

Law (Education) (1926) Department.

Ord SERIES.

G.O. No. 624

DATED

16.4.26

(17)

[Despatch Abstract.]

Examination Rules

Exemption Md. Raza Hussain

Moyal, clerk of office of the Supd.
of Stationery - Sanctioned

BACK PAPERS.

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

FURTHER PAPERS.

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

9006-10-4-17.

DEPARTMENT.

C.F.-30.

CURRENT No.

Rev. 24 35. 2.

Received

191

Registered

191

Subject.

Stamp and Stationery office - exemption - Upper Division - clerk's post - petition from Muhammad Raza Hussain, clerk.

ENCLOSURES.

No.

D. No. 315 Mis.

Spare copies

Station 9th Chepauk, Madras, Dated the 9th November 1925. 191

From

The Board of Revenue, Land Revenue.
Revenue Settlement, etc.
Separate Revenue.

Resolution

Reference

H. G. Stokes, Esq., C.I.E., I.C.S.,
Ag. 2nd Member, Board of Revenue (Sep. Rev.)

Submitted to Government.

To

Second

The/Secretary to Government (Revenue Department)
(with a petition and its enclosures in original)

v.g.s.10-11-25.

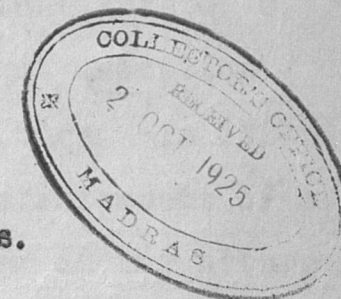
Secretary.



A. 235-25

Madras,

2nd October 1925.



The Secretary to Government,
Revenue Department,
Madras.

9375

ABKAR

Through the proper channel.

Sir,

I beg to submit the following few facts for the kind consideration of Government:-

I am a permanent clerk in the Stamp and Stationery Office in the scale of Rs.40 - 65 and my present pay is Rs.52/-. In 1915 with a view to better my prospects, I applied to Government for exemption from Examination rules and in G. O. No. 534 Edl. Misc. dated 18th May 1915, I was permanently exempted from the provision of Article 1 of the Public Service Notification, with the privilege of admission to all the Special tests for which persons who are qualified under Article 1 of the Public Service Notification are eligible to appear. Again in G. O. No. Mis. 1250 Revenue, dated 26th May 1915 the Government were pleased to exempt me from the operation of paragraph 3 of G. O. No. 682, Rev. dated 11th March 1911 in so far as it restricts entrance to the Upper Division of the Subordinate Revenue Service to Graduates (copies enclosed).

In order to regulate the pay of unpassed clerks, the Government in G. O. No. 722 Edl. Law. of 1922 laid down certain rules providing for an efficiency bar at Rs.50/- in the scale of Rs.40-65 for unpassed men. The



The Superintendent has held the view that this G. O. applies to my case and that I should get exemption for crossing the efficiency bar at Rs.50/-. In 1924 Mr. H. T. Reilly, I.C.S., the then Superintendent of Stamps, however considered that in view of the nature of exemption held by me, the efficiency bar did not apply in my case and allowed me Rs.50-8-0 without further exemption. The Board have held quite a different view and allowed me to cross the efficiency bar.

B In connection with a vacancy in this office in the grade of Rs.65 - 4 - 85 the Superintendent has held the view that in the face of G. O. No. 722 Edl. Law of 1922, exemption is necessary if I am to rise above Rs.65/-. I submit that in view of the T order in G. O. No. 1250 Mis. Rev. dated 26th May 1915 which exempted me from the operation of paragraph 3 V of G. O. No. 682, Rev. dated 11th March 1911 in so far as it restricts entrance to the Upper Division of the Subordinate Revenue Service to Graduates, no further exemption is necessary in my case for promotion to higher appointments.

I am a Muhammadan and have put in about 15 years' service and the Superintendents like Messrs. D. W. G. Cowie, A. R. L. Tottenham, H.A. B. Vernon, A. R. Cox, F. J. Richards and H. T. Reilly under whom I served had good opinion of my conduct and ability, and the nobility of my family had already been referred to by Mr. D. W. G. Cowie in his draft letter to Government which was disposed of by G. O. L No. 534, Edl. Mis. dated 18th May 1915, and G.O. No.1250 T Rev. dated 26th May 1915.

In view of the above facts, I request that Government will be pleased to declare that the orders in G.O. No. 722 Edn. Law of 1922 does not invalidate the sanction in G. O. No. 1250 Mis. Revenue. dated 26th May 1915 permitting my appointment to the Upper Division of Subordinate Revenue Service without any further exemption. If however it is considered that fresh sanction is necessary, I request that Government will be pleased to issue orders granting me the necessary exemption.

I beg to remain,

Sir,

Your most obedient servant,

No. Raza Hareem

Endt. No. A. 235-25.

Stamp & Stationery Office,
Madras, 13th October 1925.

Forwarded through the Board.

2. The Board has already held that further exemption is necessary for promotion to the upper division Rs. 65-4-85.

3. The applicant is doing excellent work and richly deserves the exemption. I had proposed to submit his case for sanction when I had resolved to promote him to the upper division.

Mamachandran
14 Oct 25

SUPERINTENDENT OF STAMPS
AND STATIONERY.

G.O. No. 534. Edl. Mis.

Dated, 18th May 1915.

READ the following papers :-

From the Superintendent of Stamps and Stationary, No. 536, dated the 14th April 1915 submitting the petition of Muhammad Raza Hussain Moyal for exemption under Article 1 of Public Service Notifications.

ORDER:-

Muhammad Raza Hussain Moyal will be permanently exempted from the provision of Article 1 of the Public Service Notification and will be informed that this exemption carries with it the privilege of admission to all the special tests for which persons who are qualified under Article 1 of the Public Service Notification are eligible to appear.

2. Orders exempting him from the operation of paragraph 3 of G. O. No. 682, Revenue, dated the 11th March 1911, will issue in the Revenue Department.

(True extract)

Sd/- P. Rajagopala Achariar,
Secretary to Government.

To

The Superintendent of Statuonary,
" Board of Revenue, Land Revenue,
" Revenue Department (with copy of notes)
" Commissioner for Government Examinations.

Forwarded to the Superin-tendent of Stamps & Stationa
ry.

(By order)

Sd/- V. Chengal Rao,
REGISTRAR.

(True copy)

GOVERNMENT OF MADRAS.

ABSTRACT.

Muhammad Raza Hussain Moyal

Exempting - - - - - from the operation of paragraph 3 of G. O. No. 682 Revenue, dated 11th March 1911 in so far as it restricts entrance to the Upper Division of the Subordinate Revenue Service to Graduates.

REVENUE DEPARTMENT.

G.O. No. Misc. 1250. Revenue, Dated 26th May 1915.

READ the following papers :-

From the Educational Department, G.O. No. 534, Misc. dated 18th May 1915.

ORDER:-

The Government are pleased to exempt Muhammad Raza Hussain Moyal from the operation of paragraph 3 of G. O. No. 682 Revenue dated 11th March 1911 in so far as it restricts entrance to the Upper Division of the Subordinate Revenue Service to Graduates.

(True extract)

Sd/- L. Davidson,
Secretary to Government.

To, The Board of Revenue, L. R.,
" Superintendent of Stamps and Stationery

Forwarded to the Superintendent of Stamps and Stationery.

(By order)

Sd/- V. Ponnayya,
Ag. Registrar.

XXXXX

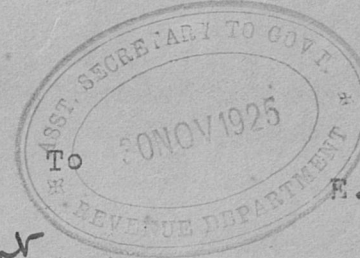
(True copy)

C. NATESAN, L.M.&S., M.L.C., F.M.D.
Member, University of Madras.
COUNCILLOR, CORPORATION OF MADRAS.

32, Veeraraghava Mudali Street,

TRIPPLICANE.

Madras, 29th November 1925.



E. W. Legh Esq.,

Secretary to Government

Revenue Department,

Fort St. George,

M A D R A S.

Dear Sir,

Exemption from examination rules - Your
D.O.No. 6179-C/25-1 of the 24th instant.

I am extremely obliged to you for your D.O. Though I have particulars with me of more than one case of miscarriage of justice as I believe ^{it} to be, I will mention here of only one case. Muhammad Raza Hussain Moyal, Clerk, office of the Superintendent of Stamps was exempted permanently from the provision of ~~the~~ article I of the Public Service Notification. The exemption orders run thus:--

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

G.O.No. 534 Edl. Mis.

dated 18th May 1915.

Read the following papers:--

From the Superintendent of Stamps and Stationery, No. 536, dated the 14th April 1915 submitting the petition of Muhammad Raza Hussain Moyal for exemption under article I of PUBLIC SERVICE NOTIFICATIONS.

O R D E R:--

Muhammad Raza Hussain Moyal will be permanently exempted from the provision of article I of the Public Service Notification and will be informed that this exemption carries with it the privilege of admission to all the special tests for which persons who are qualified under article I of the

C. NATESAN, L.M.&S., M.L.C., F.M.U.
COUNCILLOR, CORPORATION OF MADRAS.

32, Veeraraghava Mudali Street,
TRIPPLICANE.

Madras, 192
- 2 -

Public Service Notification are eligible to appear.

2. Orders exempting him from the operation of paragraph 3 of G.O.No.682 Revenue, dated the 11th March 1911, will issue in the Revenue Department.

REVENUE DEPARTMENT.

G.O.No. Mis. 1230 Revenue, dated 26th May 1915.

Read the following papers:--

From the Educational Department, G.O.No.534 Mis. dated 18th May 1915.

O R D E R:--

The Government are pleased to exempt Muhammad Raza Hussain Moyal from the operation of paragraph 3 of G.O.No.682 Revenue dated 11th March 1911 in so far as it restricts entrance to the Upper division of the subordinate revenue service to graduates.

Now I learn he was refused promotion basing the reason

(B) for doing so on the G.O.No. 722 Education Law of 1922. But I
(U) think G.O.No. 164 of 4th February 1925 ~~which G.O.~~ is very clear on the point. Hoping you will take action on this case and thanking you in anticipation,

I remain,
Dear Sir,

Yours sincerely,

C. Natesan

Memo. No. 12-13-2 Dated 11.3.26

Exemption of Muhammad Raza Hussain
from the examination rules--Endt.
of the Superintendent of Stationery
Madras, No. A. 235-25 dated 13-10-25.

The Superintendent of Stamps and
Stationery is requested to report whether
it is proposed to promote Muhammad Raza
Hussain now to the upper division or ^{whether} the
exemption is sought in order that he may
be promoted at some future date.

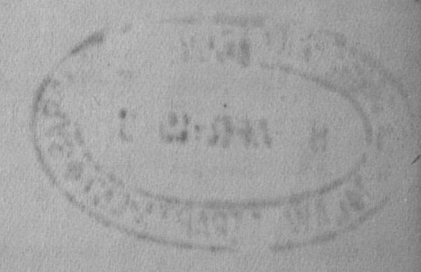
SKA
10.3.26.

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193

DESPATCHED
70-12 MAR 1926

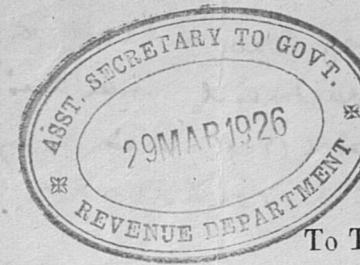
To
The Superintendent of Stamps
and Stationery, Madras.

Reminder after ^{three weeks} ~~month~~
A



C. 1232 (a)

In reply, please quote
number, date and short
title.



From (Name) Diwan Bahadur R. Ramachandra Rao, Esq., C.S.I.,

(Designation) Superintendent of Stationery,

Post Box _____, (Station) Madras.

Telegraphic Address _____

To The Secretary to Government,
Law (Education) Department.

No. A.235-25, dated 22nd March 1926

Sir,

Md. Raza Hussain - clerk - Exemption from the
Examination Rules - your Memo. No. 12.B-2 dated
11-3-1926.

ENCLOSURES _____

Md. Raza Hussain is the second in order in the grade of
Rs. 40-40-12-55-65, and there is a chance of his early promo-
tion to the next higher grade.

SPARE COPIES _____

MR/22-3.

Maniachandrababu
23 mar 1926.
SUPERINTENDENT of STATIONERY.

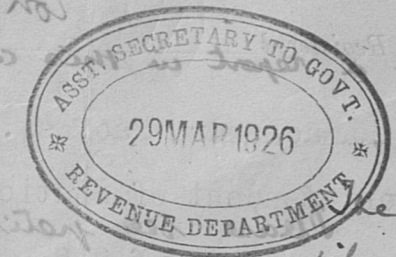




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-11-
5-15-2

7/1/26



-13-

Law (Education) Department

The file referred to over leaf was linked with another file and sent to Revenue Department with this office u.o. 802 B-1 dated 23rd March 1926. This may be sent to that department in continuation.

Case 802 B-1
29/3/26

819
26.3.26

26/3

Rev u.o.

Revenue Dept.

The file was obtained for reference for C-960 D-26, which is now proposed to be lodged. This may now be returned to Law (Education).

Rev u.o. 1071 D-26-1
1.4.26

31.3.26
31.3.26

1.4.26,
Law (Edn) u.o.

(18/4)

C. 2935 D. 17.11.25 from Board of Rev
(Sep Rev) N. 315 His 17.9.25.

C. 3095 D. From Mr Natesa Mudaliar 17.27.11.25
Stamp and Stationery office - exemption
upper division clerk's post - Petition from
Muhammed Raza Hussain -

Get a report in this case.

E. W. L.
30.11.25

To Asst. Secretary.

Please see petition and
Collector's remarks at pp 2.4cf, and Mr
Natesa Mudaliar's letter at pp 7.8cf. As the
facts of the case are at pp 2.4cf, it is
unnecessary to call for a report.

2. In view of the recommendation
of the Superintendent of Stationery and stamps
at page 4 cf, the exemption may, it is
submitted be supported in the Revenue
department.

3. With reference to Mr Natesa Mudaliar's
letter, he may be informed of the facts of the
case. A draft B.O. is submitted for approval.
After its issue, the file may be sent to
Law (Edn) for issue of order of exemption
as suggested in para 2.

The question in this case is
whether the petitioner, who has
already been given unrestricted

nk
2.12.25
Jm
8.12.25

exemption from the operation of art 1 of the P.S. notification requires further exemption for promotion from Rs 40-65 grade to Rs 65-85 grade. This is regulated by ^{para. 3 of} G.O. No. 164 Law (Edn) dt. 4.2.1925 which H.U. again refers to G.O. No. 722 Law (Edn) dt. 13.6.22 & No. 1525 Law (Edn) dt. 8.12.1922. The last of these G.O.s which is very relevant to the present case is not put up. Please put it up or get a copy of it made if it is in any other file.

DP
12.12.25

To Asst. Secretary

Copies of G.O. No. 1525 Law (Edn) dt. 8.12.22, A copy of G.O. No. 1478 Mis

(Education) dt. 8.12.22, and G.O. 1478 Law (Edn), dt. 15-8-25, are (Law Edn) dt. 25.8.25, which

put up. The former deals only with the question of allowing men exempted from art. 1 of Public Service notification to go up to the maximum of the Rs 45-65 scale. There seems to be no order ~~which~~ under which the petitioner, ^{can} without further exemption, ~~be allowed~~ to be promoted to Rs 65-85 scale.

Asst
14.12.25

P.T.O.

To Secy.

H.B.

G.O. No. 722 Law (Edn) dt. 13.6.1922,

H

" " 1525 "

dt. 8.12.1922

U.

" " 164 "

dt. 4.2.1925

all of them deal with the question how the pay of ~~an~~ unpassed men, exempted or unexempted from art. 1 of the Public service notification, in the lowest time scale is to be regulated; that is, whether they are eligible or not eligible for increment in that scale and how the efficiency bar operates. But the question involved in this case, which Mr. Natesa Mudt. has raised, is whether a man exempted from art. 1 of the P.S. notification ^{requires further} ~~can be~~ exemption for promotion from one time scale to a higher time scale (without further exemption). This, it is subd., will depend on the nature of the exemption first granted. One has been exempted to hold an appointment in a particular time scale, further exemption wd. be required for his promotion from that time scale to a higher time scale. But if as in the present case the subordinate

p. 8 of CF.

has been granted general exemption from the operation of article 1 of the P.S. notification it seems that no further exemption is needed for his promotion from one time scale to another time scale. It will be noted that the petitioner was not only exempted from the provisions of G.O. 534 Edn. D. 18.5.25 of art. 1 of the P.S. notifiⁿ, but he was also given the privilege of admission to all the special tests for which persons ~~not~~ qualified under art 1 of the P.S. notifiⁿ were eligible to appear, and was exempted from the operation of para. 3 of G.O. No. 682 Rev. D. 11.3.11 which restricted entrance to the upper division of the subordinate revenue service to graduates. The Govt. have thus in effect already accorded him all the privileges of a passed man and no further exemption is required for his promotion from the 40-65 scale which he is now holding to the higher scale of Rs 65-85 as the Bd. is reported to have held. For orders whether the Board may be informed

L.

* G.O. 1230 Rev. 26.5.25 T.

V.

* Para. 2 of Col. Vis. Enst at p. 4 of R.F.

acqly. with the concurrence of the Law (Edn.) dept. (14)

2. Orders are also requested whether any general orders ^(to the above effect) are necessary. Please of S.O. to Mr. Nabasa M.D. No. 6179C/25-1, D. 24.11.25.

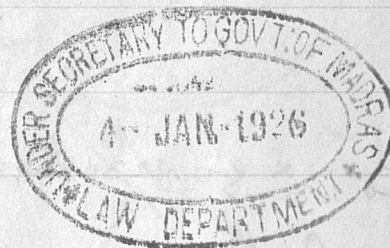
3. The remarks of the Law Edn. dept. may be invited.

30.12.25.

Rev u.o. 2935 D-25-1

3-1-26

R.D. 25-1-26



G.O. 534
18.5.15 (G)

G.O. 1525
8/12/22 (H)

Para 1 of G.O. 1212 (H)

Law (Education) Departt.

When the petitioner, Muhammad Raza Hussain, was exempted from the examination rules in 1915 no pay limit was fixed and the exemption was general. Ordinarily no further exemption would be necessary for his promotion from the lower to the upper division of the clerical service. In 1922 after the time scales of pay had been introduced, the Government issued general orders as to how the pay should be regulated ^{in the case of} persons who had obtained exemptions from examination rules when the old graded system of pay was in force. As regards persons who had obtained general exemptions, the order was as follows:--

(The Govt.) They are now pleased to direct that unpassed persons who have already obtained general exemption from the provisions of that Article ^(Art. 1 of the P.S. Notifiⁿ) and whose pay Rs Rs. 50 per mensem or less be allowed to rise to the maximum of the time scale of pay attached to their posts subject to the conditions specified in paras 2(iii) and 2(iv) of G.O. No. 722, dated the 13th June, 1922. If, however, such exempted candidates are already

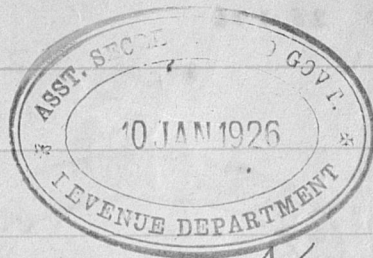
Slip (B)

already drawing a pay of more than Rs. 50 per mensem, they will be allowed to rise to the maximum subject to the usual condition that increments will be granted only for approved service."

It appears that the candidate in the present case was drawing less than Rs. 50 in the lowest time scale of pay for clerks in the city (Rs. 40-40-1½-55-1-65) when the above order was issued. The Board therefore held that for his passing the efficiency bar at Rs. 50 the orders of the head of the department was necessary and that for promotion to the scale of Rs. 65-85, - the sanction of Government should be obtained. It appears that the Board is technically correct if the orders issued in 1915 granting general exemption to the clerk are read with the instructions issued in 1922. In these circumstances, this department may advise that fresh exemption is necessary for the promotion of the clerk to the scale of 65-85. The file may be returned to Revenue.

Rev 304 of cf.

Rev 304 of cf.



Rev 12/167
9/26

871 9.1 Rev 11.0

Revenue Dept

To Asst. Secretary.

In view of the Law (Edn) note above it is submitted that further exemption is necessary in the case of Raza Hussain to enter the upper division.

The draft N.O. to Natesa Mudaliar may be approved. After its issue, the file may be sent to Law (Edn) for the issue of the exemption order as the Supdt. of stamps has strongly recommended page 4 of.

the exemption. The Board of Rev

1107

has not made any recommendation.

16/26 S 20.1.26

What was Mr. Natesa to do with the individual & how why is any reply to him necessary?

To Asst. Secretary.

it was thought Submitted that a reply to Mr. Natesa Mudaliar might be sent with reference to the correspondence and notes in D.O. 6179C-25 of 24.11.25, and his letter at page 7 of. But a reply to him does not seem essential.

His letter has been acknowledged at once - it is too late to do that now. Work need be sent.

To A.S.

Submitted that the file may now be sent to Law (Education) for the issue of necessary exemption orders. The exemption may be recommended in Rev.

There is no information regarding what is in the file which is being sent to Law. No recommendation is being collected for this purpose.

25/2/26
1.3.26
S/

The file is forwarded for issue of order in regard to exemption

DP. 21/3/26

Law

21.

Rev u.o. 2935 D. 25-2
3-3-26

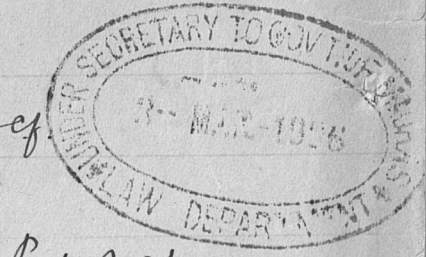
Law (Rev.) Dept.

A. Eu 574B
3/3/26

~~XXXXXXXXXXXXXXXXXXXX~~

The unpassed candidate in this case is drawing Rs. 52 in the scale, 40--40--1--55--1--65. He is recommended for further exemption so as to enable him to hold a post in the upper division on Rs. 65--4--85 Under the orders of H.M. the application for promotion to the higher grade should be considered only after the clerk reaches the maximum of his present time scale of pay. If, however, the upper division post is one which carries greater responsibility and if he is fit for the post, the application for further exemption may now be considered. The Revenue Department may be requested to offer their remarks on this point.

P. 2 gcf.



P. 4 gcf.

Please see notes on page 6 & 7 of G.O. 1822 of 20.10.25 + page 5 of G.O. 2140 12.12.25

Removed in Law (Rev.)

8/3.26

Both the above may be presumed in this case. The administrative dept. apparently supports the grant of the exemption.

CA 9.3.26

V.TK

10-3



C2 Is it proposed to promote him now to the upper div. post, if he is exempted? Or is the exemption sought merely in case of possible next promotion? Of the former I am not certain. If the latter, the CA of exemption does not now arise

9/13

A draft memo is submitted

16

8/3.26

CA 10/3

P. 10 gcf.

Issued as Memo No. 12 B2-17 11-3-26

CN- 832 D. from the Supdt of Stationery No. A.235-25 8.2.3.26

P. 12. C. 7.

The Supdt of Stationery says that Mr. Raja Hussain Royel stands second in the order of Seniority and will have an early chance of promotion to the higher grade. ~~It is suggested that he should apply for promotion to the higher grade in which he is now working. The exemption applied for may be granted. A draft order is submitted.~~

10/3

8/3.26

CA 15/4

V.TK 15/4

It is proposed to promote him now to the upper div. post, if he is exempted? Or is the exemption sought merely in case of possible next promotion? Of the former I am not certain. If the latter, the CA of exemption does not now arise

When despatched

Initials.

Clerk, office of the Superintendent of
Stationery--Sanctioned.

” ” ” ” ” 102

192

No. 624, dated 16 . 4 . 192 6.

Rs. 65-4-85.

92 17 APR 1926

To the Board of Revenue
(Separate Revenue)
~~Copy to the Revenue Department.~~

12.4.26
 8/12

$$\frac{12}{1574}$$

~~V.TK~~
~~1574~~

When given for copying _____
When copied _____ } 192
When examined _____
When signed _____

READ AGAIN G.O. No. _____ DATED _____
192 .

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.

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
C = Copy heading only.