

E. & P. H.

(1945) Department.

MS. SERIES.

G.O. No.

1764 Eder

Dated

31-10-1945

(19)

[Despatch Abstract.]

Recruitment - Direct Madras Agricultural Subordinate Service -
Upper Subordinate - Sri T. Sreenivasan - Ex-Agricultural Assistant -
Board High School, Bhavani - Alleged irregularity - Amendment to the
Commission's advertisements - Papers recorded.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
P.	1175.	L.A.	30-4-45.				

Further Papers.

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

J.F. 32.

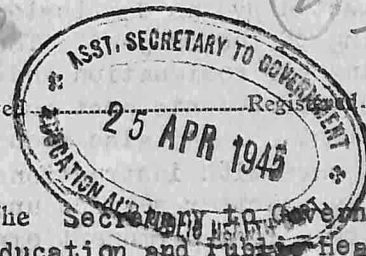
18579

Local Administration Department
 From (Name) Sri.V.K.Palaniswami Gounder
 M.L.A.,
 Designation President, District Board,
 Station Coimbatore.

Received

To

The Secretary to Government,
 Education and Public Health Department.
 Madras.



Enclosures :

No. Roc. 26755/B3/44 dated 16 April 1945;

Sir,

Sub: Establishment - Secondary - Education Sri.T.Sreenivasan
 B.Sc. L.T. Agricultural Assistant, Board High School, Bhavani
 selected by the Madras Public Service Commission - Reported.

Sri.T.Sreenivasan, B.Sc. (Agri) L.T., Assistant who was in charge of the Agricultural section attached to the Board High School, applied in July '44 for recruitment to the Madras Agricultural subordinate service post upper subordinate. His application was not forwarded from this office and was withheld as a substitute is not available for his applace. Nevertheless he sent a copy of his application direct on 24-9-44 to the Madras Public Service Commission, which he ought not have done without the previous permission from this office. The Madras Public Service Commission seems to have selected him for the post by some mistake without verifying whether he has taken previous permission of the employer to apply for the post.

I addressed the Secretary, Madras Public Service Commission pointing out the irregularity in the selection of candidate who is in permanent employ under this Board without permission and I requested him to cancel the selection as it will not be possible to relieve him for want of a substitute.

P.T.

B
P1
if selected by the Commission, especially since no person could be made for the teaching of the subject. The result is the assistant went away from 1-2-45 throwing his resignation and without handing over charge and obtaining relief. He has deserted his post and with impunity joined duty in the Agricultural Department. I had also requested the Director of Agriculture, Madras to relieve him at once with instructions to obtain proper relief from this office before taking up another service under Government. I have not had any reply from him till now. If a permanent employee in the superior service is allowed to behave in this manner with impunity and allowed to take up service in the Provincial Service, I am afraid the whole discipline and control will crumble. I, therefore, request that Government will be pleased to enquire into the matter and take immediate action to relieve the Assistant so as to enable him to rejoin his post without prejudice to his misbehaviour in deserting the post without permission.

V. K. Palaniswami
President, District Board.

Gs: 20-4

C.F. 32 (a).

Local Administration

Department

From (Name) Sri. V. K. Palaniswami

Gounder, M.L.A.,

Designation President, District Board,

Station

Coimbatore.

Received Registered

To

The Secretary to Government,
Education & Public Health Department.
Madras:

Enclosures :

Roc. No. 26755-B3-44 dated 7-7-1945

Sir,

32103

Sub: Establishment - Secondary - Education -
Sri. I. Srinivasan, Agricultural assistant,
Board High School, Bhavani - appointed
under the Madras Agricultural Department,
- Irregularity.

Ref: My letter Roc. No. 26755-B3-44 d/22-4-45 &
2-6-1945.

In my letter Roc. No. 26755-B3-44 d/22-4-45 I had reported that Sri. I. Srinivasan the permanent Agricultural assistant attached to the Agricultural Farm of the Board High School, Bhavani under the management of this Board, was selected by the Madras Public Service Commission and appointed under the Madras Agricultural Department, and he went away without obtaining proper relief. Consequently the Agricultural Farm in the Board High School, Bhavani is left without any qualified hand to conduct the same for the

P. T.O.

for the past 6 months. I therefore, request that Government will be pleased to take urgent action to relieve the assistant Sri. Sreenivasan and direct him to rejoin his post early.

V.K. Papaniawang
12.7.45
President, District Board.

Gs: 9-7

5
Ex P.H.B.)
Ell. - Sri T. Srinivasan, ex-teacher, P.D. High School,
Bhavani - M.H. in the Madras Agri. Subordinate
Service - Irregularly.

Ref: From the P.D.B., Coimbatore, No. 26755 B/44
of 16.4.45 and 7.7.45

Memo 18579-1 B on 28/7/45

On a perusal of the advt. published by the M.P.S.C. at
pp 562-564 of Part II of the F.S. G. Gazette of
11.7.44, it is seen that only persons who are in
the service of the Crown were required to send
their applications through the authority competent
to appoint them. There was no such stipulation
in regard to servants of local bodies who
proposed to apply to the Commission. The matter
is being taken up with the Commission. In
the meantime the P.D.B., Coimbatore is requested
to proceed on the basis that Sri T. Srinivasan
has ceased to be a member of the Board's
service and take steps to fill the post of
Asst. Teacher vacated by him in the usual
manner.

26.7.45

28/7/45

to fill the post of
Agricultural Assistant
temporarily and without
prejudice to the excess
which are eventually
be passed on the P.D.B.
reference

10
The P.D.B.,
Coimbatore.

28/7

Edn. & P.H. Dept. (B)

ESTABLISHMENT -- Sri T. Srinivasan, Ex-Agricultural Asst, Board High School, Bhavani -- Appointment as Upper Subordinate in the Madras Agricultural Subordinate Service - Irregularity.

From the P.D.B., Coimbatore, Roc. 26755/B3/44 dated 16-4-45 and 7-7-45.

MEMO.

The P.D.B., Coimbatore, is informed that as Sri T. Srinivasan had already resigned his appointment as Agricultural Assistant in the Board High School, Bhavani, he cannot be compelled to serve under the Dt. Bd. Steps should, therefore, be taken to fill the vacancy. The Govt. will take such action as they deem necessary on the subordinate's conduct in giving up the Bd.'s service before his resignation was appointed to take up the appointment in the Agricultural Deptt.

To
The P.D.B., Coimbatore 18/7/45
24.7.45

P. T. O.

Letter no 18579 - 38/10/45 E. & P.H. Dept. (B) 16/8/45

To

The Secretary, M.P.S.C. Madras
(with enclosure)

Sir,

Madras Agricultural Subordinate Service --
Selection of Sri T. Sreenivasan, Ex-Agricultural Assistant, Board High School, Bhavani, as Upper Subordinate -- Alleged irregularity.

I am directed to enclose a copy of the letter received from the P.D.B., Coimbatore, on the subject mentioned above and to request that you will/so good as to furnish the Govt. with a copy of the reply given by the Commission to the letter from the P.D.B., Coimbatore referred to therein as the Govt. would like to know the stand taken by the Commission on the general question of a local board servant applying without permission to the Commission for

not be forwarded
for the personal of
Sub.

16.8.45

16/8/45

for appointment in Govt. Service.

Y.O.S.

Tel: "PULSERCOM"

38726

AUG 1945

From
Sri C. Krishnaswami Chetty,
Secretary, Public Service Comm.,
Madras.

To
The Secretary to the Government
of Madras,
Education and Public Health
Department.

No.4159-B.2/45-1, dated 30-8-1945.

Sir,
Recruitment (Direct) - Madras Agricultural Subordinate
Service - Upper Subordinates - Sri T.Srinivasan, Ex.
Agricultural Assistant, Board High School, Bhavani -
Your letter No.18579-3.B.Edn., dated 16-8-1945.

I am to say that a clause exists in the Commission's advertisements to the effect that persons who are in the service of the Crown in India must send their applications through the authority competent to make appointments to the posts which they are holding, and that applications received direct from such persons are as a rule rejected. Employees of local bodies are not persons in the service of the Crown in India and so it is usual for the Commission to admit applications received direct from such employees, treating them in the same manner as employees of private bodies, institutions, firms etc.

2. In the particular case referred to in your letter, the applicant submitted on 24-7-1944 two copies of his application, one direct and the other through the President, District Board. The last date for the receipt of applications in the Commission's office was 2-8-1944; the oral test was held on 30-8-1944; and the list of successful candidates which included the name of this applicant was communicated to the Director of Agriculture on 11-9-1944. Until then, the Commission heard nothing from the President, District Board about the copy of the application sent through him. On 11-11-1944, the Commission received for the first time a letter dated 6-11-1944 from the President, District Board informing it that the application sent through him had been withheld and requesting it not to select the applicant. By that time, the selection had been completed and the list had been communicated to the Director of Agriculture.

3. Copies of the following letters are enclosed.--

- (1) Commission's letter to the Director of Agriculture, No.3/U.S./44, dated 22-11-1944.
- (2) Commission's letter to the President, District Board, No.3/U.S./44, dated 28-3-1945.

No other communication was sent to the President, District Board from the Commission's office.

Your obedient servant,

[Signature]

Secretary.

c.kn.30-8-1945.

pto.

10
Copy of Commission's letter to the Director of Agriculture
No.3/U.S./44, dated 22-11-1944.

Recruitment (Direct) - Madras Agricultural Subordinate
Service - Upper Subordinate - Srinivasan, Sri T.

I am to enclose a copy of letter dated 6-11-1944 from
the President, District Board, Coimbatore and to say that Sri
T.Srinivasan, the candidate referred to therein, is one of the
candidates included in the list sent to you with the Commis-
sion's letter No.2419-B.2/44-8, dated 11-9-1944, for appointment
as Upper Subordinate in the Agricultural Section. In case he
fails to join duty when appointed, the fact may be reported to
the Commission for further action.

Copy of Commission's letter to the President, District
Board No.3/U.S./44, dated 28-3-1945.

Recruitment (Direct) - Madras Agricultural Subordinate
Service - Upper Subordinate - Sri T.Srinivasan - Your
letter Roc.No.26755/B.3/44, dated 21-3-1945.

I am to say that the appointments of candidates
after selection by the Commission are made by the Director
of Agriculture, Madras.

C.F. 32.

Local Administration Department

Received Registered

From (Name) Sri V.K.Palaniswami Gounder,

M.L.A.,

Designation President, District Board,

To The Secretary to Government,

Station Coimbatore.

Education & Public Health Deptt.,

Madras.

Enclosures:

No. Roc. 26755-B3-44 dated 15--9--1945.

Sir,



41582

Sub: Establishment - Secondary - Education - Srinivasan T. Sri -
Agricultural Assistant, Bd.High School, Bhavani - Irregular
appointment in the Madras Agricultural Sub-Ordinate service
cancellation of.

Ref: Govt. Memo. No.18579-1-B dt End d/ the 28th July 1945.

The Government in their memorandum quoted above have observed that in the
advertisement published it was mentioned that persons who were in the service of the Crown
were required to send their applications through the authority competent to make
appointments and that there is no such stipulation in regard to the servants of local
bodies. It cannot be derived that there is anything in the stipulations that would
permit of a permanent employee of the District Board to apply to the Service Commission
without the previous permission of the employer. Whatever be the terms of the
advertisement the person applying for the post should adhere to the service conditions
governing his appointment. Under the Local Fund servants conduct rules issued in
G.O.No. 1175 L. & M., dated 30th April 1941, as subsequently amended, every application
by an officer or servant of a local board for an appointment or promotion shall be sent
through the proper channel. Even if it be that he wanted to leave service he should
have applied for permission to resign and only after obtaining such permission he should
apply for employment elsewhere. It will be a dangerous precedent if persons can
in the empty of one Department can be encouraged to seek employment in another
department by directly applying for the mere reason that the other authority inviting
applications omitted to mention about the submission of applications through the proper
channel. Moreover it is an elementary principle to be observed that by any recruiting
authority that applications of persons in permanent employment have passed through
the proper channel. In any case the recruitment of the person while he is in the
permanent employ of a local board to other services without the consent of that board

10
Copy of Commission's letter to the Director of Agriculture
no.3/U.S./44, dated 22-11-1944.

Recruitment (Direct) - Madras Agricultural Subordinate
Service - Upper Subordinate - Srinivasan, Sri T.

I am to enclose a copy of letter dated 6-11-1944 from
the President, District Board, Coimbatore and to say that Sri

under which he is employed is irregular and ultrawires. He could not be appointed to
a different service without the consent of the Board. As such Sri T.Srinivasan's
(the permanent agricultural assistant under this Board) appointment under the Madras
Agricultural Subordinate service deserves to be cancelled, having been made on mistaken
facts or misrepresentation of circumstances.

This assistant (Sri T.Srinivasan) is guilty of grave misconduct. He applied for
the post without taking previous permission from this Office. He deserted his post and
joined service under the Madras Agricultural Department without caring for his employer.
The work in the Agricultural section is suffering ever since the Assistant left
abruptly without obtaining proper relief. All attempts made to secure a hand have
proved futile. Even a raw graduate with B.Sc. (Agriculture) is not available.

In the circumstances the only just and inevitable course to relieve Sri T.Srinivasan
atonce and direct him to go back to his original post.

I request Government may be pleased to pass urgent orders.

V.R. Palaniswami
17.9.45.
President, District Board.

ny/ 17.9.

Edn., & P.H.(B) Deptt.
LETTER.REF.No. 18579B7254 3/10 --1945.

To
The Secretary,
Madras Public Service Commission.

Recruitment - Direct - Madras Agricultural
Subordinate service - Upper Subordinate -
Sri T.Sreenivasan, Ex-Agricultural Asst.
Board High School, Bhavani - Alleged irregularity.

With reference to the correspondence ending with
your letter No.4159.B-2/45-1., dated 30-8-1945, on the
above subject, I am directed to say that ^{the Govt consider that} there is con-
siderable force in the complaint of the President, Dt.
Board ^{Coimbatore} that discipline and control would ^{be impaired} ~~crumble~~, if
employees of local bodies are ^{allowed} ~~encouraged~~ to apply direct
for employment in another service ^{and permitted to take}
^{before they are} ~~up their appointment in that service without obtaining~~
~~proper relief~~. In order to prevent a recurrence of

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of this kind of a case, the Government ^{are of opinion} consider that it ^{is} ~~would be desirable~~ if the Commission ^{must} included in its advertisements in future a clause to the effect that persons in the employ of local bodies also must send their applications through the authority competent to make appointments to the posts which they are holding and that applications received direct from such persons would as a rule be rejected. I am to request ~~you to inform~~ ^{maybe placed} that the suggestion ^{may be communicated} before the Commission and ~~communicate~~ its decision ~~to Government~~.

Y.O.S. by

27/9/45

26.9.45

15
Edn., P.H.(B) Deptt.
Establishment - Dt. Bd., ^{Coimbatore} ~~Madras~~ - Sri T. Srinivasan, B.Sc., L.T - Ex-Agricultural Asst, Board High School, Bhavani - Appointment as Upper Subordinate in the Madras Agricultural Service - Irregularity.
From the P.D.B., ^{Coimbatore} ~~Madras~~ - Roc. 26755/B3/44, d/16-4-45.
From -do- No. -do- dated 15-9-45.

MEMORANDUM No. 18579B-8 ^{Coimbatore} ~~Madras~~ dated 3/10/1945.

The P.D.B., ^{Coimbatore} ~~Madras~~, is informed that in the case of employees of local bodies, the ^{Madras Public Service} Commission does not require that the applications should be sent through the authority competent to make the appointments which they are holding and ^{that} it is usual for the Commission to admit applications received ^{from them} direct from such employees. Rule 19(4) of the rules relating to the personal conduct of officers and servants of local bodies cannot be applied to this case and the Agricultural Assistant cannot

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3/10

W.C. - 2 of
W.C. - 11 of

Keep clean/c

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P.B.N.F. had legal department
as it relates to appls
under the P.D. Board
and not to Madras
and hence authority

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therefore be considered to have been at fault in sending
a copy of his application direct to the Commission. ^{In view of this, we} ~~He should~~
^{although he}
have however waited for the acceptance of ^{his} resignation
and for relief ^{proper} in time. ^{to but do not} The President's ^{request} suggestion that
^{it is appropriate to do} Sri T. Srinivasan should be relieved of his ^{present} appointment in
the Agricultural Deptt and ^{that he should be} directed to join his original
appointment under the Dt. Bd. ^{cannot be complied with} In order
to prevent recurrence (of this kind of case) ^{Madras Public Service} the Commission
will be requested to consider the desirability of intro-
ducing in its advertisements in future a clause in respect
of servants of local bodies similar to the one applicable
to persons in the service of the Crown.

To the P.D.B. ^{Coimbatore}

16
Letter No. 18579.B.7.Edn.

17 (10)
Government of Madras
Education and Public Health Department.

From M.V. Subramanian Esq., I.C.S.,
Secretary to Government of Madras.
To The Secretary,
Madras Public Service Commission.

Dated, Fort Saint George, the 3rd October 1945.

Sir,
Recruitment - Direct - Madras Agricultural
Subordinate service - Upper Subordinate - Sri
T. Sreenivasan, Ex-Agricultural Assistant,
Board High School, Bhavani - Alleged irregu-
larity. ***

With reference to the correspondence ending with your
letter No. 4159.B-2/45-1, dated the 30th August, 1945, on the
above subject, I am directed to say that the Government consi-
der that there is considerable force in the complaint of the
President, District Board, Coimbatore that discipline and
control would be impaired, if employees of local bodies are
allowed to apply direct for employment in another service. In

order

under which he is employed is irregular and ultrawires. He could not be appointed to

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-2-
order to prevent recurrence of a case of this kind, the Government are of opinion that it is desirable that the Commission should include in its advertisements in future a clause to the effect that persons in the employ of local bodies also must send their applications through the authority competent to make appointments to the posts which they are holding and that applications received direct from such persons would as a rule be rejected. I am to request that the suggestion may be placed before the Commission and its decision communicated to Government.

Your obedient servant,

Cs.

Secretary to Government.

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11
q
Government of Madras
Education and Public Health Department.

MEMORANDUM No. 18579.B.8.Edn., dated the 3rd October 1945.
**

Establishment - District Board, Coimbatore - Sri
T. Srinivasan, B.Sc., L.T. - Ex-Agricultural Assi-
stant, Board High School, Bhavani - Appointment as
Upper Subordinate in the Madras Agricultural service -
Irregularity.

--
From the President, District Board, Coimbatore, Roc.
No.267/B3/44, dated 16-4-45.
From -do- -do- dated 15-9-45.
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The President, District Board, Coimbatore, is informed that in the case of employees of local bodies, the Madras Public Service Commission does not require that the applications should be sent through the authority competent to make the appointments which they are holding and that it is usual for the Commission to admit applications received from them direct. Rule 19(4) of the rules relating to the personal conduct of officers and servants of local bodies cannot be applied to this case as it relates to appointments under the District Board and not to those under any outside authority

city

Superintendent.

Secretary.

c.k. 13/10/45. ante.

128x

12/15/45

C.No.18579. From the P.D.B., Coimbatore, No.Roc.26755/B3/44, dated 16-4-1945.

Abandoning appointment without resignation being duly accepted.

In so far as the Agricultural L.T. Assistant applied to the M.P.S.C. through the P.D.B., he complied with rule 19(4) of the rules relating to the personal conduct of local board servants. The Assistant teacher's sending a copy of the application direct to the M.P.S.C. was not perhaps objectionable. He should, however, have awaited acceptance of his resignation by the President ^{or proper relief} before he took charge of his new appointment in the Agricultural Department. If he found that the President was reluctant to relieve him, he might have taken the matter to the notice of Government or the Insp. of Ml.Cls. and L.Bds. He was therefore at fault, but it is not clear whether discharging him from the Agricultural Dept. is the proper remedy. By giving up District Board service before his resignation was accepted, he has probably lost some of the Provident Fund benefits which he might otherwise had. If that loss is considered as adequate punishment so far as the Educational Dept. is concerned, Development may see the file for such action as the may considered necessary to take.

Rule 19(4) obviously relates to applications sent to superior authorities for higher appointments or promotion in the same department - and not to applications for posts outside. Look up the rule properly applicable here.

Doesn't the Commission insist on applications coming up through the proper channel? In the particular advertisement issued by the Commission for this post, what were the stipulations, if any, applicable to a local board servant?

I think the Commission should be asked also what reply it gave to the President, District Board, and what position it takes up on the general question involved (a local board servant applying without permission to the Commission).

M.V.S.,
11-5-45.

TO: "PUB" : 101
The Secretary to the Government
of Madras,
Public Health
Department.
C. K. Srinivasan Chetty,
Secretary, Public Health
Commission,
Madras.
No. 4159-B2/45-2, dated 18th October, 1945.
Adv. Commission's Instructions etc.
to candidates - amendment - Your letter No. 18579-
B2 Bdn., dated 3-10-1945.
Notes on pp. 10-11 of the N.F. below and the letter
from the M.P.S.C. on p. 20 which may be present
and the letter referred to E.P.H. No. 23/10/45
24 MHA 1945
23/10/45

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25 14 3

Ref: Secy.'s query on pp 1-2 ante.

PORTION MARKED A:-- There are no rules governing the submission of applications by local board servants for appointment

to another service similar to the Government servant's application for posts (Madras Services) Rules. L. A. may kindly

PORTION MARKED B:-- According to the advertisement published

by the Madras Public Service Commission for appointment of upper subordinates, Grade III in the Madras Agricultural Subordinate Service, only persons who are in the service of the Crown in India must send their applications through the authority competent to make appointments to the posts which they are holding. In the case of local board servants, the commission has not insisted on the applications being submitted

through the P.D.Bs. concerned.

PORTION MARKED C:-- A draft letter to Secy., M.P.S.C. is submitted below for approval. Public (Services) may be

for remarks, if any.

222 of the Govt
Servants' Commission
Rules - 145 P

11-562-563 of
the F.S.G. &
11-7-44-13

Separation
562 g 13

28

3 'B' on p. 4 ante. Submits that there are no precedents in this Dept. in which an officer accepted a post outside his and went away before his resignation was accepted ^{by the appointing authority} and he was relieved. ^{by the} ~~Boards~~. ~~There is no point~~ ⁱⁿ ~~insisting~~ in forcing an officer to remain in service who wants to resign and go away.

If the Agricultural Assistant in question had not given sufficient time (3 months' time is a reasonable period on the analogy of rule 19 of the Est. rules) then he has to be blamed. If he had submitted his resignation only on 1.2.45 and had gone away ~~that day~~ ^{without notice,} there would be a case for asking him to pay 3 months' pay to the Board; and if he had also resigned within five years of the commencement of employment, the D.L. Bd. may withhold the contribution portion of his P.F. under rule 22 of the Provident Fund Rules.

4. The file may be passed on to Pub (Gr) No.

p. 207 of BK
157-B

p. 100 gbk
157-13

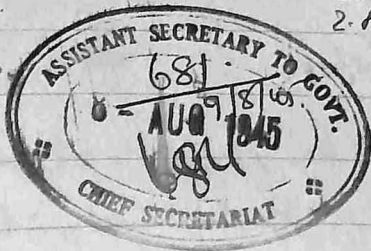
Mrs Lew

7/8/65 Ant (Lew)

Chm. 180 ST-1 A
T.B. - WCB

Park (Lew.) D ylt

A Edw.



The facts of the case are set forth in the letter of the President of Board Coimbatore at pp1-2 of .

The draft letter to the M.P.S.C. below may be perused and the file returned to the E+PH Dept.

Ex. 101
lot of us CS / E.H. 11.845
E.P.H.

Pink (Seal)
W 681/45-1
12/8/45

The draft letter to the M.P.S.C may now be signed.

CNO. 36454
MA

After issue, the file maybe sent to legal no for remarks with ref to the portion marked X in the L.A. Dept's note on p 4 ante

E. J. P. H. 2. 8.
NO. 185 77-4
16-8-45.

4874
18/45

(Common Letters Issued then to
18579-20000, 1/4/45)

LEGAL DEPARTMENT

Though ordinarily "appointment" will include an appointment in any department or service, it may be possible to contend that since the heading of rule 19 refers only to the addressing or interviewing of superior authorities, sub-rule (4) of that rule could have been intended to refer only to applications for an appointment or promotion by an officer or servant of a local board addressed to his superior authorities and not to any outside authority. It is therefore doubtful if rule 19 (4) can be applied to the facts of this case.

p. 3747 BK
 157-12
 26 AUG 1945
 CONTROL AND PUBLIC HEALTH

Legal n.o 48471
25-8-65

21048

25 AUG 1940

KJR
25/8/45 S M
25/8/45 S 2 DH
Ed P. K

While reply to c. 7.6 is awaited, L. A. and the
legal note for info.

L. A. A. A.

MR A
 E.O.P.H. 2.0. No. 18579-5B.
 27-8-45

268.40

30
 (Previous L.A. note on p. 5-6 ante).
 The note of the Legal Dept. on p. 6 ante
 may be perused and the file returned to E.P. H. W.
 Mr. 28/8/45
 Mr. 29/8/45
 Mr. 29/8/45
 E.P. H. W.
 L.A. 21048-1A
 29.8.45
 L.O. till 15.9.45 for reply
 to C.F.B.
 30.8.45
 38573
 AUG 1945
 CWO 38726/45. From the Secy, MPSC. no 4159-B-2/45-1 & 30-8-45
 Please see the Commission's reply on p 8cf. It will be
 seen that in the case of employees of local bodies, the Commission
 does not require that the applications should be sent through
 the authority competent to make the appointments which they are holding
 legal also consider that rule 19 (4) of the rules relating

31/17
 to the personal conduct of local board servants can be
 applied to this case. The Agricultural Asst cannot
 therefore be considered to have been at fault in submitting
 a copy of his application direct to the Commission.
 2. His conduct in not having waited for the
 acceptance of the resignation + proper relief can be
 said to be irregular. Presumably he anticipated
 that he would not be allowed to join duty in the
 Agricultural Dept in time. As pointed out in the
 L.A. Dept's note on p 5 ante, it is open to the P.D.S
 Committee to ask the subordinate to pay three
 months' salary in lieu of notice or in default to
 withhold the contribution portion of the Provident Fund.
 The Agricultural Asst cannot be compelled to rejoin
 his appointment under the P.D.S as he had already
 resigned. It is therefore for consideration whether the
 matter should be further pursued.
 Note necessary, I think
 We will explain the
 position to P.D.S. in terms of
 para 1 above & leave it to him to
 act as at P above. We need not
 suggest it.
 B
 Mr. H. W. K. M.
 Cannot be viewed with satisfaction. It has enabled a
 person in D.B. service to apply without the permission of
 the P.D.S. (he withholds permission, but belatedly)
 to get selected by the Commission, to join
 the P.D.S. service & give a Provisional Service
 appointment without the sanction of the P.D.S.
 having been accepted & relief & handing over
 duly arranged - & to "get away with it".
 There is very considerable force in the
 President's complaint as P.D.S. of. I think
 it is desirable, in order to prevent a
 recurrence of this kind of case, to arrange with the

MPJ Commission in future if advertised
 These include a clause in respect of
 Rights of local bodies similar to the
 clause referred to at 17 p. 8 of L.A. Order: my sec.



7/5/45
 L.A.
 Pub.

LA DEPT E.O.P.H. No. 18579-68

Please see the further note of the E.O.P.H. Dept. at pp. 7-9 above. This Dept. may agree with the views expressed by the Secy, E.O.P.H.

The file may be passed on to Pub (Sr) W.

11/9/45

12/8/45

12/9/45

Pub (Sr) Dept

Pub (Ser.) 22378-1/3 12/4

(Previous notes of this department on p. 5 above)

The Commission's letter at p. 8 of and the notes of the Legal Dept at p. 6 above and of the E.O.P.H. and L.A. Dept at pp. 7-9 above may be perused. There appears to be no objection to the Commission being consulted at A on pp. 8-9 above, being suggested to the Commission.

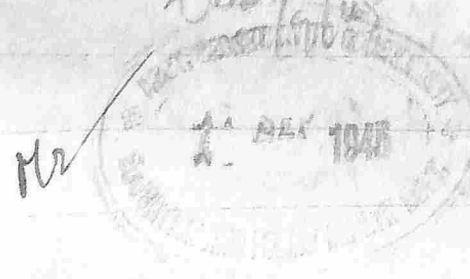
The file may be returned to E.O.P.H.

13/9/45 13/9/45

15/9/45 E.O.P.H.

Pub (Sr) W. 1017/45-1 17-9-45

412.3



From the P.D.B. Coimbatore ROE 26755-B 2/44 3 15-9-45

Please see the letter from the P.D.B. Coimbatore on pp. 10-11 of. He has repeated the request he had already made viz that Sri T. Srinivasan - Agricultural Asst maybe relieved of his appointment in the Agricultural Dept and directed to take up his appointment under the St Bd.

2. Attention is directed to the notes on pp. 7-9 ante Action as at A+B on pp. 8-9 ante has been considered sufficient in this case. A draft letter to the Secy MPSC and a draft memo to the P.D.B. Coimbatore are submitted below for approval.

26-9-45

27/9/45 S/A 2/45

On the DA see the way to send both this way? A 3

29/9

11/

34

I do not think that Govt can require him to go back to old service for the future, the arrangement suggested to the D.S. Commission will, if accepted, avoid similar incidents in future. I suggest we may have him written at back.

SIR

2 lines

A2 Naywell - Drafts approved.

Letter No. 18579 B. 7 Ed. d. 3-10-45 10/16-17 CF
 Memo No. 18579 B 8 " d. 3-10-45 10/18-19 CF



12 35 (19)

P. 2007. C. No. 46133B. From the Secy., H.P.S.C., No. 4159-82/45-2, dated, 13-10-45.

P. 2007. W. O. No. 18579-90. Edn., dated, 19-10-45 to L.A.D.

C 2/10
 2/10
 2/10

P. 2110.7. d. No. 47958B. From L.A.D., W.O. No. 26747-1A. B. 23/4/45

The papers may now be

f.o. No. 1764 Edn., 8, 31 10/45
 H.S.

Recruitment - Direct
 Madras Agricultural
 Subordinate Service - Upper
 Subordinate - Smt. Sreenivasan
 Ex-Agricultural Asst. - B.H.S.
 Chavuni - Alleged irregularity -
 Amendment to the Commission's
 advertisements - Reports needed.

Recorded.

OSM 30/10/45

29/10/45

