Sectt. II-27—30,064—24-10-44.

Edn., & P.H. (194 5) Department.

Mis. SERIES.

(1)

G.O. No. 879. Edn.

1879—

Dated 12-11-1945.

(26)

[Despatch Abstract.]

Stationery Stores - Prohibition of warehousemen continuing as members of the Govt. Stationery Stores workers' Asson.

XXXXXXXX. Removed.

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Back Papers.

G.O.	No.	Department.	Date.	G.O.
Go	1177	C.L.	2.8.45	

Further Papers.

G.O.	No.	Department.	Date.	G.O.
Go	381	Dev (Confdl)	11.2.38	
"	269	Dev (Confdl)	3.2.37	
"	1820	P.W.&L.	20.8.34	

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2 #B

GOVERNMENT STATIONERY STORES WORKERS' ASSOCIATION (2)

PRESIDENT:-
P.R.K. Sarma, B.A., M.L.A. (Labour)

Office:- "Garden Club",
Perambur P.O.,
MADRAS.

Dated 12th August, 1945.

36483

To

The SECRETARY,
Education & Public Health,
Government of Madras,
Fort St.George, Madras.

SECRETARY, EDN. AND P. H. DEPT.
14 AUG 1945
GOVERNMENT OF MADRAS

Sir,

1 I have the honour to bring the following to your kind notice and request the favour of necessary action early to protect the fundamental and time-honoured right of certain classes of Government servants to be members of Trade Unions and also safeguard their legitimate interests from the mischiefs of the ever plotting storekeeper whose designs, it is believed honestly by the concerned workers are responsible for the present unfortunate and most painful developments in the stationery stores.

36605

2 I have already reported to you about the doings of the storekeeper and his attempts to involve certain Warehousemen in troubles and to undermine and disrupt the union the active presence of which was rendering many irregularities impossible and exposing them to the authorities whenever any such incidents occurred. He has been openly threatening the active members and officers of the Union and attempting to mislead the Assistant Superintendent as well as the Superintendent. His behaviour during the last stock verification by the Special Officer has also been brought to your notice by the Union in the interests of not only the workers but also the Government. It is now seen that, for the time being, he has triumphed over the

workers and secured the passing of a strange order with which he has been threatening the workers from a long time. His attempts did not succeed so far but now, somehow, they have succeeded and the workers under the circumstances are entitled to the protection of the Government.

3 In Memorandum No. S.K.3489/45 dated 7-8-45 communicated to the 11 Warehousemen of the Stores on 8-8-45 they have been informed as follows:-

STATIONERY OFFICE(MADRAS) AT GUINDY, SAIDAPET P.O.
Memorandum No. S.K.3489/45 dated 7-8-1945.
Present:- C.W.Tremenhere, Esq., M.B.E.

Stationery Stores, Madras - Warehousemen - Membership of the Government Stationery Stores Workers' Association.

The Warehousemen of the Stationery Stores, Madras are informed that as they are Government servants, they cannot be members of the Government Stationery Stores Workers' Association. The Government have ordered that they should sever their connection with the Association forthwith. They are directed to do so and intimate the fact of their having done so within 2 days from the date of receipt of this order.

(Signed)
for SUPERINTENDENT.

To

Warehousemen.

The Warehousemen have, I find from a copy sent by them to me, given the following reply;-

MADRAS, 10th August, 1945.

To
The SUPERINTENDENT OF STATIONERY,
Madras.

Sir,

With reference to your Memo S.K.3489 dated 7-8-45 we beg to submit the following:-

Your communication is most surprising. Its contents are at variance with the policy of the Government and the practice in vogue.

All Government servants are not prevented from being members of registered Trade Unions. Our Union has been in existence for the last 9 years and all this time it has enjoyed the recognition of the Government. The Government have been dealing with it and redressing grievances of workers on representations made by it from time to time. No objection has been raised at any time to our membership in the Union and we are not aware of any Rule applicable to us and to our class of servants and preventing our membership in the Union. We are not yet permanent as Warehousemen. The arrangement brought about on the representation and negotiation of the Union is still pending confirmation. Warehousemen in the Government Press who are permanent and other non-gazetted employees of the Press are members of the Registered Government Press Workers' Union officially recognised by the Government. The Government Servants conduct rules do not apply to employees like us and belonging to our class. There are seven Government Workers Trade Unions in this Province and ours is perhaps the smallest of them. We are Factory Workers and enjoy the rights and protection of special rules and legislation. We are even voters in the several Labour constituencies to the Legislative Assembly, Madras Corporation etc. We are not aware of the orders of the Government you have referred to in your Memo. We shall be thankful to you for a copy of the same and information about the circumstances under which it has been passed. As it is, the rule has been misapplied or applied under misapprehension of the position. The matter is important and vital. We cannot therefore decide in two days about the matter. In the meanwhile we request you to kindly furnish the information requested.

We beg to remain,
Sir,
Your most obedient servants,
(signed)
Warehousemen.

4. I have also personally seen the Deputy Secretary in charge of the Department on 10-8-45 and discussed briefly the matter and the issues involved in the development.

5 The Union was formed in 1937 and was registered in April 1938. It has since then been in close and intimate contact with the authorities of the Department and the Government. Successive Superintendents have appreciated its work and availed themselves of its useful co-operation in improving the service conditions of the employees, avoiding waste and increasing production and even reorganising existing arrangements for dealing with work. Government records would speak amply about the matter. The "Lascars" were converted into "Warehousemen" on the proposal of the Union abolishing the posts of "Packers" and similarly many improvements have been effected. At no time were the points now raised were raised, though I must say, that interested persons were even then attempting to raise such obstacles. The points now raised have been discussed in the Past. The Union has been practically recognised all these 9 years and the authorities of the Government have been freely dealing with it. No objection was ever taken to the membership of any one who is now a member of the Union and in fact there was no need or occasion for any such objection. The Union was confined to the employees of the stores only and not the Officers and the Ministerial staff governed by the Government Servants Conduct Rules. The Union has been careful about the matter. The category of "Warehousemen" was in fact created by the Government on the proposal of the Union on the analogy of the Government Press in charge of the same Department. The Government Press workers' Union is

recognised officially after great care and scrutiny and all non-gazetted employees, irrespective of method or periods of remuneration are allowed to be members of the Union, not to speak of "Warehousemen" who are technical persons and not ministerial employees, as the name clearly implies. The Fundamental Rules, Civil Service Regulations and the Government Servants Rules are not unapplicable to them as you will be aware. It is therefore most amazing that the Superintendent should order that under the directions of the Government the "Warehousemen of the Stores should resign from the Union within 48 hours, without even furnishing them or the Union with a true copy of the said order of the Government.

6 The Order of the Superintendent is contrary to the policy of the Government and the practice followed. The employees of the Stores are entitled to be members of a Trade Union. They are Factory Workers. Only the application of the Act is now probably under suspension after the temporary removal of a part of the Stores to Guindy. The permanent place of employment is only First Line Beach and the Workers are therefore allowed even season tickets at the expense of the Government. Temporary suspension of the Factory Act does not alter the position as it would still be an undertaking the workers of which are eligible to be members of a Trade Union. It is not a ministerial establishment. It is a Store in which articles are received and despatched. It is not an Office. All those employed in the Stores and its operation could therefore be members of the Union. As already stated, Warehousemen, Leno-Operators, clerks and similar staff are members of the recognised Government

M

Press Workers' Union. Rightly were the Warehousemen allowed to be members of this Union quite consistent with the policy and practice of the Government. The Order which is unjust, inconsistent and is obviously the obnoxious result of clever wire-pulling and deliberate misleading by the Storekeeper calls for reconsideration and cancellation by the Government.

7 It is not contended at all that the employees of the Stores cannot be members of the Union. The question has now been raised only in regard to the Warehousemen of the Stores who were previously known as "Lascars" though educated and actually performing responsible work requiring knowledge and experience. They were paid from "Contingent charges" previously. Their membership is now challenged because they are designated as "Warehousemen". I have already shown that a "Warehouseman" does not come under the category of those to whom the right to be a member of a Trade Union is not permitted under the Government Servants Conduct Rules. I have cited above the analogy of the Government Press.

8 The Deputy Secretary was pleased to point out that as the Warehousemen are paid on a monthly basis they cannot be members of a Union of which the daily rated men are members and that they both do not belong to a "Distinct class of Government employees". This distinction is unknown in regard to formation and recognition of Trade Unions in this country or anywhere else in the world. The method of payment makes no difference. In an Industry or Undertaking some are

monthly rated, some daily rated and some others paid on their production basis. Some are paid weekly, some fortnightly and some once a month. It is no where said that the workers paid in one way should not be members of a Union with others paid in a different manner. They can and do belong to one Trade Union, so long as they belong to the Trade or undertaking or employer as the case may be. I may be permitted to point out that "Craft Unions" and "Trade Unions" are different. We have no "Craft Unions" in this country. We have only Trade Unions. All are Railway men so long as they are employed under a Railway, whether they be clerks, Gang men, Stationmasters, porters, Drivers or Workshop men of different categories. They are all members of one Union. It is so in every Union and the distinction sought to be made in the order is unprecedented, wrong and most unfair to the Trade Union Movement. What is meant by a "distinct class" in the Rules of recognition is that the Union should be limited to the employees of the Stationery Stores. It should not take in workers in a different undertaking in the jurisdiction of a different department. For example the Workers of the Government Press cannot be members of this Union and vice versa. The workers of the P.W.D. Workshop in the jurisdiction of a different department cannot be members of this Union and vice versa. But all employees of the Press can be members of the Press Union irrespective of the nature of work or method of payment as they are all Press employees. Similarly when once the right of Trade Unionism is not denied to the employees of the Stores all of them will be entitled to membership, including the Warehousemen.

In fact, the management can deny recognition to the Union if it wants to keep out any of the stores employees. It will thus be seen that the question of not being a "distinct class of Government employees" does not also arise and the order passed probably under misapprehension and misunderstanding has to be withdrawn.

9 Considered from whatever point of view the order calling upon the Warehousemen to resign from the Union in 48 hours, is inconsistent with the policy and practice of the Government, unprecedented and unfair to the workers and the Union. If there had been any reasonable and valid objection it would have been raised long ago at any time during the last 9 years by the successive superintendents or the Government. It is conclusive to the understanding of the Union that the malicious and mischievous storekeeper and his allies have misled the authorities and brought about this development even as they have been threatening and swearing openly to accomplish to crush the Union and the Warehousemen out of existence. The Union has already given expression in time to this apprehension in its representation to you. Under the circumstances the Union requests the Government to kindly arrange for the cancellation of the most unjust and vindictive order and allow the Warehousemen to continue as before, as members of the Union.

M

6 If it is considered necessary that after 9 years of virtual recognition and more in reality, the Union should still formally apply for recognition and secure it, we have obsolutely no objection and

shall move only too gladly in the matter.

The Union also requests for an opportunity early to discuss this matter with you and the Government at greater length, if necessary, before final orders are passed in view of the importance of the matter and the vital issues involved.

Thanking you,

Yours faithfully,

HON: PRESIDENT.

Copy to Sir Thomas Austin I.C.S. Adviser to H.E. the Governor with a request for prompt intervention and necessary action to protect the interests of the concerned workers and the vital principles involved in the order of the Superintendent.

1

(7) C&I Dept

18/8

24/8

C.No 36483 – From the Pt, Govt Stationery Stores Workers Assoc. letter d/ 12.8.45

Subject

Stationery Stores – Prohibition of workmen in continuing as members of the Govt Stationery Stores Workers' Assoc. – Representation against the ____

Memo No 36483 B/45-1 E dated 24.8.1945

The Pt; Govt Stationery Stores Workers Association, is requested to ~~forward~~ furnish a copy of the Rules or Articles of the Association for reference.

24/8/45

A 24/8

Despd to Pt. Government Stationery Stores Workers' Association. 22/8/45

22/8/45

KM 22-8-45

8 (3) 13

Government Stationery Stores Worker's Association

(REGD.)

Vice-Presidents
Janab Md. BAKSHUMEAN SAHIB
Mr. V. D. S. PRAKASUM
Joint Secretaries
Mr. S. G. SARANGASESHAN
Mr. T. KANNABIRAN
Treasurers
Mr. A. THIRUVENGADA MUDALIAR
S. VANUGOPAL NAIDU

President
Mr. P. R. K. SARMA, B.A., M.L.A.

354, MINT STREET,
GEORGE TOWN.

20 AUG 1945
Education and Public Health Dept.

Garden club
Poonamallee P.O

R/DS

Madras, 25th August 1945.

37802

The SECRETARY,
Education & Public Health, Deptt
Government of Madras,
Fort St.George, Madras.

Sir,

1 While the Union's representation to you of the 12th instant is pending reply, I find that further painful developments have taken place in the Stationery Stores in regard to the membership of the Warehousemen in the Union.

p1-ante

2 In a Memo dated 21-8-45 the Assistant Superintendent has informed the Warehousemen that "a copy of the G.O., asked for by them cannot be given" and "Relevant portion of the Government order has been furnished to them already". The Warehousemen have not been "furnished" with the "relevant" or any portion of the G.O., in question and there is no reference to even to its number and date in the Memo of the Assistant Superintendent. The Memo of 7-8-45 does not state anywhere that the Government have ordered that Warehousemen who are servants of the Government or warehousemen in the Stationery Stores cannot be members of the Union. It is clearly an assumption of those reasponsible for the Memo. There is no warrant or authority quoted or furnished for the assumption. The request of the Warehousemen for a copy of the G.O., on which they are being called upon to divest themselves of a statutory and recognised fundamental

Vide
portion sidelined
on p2 ante

right, is highly, fair and, reasonable and the order of the Assistant superintendent is not at all fair to anybody. As already pointed out, no relevant or any portion of the G.O., has been furnished to them already as stated in the Memo. In this connection I may be permitted to point out that a copy of such an important G.O., pertaining to the membership of a considerable section of the workers who have been members for the last 9 years should have been, in fairness, communicated to the Union which had been having virtual and uninterrupted recognition all along. When all these aspects of the matter are considered the impression will be irresistable that the unhappy development is entirely due to the mischievous activities of the malicious storekeeper and his influential collaborators in the Office and elsewhere who daily meet and plot against the Union and its leading members in the cool lawns of the Madras High Court.

3. The Memo has added that deciplinary action will be taken if the Warehousemen did not resign within 2 days and the orders should be first obeyed before representations if any, could be considered. This is not a matter pertaining to their work or conduct. It concerns a vital right and to expect immediate obedience before making representations would be reversing the order of justice and equity. It would be vindictive and unfair to precipitate the workers ~~with~~ to a decision on the matter on pain of deciplinary action, refusing to even supply them with a copy of the order not to speak of the denial of sufficient time to consider the matter. I am enclosing a copy of 417-18 n/c the explanation submitted by the men for your information.

4. The Union has since gone into the matter more thoroughly and we are of the firm opinion that Warehousemen belong to a class of workers who could be members of the

Union and there is no other objection whatsoever to that membership.

5 The Union requests you to issue the necessary instructions to the Superintendent to recind the Memo and restore harmony in the Stores which has been rudely disturbed by it and oblige. We also request you to meet a deputation of the Union at your earliest convenience in this connection with a view to arriving at understandings which might obviate such unfortunate situations in the future.

Yours faithfully,

President

copy to the Adviser Ed & P.H. for information and favour of necessary action.

(Copy) MADRAS, 25th August, 1945.

To

The SUPERINTENDENT OF STATIONERY,
Madras.

Sir,

We have received your Memo S.K.3489/45 dated 18-8-45 in the afternoon of 21-8-45.

We beg to submit that we have read the Memo with all the respect and attention it deserves. We are sorry it has not replied the points raised by us in our representation of 10-8-45. Nor have you been pleased to furnish us with a copy of the orders of the Government referred to in your Memo S.K.3489/45 of 7-8-45. In fact you have flatly refused to furnish us with a copy of the order in question even after our asking for it for our guidance. We are not aware of any Rules or orders of the Government that "Warehousemen" who are Government servants should not be members of a Union or the Warehousemen of the Stationery Stores, Madras cannot be members of the Stationery Stores Workers' Union. You have also not quoted the Rule or order on which you have taken the stand that the "Warehousemen" cannot be members of the Union. We have been allowed to be members of the Union for the last 9 years and in fact our present classification and designation are the result of the representations made by the Union to the Government in the Past. We are reasonably entitled to a copy of the Government's Order before we could be expected to take such an important decision relating to our fundamental and well-recognised right statutorily granted. You have not furnished "relevant portion of the Government order as stated. Even that will be helpful to us. In fact there is no reference to the number and date even of the G.O., referred to.

With reference to your advice that the order should first be carried out before representations could be made, we beg to submit that this is in the reverse order of the common place principles of justice and contrary to equitable practice. It is not an order regarding our work in the stores or the Administration of the Department. It concerns the sudden divesting of vital rights conceded by law and recognised and honoured in practice. We are therefore entitled to expect our representations being heard and orders passed on the same before we could be reasonably charged with any disobedience of orders. After the execution of an arbitrary order where on earth is the need for an appeal against it? Our request for enough time which the matter demands before we could decide finally about it is most reasonable and fair and we reiterate the same for your kind consideration. We beg to submit that it will not be fair to take advantage of our position and coerce us into a precipitate decision in two days over such an important matter, on threat of disciplinary action without sufficient time and information and opportunities to have our say fully and freely. We have to say, besides, that the Union has taken up the matter with the Government in a representation dated 12-8-45 in view of the vital issues involved and we would like to await Government orders on the same. We also request that we may be permitted to meet the Superintendent of Stationery personally in this connection.

pp 9 quoted

We beg to remain,
Sir,
Your most obedient servants,

(True copy)

11

E & P Dept
B

pp 1-9 C.M. 36483 – from the Pt. Govt Stationery Stores Workers' Assocn. [illegible] d. 12.8.45

pp 13-18 C. 37802 d. 28.8.45

V.E.

Subject
Stationery Stores – Prohibition of warehousemen continuing as members of the Govt Stationery Stores Workers' Assocn. – [illegible]

Ref. C.M. 36483/45 [illegible]

Ap today
wm
29/8/45

The Pt. Govt Stationery Stores Workers' ~~Assocn.~~ has sent in a representation to Govt against ~~the orders of Govt~~ the orders prohibiting warehousemen from continuing as members of ~~the Govt Stationery Stores Workers' the Assocn. and the matter is under the consideration of Govt. Pending orders of Govt on the representation~~

pp 7 (T)

~~The~~ Supdt of Staty. is requested to keep ~~the orders of G~~ the orders in ~~[illegible] in abeyance~~ his Memo no S.K: 3489/45 d 7.8.45 in abeyance till orders are passed by the Govt on the representation.

29/8/45

Desp KM 29-8-45

pp 7 (T)

To
The S. of S.
Copy to ~~the~~ Pt. Govt Stationery Stores Workers' Assocn.

29/8/45
wm
29/8/45

12

Government Stationery Stores Worker's Association

(REGD.) No 86

(12)

Vice-Presidents
Janab Md. BAKSHUMEAN SAHIB
Mr. V. D. S. PRAKASUM

Joint Secretaries
Mr. S. G. SARANGASESHAN
Mr. T. KANNABIRAN

Treasurers
Mr. A. THIRUVENGADA MUDALIAR
S. VANUGOPAL NAIDU

President
Mr. P. R. K. SARMA, B.A., M.L.A.

354, MINT STREET,
GEORGE TOWN.

1st SEP 1945
EDUCATION AND PUBLIC HEALTH DEPARTMENT

Madras, 30/8/ 1945.

To
The Deputy Secretary
Education and Public
Health
Fort St George

38827

Sir,

With reference to your Memorandum No. 36483-B/45-1 d/ 28th August 1945 we have the honour to submit a true copy of the Articles of Association and Bye Laws of the union registered with the Commissioner of Labour and Registrar of Trade Unions. The registered No is 86. The registration was in 1938. 13th April and was granted after due consideration. The union will be glad to furnish any further information necessary.

I have the honour to be
Sir
your most obedient servant

Enc 1

Hon: President

13 ⑬ 23

GOVERNMENT STATIONERY STORES WORKERS ASSOCIATION

Garden Club,
Perambur P.O.,
MADRAS.

CONSTITUTION AND RULES.

Name of the Union.

(1) The name of the Union shall be GOVERNMENT STATIONERY STORE WORKERS ASSOCIATION, MADRAS.

(2) The address of the Union is Government Stationery Stores Workers Association, 354, Mint Street, G.T., Madras. (Now at Garden-club. Perambur)

The objects of the Union.

(1) To foster and promote a feeling of fellowship and brotherhood among the rank and file of the workers employed in the Government Stationery Stores, Madras and to safeguard and promote the status, prospects and interests of its members.

(2) To represent to the authorities of the Government from time to time, as and when necessary the grievances of its members as employees and to obtain the necessary redress by negotiations and other approved and constitutional methods.

(3) To promote mutual goodwill and trust between the employers and their representatives on the one hand and the employees on the other and thus help the harmonious and efficient working of the Factory.

(4) To create among the workers a proper understanding of their responsibilities and rights as employees

in the Industry [illegible] citizens of a great country.

(5) To promote among its members wholesome habits of thrift and co-operation.

(6) To organise and give assistance of its members when necessary.

(7) To bring into existence and conduct mutual benefit schemes, Co-operative societies and undertake similar other measures for the common good of the members.

(8) To organise a Reading Room, a Library and study classes for increasing the knowledge and the efficiency of the members as workers.

(9) To co-operate with other constitutional Trade Unions in the Province and all India organisations for obtaining better working conditions and amenities by social legislation and public sympathy.

(10) To hold meetings for the members as often as possible and necessary for discussion of workers' problems and matters connected with the Union.

MEMBERSHIP.

(1) The membership of the Union shall be open to all the workers of Government Stationery stores who are above the age of 18 years.

HONORARY MEMBERS.

(1) Outsiders may be admitted as "Honorary Members" of the Union to serve as officers in it. None of them shall be below the age of 18 years.

(2) No subscription shall be collected from them.

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(3) They will have also no voting powers in the meetings of the Union and the Executive Committee, except when there is a tie in the Meeting presided over by such an Honorary Member.

OFFICE BEARERS.

1. The Union shall have a President one or more Vice-Presidents, one General Secretary, one or more Assistant Secretaries and one or more Treasurers.

2. All of them shall be elected at an Annual General Body Meeting of the Union and shall hold offices for a period of one year or till the next Annual General Body Meeting is held.

EXECUTIVE COMMITTEE.

The Union shall be conducted by an Executive Committee consisting of the Office Bearers and ten Representatives besides who shall also be elected at the Annual General Body Meeting of the Union. Not more than half of the number of the members in the Executive Committee may be Honorary members.

VACANCIES & REMOVAL.

Vacancies in the Executive Committee or among the Office Bearers occurring between the Annual Conference and another shall be filled up by a special General Body Meeting of the Union convened for the purpose.

SUBSCRIPTION.

Every member shall pay an Annual subscription of not less than Re.1/- before the close of the Official year for which the subscription is due either by monthly instalments or in a lump sum.

FUNDS.

(1) All subscriptions, arrears of subscriptions, gifts, voluntary contributions and other income shall, unless ear-marked for any specific object or objects, be the property and the General Fund of the Union. The same shall be paid into the Madras Central Provincial Co-operative Urban Bank in the name of the Union and shall be operated by the President, Secretary and the Treasurer jointly.

(2) A sum not exceeding rupees ten may be with the secretary as advance for expenditure.

(3) The secretary shall have no power to spend more than rupees five without the previous sanction of the Executive Committee.

(4) The funds shall not be spent for any purposes outside the scope of the objects of the union set forth in these rules and section 15 of the Indian Trade Unions Act (Act XVI of 1926) and the regulations framed thereunder.

(5) The accounts of the Union shall be audited in the month of April by qualified Auditors appointed by the Union.

MAINTENANCE OF REGISTERS.

The secretary with the help of his assistance shall maintain a register of members and other records and books required by the Trade Unions Act and the same shall be open for inspection by the members on any working day after 5 P.M., provided the member so desiring to inspect gives at least 48 hours notice of his intention to do so.

AMENDMENT OF RULES.

The rules and regulations of the Union may be amended, altered or modified by the Annual General Body meeting of the Union by the majority of the members present

at a special General Body Meeting convened for the purpose after at least a week's notice to the members.

DISSOLUTION OF THE UNION.

The Union shall not be dissolved except by a vote of at least three fourths of the members on the rolls of the Union and at a General Body Meeting held for the purpose, after seven days clear notice; and on such dissolution the funds of the Union and other assets shall be credited to the Servants of India, Madras after meeting the liabilities and obligations.

(TRUE COPY)

Registered under Trade Union Act 1926.

Registered No. 86.

B.K. Sarma

President

Cr 36483

17
Subject

9-10-45

Ed. Dept 31
B.

11
7/9

Govt Servant's Conduct Rules — Membership of Service Associations

Memo No. 36483-B/45-3 Ch. d 6.9.45

P

6/9

~~Under Rule 23(a) of the Govt Servant's Conduct Rules,~~
~~Govt Servants of one class, [illegible] could not~~
~~be members of the same~~ Association in which ~~Govt Servants~~ of
~~another class, i.e., daily paid servants with different designations~~ ~~are members — for example, ware houseman~~
~~members of an Assn in the Govt stationery stores who are paid monthly could not similarly~~
~~in which the daily paid workers are members~~ ~~than the former~~. The S.G.P. is requested to state whether
both monthly ~~paid men~~ and daily paid workers ~~paid men~~ in the Press with different
designations are ~~all~~ members of the Govt Press Union
which is recognised by Govt.

To
The S.G.P.

Respd
KN
7-9-45

5/9/45

6/9/45

6/9/45

Rd. 24.9.45

B 18 (18)

C.F. 32.

Department 29 SEP 1945 Received .... Registered ....

From (Name) K.P.R. Menon Esq.,
Designation Superintendent,
Station Government Press, Madras.

To
The Deputy Secretary to Government,
Education and Public Health Department,
Fort St. George, Madras.

Enclosures:

No. S.B.C./88/mis dated 28th September 1945.

Sir,

Sub: Government servants conduct rules membership of service Associations.
Ref: Memo.No.36483 B/45-3 Edn., dated 6-9-1945.

43468

~~I have the honour to state that~~ A complete list of members as furnished by the Union duly classified is furnished below:-

	No.	Designation.	Period of payment.
Members of Hand composing departments. ..	152	Compositors & Imposers.	All are monthly salary paid workers.
Members of Machine composing departments.	29	Lino Operators	-do-
Members of Press and Machine Department	195	Minders and Layers-on	-do-
Members of Casting Department ..	28	Casters, Finishers Mono casters, etc.	-do-

P.T.O.

-2-

	No.	Designation.	Period of Payment.
Members of Despatching Department	3	Despatchers	All are monthly salary paid workers.
Members of Store Department	2	Warehouseman	-do-
Members of Mechanical Department	6	Mechanics	-do-
Members of Miscellaneous Departments. ..	15	Sweepers and Scavengers	-do-
Members of Binding Department	95	Binders	-do- except 31 Day Extra Binders paid at daily rates.

If the scope of reference is restricted to men on contingent establishment on monthly wages and Day Extra Establishment on daily rates of pay, the details required based on the particulars given by the Union are as follows:-

Sweepers and Scavengers ..	15
Day Extra Binders, ..	31

28/9.

Superintendent.

B/DS19

From The Supdt.of Stationery,
(Madras) at Guindy,
Saidapet P.O.

To The Secretary to Government,
Education & P.H. Department,
Madras.

No. S.K.3489/45. DATED 5th Novr.45.

Sir,

Stationery Stores -Prohibition of warehousemen continuing as members of the Govt.Stationery Stores Workers' Association Representation against - Government Memo No.36483-B.45.2 Education dated 29-8-45.

50801

Please state when orders of Government may be expected.

FOR SUPERINTENDENT

8 - NOV 1945

5.11.45

p7 (J) Read - Go 1177 Edn d. 2.8.45. 20   31   Edn Dept B.

pp 1-9 cf — No 36483 - From the Pt. Govt Stationery Stores Workers' Association d. 12.8.45

pp 13-18 cf — " 37832 — do —   (20) " 25.8.45

pp 21-29 cf — " 38827 — do — 30.8.45

Subject

Stationery Stores - Prohibition of warehousemen continuing as members to Govt Stationery Stores Workers' Association - Removed

51/12/11

A 9/11/45

Go Ms 1879 Edn dated 12.11.45.

The Govt have considered the representation of the Pt. Govt. Stationery Stores Workers' Association against the orders ~~of Govt~~ contained in para 1 of Go. No 1177 Edn d. 2.8.45 prohibiting warehousemen in the stationery stores from continuing as members of the Association ~~and~~ ~~they have decided to~~ ~~and are pleased to remove~~ ~~the restriction referred~~. They direct that the orders in para 1 of Go. No 1177 Edn d. 2.8.45 ~~are hereby~~ be cancelled.

p7 (J)

p7 (J)

To The Supdt of Staty

8/11/45

Despd 12/11 13-11-45

8/11/45

8/11/45

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21   39

From
C.W.Tremenheere Esq., M.B.E.
Superintendent of Stationery.,
Madras.

To
The Secretary to Government.,
Education and Public Health Dept.,
Madras.

S.K. No. 1209-46. dated 18th April 1946.

Sir,

Stationery - Stores - Madras - Warehousemen - Classification of Service Governing them - Clarification of Government - Request for.

22305

- - - - -

I enclose a copy of the petition dated 25-2-1946 from Sri.D.Sowri-Nayagam, a warehouseman of the Stationery Stores, Madras. The facts connected with the subject referred to in the petition have already been discussed at length in this office reference S.K. No. 3489-45 dated 25-6-1945 and disposed of in G.O. No. 1177 Education dated 2-8-1945 and G.O. No. Mis 1879 Education dated 12-11-1945. The classification of service governing them warehousemen with reference to the points raised in the petition under reference has to be decided once for all to avoid further questions on the subject. I request that the Government will be pleased to clarify the position as requested by the petitioner.

p3 infra   pp 1-3 cf (J)   p7 (J)   (G) p37a

20.4.46

SUPERINTENDENT OF STATIONERY.

23/4/46.

WS.K. No 1209/46

(21)

COPY OF APPLICATION OF D.SOWRINAYAGAM DATED 25TH FEBRUARY, 1946.

Madras.
Dated 25th Feb. 1946.

To
The Superintendent of Stationery.,
Madras.

Sir,

Warehouseman - Stationery Stores, Madras -
Service - Classification.

(2)

1 In 1939, consequent on the reorganisation of Stationery Stores, Madras the posts of 4 packer clerks were abolished and in lieu thereof 10 posts of warehousemen in the grade of (attenders) in the superior service were created temporarily. The continuance of these Warehousemen is being extended every year eventually to be confirmed.

(X)

2 Most of the Warehousemen are members and office bearers of the Government Stationery Stores workers' Association. One of them was a member of the Excise Licensing Board for about 5 years representing labour. Myself and Y.Prakasam are not members of this Assocaiation and subsequently V.D.Sivaprakasam resigned his membership. In effect the Association is not fully represented by the WareHousemen. In 1945 the Government ordered in the first instance that the Ware-housemen should cease their connection with the Association, as they are Government Servants. Notice was served on all the Ware House men to sever their connection with the Association. Myself and Y.Prakasam reported that we are not members of the Association and V.D.Sivaprakasam resigned his membership in obedience to the orders of the Government, communicated by the Superintendent of Stationery. At this stage the President of the Association sent some representations to the Government direct, the contents of which we are not ~~w~~ aware of, protesting against the orders of the Superintendent directing the Ware-housemen to terminate their connection with the Association. The Government thereupon cancelled the order passed by them. The position of Ware housemen is still a mystery. No security of service and futurity is assured. We have put in about 8 years of service and according to the intention of the Government order in 1939 we were classified as Government Servants in the Superior pensionable service. The orders of Government in 1945 and its ~~se~~ subsequent cancellation leave us in a dubious position. It is not clear whether we are Government Servants in the Superior Service entitled to pensionary rights etc., as is accorded to the attenders of similiar class or whether we come under non-pensionable service continuing to be temporary Government servants all the while in service. We are entitled to earned leave and increment but there is no ~~gua~~ guarantee about our pension.

X

3 The Government Stationery Stores Workers' Association is not fully represented by the Warehousemen. 3 of them have no connection with it whatsoever. There is ~~a~~ an erroneous impression in the minds of some of the warehousemen that they should prefer to be members and office bearers of the Association and members of Public Associations such as the Excise Licensing Board, Madras etc., enjoying the short lived priveleges and honours derived therefrom, to being permanent Government servants in pensionable service. On what basis the Government, cancelled the original order of 1945 we are not aware of. The President of the Assoiciation did not consult us. It is not known whether we are yet Government servants, allowed to participate in the activities of the association and our position ever remain doubtful.

4 It is therefore requested that the position in which we are placed and ~~or~~ our futurity may be clarified so as to avoid waste of precious service and prospects in life. The Government may be addressed to decide our postion once for all and elucidate matters.

I beg to remain,
Sir,
Your most obedient servant,
(Sd).D.Sowrinayagam.

True Copy
Asst. Supdt. for Supdt. of Stationery

~~TRUE COPY~~

43 [illegible]
C2

pp1-36

C No. 22365 – From the Sy S; letter No. SK. 1201/ dd. 18.4.46

Subject.

Stationery Stores – warehousemen – classification of Service.

Memo No. 22365 C2/46-1 Edn d. 28.5.46

The Sy of S is requested to inform the petitioner that the posts of warehousemen in the Stationery Stores are analogous to those of Attenders in Govt Offices and are borne on the Superior Service. The orders about their membership of the Stationery Stores Workers' Association do not affect their position as Govt Servants.

24/5/46

27.5.46

28.5.46

Sy of S
~~S.S.~~

30.5.46

Note:— Please see the notes of this Dept on p116 and the

(2)

Fin. Dept's note on p119 of G.O. No 2132 Edn d. 27.9.39 about the classification of the warehousemen as belonging to the Superior Service. Attention is also invited to Dy. Secy's note on p4 n.f. and Pub. Dept's note on pp 6.7 n.f. of G.O. No 1879 Edn d. 12.11.45 (G)

The warehousemen are on the same scale as attenders, viz: Rs 19-30 - p125 of (2)

24/5/46

27.5.46

28.5.46

24

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

(23)

pp1-9 cf C.No.36483. From the President, Govt. Stationery Stores Workers' Association, letter dated 12th Aug., 1945.

Stationery stores - Prohibition of warehousemen continuing as members of the Govt. Stationery Stores Workers' Association - Representation against the.

Extract of A2's minute: "Papers and Note".
T.A./14-8-45.

The representation from the President, Govt. Stationery Stores Workers' Association on pp.1-9 c.f. is against the order in para 1 of G.O.No.1177, Edn., dated 2-8-1945 directing the warehousemen in the Stationery Stores to sever their connectio with the Association forthwith. Please see the notes on pp.1-6 n.f. of the G.O. in this connection.

p7 cf (J)

(J)

2. The President of the Association reports that warehousemen were formerly designated as "Lascars". The designation has been changed into "warehousemen" subsequently and they have been placed in the regular establishment with monthly wage The Govt., servants Conduct Rules has therefore become applicable to them.

para 7 - p6 cf

Pl. call for a copy of the Rules on Articles

3. The President of the Association states that the Union has been practically recognised all these 9 years. Pub., have stated that the Association has not been recognised either as a 'Service Association' or as a 'Trade Union'. The representations of this Association from time to time have been considere by Govt. in the same way as the representations made by other bodies and the Association cannot be said to have been practica-ly recognised on that account.

para 5 - p4 cf

p3 nf (J)

4. The President of the Association states that the orders in 'J' are the obnoxious result of clever wire-pulling and deliberate misleading by the Store-keeper of the Stationery Stores. Please see in this connection the previous complaint of the President against the store-keeper in Lodged 14243-B/E

M - p6 cf

(H)

dated 21-5-45. and the portion marked 'A' in the D.O. from the S of S. ~~S~~ thereon. Subsequent petition against the store-keeper was also transferred to the S. of S. for disposal. If there had been any truth in the allegations, the S. of S. would have brought it to the notice of Govt. The Special Officer appointed for the verification of stationery stores finished his work on 22-7-45 and the S. of S. has been granted time till 1-9-1945 to submit the report with his remarks. It will throw light on the irregularities, if any, in the Stationery Stores.

p8 cf (H)

C. No 3?,623 B/45 - 1 Ch. d. 20.7.45

5. The request of the President in para 11 of his letter on p. 9 c.f. is for orders.

6. The case may be sent to Pub. U.O. for remarks.

21/8/45

KSN 22/8/45

Pl. call first for a copy of the Rules or Articles of this Assn.

22/8/45

A draft on ~~to the Pt. of the Association~~ is submitted.

22/8/45

22/8/45

X

Issued as Memo No 36483 D/45-1 Ch. d. 24.8.1945

C No 37802 - From the Pt. Govt Stationery Stores Workers' Assn., letter d. 25.8.45

p11 cf

pp13-18 cf

Please see the further letter from the Pt. Govt Stationery Stores Workers' Assn. on pp 13-18 cf. The question whether a deputation should be received must can be decided only later on after a copy of the Rules or Articles of the Assn. called for is received and the points raised in the letter on pp 1-2 cf are considered. The other request that the Supdt of Stationery should be instructed to rescind the Memo in which he has communicated the orders of Govt cannot be complied with. For orders.

KSN 28/8/45

28/8/45

Pending a decision of this question, I think the Supdt may be asked to keep the orders in abeyance.

28/8/45

25

(24)

With reference to orders on p2 ante, a draft on is submitted.

29/8/45

KSN 29/8/45

29/8/45

p19 cf Issued as Memo. No 38488 D/45-2 Ch. d. 29.8.45

pp21-29 cf C No 38827 - from the Pt. Govt S.S. Workers Assn letter d. 30.8.45

The Articles ~~of the Association~~ (copy) are on pp23-29 cf. The case may be sent ~~to~~ Pub. U.O. for remarks with reference to the notes on pp 1-2 ante.

1, 3 cf

(J)

3/9/45

KSN 3/9/45

Orders in (J) were passed on the reasoning that Govt servants of one class viz. warehousemen (monthly paid) ~~cannot~~ could not be members of the same union as Govt servants of another class (coolies & other daily-paid ~~[illegible]~~ servants) [Vide Rule 23 (a) of the G.S.C. Rules]. i.e. that the warehousemen formed a distinct class from the coolies etc. As it stands, this is correct, but I do not know whether we should interpret the meaning so strictly in the case of Govt servants working in the same establishment.

X

Find out from S.G.P. whether monthly paid men & daily-paid men are all members of the Press Union, (which is recognised by the Govt). We should apply the same analogy even though this Union is not recognised.

4/9/45

A draft on to the S.G.P. is submitted.

5/9/45

KSN 6/9/45

6/9/45

p31 cf Issued as Memo No 38493 D/45-2 Ch. d. 6.9.45

No. 43468 – From the S.G.P., letter No. S.B.C./[illegible] d. 28.9.45

ff 33-34 cf.

It is observed from the S.G.P.& letter on ff 33-34 Cf. that both monthly paid men and daily paid men and men of different classes are members of the Press Union.

For orders on the notes on ff 1-2 ante.

ASSISTANT SECRETARY TO GOVT.
3 - OCT 1945
~~2187~~ 2190
CHIEF SECRETARIAT

1/10/45

USR
1/10/45

W.r.t. X on P3 ante, I think we should hold, as in the case of the Govt Press, that Govt servants working in the same establishment, whether they are paid monthly or daily, belong to the same class for purposes of Rule 23 (a) of the G.S. Conduct Rules and so, that warehousemen of the Stationery Dept can be members of this Union, (the membership of which is open to all workers of the Govt Stationery Stores under the Union rules). 'A'

ff 4 cf

Para 1 of the G.O. at p 7 of (F) may be cancelled.

2/10/45

Public.

A
2/x

Ex P.H. No. 36483 B/45-4 dd 2.10.45.

Pub (Genl) Dept.

W.r.t. 'A' above it is not known under what circumstances an exception was made in the case of the Govt. Press worker's union with regard to rule 23 (a) of the G.S.C. Rules. Ex P.H. Dept. may be requested to put up the relevant papers concerning this point. ~~and return the file to this department for remarks~~. They appear to belong to the "same class"; but Ex P.H. may please put up the

45449

11 OCT 1945

BR
9/10/45

9/10/45

orders on the subject if any for reference.

10/10/45

Ex P.H.
B.

Pub (Genl)
No. 2190/45
d. 11/10/45.

Please see G.O. 269 Dev (Confdl) d. 3.2.1937 according recognition to ~~the~~ 'The Madras Govt Press Employees Union' and G.O. No 381 Dev (Confdl) d. 11-2-38 withdrawing recognition to that Union and according recognition to 'The Govt Press Workers Union'. (I)

2. The Rules for the recognition of associations of industrial employees of the Govt are on p 4 of G.O. No 1820 L d. 20.8.1934. Rules 3 (i) & (ii) of the Rules are similar to Rule 23 (a) of the G.S.C. Rules. Please see para 2 of the notes on p 42 of G.O. No 269 Dev (Confdl) d. 3.2.1937. It was stated ~~there~~ that ~~the~~ Govt Press Union complied with the above condition, ~~and~~ but there is no specific discussion whether monthly paid and daily paid workers with different ~~[illegible]~~ designations are to be taken as belonging to a distinct class of Govt employees in the case of associations of industrial employees. ~~[illegible] G.O., it would appear that the [illegible] is applicable to such associations of industrial employees~~ There is no discussion either in the subsequent G.O. viz G.O. 381 Dev (Confdl) d. 11.2.38.

(E)

Extract at (F)

(G)

A

(G)

ASST. SECRETARY TO GOVERNMENT
24 OCT 1945
PUBLIC WORKS DEPARTMENT

3. The case may be returned to Pub thro P.W.D. Dev who may offer their remarks on 'A' above.

B

(B0R57e)

22/10/45

USR
23/10/45

Ex P.W. No. 3643 B/45-5 dd 23.10.45

23/10/45

P.W.D.
Dev
Public

P.W.D

The file has been sent to this department with reference to A× on p5 ante. Rules 3 (i) & (ii) on p2 of G.O. 1820 L. d 20.8.34, do not seem to make any distinction between workers paid on daily rates and on monthly basis for purposes of membership of the union, if they belong to the same class for which the union has been formed. (2) The manner of payment makes no difference. With these remarks the file may be passed on to Dev. u.o.

× Vide B on p 5 ante

(L)

V of A on P42 9/8 (Q)

M

25.10.45 25.10.45

at once Dev

P.W.D. u.o. 9438 A/45-1 26.10.45

To U.S. Please see 'A' & 'B' on p5 above. No remarks are called for in this Dept., ~~with reference to~~ regarding 'A' on p5 above in view of the remarks of P.W.D at M on p 6 above. The case may be passed on to Public.

30.10.45 30.10.45

Pub.

30/10

Dev. 66635 D/45

'Trade union' is a subject dealt with in P.W.D.

Dev. u.o. 66635 D/45-1 30.10.45

Pub (General) Dept

UNDER SECRETARY 2724 31 OCT 1945 PUBLIC DEPARTMENT

(Previous notes of this department on pp. 4-5 ante).

Please see the notes of E&P.H., P.W.D. & Development from p. 5 ante. In view of the observations of E&P.H. at 'A' on p. 5 ante and of P.W.D. at 'M' above, no distinction can ~~now~~ be made between the two classes of workers. Hence, E&P.H. may be requested to reconsider the orders issued in para 1, G.O. No. 1177, Edn., D 2.8.45. The file may now be returned to E&P.H.

(J) / p. 7

B.O.R.

11.45 1/11/45

On the analogy of the Govt. Press workers, it does not appear that Govt. can make a distinction between workers paid at a

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(20)

7

B D.S. 27

at a daily rate, as being two separate classes for purposes of Rule 23 (a) of the G.S.C. Rules.

Flag (P)

M 4/11/45 I agree

CS 5.11.45

EPH

RD

Public (Genl) U.O. No. 2724/45-1 d. 6/11/45

6 - NOV 1945 50511

Back Put up

(Box e32)

A draft order is submitted cancelling para 1 of G.O. 1177 Edn d. 2.8.45 (vide D.S.'s note on separate).

8/11/45

8/11/45

The orders in (J) were framed in consultation with Pub (Genl) Dept. Please see their note above. (Vide sect 3 of the file)

The draft may issue.

8/11/45

SECRETARY, EDN. AND P.H. DEPT. 9 - NOV 1945 GOVERNMENT OF MADRAS

11.41 A2