[$\frac{\text{Edl.}}{\text{6.}}$]
800—15-7-01.

Educational (1903) Department.

ORDINARY MS.

G.O., No 391

DATED 20. 8. 03

INDEXED.

—12—

[Despatch Abstract.]

Exemption from the Ed rules.

Sancg the — of K. P. Narayana Aiyar, clerk in the Dt Munsif's Court, Cuddalur, so as to make him eligible for promotion to posts carrying a salary of Rs 30 per mensem.

BACK PAPERS.

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

FURTHER PAPERS.

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

1

Stock Form No. 127
2,000—1-5-02.

2

Educational (1903) Department.

SECRETARY TO GO
14 AUG 1903
LOCAL & MUNICIPAL DEPARTMENT

CURRENT No. 1266

From

[*Name*] J.T.Gillespie,Esquire, I.C.S.,

[*Designation*] Ag.Registrar of the High Court of Judicature,

[*Station*] MADRAS.

Ref. ae Cur:

No. 1853 of 1903.

Dated 12th August *1903.*

Enclosures 6

Received 14-8-*1903.*

Registered 15-8-*1903.*

SUBJECT.

Forwarding a copy of letter from the District Judge, Coimbatore, submitting a memorial from K.P.Narayana Aiyar, praying for exemption from the examination rules.

BACK PAPERS.

FURTHER PAPERS.

To

The Secretary to Government,

Educational Department.

Sir,

I am directed to forward for the favourable consideration of Government copy of letter No.1939,dated 31st July 1903,from the District Judge,Coimbatore,--- forwarding a memorial from K.P.Narayana Aiyar,3rd clerk in the District Munsif's Court of Gudalur,praying that under G.O.No.1086,Revenue,dated 19th July 1872,the High Court may declare him eligible for promotion to posts carrying a salary of Rs.30,or that the sanction of Government may be obtained exempting him from the Examination Rules with a view to qualify him for promotion to Rs.30. The G.O.referred to (No.1086,Revenue,dated 19th July 1872) has not been communicated to the High Court.

Proceedings [illegible]

I have the honour to be,

Sir,

Your most obedient servant,

J. T. Gillespie

Ag.Registrar.

PKR
13.8.03.

Copy of letter No.1939,dated 31st July 1903,from the District Judge of Coimbatore,to the Registrar of the High Court of Judicature at Madras:-

I have the honour to forward herewith for favourable consideration memorial for exemption from examination rules addressed to the Honourable the Chief Justice and the Judges of the High Court by K.P.Narayana Aiyar,3rd clerk of the -- District Munsif's Court,Gudalur,and its enclosures,praying that in the circumstances set forth therein and in consideration of his long service of 18 years,the High Court may be pleased to declare him eligible for promotion to posts --- carrying a salary of Rs.30 under the terms of G.O.No.1086, Revenue Department,dated 19th July 1872,according to which unpassed men employed in the Revenue Department in Wynaad have been promoted to posts up to Rs.30.

Proceedings [illegible]

2. The District Munsif,Gudalur,through whom the above -- memorial is submitted represents that it is exceedingly --- difficult to get passed men for the Wynaad and that the memorialist is a good clerk and deserves promotion up to the Rs.30 grade.

PKR
13.8.03.

DISTRICT & SESSIONS COURT
23 JUL 1903
COIMBATORE

To,

The Honourable

Sir Charles Arnold White, Kt,

Chief Justice

And

The Honourable

The other Judges of the

High Court of Judicature

Madras

Through

The District Munsif, Gudalur

and The District Judge, Coimbatore.

The humble Memorial of

K. P. Narayana Aiyer, 3rd Clerk

District Munsif's Court, Gudalur.

Most Respectfully showeth,

1. That your Lordships' humble memorialist was entertained in Government service from 1st July 1885 and was promoted to Superior grade on Rs 15 in the year 1887.

2. That under G. O. No. 1086 dated the 19th July, 1872 your Lordships' humble memorialist though an unpassed Candidate – he having passed the late Middle School Examination only in the 2nd Class – was eligible for promotions to posts carrying a salary of Rs 30 and under in Wynaad.

3. That Note 1 to the Public Service notification expressly states that "The rules

rules Contained in this notification shall in no wise affect the promotion of persons who held permanent appointments before they first came into force on 1st July 1894, provided their promotion was not already barred by any rules previously in force."

4. That the Board of Revenue in their order No. 4447 dated the 10th August 1894 in explaining the meaning of this note ruled that "Note 1 to the public service notification merely states that the rules Contained therein, being rules of admission to the public service, shall not affect promotion, which should still be regulated under the old 'rules.'"

5. That, your Lordship's humble Memorialist begs to submit, that this old rule so far as Wynaad is Concerned is Contained in G. O. No. 1086 dated the 19th July 1872 and the fact that it was not expressly or impliedly cancelled by any order of Government before the public service notification came into force seems to make it abundantly clear that the intention of the Government was to let it Continue in force as regards promotion of persons already entertained.

6. That the Board of Revenue in their order No 3017 Mis: dated the 26th october 1898 ruled that under note 1 of the public service notification one K. G. Sivarama aiyer, — who has not even passed the late Middle School examination and who is junior in service to your Lordship's humble Memorialist by about 8 years — is eligible for promotion or transfer up to Rs 30 in Wynaad, by reason of his having held a clerk's post in the Gudalur Sub Registrar's office in 1893. The said Sivarama aiyer is now holding a 20 Rs appointment which the Memorialist was unwilling to take up, when he was appointed for it.

7. That by virtue of the aforesaid G. O., which authorises the adoption of the rule in favour of all unpassed men in Wynaad, and the subsequent orders of the Board of Revenue your Lordship's humble Memorialist, in and between the years 1893 to 1902, has had several offers for lifts to the other departments of the S. E. Wynaad division, on salaries ranging from Rs 17½ to 25, but he was unwilling to take up any such promotions doubtlessly Anticipating promotions in the Munsif's Court staff.

8. That if the G. O. mentioned above be held as having been cancelled or not applicable to your Lordship's humble Memorialist, who, probably, is the only unfortunate subordinate that remains to be benefitted by it, it would prove a very hard lot for him to suffer.

9. That your Lordship's unfortunate Memorialist having entered the service of Government on the hopes given by the G. O. subjected himself to the dreadful influences of a notoriously malarious climate and has been discharging his duties faithfully and honestly as will appear from the enclosed Copies of testimonials.

Your Lordship's humble Memorialist therefore most respectfully begs to pray, that your gracious Lordships, taking a benevolent view of the facts herein stated and in Consideration of his long service in a trying climate for the last 18 years, may be generously pleased to declare him eligible for promotions up to Rs 30 in Wynaad and if necessary to recommend for and obtain the sanction of Government for his promotions up to Rs 30.

K. P. Narayana Aiyer
15. 7. 1903.

Submitted. It is exceedingly difficult to get passed men for the Wynaad. Applicant is a good clerk & deserves promotion up to the Rs 30 grade.

F. Hannyngton
17.7.03.

DISTRICT & SESSIONS COURT
23 JUL. 1903
COIMBATORE

Copies of testimonials.

I hereby certify that K. P. Narayanan was a student of the L. F. School, Alatur, from 1879 to 1884. He passed the Middle School Examination in the 2nd class in 1894. He was able, clever, and studious in his studies. I fully believe that he is a promising youth and therefore able enough to discharge his duties in any department where he is entertained. His general Conduct is good and praiseworthy. I wish his success in his career.

(Signed) N. P. Sundareswara Aiyr
Head Master, Alatur.

2. The applicant is young, but is a promising youth, and is fairly well up in the business of the Court. He is at present only sub pro tem 3rd Clerk in this Court and deserves to get a permanent post as Clerk.

(Signed) R. C. C. Carr.
District Munsif.

3. The Petitioner is attentive to his duties.

(Signed) H. V. Cobb
District Munsif.

4.
You are not qualified by examination for the post of Head Clerk. If you pass

P. T. O.

&c &c you will, have a much better chance of getting it.

(Signed) H. W. Gillman
District Munsif.

5. The applicant worked under me while District Munsif from October 1896 to May 1897. His work was good. &c

(Signed) W. W. Phillips
Ag: Dist: Munsif.

6. His work is said to be good.

(Signed) S. G. Roberts
Ag. Dist: Munsif.

7. Petitioner has, I know, worked well &c.

(Signed) A. Edgington
Ag: Dist: Munsif.

8. He is of good character.

(Signed) F. Hannyngton
Ag: Dist: Munsif.

9. Red mark Certificate as Supervisor.
His Certificate is presented to K. P. Narayana Aiyer x x x by order of His Excellency the Governor in Council, in recognition of the good and willing service he rendered in the Census Operations of 1901, and as a mark of approbation.

(Signed) C. M. Mullaly
Collector.

DISTRICT & SESSIONS COURT, COIMBATORE. 23 JUL. 1903

Proceedings of the Madras Government
Revenue department 19th July 1872.

Read the following proceedings of the Board of Revenue, dated 9th July, 1872 Mis. No. 4756.

Read the following letter from the Collector of Malabar to the Secretary to the Board of Revenue dated Calicut, 1st July 1872.

I have the honour to inform you that the offices of District Post gumastahs at Devala and Cherambady in the Wynad have again fallen vacant, and it has again been found impossible to induce any passed Candidate to accept either post.

2 A man named Krishna Row has been acting at Cherambady from March 11th, and one Chinniah at Devala from 1st May, and on the recommendation of the Dy Collector I have to apply for their exemption from passing the General test Examination so long as they fill their present posts.

3. Their pay cannot be passed until this Course is sanctioned and it is therefore desirable that sanction should be obtained with as little delay as possible.

4. References such as the above are constantly being made in regard to the lower appointments in Wynad for which it is difficult to get Candidates at all, for less passed Candidates, and I beg to

suggest that all nominees to appointments in Wynad of Rs 30, and under, may be exempted from the Government test.

Submitted for the favourable consideration of Government.

2 The great difficulty experienced in finding men to fill the lower appointments in Wynad renders some special arrangement of this kind necessary.

No 1086. order thereon 19th July 1872.

The Government sanction the individual exemptions proposed and authorize the adaption of the General rule for the Wynad advocated by the Collector.

(True extract)

(Signed) W. Huddleston

Secy: to Government

(True Copy)

(Signed) W. C. McMurray

for Ag: Sub Collector

(True Copy)

By order

a. l. Govindan

a/g. Head Clerk

K.D.D.

KSK

---

23 JUL. 1903
COIMBATORE.

Proceedings of the Board of Revenue (Land Revenue

dated 10th August 1894, Mis: No 4447.

Read the following letter from F. A. Nicholson Esquire, Ag Collector of Anantapur, to the Secretary to the Commissioners of Land Revenue, dated Anantapur, 4th August 1894

Ref: on Petn No 1668:—

In Note (1) to Article 56 of the Public service notification published in the Fort St George Gazette, dated 2nd May 1894, Part I, page 623, it is laid down—

"The rules contained in this notification shall in no wise affect the promotion of persons who held permanent appointments before they first came into force on 1st July 1894." But in paragraph 2 of Government order dated 22nd May 1893, No 345, Educational, communicated in Boards' Proceedings No 338 dated 15th June 1893 it is stated that "the intention of ~~the~~ Government was, however, to debar from any promotion all unpassed men who on 1st July 1887 held posts carrying a salary of Rs 15 and upwards, but below Rs 20". I have the honour to request to be informed if the former overrides the latter and allows promotion to unpassed men holding permanent appointments in superior service before 1st July 1894.

2. It seems to me probable that the

notification contemplates promotion only to those who were eligible for promotion under the old rules; but note 1 as quoted is absolute in its terms.

Resolution dated 10th August 1894 Mis. No. 4447.
The surmise in paragraph 2 of the Collector's letter read above is correct. Note 1 to the recent public service notification merely states that the rules contained therein, being rules of admission to the public service, shall not affect promotion, which should still be regulated under the old rules.

(True copy & extract)

(Signed) L. M. Wynch
Secretary.

(True copy)

(By order)
A. G. Govinda Row
Ag. Head Clerk.

KDV.

W.K.
2

Proceedings of the Board of Revenue
(Land Revenue)

No. 3017 Misc. Dated 26th October 1898

DISTRICT & SESSIONS COURT
23 JUL. 1903
COIMBATORE.

Read letter from A. Butterworth Esqr. Ag: Collector of the Nilgiris R.C. No. $\frac{957}{1898}$ d 8.10.98.

Resolution

The Collector's attention is invited to note (1) of the Public Service notification. K. G. Sivarama Iyer having been entertained as a clerk in the Gudalur Sub Registrar's office in 1893 under G.O. No. 1086 dated 19th July, 1872 no exemption from the examination rules appears to be necessary, either for his transfer to a clerk's post in the Deputy Tahsildar's office there or for his promotion up to Rs 30 in Wynaad.

(True extract)

(Signed) L. Davidson
ag: Secretary.

(True Copy)
W. C. McMurray
for Collector.

(True Copy) (By order)
A. G. Govinda Row
Ag. Head Clerk

ag. H.C.

KDV.

WSK

15

10

1859/03

From

The District Munsif

Gudalur

To,

The District Judge

Coimbatore.

No. 256

Dated 17th } July 1903.
Desp.d 21st }

District & Sessions Court
No 3028
23 JUL. 1903
Coimbatore.

Return

Encls. 4.

Submitting his 3rd clerk
K. P. Narayana aiyer's Memorial
for exemption addressed to
the Honourable High Court.

11

[E. / 2]
1,000—5-12-02.

EDUCATIONAL DEPARTMENT.

C. No. 1266 From the Registrar, High Court No. 1853 dated 12-8- 1903.

SUBJECT.

Exemption from the Examination rules.

The applicant says he entered Govt. service in 1885 and was promoted to Superior grade in 1887. If so, under G.O. No 1086 Rev: dt 19th July 1872, he was eligible for promotion to Rs 30. Under note (1) to the Public service notification he retains this privilege even under the new rules. No exemption is thus actually required. Please see however the notes in G.O. No 606 Edl dt 12th September 1899. For the sake of policy therefore a formal exemption may be granted & the draft placed below may issue.

19/8/3

P.

Yes

19/8

19803

[E. / 3]
1,000—5-12-03.

EDUCATIONAL DEPARTMENT.

READ AGAIN G.O., No. ...., dated .... 190 .

" " " " ...., " .... 190 .

READ ALSO :—

C. No. 1266, From the Registrar, High Court, No. 1853, dated 12- 8- 1903.

" " ...., " " ...., " ...., " .... 190 .

" " ...., " " ...., " ...., " .... 190 .

Letter
~~ORDER~~
Mis

No. ~~400~~ 391, dated 20- 8- 1903.

desp
19/8/3

Desp
22/8/3

To the Hon'ble the Chief Justice
of the High Court of Judicature,
Madras.

Hon'ble Sir,

With reference to Mr. Gillespie's letter no. 1853, dated the 12th instant, I am directed to state that His Excellency the Governor in council has been pleased to exempt from the examination rules K. P. Narayana aiyar, clerk in the district munsif's court, Gudalur, so as to make him eligible for promotion to posts carrying a salary of Rs. 30 per mensem.

N.S.R.
16/8/03

P.J.
17/8/3

19/8/03

19/8

When given for copying ______ }
When copied ______ } 190 .
When examined ______ }
When signed ______ }

READ AGAIN G.O., No. , DATED 190 .							
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 UP, BEING MEANT FOR DESPATCH IN ORIGINAL.							

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