

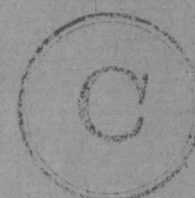
Educational (1903) Department.

ORDINARY MS.

G.O., No 218

DATED 15-5-03.

INDEXED.



[Despatch Abstract.]

Petition

Informing B.V. Subramanya Aiyar, Clerk,
Sub-registry office, Uttamapalayam, that the Govt.
in Council is not prepared to grant his
prayer that he may be declared eligible
to hold posts carrying Rs 15 & upwards.

BACK PAPERS.

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

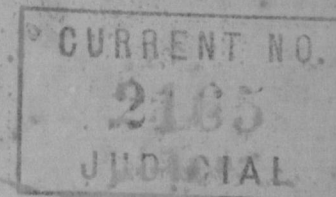
FURTHER PAPERS.

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

P. S. No. 175 Educational
2,000-15-8-01.

Judicial (1903) Department

CURRENT No. 747

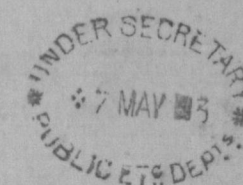


From

[Name] The Hon'ble R.V. Srinivasar Avargal Dewan Bahadur,

[Designation] Acting Inspector-General of Registration,

[Station] M A D R A S.



G. No. 4343

Dated 19th May 1903.

Enclosures

Received 11 - 5 - 1903.

Registered 8 - 11 - 5 - 1903.

SUBJECT.

Submitting memorial of B.V. Subramania Iyer, 2nd Clerk, Sub Registry office, Uttamapalayam, Madura District, praying that he may be declared eligible to hold posts carrying Rs. 15 and upwards.

BACK PAPERS.

G.O. 443 of 2-7-98
" 619 of 3-11-97
" 17 of 13-1-97
" 584 of 21-9-96

G.O. 230 of 23-4-97

FURTHER PAPERS.

465 of 5-6-95

To

The Chief Secretary to Government,

Judicial Department.

Sir,

To

THE SECRETARY

TO THE GOVERNMENT

OF

MADRAS.

THROUGH THE SUB-REGISTRAR OF

~~THANGACHIVAMMAPATTI~~

Uttamapalayam

IN THE NATURAL CHANNEL.

THE Humble Petition of B. V. Subramania Iyer, 2nd Clerk, Sub-Registrar's Office, *Uttamapalayam*, ~~Thangachivampatti~~, Madura District,
Most Respectfully SHEWETH :—

The Petitioner began his service in the Registration Department in August 1891 as an acting Clerk. He has been repeatedly recommended for confirmation by the several Sub-Registrars under whom he has served. The then Inspector-General of Registration has during the Petitioner's Acting period purposely deferred filling up any vacancy in the Department till the reorganization of clerk's scheme should come into force which took place on the 26th June 1894 with retrospective effect from 1st June 1894.

2. Under Circular Memo No. 27 of the Registrar of Madura, dated 24th June 1894, the Petitioner was appointed permanent 3rd Clerk of Sub-Registrar's Office, Uttamapalayam. The said order was received at the Dindigul Office on the 26th June 1894 and the Petitioner begged to be relieved at once so as to join duty at Uttamapalayam forthwith as not to be affected by the Public Service Notification dated 9th May 1894. On account of the newness of the Sub-Registrar to the Office and the pressure of work at the time being the end of the month the Petitioner was purposely detained at Dindigul under the verbal orders of the Sub-Registrar till the 29th June

1894, and was actually relieved on the morning of the 30th*.

* Vide Sub-Registrar's endorsement on the application of the Petitioner dated 23rd August 1894. viz :—

" This Gumastah wanted to join his new appointment at Uttamapalayam at once (i. e.) on 26th June 1894, but as it was the end of the month and as I was new to the Department, I ordered him to remain for some days until relieved by his successor owing to pressure of work. Moreover it is stated in the Circular Order that the appointments made therein will have retrospective effect from 1st June 1894, and I therefore thought that his stay here would not be prejudicial to his interest and hence detained him so that the work may not suffer. The permanent incumbent joined the Office on the 29th June 1894 and this Gumastah relieved on the same day".

(Signed) R. S. GOPAL ROW,
23-8-94. Acting Sub-Registrar and
Acting Head Accountant.
(True copy)

3. The Petitioner had been detained at Dindigul, only on the exigencies of Public Service and had joined duty at Uttamapalayam on the 3rd July 1894, without availing himself of the preparation or the joining time. Thus the petitioner has committed no default and has joined duty at the earliest possible time, Uttamapalayam being 55 miles from the nearest Railway Station. Moreover the appointment took retrospective effect* from 1st June 1894.

*Vide the Sub-Registrar's endorsement on the petitioner's application above referred to and G. O. No. 430 Judicial dated 27th February 1893 given below:—Under Proceedings T. No. 2471 dated 21st June 1894 of the Inspector General of Registration the following revised scale of establishment of Clerks is sanctioned for the 29 Sub Registrar's Offices in the District with effect from 1st instant. The names of the Clerks appointed to each office are given in column 3.

* * * * *

The other Clerks concerned should be made to join their respective new stations without any delay.

* * * * *

The Clerks should not on the present occasion avail themselves of the usual preparation and joining time but should join their stations forthwith.

* * * * *

Madura Registrar's Office, }

24th June 1894. }

(Signed) A. S. VENKATA ROW,
Registrar.

Circular Memorandum No. 27 of 1894.

(True extract.)

4. That portion of Note 1 to Public Service Notification appearing in the Fort Saint George Gazette dated 9th May 1894, speaking of permanent appointments on 1st July 1894, does not apply to the petitioner's case for the following reasons:—

i. Though he has been compelled by the Department by the exigencies of Public Service to join duty on 3rd July 1894, his appointment has had retrospective effect from 1st June 1894.

ii. When some vacancies occurred in February 1895, the Petitioner applied for promotion on 18th February 1895. When the Petitioner's claims were considered, it was observed by the then Inspector-General of Registration that the Petitioner was ineligible for promotion as he had not joined duties before 1st July 1894. But on application to the then Inspector-General for exemption under the special circumstances due to the exigencies of Public service, the Petitioner has been exempted from *Educational tests and is now qualified to rise to posts carrying Rs. 15 and upwards.

*Vide G. O. No. 465 dated the 5th June 1895 communicated in Inspector-General's Proceedings T. No. 2357 dated 12th June 1895, the following clerks have been exempted from Educational Tests.

* * * * *

B. V. Subramania Iyer,
3rd Clerk, Uthamapalayam.

* * * * *

Madura Registrar's office,
30th June 1895.

(Signed) A. S. Venkata Row,
Registrar.

iii. Note 1 to Public Service Notification dated 9th June 1894, clearly applies to all officers in superior service holding permanent appointments before 1st July 1894, on any pay whatever. The then Inspector-General has put only this construction upon the wording of the Notification and such construction has been approved by the *Government to be correct and the petitioner has been in conformity with the said order been promoted from Rs. 14 to Rs. 15 on 1st September 1895.

W *Vide G. O. No. 465 dated 5th June 1895 above quoted.

* Dewan Bahadur M. Rajaratna Mudaliar Aiyer.

5. The construction now put upon the wording of the said Note 1 to the said Public Service Notification by the ^{late} present Inspector-General as appearing from his G. No. 4765 dated 20th August 1897 is detrimental to the interests and prospects of persons like the petitioner who have been qualified to rise to posts carrying Rs. 15 and upwards. The petitioner most humbly requests to put the more charitable *construction put upon the said Note by the Late Inspector-General. Dewan Bahadur S. Srinivasa Raghava Aiyer Aiyer.

X

W *Vide Extract from Inspector-General's letter to Government in T No. 1616 dated 12th May 1895.

In para 2 of the Government Order No. 465 above referred to, it is stated that the late Inspector-General correctly interpreted the note on this point. Reading the latter part of para 4 with para 3 of the letter it would seem that Dewan Bahadur Inspector-General S. SRINIVASA RAGHAVA IYENGAR interpreted Note 1 to the Public Service Notification dated 9th May 1894, as permitting and not as forbidding the promotion to Rs. 15 and upwards of men who though they they had passed only the Middle School Examination in the 1st Class or the U. C. S. Examination held permanent appointment on Rs. 14 prior to 1st July 1894, and that his sole object in addressing the letter to Government was to secure the same concession to similar candidates who were prevented by the exigencies of the service from joining their permanent posts of Rs. 14 before the 1st July 1894. It was in consequence of the opinion thus held by him that he allowed several of the men on Rs. 14 to be subsequently promoted to Rs. 15 and upwards.

(True Extract)

6. In conclusion the Petitioner most humbly submits that he has been holding permanent appointment from 1st June 1894 under the circumstances mentioned and that he holds the exemption order under the special circumstances narrated, thereby making him eligible to rise to posts carrying Rs. 15 and upwards.

The Petitioner therefore humbly begs the Government to have his eligibility for promotion declared by a special order under the circumstances.

For which act of charity and benevolence Your Honor's most obedient and humble Petitioner shall as in duty bound ever pray.

B. V. SUBRAMANIA IYER,
Second Clerk.

Second Clerk,
9th March 1903.

Office of the Sub-Registrar of
Thangachiammapatti at Chattrapati
14th March 1895.
Kottamapalayam
9th March 1903

Submitted to the Inspector General of Mysore for orders.
2. The applicant, not having held a 15th B. appointment on the 1st July 1894, is not eligible for promotion, being a candidate for the first class candidates under G. O. No. 17. Educational dated 13th January 1897.
3. There are several ~~other~~ competent clerks of the applicant's qualifications who deserve promotion and if possible these may be exempted from the Seniority Rules.

Madura District Office
5th April 1903

D. Perumal Aiyer
Registrar

(1903)

Registration Department.

From

B. V. Subramania aiyar
Second Clerk
Sub-Registrar's office
Vottamapalayam

To,

The Secretary to the
Government of Madras
in the Natural Channel.

Dated 9th

Received

March
1903.

Enclosures: — (nil)

Submitting a memorial
of appeal to order that
he may be promoted to
upper end of Rs 15 per mensem
as sanctioned in G. O.
No. 465 dated 5th June
1898. —

Q 3527/03

1111 0000-0000

REGISTRATION DEPARTMENT.

Endorsement :- G.No. 4343 dated 1st May 1903,

M A D R A S.

Submitted to Government for orders.

2. The memorialist who has passed the Middle School Examination in the first class was appointed a permanent clerk on Rs.14 on the 3rd July 1894. Under a misapprehension of the rules in the Public Service Notification he was promoted to a Rs.15 post on the 7th September 1895. As the promotion of this man and thirty others similarly circumstanced was considered irregular, these were, as a special case, exempted from the operation of the examination rules so far as to enable them to continue in their present posts, (Vide G.O.No.619 Education, dated 3rd November 1897).

3. The memorialist's contention that but for his detention in the Dindigal Sub Registry office till 30th June 1894 for the exigencies of the public service, he would have been a permanent clerk on Rs.14 before the 1st July 1894, the date on which the public service notification came into force and would in consequence have become eligible for promotion to any post under Government is untenable as may be seen from this office letter G.No.4765 dated 20th August 1897 recorded in G.O. quoted above. The case of the memorialist is similar to that of B. Virasami Nayudu, a clerk of the Vallam Sub Registry office, whose request to the same effect, viz. that he be declared eligible for promotion to posts carrying more than Rs.15 a month, Government declined to comply with in its order No.443, Educational, dated 21st July 1898.

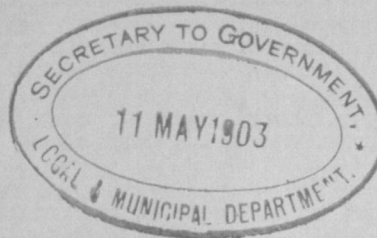
R. V. Srinivasan

Ag. Inspr: Genl: of Regn:

To

The Chief Secretary to Government,
Stonehouse Hill.

[G.]
3
4,520-5-3-03.



Judicial DEPARTMENT.

C. No. 2165, From the Insp. Genl of Regn, G. No. 4343, Dated 1-5-1903.

Sub No 1697 of 9-5-03.
Transferred to the Educational
Department.

all sample
as Under Secretary.

Sub
8.5.03

H.
8.5.03

To
The Educational Department
with current minis.

1,000-5-12-02.

C. No. 747, From the *not depart*, No. 1697, dated 9 - 5 - 1903

Miss.

The petitioner should be informed that the Govr. in council is not prepared to comply with his request.

AG
15.5.83

141573

Re

13/5/3

[Quindras office - should have put up
my note of 1899 on this subject.]

20

The I. G. of registration

20/5/73

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

190 .

READ AGAIN G.O., No.
 190 .

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 FILLED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

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