

Law Education (1926) Department.

Tri SERIES.

Letter G.O. No. 79

DATED

18-1-26.

[Despatch Abstract.]

INDIAN EDUCATION ~~XXXXXXXXXX~~ SERVICE:-

Appointment of Mr. L. Venkatakrishna Ayyar and holding  
posts in abeyance - Government of India addressed.



# 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. E.-28

Government of India,  
Department of Industries and Labour,  
Public Works Branch.

Establishments.

From

D. G. Harris, Esq., C.I.E.,

Deputy Secretary to the Government of India.



His Majesty's Under Secretary of State for India,

Service and General Department.

Simla, the 28<sup>th</sup> October 1925.

Proposal to hold in abeyance the Indian Educational Service Professorship of Mechanical Engineering at the College of Engineering, Guindy.

Sir,

I am directed to forward, for the consideration and orders of His Majesty's Secretary of State for India, a copy of a letter from the Government of Madras, No. 1441, dated the 19th August 1925, in which it is stated that the local Government appointed M. R.Ry.L. Venkatakrisna Ayyar, Executive Engineer, Madras Public Works Department, to the Indian Educational Service as acting Professor of Mechanical Engineering at the College of Engineering, Guindy, for a period of 6 months which expired on the 31st March 1925, and sanction is requested to his retention in that Service for a further period of one year from 1st April 1925, or until the receipt of final orders on the Lee Commission's recommendations concerning the Indian Educational Service, whichever is earlier.

2. Under the orders contained in paragraph 2 of the Secretary of State's despatch No. 188 Public, dated the 25th July 1913, local Governments were authorised to fill temporary appointments in the Indian Educational Service in any way which might be considered desirable, up to a period in each case of 6 months. In July 1924, however, local Governments were

enjoined

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enjoined, pending consideration of the Lee Commission's report, to refrain from making officiating appointments to that Service even for periods not exceeding 6 months. It seems to the Government of India that the Madras Government overlooked this injunction in appointing Mr. Ayyar to the Indian Educational Service for a period of 6 months with effect from the 1st October 1924. Again, the local Government allowed Mr. Ayyar from that date, when he was over 36 years of age, an initial pay of Rs. 850/- in the Indian Educational Service which corresponded to his pay in the Indian Service of Engineers. Under the existing rules, local Governments are competent to grant candidates appointed temporarily to the Indian Educational Service over 30 years of age the pay admissible at the age of 30 years, viz., Rs. 600/- a month, and the sanction of the Secretary of State is necessary to the grant to any such officer of initial pay in excess of this amount. The Madras Government's action in granting Mr. Ayyar the initial pay of Rs. 850/- a month, without the previous sanction of the Secretary of State, was, therefore, not in order. I am to say that the local Government's attention is being invited to these irregularities.

3. I am to observe that the correct course for the local Government to adopt in this case was (a) to submit, for the sanction of the Secretary of State in Council, under rule 1(1) of the Devolution Rules, proposals for the holding in abeyance of the Indian Educational Service Professorship of Mechanical Engineering at the Guindy College with effect from the date from which they required the services of Mr. Ayyar, and (b) to create, on receipt of such sanction, in lieu of that professorship, a temporary post for Mr. Ayyar for the requisite period. In order, therefore, to regularize the position, I am to request that the Secretary of State in Council may kindly be moved to accord his sanction to the holding in abeyance of the Indian Educational Service Professorship of Mechanical Engineering with effect from the 1st October 1924. On receipt

1374  
L.C. Gannell  
Shri. Sankar  
Secretary to the  
Education  
Dept.



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(4)

of this sanction the local Government will be in a position  
to create a temporary appointment for Mr. Ayyar.

I have the honour to be,

Sir,

Your most obedient servant,

Sd. W. G. Dollman,

for Deputy Secretary to the Government of India.

Copy forwarded to the Secretary to the Government  
of Madras, Law (Education) Department, with reference to  
his letter No. 1441, dated 19th August 1925.

By order,

*W. G. Dollman*

for Deputy Secretary to the Government of India.

*W. G. Dollman*

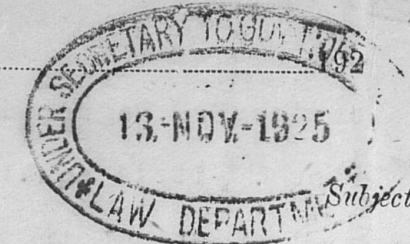
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Law(Education)

DEPARTMENT.

Received



Registered

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4363-A

A. C. 2725 C.

13/11/25

Addressing Government regarding the filling up

the post of Professor of Mechanical Engineering in the

College of Engineering, Guindy.

## ENCLOSURES.

No.

R. C. No. 1800 C/25

Spare copies

Station Madras

Dated the 11/11/25

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.

Sir,

I have the honour to address Government in the matter of filling up the post of Professor of Mechanical Engineering in the College of Engineering, Guindy.

2. The present incumbent of the post, viz, M.R. Ry L. Venkatakrishna Ayyar Avergal was appointed in G.O. No. R.505 Law(Education) dated 26- 8- 24. The Public Works Department desire that Mr. Venkatakrishna Ayyar be relieved since his services are required in connection with the Cauvery Matur Project.

3. The post of Professor of Mechanical Engineering is in the Indian Educational Service. The Professor should possess high academic qualifications(at least equivalent to the B.E. Degree of the Madras University), he should be able to teach students to the

with Mr. Ry  
G.O. 1720 W.D.  
5/11/25  
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the University standard of the B.E. Degree in the Mechanical Engineering branch. It is equally important that he should have had good practical training. Experience in responsible posts is also desirable as he has to be in charge of various laboratories and possibly workshops and Power House. I know of no one in the Indian Educational Service in Madras who is qualified to fill the post. It will be necessary to obtain the services of an officer from some other Department of the Government of Madras or from some other Province or from the Government of India or of a person who is not at present an officer of Government. I would suggest that, with the sanction of the Secretary of State, the post in the Indian Educational Service he held in abeyance and that a post outside the Indian Educational Service be created temporarily. I advise that the post be advertised in the leading newspapers in India and request the orders of Government as to whether I should take the necessary steps.

The Principal, College of Engineering is of opinion that a starting pay of about Rs. 600/- per mensem may attract suitable men, but that the pay will depend upon the qualifications of the person to be appointed. I doubt very much whether Rs. 600 per mensem is sufficiently high to secure any really suitable applicants and the attention of Government is invited to the impossibility of finding a suitable person for the post of Professor of Electrical Engineering on a pay of Rs. 600. I suggest that the pay be fixed temporarily with the sanction of the Government of India at Rs. 800 per mensem.

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

*Rama Ray*  
12/11  
for Director of Public Instruction

*Professorship of  
Mechanical Engineering,  
College of Engineering,  
Guindy*

20.11.1974. From Secy. of State M. E. 22 D. 28-10-25  
COM 4363 A From Secy. of State M. 1800 D. 11-11-25

A draft letter replying to the observations made by the Government of India in their letter to the Under Secretary of State for India is submitted.

2. From paragraph 3 of the letter to the Under Secretary of State, it appears that the sanction of the Secretary of State is necessary to the keeping in abeyance temporarily of posts in the I.E.S. Attention is, however, solicited to the letter from the Government of India No. 1416, dated 8-12-22 on pages 1 & 2 of G.O. No. 170-70 A, dated 30-1-23 and to the A.G.'s note on page 10 of notes to G.O. No. 1573, dated 10-10-24. It has hitherto been held that it is within the competence of the Local Government to hold posts in the I.E.S. temporarily in abeyance and to create corresponding posts in the M.E.S. Accordingly, the posts in the I.E.S. noted in the margin have been held in abeyance. The Govt. of India may be asked for definite instructions whether the orders passed in the above cases should be submitted to the Secretary of State for ratification.

3. The suggestions of the D.P.I. in his letter No. R.C. 1800 C/25, dated 11-11-25 for the creation of a post of Professor of Mechanical Engineering outside the regular cadres may be taken up after the receipt of the sanction of the Secretary of State to the holding in abeyance of the post of Professor in the I.E.S.

4. The draft, if approved, may be sent to Public and Finance for acceptance.

- (1) Post of Prof. of Technical Chemistry, Engineering College, Guindy.
- (2) " Prof. of Economics Presidency College
- (3) Post of Principal, Govt. College, Coimbatore.
- (4) Post of Principal Arts College, Rajahmundry.
- (5) " Professor of English, Queen Mary's College.
- (6) " *Junior Professor of* ~~Adl. By. Director~~ *of Pub. Instruction* ~~English, Presidency College~~
- (7) " Inspectress of Girls' Schools
- (8) " Principal, Govt. Brennen College, Tellicherry.
- (9) " Principal, Govt. College, Mangalore
- (14) " Professor of Physics, Queen Mary's College.
- (11) to (13) *These* Four posts of D.E.Os.

*Law & M. 4363 A*

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*24.11.25*

*V.T.K. 25.11*

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7 The only point with which this department is concerned is para. 3 of the Govt. of India letter and para. 4 of the proposed draft reply. The Govt. of India stated that when an appointment <sup>is</sup> kept in abeyance the proper course to adopt <sup>is</sup> to submit for the consideration of the Secretary of State under rule 1 (1) of Schedule III to the Devolution Rules a proposal for holding the post in abeyance and to take further steps after receipt of the sanction thereto. In the draft reply it is stated that the above rule relates only to abolition of posts included in the cadres of the All India Services and not to their being kept temporarily in abeyance. In this connection attention is invited to para. 8 of the Secy of State's Despatch dated 7th June 1923 printed on page 3 of letter No.916 Public dated 5th December 1923, and para. 4 of this Govt's letter No.916, Public dated 5th December 1923. The notes on pages 17 to 19 of G.O.No. <sup>897</sup> ~~287~~ Finance dated 11-10-1923 may also be perused. It would appear from these papers that the previous sanction of the Secretary of State would be necessary even for holding ~~posts~~ posts held by members of All India Services in abeyance. This department may perhaps advise that the words written in manuscript on page 5 of the draft ~~may~~ may be omitted.

M2-30-f

page 3 p 2 of

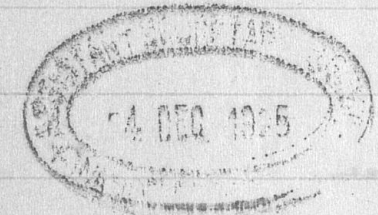
p 137 y2.c  
manual  
Vol I

\* It is understood that  
The S. & A. is with H.M.C.

para 8, up 30 (0)

Conf

In no  
Public No. 3777-18  
23-12-25



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3 18  
I am sorry that the draft cannot be accepted in Public. The Secy of State's ruling - in which this Govt. concurred - that an All India <sup>service</sup> ~~abeyance~~ <sup>abeyance</sup> cannot be held in abeyance without his sanction is 2 years old. If Law/Edw Dep wishes to press their present objection to the ruling the file must be circulated to H.M.C. & H.E.  
The view expressed in the Secy of India's letter in the C.F. seems to me to be correct.

all  
23.12.25

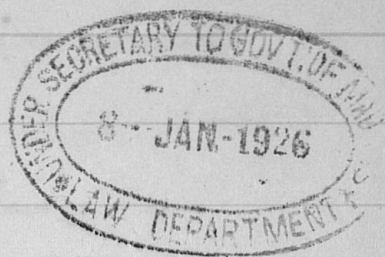
Finance (E.T.).

The only point on which the remarks of this department are called for is that contained in para 4. of the draft letter. According to the views of the Government of India in para 3 of their letter on pp. 2-3 c.f., the Local Government cannot keep an I.E.S. post in abeyance or fill it up without the sanction of the Secretary of State even as a temporary measure. The Public Department state that this view is correct inasmuch as this Government have concurred in the view expressed in para 8 of the Secretary of State's Despatch printed on p.3 of Govt letter No.916 Public, dated 5-12-23. No final orders appear to have been passed on this correspondence and until a definite



rule to this effect is framed by the Secretary of State the rules in the Devolution Rules should, it seems, be followed. In any case the restriction referred to in paragraph 3 of the Government of India's letter on p.2 c.f. will result in administrative inconvenience as when a vacancy occurs in the I.E.S. the Local Govt. will be debarred from either keeping it unfilled or filling it up without higher sanction. If such a rule is to be issued some provision will have to be made to enable <sup>the</sup> Local Government to make temporary arrangements pending higher sanction, at least in <sup>urgent</sup> ~~urgent~~ cases.

For. Dept are statutory  
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Law (Edn)

Finance

no 45740 ET-1  
8.1.26

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8.1.26

The file may be circulated to M<sub>2</sub>, C<sub>2</sub>, C<sub>4</sub> and His Excellency

~~8/1/26~~ The Public Dept. <sup>states that it is unable to accept</sup> para. 4 of the draft letter wherein it is stated that the Local Govt. can hold posts in the I.E.S. temporarily in abeyance that draft refers to para. 8 of the Secretary of State's despatch no. 45 D 7-6-23 and to para. 4 of letter no. 916 D 5-12-23. As however pointed out by Finance, the Secretary of State has not yet amended the Devolution Rules so as to require <sup>the</sup> ~~the~~ <sup>prior</sup> sanction.

p 3 of go. 916 D 5-12-23

prior sanction to proposals for leaving posts in the All-India service unfilled. The existing Devolution Rules require the sanction of the Secretary of State only to the abolition of such posts and not to their being kept temporarily in abeyance. The Accountant-General has also noted that it is open to the Local Govt. to keep posts in the I.E.S. temporarily in abeyance and Finance has accepted his view. Thus Finance accepts the position taken by this Deptt and differs from Public.

Please retype the Orgo letter before circ<sup>n</sup>

Paragraph 5 is unnecessary  
VTK

Retyped and submitted

Sais.  
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8/1/26

VTK  
9.1

M<sub>2</sub>

C<sub>4</sub>

C<sub>2</sub>

H.E the Gov

The devolution rules are followed. The P.S. accepted the position taken up by this Govt. Govt of India wants to tighten the rope even without the sanction of Govt of State. When a vacancy occurs in I.E.S., you cannot fill it until Govt of State approved it. Then to keep it in abeyance temporarily on the other hand Govt of State can



there shall be no further recruitment  
to S.S. - The Lee Commission recommended  
recruitment on a provincial basis -  
It will lead to administrative inconvenience  
if the places are not filled up keeping in  
abeyance S.S. temporarily. Local Govt can  
hold the posts in abeyance temporarily.  
The existing Devolution rule requires sanction  
of Govt & State for the allocation of the posts &  
not for keeping in abeyance temporarily.  
There are no final or more restrictions from  
the Govt & State who alone is competent to issue  
rules unless delegated his power to Govt & India  
a local Govt. The principle of Govt & India  
is therefore not correct. The advice of A.S. and  
Finance supports the procedure in the past adopted  
unless now a revised devolution rule is issued by  
Govt & State -  
Drafting machine. *24/1/26*

It seems to me that the papers  
in O are not relevant. They  
deal with cases adversely  
affecting the members of a service.  
This case so far as I can see  
is not of that kind.  
In 1924 we were asked to hold

appointments in the I.C.S. in abeyance  
i.e. not men to make appointing  
appointments to them. Why we are not  
told that we ought to have asked  
the Govt & State sanction to doing so  
in this particular case I do not  
understand.  
But no man in my opinion was wrong  
in making an appointing appointment  
to a post to have created a temporary  
post as stated by the G.O. of India.  
*24/1/26*

*fly E''*  
(since removed by public)  
Draft of 20897/23. In the  
Special cases of the U.S. I see no  
serious objection to the draft - except  
on the one point below.  
~~that~~ I think it is clear that the  
Leg<sup>98th</sup> has objected to the practical  
abolition of posts through the  
practice of keeping them in  
abeyance. This objection in  
itself implies that devolution  
rules referred to me in the  
Contract conform to their spirit.  
I think therefore that the sentence  
in brackets marked A on p 6 of  
the draft should be omitted  
*24/1/26*

an approved intimation  
to the Hon. Secy. to Govt. of India  
126  
1-16



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May be circulated to C<sub>4</sub>

NY  
19/1/26

CA  
15/1/26

Let  
16/1/26

Showered  
Chellappa  
18/1/26

Submitted for perusal  
18/1/26

NY  
19/1/26

Issue & send to Public for perusal.

CA  
18.1.26

[Issued as Letter No. 79 (Law (Ed)) 18.1.26.]

Law & Ed No. 4197A-1  
20.1.26

Public

may be returned (Law (Ed)) after  
perusal

DR

21/1/26

18/1/26

all

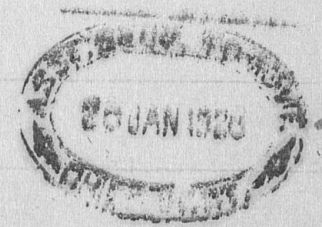
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Law 18/1/26

Pub No. 4.0.257-1  
22.1.26

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CNO. 4197A  
18/1/26

14

Law (Education) Department

Indian Educational Service

Appointments of Mr. L. Venkata-  
krishna Ayyar & holding post  
in a vacancy - Gouty India  
addressed.

Letter  
MIS

79  
18-1-26

To

The Secretary to the Govt. of India,  
Department of Education, Health  
and Lands.

DESPATCHED  
19 JAN 1926

Professorship of Mechanical  
Engineering, College of Engineering,  
Guindy.

Sir,

I am directed to reply to the  
observations made by the Government  
of India in their letter to the  
Under Secretary of State for India,  
No. E.28., dated 28th October 1925,  
copy of which has been forwarded  
to this Government.

2. The Government of India  
remark that, in appointing Mr. L. -  
Venkatakrishna Ayyar to the I.E.S  
for a period of six months to begin  
with, the Madras Government over-  
looked their direction against the  
making of such appointments. In  
their letter No. 1398 dated 11-7-24,  
the Govt. of India conveyed the  
ruling of the Auditor-General that  
the powers of the local Government  
and of the Government of India to

80 1232 L.E.  
19-7-24 (K)



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sanction officiating appointments to the I.E.S were limited to appointments lasting for periods not exceeding six months and two years respectively, and also intimated that they would be glad if no officiating appointments were made to the I.E.S., even for periods not exceeding six months, pending consideration of the Lee Commission's report.

In conveying the above intimation, the Government of India apparently desired to prevent further additions to the number of officers already officiating in the I.E.S who might claim to be confirmed in that cadre or at least to be allowed to retain the pay drawn by them in the I.E.S. scale, when that service was provincialised as recommended by the Lee Commission. In accordance with the wishes of the Govt. of India this Govt. have refrained from appointing temporarily to the I.E.S officers of the M.E.S or persons holding no appointments under the Govt. The appointment of Mr. Venkatakrishna Ayyar to officiate as Professor of Mechanical Engineering in the I.E.S was made in the special circumstances explained below.

~~The post of Mechanical Engineering in the I.E.S was made in the special circumstances explained below.~~

The post of Mechanical Engineering in the college of Engineering, Guindy fell vacant in July 1922. Owing to the difficulty of obtaining suitable recruits in England,

11/16  
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it became necessary to fill the post locally. The person selected to hold the post should be an officer possessing high academical qualifications in Mechanical Engineering and competent to take charge of the laboratories, workshops and the power-house attached to the college. The Govt found it difficult to fill the post except by selection from among officers of the P.W.D who had obtained a degree in Mechanical Engineering. Accordingly Mr. M.K. Ranganadham, an Assistant Engineer of the P.W.D, was appointed to officiate as Professor of Mechanical Engineering in the College of Engineering and he performed the duties of the post from 3-7-22 to 16-9-24 when he reverted to the P.W.D. Mr. Ranganadham's temporary appointment to the I.E.S was subsequently ratified by the Secretary of State in the letter from the India Office, No. S & G 2405, dated 16-7-25, copy of which was forwarded to this Govt with your letter No. 1726, dated 21-8-25. On Mr. Ranganadham's reversion to the P.W.D, Mr. Venkatakrishna Ayyar, who holds the rank of Executive Engineer in the P.W.D was appointed to officiate as Professor of Mechanical Engineering, as no other arrangement for carrying on the duties of the

12 of 1565 L.E. 7.9.25 (Z)



17  
post was possible. As Mr. Venkatakrishna Ayyar is an officer of the Indian service of Engineers it became necessary to appoint him temporarily to the I.E.S. so that his position in the college may be the same as that of his colleagues.

There is no intention to continue this officer permanently in this post. No claim which the Govt will be unable to meet later on will therefore arise from his appointment. In these circumstances,

I am to say that the spirit of the instructions contained in the letter from the Govt of India No.1398, dated 11-7-24 has not, in any way, been infringed. As the Govt. of Madras understand the position, the power to make temporary appointments to the I.E.S. for periods not exceeding six months still continues in the local Govt and it is open to them to exercise the power in special cases like the present one.

3. The Govt. of India also remark that the action of the Madras Govt in granting Mr. Venkatakrishna Ayyar who is over 36 years of age an initial pay of Rs.850 a month without the previous sanction of the Secretary of State was not in order. I am to point out that the instructions as to the fixing of pay by age contained in the letter from the Govt. of India No.613 dated 22-5-20 apply only to direct recruits to the I.E.S. and not to men promoted to the I.E.S. from the M.E.S. or other services. The rate of pay

Go. 1232 (K)  
29-7-24

(p.2 cf.)

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Up 1-2 of Go. 701 H.E.  
15-6-20

12/18  
admissible to the latter class of officers is determined by the orders contained in paragraphs 7 & 8 of Sir Henry Sharp's letter No.371 dated 23-3-20 and by Fundamental Rule 32. Under these orders, -- Mr. Venkatakrishna Ayyar is eligible on appointment to the I.E.S. for an initial pay of Rs.(925 plus 25)950. This rate of pay has been allowed to him by the Accountant-General, Madras, without any objection. In this connection, I am to point out that, in their letter No.1352, dated 1-7-24, the Govt. of India permitted M.R.Ry.P. Shankunni, Mr. G.L. Lobo and M.R.Ry.C.K. Krishnaswami Pillai who are officers of the M.E.S. appointed to act temporarily in the I.E.S., to draw the pay and allowances due to them under the Fundamental Rules irrespective of their age.

4. The Govt. of India point out that the correct course in the present case was for the Local Govt to submit for the sanction of the Secretary of State in Council under rule 1(1) of the Devolution Rules, proposals for the holding in abeyance of the I.E.S. professorship of Mechanical Engineering at the Engineering College with effect from the date from which they

X  
p.18 of Go. 60018  
17-5-20  
A

p.10 of Go. 1157 L.E.  
15-7-24 (J)

(Paragraph 3 of the  
Govt of India letter on  
pages 2-3 cf.)

p.137 of the League  
Council Manual



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required the services of Mr. Venkata-  
krishna Ayyar and to create, on receipt  
of such sanction, in lieu of that -  
professorship, a temporary post for the  
requisite period. [I am to point out  
that the rule referred to above relates  
to the abolition of posts included  
in the cadres of All-India services  
and not to their being kept temporarily  
in abeyance.] In their letter No. 1416,  
dated 8-12-22 the Govt of India intimated  
the decision of the Secretary of State  
that no posts should be removed from  
the I.E.S but that those posts which,  
owing to the prevailing financial -  
stringency, local Govts were unable  
properly to maintain should, for the  
time being, either remain in abeyance  
or be filled by Provincial Edl. service  
officers according as local circumstances  
allowed. This Govt have hitherto -  
interpreted the above instructions  
as authorising them to keep posts in  
the I.E.S temporarily in abeyance and,  
if necessary, to create corresponding  
posts in the M.E.S temporarily. A  
similar view has also been taken by the  
Accountant-General, Madras (vide extract  
enclosed)... I am to request the definite  
orders of the Govt of India whether all  
cases relating to the holding in abeyance  
temporarily of posts in the I.E.S under  
the orders of the local Govt should be  
reported for the sanction of the Secretary  
of State.

1 A  
N  
M 1-2 of 90.170-70 A  
20.1.23

W 90.10 of 90.1573  
10.10.24  
E  
for info.

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-7-  
5. Finally, I am to express the  
regret of the Govt. of Madras that  
they were not called on to furnish  
their remarks before the Govt. of  
India addressed the Under Secretary  
of State on the subject.



From the Director of Public Instruction, Madras, dated 24-7-24.

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Mr. G.K. Chettur was appointed to act as Principal, Government College, Mangalore, in the Indian Educational Service from the 23rd October 1922 and the sanction of the Govt. of India to his appointment expires on the 22nd October 1924. The D.P.I. suggests that the post of Principal, Government College, Mangalore in the Indian Educational Service be held temporarily in abeyance with effect from the 23rd October 1924 and, in its place, a post in the Madras Educational Service be created. He also recommends that M.R.Ry. G.K. Chettur Ayl. may be appointed to the temporary post to be newly created on the pay which he is at present drawing. The Accountant-General may be asked whether there is any audit objection to the proposals of the D.P.I.

V.T. Krishna Rao  
7-9-24

Accountant-General's office,  
Madras, the 12th Sept. 1924.

There is no audit objection to the proposals of the Director of Public Instruction being accepted.

The period for which the post of Principal, Govt. College, Mangalore, included in the cadre of I.E.S. is to be held in abeyance may be specified in the order.

B.C. Dutt.

Asst. Accountant-General.



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When copied \_\_\_\_\_  
When examined \_\_\_\_\_  
When signed \_\_\_\_\_

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READ AGAIN G.O. No. \_\_\_\_\_  
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