

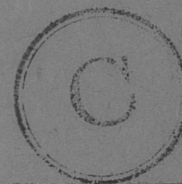
Educational (190 4) Department.

ORDINARY MS.

G.O., No 80

DATED 29. 1. 04

INDEXED.



[Despatch Abstract.]

Exemption from the Examination mls.:-

Sanctioning the — of M Aithappa for
Employment as dalyat in the Revenue
Settlement Party no. II.

BACK PAPERS.

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

FURTHER PAPERS.

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

Educational Revenue (1904) Department.

CURRENT No. 148. 2

From

The Board of Revenue,

Revenue Settlement, Land Records and Agriculture,

Madras.

No. 307 Misc.

Dated 16--1--04 190.

Enclosures

Received 21 JAN 1904 190.

Registered 22 1/1904

SUBJECT.

Examination rules- Submitting to Government, with remarks, an application for exemption from---submitted by the Spl. Sett. Officer, South Canara, on behalf of M. Aithappa, an unpassed candidate for employment as Dalayat in Revenue Settlement Party No. II

BACK PAPERS.

10-7-11-04-10-6-11-98
10-8-11-04-10-5-11-98
10-8-11-04-10-5-11-98

FURTHER PAPERS.



Proceedings of the Board of Revenue

(Revenue Settlement, Land Records and Agriculture),

Dated 16th January 1904 ~~190~~.

No. 307 Misc.

The Hon. Mr. A. E. Castle Stuart Stuart, I.C.S.

READ Application for exemption from Examination rules of M. --
Aithappa, an unpassed candidate for employment as dalayat
in Revenue Settlement Party No. II, submitted by ^{M. E. Couchman Esq.} the Special
Settlement Officer, South Canara, No. 7415 dated 27th Octo-
ber 1903.

Read also the following Board's Reference thereon, No. 3035 dated
21st November 1903:-

The Special Settlement Officer is requested to re-
port whether M. Aithappa is a permanent field peon on Rs. 7,
when he was appointed to that post and the authority under
which he was so appointed and was made to act as Dalayat on
two occasions before.

Read also the following letter from M. E. Couchman Esq, Special Sett.
Officer, South Canara, No. 8129 dated 9th December 1903:-

Referring to Board's Reference on No. 3035 dated 23rd
November 1903, I have the honor to report that M. Aithappa
was appointed permanent field peon on 17-11-1895, that it
to say, prior to 1-1-1897, from which date the Government
ruled that only passed candidates are eligible for peons'
posts. (Vide para 1 Note 2 of the Public Service Notifica-
tion dated 9-5-1894, published in the Fort St George Gazette
dated 29-5-94, page 623). He acted as dalayat on two occa-
sions

occasions, viz from 17-1-96 to 16-10-96 and from 5-11-96 to
21-7-97. On both these occasions, his appointment was made
prior to 1-1-97 and as such Board's sanction was not ob-
tained.

Resolution.-

Submitted to Government for
favourable consideration.

(True Copies & Extract).

V. K. Ramaswami
Acting Secretary.

Educaional
To the Secretary to Government, Revenue Department,
with application in original

20/1

Name, Age and Educational Qualifications of the unpassed Candidate for whose employment, Sanction is sought.

The post in which it is proposed to employ him and nature of the appointment i.e. whether acting or sub pro tem or temporary.

The period for which the appointment is expected to last.

The period for
which sanction
is now sought
(with dates of
Commencement
and Termination
- how).

Is this a first appli-
-cation or one for a
renewal of a pre-
-vious sanction.
In the latter case
quote the previous
order granting
-sanction and state
for how long the
Candidate has been
already exempted.

What steps
have been taken
to procure the
services of a
passed candi-
-date and with
what result.

Recommendation of the
Head of the
Department.

Remarks.

M. Arithappa, aged
30 years, 10 months and
9 days.
Educational Qualifi-
-cations: Nil

Delayed Permanent
on Ro 7/- Exemption

This is a first application

Passed Candi-
-dates are
available and
have been tried
and found to
be quite unfit
for the arduous
field duties
of a Delayed
of a Settlement
Party, for which
a strong phy-
-sique is in-
-dispensable.
No suitable
passed Candi-
-date is avail-
-able.

M. Aithappa is a permanent Party Peon on Roy. He has ~~since~~^{twice} before this acted as Dalayet. He has put in a Service of nearly 8 years. He is a man of excellent Physique which is the qualification required for a Dalayet of a Settlement Party.

No 7415803

Submitted to the Board of Revenue,
(Settlement Department), Madras
for favour of obtaining the sanction
of Government

Revenue Settlement Office
Mangalore, 27th October 1903

Mr. Touchman

Special Settlement Officer
South America

$\frac{27}{27} \cdot \frac{8}{27 \cdot 10}$

[E.]
[2]

1,500-7-10-03.

C. No. 148 From the Board of Revenue: R.S. No 307 dated 16-1-1904.

SUBJECT.

Exemption from the Examination rules

The Board of Revenue submits for favourable consideration an application for exemption on behalf of one M. Aithappa in view to his appointment as a dalayat on Rs. 7 in the Revenue Settlement Party No. II. He is already a permanent field peon on Rs. 7 and was appointed to that post in 1895. i.e., before the primary examination rules in respect of inferior appointments came into force.

2. The rules contained in the public service notification do not affect those who held permanent appointments before they came into force - Vide note (1) to the preamble to the public service notification. The primary examination rules came into force on the 1st January 1897. It is therefore not clear why Aithappa who held a permanent appointment before that date, should now require exemption for appointment in the same service. The Board may perhaps be asked to. about it.

Secy. Office have

1st July 1894

Unfortunately for this argument the Not^y was careful to say what it meant by "before the rules came into force" by adding the date viz. July the 1st 1894

Please see para 1 of the note in G.O. No 6064/12-9-99 # orders thereon. 26/1/4

Ru 26/1/4

No 5298

No 3984

No 2584

No 2584

* misunderstood the note to the preamble. The exemption is recommended by the Board of Examiners.
My 26-1-4

* Submitted note. Note (1) to the preamble assumes that all the rules in the Public Service notification as it now stands came into force on the 1st July 1894 but this is not so. The rules in respect of inferior appointments came into force only on the 1st of January 1897 - vide para: 2 (2) of G.O. No 67 dated 2nd February 1894. In 1899 the question was raised whether the date - 1st July 1894 - given in note (1) to the preamble should not be omitted but it was decided that this note might be left alone. vide notes and orders in G.O. No 606 dt 12th September 1899.

My 27/1/4
I am of the same opinion still.
My 27.1.4

The wording of Note (1) is undoubtedly as A.S. takes it. Presumably the intention was otherwise, as it will be evidently unreasonable to prohibit the promotion of a man confirmed (as this one) between 1894-1896. But in 1899 it was thought better not to revise the Note, & the lapse of 5 years make the reasons stronger. We may therefore exempt & say no more.
My 28.1.04.

How do you know? This Govt when they passed it did not intend the Primary qualification in inferior appointments to come into force till 1897 see the G.O. of 94 Q. art 1. note 2.
My
as was intended in '94
X.

that was not the question raised. The question raised was whether persons in superior appointments (as well as those in inferior appointments) were to have the benefit of the rule; which declared that the Note is non-retrospective. The words they were thinking of leaving out were the words "provided that their promotion was not already barred by any rules previously in force". They were not thinking of having out the date 1st July 1894. Vide C.G.E.'s letter in T.
My

His submitted that the Commr's letter was in reply to G.O. No 298 dt 11-5-98 when the question now under consideration was also raised.
My

N
The draft placed below may issue.
Ym
My 29-1-4
Rm
28/1/4
28/1/4

C. No. 148, From the Board of Recs: R.B., No. 307 initiated 16 $\frac{2}{3}$ years: 1904.

ORDER No. 80, dated 29.1.1904

M. Aithappa is permanently exempted from the primary examination for employment as dalayat in the Revenue Settlement Party

20. II. AG 29.1.4

Re
28/1/14

28/1/4

2.
The Board of Revenue
R.S.

29/1/4

When given for copying _____ }
 When copied _____ } 190
 When examined _____ }
 When signed _____ }

READ AGAIN G.O. , No.
190 .

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

H.B.—

A ~~can~~ Copy in full.
B ~~can~~ Not to be copied.
P ~~can~~ Copy abstract only.
Q ~~can~~ Copy heading only