ry L.Venkataratnam Naidu from 1-7-24 in his officiating appointment as Assistant Professor, Presidency college, I have the honour to invite your kind attention to your letter

No.Edn.

Edn.1-19 dated 5-9-23 stating that there is no audit objection to the initial pay of the Assistant Professor being fixed at Rs.140 from 1-7-1922 in his permanent appointment as Deputy Inspector and to state that he was drawing till 1-7-24 his permanent pay while acting in his present post under the last sentence of fundamental Rule 32. This is also in accordance with the ^{interpretation of the} rule accepted by the Auditor General in the correspondence communicated with your No.G.A.55-832 dated 26-1-23.

Mr.Venkataratnam Naidu reached the ^{maximum} minimum of Rs.150 in the scale of 75-150 attached to his permanent appointment on 1-7-23. As he has since put in one years service in his officiating appointment he becomes eligible for an increment of Rs.5 in his officiating appointment from 1-7-24 under Fundamental Rule 32 and 26 (a) since officiating promotion has been declared admissible to Deputy Inspectors appointed to act in the Subordinate Educational Service Collegiate Branch in G.O.No.920 Law(Education) dated 28-6-23. Mr.Naidu does not have the benefit of increment in his substantive appointment from 1-7-23. In these circumstances it would appear that there is no objection to allowing Mr.Venkataratnam to draw increments in his officiating appointment under rule 26 (a) of the Fundamental rules.

2. The objection statement is herewith returned.

Copy of letter No.Edn.1/646 dated 15th September 1924 from the Accountant General, Madras to the Director of Public Instruction, Madras.

**

With reference to your letter No.R.C.2542-C-24 dated 22-8-24, I have the honour to state that, under Fundamental Rule 32, an officer draws the pay in the officiating appointment under the rule or the presumptive

pay

pay of his substantive appointment whichever is more advantageous to him. In the present case, the option of drawing the ~~presumptive~~ presumptive pay of his substantive appointment has already been conceded to Mr.L.Venkataratnam Naidu. Had he been confirmed as Assistant Lecturer, he would have drawn Rs.140 only from 1-3-24, and he would have reached Rs.155 only on 1-3-1927. He can therefore, be allowed to draw Rs.150 till 1-3-1927. It will be noticed that at present the pay in his officiating post is less than the presumptive pay of his substantive post. In this connection, I would invite your attention to the last sentence of Rule 31 Fundamental Rules.

G.O.No 944
6-11-22
(B)

Copy of letter R.C.No.2542 C/24 dated 23-9-24 from the Director of Public Instruction, Madras to the Accountant General, Madras.

With reference to the correspondence ending with your letter No.Edn.1-646 dated 15-9-24, I have the honour to state that M.R.Ry L.Venkataratnam Naidu Deputy Inspector, Satyavedu range was the temporary Assistant Professor of Sanskrit Presidency college till 30-6-23 and continued thereat to draw his substantive pay under the last sentence of Fundamental rule 32. The sanction of Government for the continuance of the temporary post expired on 30-6-23 as Government declined to sanction the continuance of the post after that date vide in G.O.No.651 Mis Law(Education) dated 8-5-23. M.R.Ry L.Venkataratnam Naidu was thereafter posted to officiate as Assistant Professor of Sanskrit in the same college from 1-7-23 in place of M.R.Ry L.R.Ramachandra Ayyar on other duty vide items 18 and 23 in the consolidated absentee statement for the Subordinate Educational Service Collegiate branch for the months of June and July 1923

G.O.No 944
6-11-22
(B)

(H)

respectively

respectively. On 1-7-1923 the substantive pay of Mr. L.V. Venkataratnam Naidu in the Deputy Inspectors cadre was Rs.150/ and hence he would under Fundamental Rule 32 be entitled on that date to an officiating pay of Rs.155 the stage next above his substantive pay and to the next increment from 1-7-24 in the scale sanctioned for the Subordinate Educational Service (Collegiate Branch). I therefore request that you will be so good as to inform me whether you agree with this view. I would also point out that the pay of the officiating appointment (Rs.125-250) is not less than the presumptive pay of the substantive post held by Mr. L. Venkataratnam Naidu which is in the ordinary grade of Deputy Inspectors on Rs.75/100-10-150. The last sentence of rule 31 of the Fundamental rule does not therefore seem applicable to the case.

Copy of letter No.Edn.1-720 dated 7th October 1924

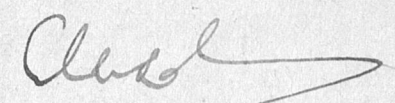
from the Accountant General, Madras to the Director of Public Instruction, Madras.

"With reference to the correspondence ending with your letter R.C.No.2542-C-2-24 dated the 23rd September 1924, I have the honour to state that the temporary post held by M.R.Ry L.Venkataratnam Naidu in the Presidency college, Madras prior to 1-7-23 and the permanent post in which he officiated in that college from 1-7-23 should be treated as in the same college cadre and in the same time scale for the purpose of Fundamental Rule 32. Mr. Venkataratnam cannot therefore be allowed an increase of pay on account of transfer from one post to the other and the officers pay should be regulated under the proviso to the first sentence of Fundamental Rule 32 subject to the alternative in the last sentence

Gom 944
16.11.22 (B)

of that rule. His increment in the presumptive pay of his substantive post will be in the scale of that post.

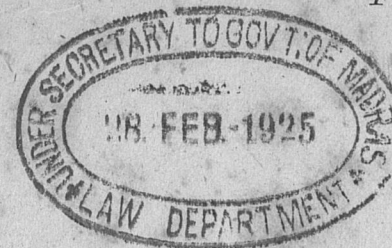
(True copies)


for Director of Public Instruction

10/5

11/28
10
Law En 675C
2-3-25
OFFICE OF THE ACCOUNTANT-GENERAL MADRAS.

Port St. George, the 26th February 1925



No. Edn. 1-1136

ENCLOSURES.

11 sheets

FORWARDED.

2. With reference to the point urged in the concluding portion of Mr. Venkatratnam's memorial that he would have been benefitted if he had reverted to his permanent appointment for a short period, it may be pointed out that the Fundamental Rules does not provide for revision of officiating pay on account of increase in substantive pay and so long as an officer has not actually reverted to his substantive post he has no claim for an increase in his officiating pay except when it works out to less than presumptive pay Vide Auditor General's letter No. 66 A/349-22 dated 18th January 1923 recorded in Finance Department memo: No. 346-1 C.S.R. dated 2nd February 1923.

3. It is also to be noted that Mr. Venkatratnam Naidu never actually joined the substantive post in the Education Department to which his lien was transferred.

W. S. S. S.
Dy. Accountant-General.

To

The Secretary to Government,

Law Education Department.

C.No. 679 - From the D.P.I., R.C. No. 2542 C/24, dated 20-1-25.

Subject.- Petition from M.R.Ry. L.Venkataratnam Nayudu, Acting Assistant Professor of Sanskrit, Presidency College, regarding increments in his officiating appointment.

Mr. L.Venkataratnam Nayudu entered the Educational Department as Assistant Lecturer of Sanskrit in the Presidency college on the 1st July 1920. From the list of Educational officers corrected up to the 1st July 1923, it is observed that the petitioner's pay in the Subordinate Educational Service, Collegiate Branch, was Rs 135 in the scale of Rs 125-5-175-7½-250. His initial pay in the Deputy Inspectorate was fixed at Rs 140 from 1-7-22 and he reached the maximum of the scale, Rs 150, on 1-7-23. Under the last sentence of rule 32 of the Fundamental Rules he is eligible for a pay of Rs 150 from 1-7-23 as Assistant Professor, Presidency College. The petitioner's contention is that his pay in the collegiate branch should be fixed at Rs 155 from 1-7-23 and that he should be allowed to draw increments in that scale under the second sentence of rule 32 of the Fundamental Rules. The Accountant General holds that the petitioner cannot have the benefit of increments both in his substantive post of Deputy Inspector of Schools and in his officiating post of Assistant Lecturer.

2. As pointed out by the Director of Public Instruction, Mr. Venkataratnam would be eligible for an officiating pay of Rs 155 a month if he had reverted for a short period to his substantive appointment and been reappointed to act in the Subordinate Educational Service, Collegiate Branch. The Director

75-5-100-10-150

P. 7 of

P. 14 of R.O. No. 944 Finance 6-11-22 (B)

P. 5 of

(B)

P. 11 of

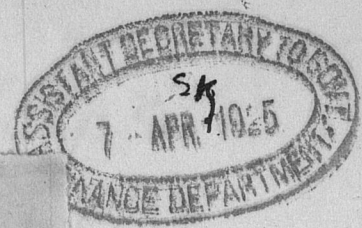
P. 1-2 of

P. 2 of

in the Subordinate Educational Service, Collegiate Branch, in which Mr. Venkataratnam can be confirmed. The petitioner should not be made to suffer on this account. It is ^{hard} ~~said~~ that he should have to wait till the 1st March 1927 for the next increment. It is for consideration whether, as a special case, the petitioner's request may be complied with. If so, the file may be sent to Finance u.o.

8/4/25
4/4/25

4.4.25 V.T.K.
6.4
Finance u.o.



Finance(C.S.R)

13613

Mr. Nayudu started as Temporary Asst. Lecturer on 1-7-20 without a substantive post and the pay of the temporary post was Rs125-5-175-7½-250. He was confirmed as Dy. Inspector of Schools with effect from 1-7-22 with an initial pay of Rs140 in the scale of Rs75-5-100-10-150 but continued in the temporary post till 30-6-23 and thereafter as officiating Asst. Professor, the temporary post having been abolished from 1-7-23. He claims from 1-7-23 Rs155 p.m. as officiating Asst. ~~Professor~~ Professor, a post which carries a pay of Rs125-5-175-7½-250. The Accountant General refuses to admit the claim and says that he can get Rs155 only from 1-7-27 and till then he can get only Rs150 under the last sentence of F.R. 32.

p. 1 supra

A.P. D's letter on p. 8 CF.

Copy of A.G's letter on p. 8 CF.

2. The following statement exhibits his substantive pay and officiating pay:-

P.T.O.

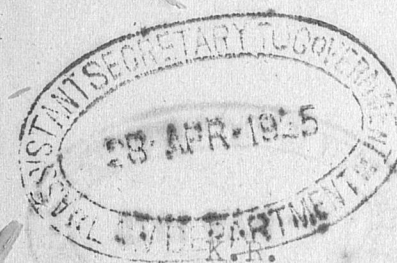
		substantive pay Rs.	officiating pay Rs.
1-7-22	...	140	130
1-7-23	...	150	135
1-7-24	...	150	140
1-7-25	...	150	145
1-7-26	...	150	150
1-7-27	...	150	155

3. The Accountant General seems therefore to be correct. The theory on which the claim is based for Rs155 from 1-7-23 is that if Mr. Nayudu had reverted to his substantive post for a day and returned to his officiating post, he would have got Rs155. This contention has to be rejected because of the Auditor General's ruling in p. 3 of (V). Law consider that it is hard to make Mr. Nayudu wait till 1-3-27 for his next increment. This is no justification.

p. 1 CF

4. The Accountant General admitted an initial pay of Rs140 in the Dy. Inspectors' cadre against Rs75, ~~xx~~ the presumptive pay of the post. In some cases he came up to Government to have the initial pay declared. He did not do so in this case but the matter need not be pursued, as the Auditor General has ruled that even temporary posts may be held substantively.

The file may be returned to Law(Education) with these remarks.



h. d. 1315C
28/4/25

Fin no no. 13613-16SR

28/4/25

The gentleman can't have it both ways. He got the higher pay when normally he would have drawn lower pay in the officiating post. The A.G's ruling is correct.

Law (Edn)

~~V.TK~~
9.6

17
11/11/25

17
19
D.O. No. 679 C-2
9.6.25
Law (Edn)

RECEIVED
11/11/25

e-7

My dear Sir,
Ref. your official letter,
R.C. 2542/C-24, dt/20th January/
1925. Orders are ~~being~~ issued
regarding M. R. Ry. L. Venkatesh-
sathnam Narayana's memorial,
as has request to be allowed to
draw increment in his officiating
appt. in the Presidency College
with effect from the 1st July/
1924 as inadmissible under
the rules.

^{honor}
2. I am ^{now} ^{desirous} to say that
the Govt. consider that their
^{might}
officer should be confirmed in the
Subordinate Educational Service,
an
Collegiate Service, at ~~the~~
^{early}
earliest possible opportunity
or
and that his claims for
promotion to the Madras
Educational Service ^{may} should be
favorably considered ^{when}
next making your ~~recommendations~~
are made
time for appointments to the

That Despatch.

Yours sincerely

~~7.6.25~~ ~~8/6~~ ~~V.K.~~ ~~9.6~~

DESPATCHED

11 JUN 1925

To R. G. G. Esq., M. A.,
7. R. G. S.,
Ag: D. P. S.

When given for copying
When copied
When examined
When signed

192

(14)

READ AGAIN G.O. No.
192

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH RETTO.

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

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