Sectt. II-27—39,004—23-10-44.

Education and Public Health (194) Department.

MS. SERIES.

G.O. No. 972. Edue.

Dated 29.6.(45)

Order on p 9 cf

~~Order on p 9 cf~~

[Despatch Abstract.]

Madras Educational Service - Natesa Ayyar Shri MS. Appointment as Professor of Botany - Presidency College, Madras - Notified.

	No.	Department.
Exhn	875	11.6.45
	669	20.4.45
	1685	2-11-43
	1611	13-11-42
	~~1611~~	~~2-11-42~~
	918	15-6-44
	1812	21-12-42
	1134	10-8-42
	960	23.6.41

O.	No.	Department.
	2849	
	2850	

CONFIDENTIAL.

C.F. 395.

Recommendations to His Excellency the Governor regarding Appointments and Postings.

EDUCATION DEPARTMENT. CL. No. 23/45 , dated 25-5-1945.

SECRETARY, EDN. AND P. H. DEPT. 28 MAY 1945 GOVERNMENT OF MADRAS

Officer's name. (1)	Appointment and posting now or last held. (2)	Period for which held. (3) YRS.	(3) MTHS.	If returning from leave, duration of leave. (4) YRS.	(4) MTHS.	Proposed appointment and posting. (5)	Qualification in language of area in which to be employed. (6)	Remarks by the head of the department [including cause of vacancy and reasons for supersession (if any) of officers and for transfers of officers otherwise than on promotion or reversion.] (7)
Sri M.S. Natesa Ayyar. 23894	Assistant Professor of Botany, Presidency College, Madras.	..	..	..	..	To officiate as Professor of Botany, Presidency College, Madras.	..	In G.O.No.Ms.669, Education, dated 30-4-1945, the Government have sanctioned the conversion of one of the two posts of Assistant Professors of Botany in the Presidency College, Madras, into a post of Additional Professor of Botany in the Madras Educational Service with effect from 1-7-1945. I propose to post Sri T.N. Venkatanathachari, now officiating Professor of Botany, to officiate in the new temporary post of Additional Professor of Botany. I recommend that the resultant vacancy may be filled by the promotion of Sri M.S. Natesa Ayyar, Assistant Professor of Botany, Presidency College, Madras. Sri M.S. Natesa Ayyar is a probationer in the Botany Unit of the Madras Educational Service and was officiating as Professor of Botany till 10-4-1945 when he had to revert to the Madras Educational Subordinate Service for want of a vacancy

G.O. 1485 / 2.11.43 / 918 / 15.6.44

p5e69 (K)

in the Madras Educational Service consequent on Sri T.N. Venkatanathachari returning from leave. I have proposed Sri M.S. Natesa Ayyar for appointment as Professor of Botany for the reason that he is senior to Sri T.N. Venkatanathachari and is also more experienced than the latter. I request that the appointment may be ordered to take effect from 1-7-1945.

Director of Public Instruction,
Madras.

To

M.V. Subramanian, Esq., I.C.S.
Secretary to Government,
Edn. & Pub. Health Department,
Fort St. George, MADRAS.

Confidential

Subject: No. 23894 A/45-1 Edn., dt. 28/5/45

Mr. K. Sc. Professor of Botany, Presidency College - Promotion of Sri M. S. Natesa Ayyar

Ref: Letter from D. P. I Cl. No 23/45 dt 25.5.45

The D. P. I is requested to send the personal files of Sri M. S. Natesa Ayyar and Sri D. N. Venkatanarasimhachari for reference

30.5.45

30-5-45

To the D. P. I

31/5

Note

Sri D. N. Venkatanarasimhachari is a direct recruit to the M. S. Service and is at

4

present appointing as Professor of Botany in the Presidency College. The proposal of the D.P.I is to promote Sri M.S. Natesa Ayyar to the I.E.S and to appoint him as Professor of Botany, posting Sri T.N. Venkatamaharshi as Addl. Professor. This requires further scrutiny with reference to personal files, apart from Seniority. The personal files may be called for

4/
30.5.45

"CONFIDENTIAL" Education Department. 26017

26017

From

DR. B.B. DEY, D.Sc.(Lond.), F.R.I.C.,
Director of Public Instruction,
Madras.

To

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

R.Cl. No.23/45, Dated 7th June, 1945.

Sir,

Subject:- Madras Educational Service - Professor of Botany, Presidency College, Madras - Promotion of Sri M.S. Natesa Ayyar - Personal files submitted.

***

Reference:-

8 JUN 1945 EDUCATION & PUBLIC HEALTH DEPT.

6

2.

Reference:- Government Education and Public Health Dept.
Confidential Memo. No.23894 A/45-1,Edn.,
dated 30th May 1945.

I have the honour to submit herewith the personal files of Sri M.S. Natesa Ayyar and Sri T.N. Venkatanathachari called for in the Government Memorandum under reference.

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

I have the honour to be, Sir,
Your most obedient servant,

8.6.45

For DIRECTOR OF PUBLIC INSTRUCTION.

NB/7-6.

I 5a

M.E.S. Natesa Ayyar Sri M.S. ~~Natesa~~

as Addl Prof of Botany, Presidency College, Madras. Notified.

CF From the D.P.I. CL. No 23/45 d 25.5.45

Order No. 948 Edn 25-6-45

The following notification will be published in the Fort St. George Gazette:—

Sri M.S. Natesa Ayyar, Asst Prof of Botany, Presidency College, Madras, is appointed to officiate as Addl Prof of Botany in the M.E.S in the same College from 1.7.45

CF =

~~2 The Govt consider that there is no justification for disturbing Sri T.N. Venkatanathachari from the post of Prof of Botany in the Presy~~

College as he is senior to Sri M.S. Natesa Ayyar in service in the M.E.S.

II.

22.6.45

D.O.No. 23894A-2 Fort St. George, 23rd June 1945.

Dear Dr. Dey,

Presidency College, Madras - Filling the post of Additional Professor of Botany.

Please see your Recommendation Roll Cl.No.23/45, dated 25-5-1945. It is not clear how Sri M.S. Natesa Ayyar is considered senior to Sri T.N.Venkatanathachari. The relevant rule is rule 29(a) of the General rules relating to Provincial and Subordinate Services, according to which, the latter, who was appointed to the Madras Educational Service earlier than the former, is the senior of the two. The Govt. see no justification for posting Sri Natesa Ayyar as Professor, in preference to Sri Venkatanathachari. Orders are therefore being issued posting Sri Natesa Ayyar as Additional Professor.

Yrs. sincerely,

(ok) 23-6-45 for Director of Public Instruction.

To 25.6. D.P.I. (by name).

To The DPI (with personal file)

No. 23894 A/45 15-16 29.6

D.O. No. 23894 A3 dated 29 Dec.

Dear Dr. Dey,

Your Recommendation Roll 23/45 dated 25/5/45 - filling the Post of Professor of Botany, Presidency College, Madras.

I am to say that orders are being issued appointing Sri. M.S. Natesa Ayyar to officiate as Professor of Botany, Presidency College. My D.O. No. 23894 A-2 dated 23-6-45 which was based on a misapprehension may be treated as Cancelled.

Yours sincerely,

for Director of Public Instruction.

To Dr. B.B. Dey, I.R.I.C. Delhi.

28.6.45

9/ 42 29/6

E&M.Dept.

M.E.S. – Natesa Ayyar Sri M.S. – Appointment as professor of Botany Presidency College, Madras – Notified –

from the D.P.I. Cl. No. 28/45 dated 25/5/45

G.O.Ms. No. 972 Edn. dated 29.6.45

The following notification will be published in the Fort St. George Gazette –

Notification

Sri. M.S. Natesa Ayyar, Asst. professor of Botany, Presidency College, Madras, is appointed to officiate as professor of Botany in the M.E.S. in the same College from 1-7-1945.

29.6.45

Dept K 4 30-6-45

To the D.P.I. (Corrections)

" A.G.

" S.G.P. for publication in Part III of the F.S.G.G.

" Pub. & C.L.I

R.B.

(name).

MB

Re 1743 C/45

9a 10/7

From

T.N. Venkatanathachari M.A., M.Sc.,
Additional Professor of Botany,
Presidency College, Madras.

To

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George.

Through

The Director of Public Instruction,
Madras.

Through

The Principal,
Presidency College,
Madras.

A/9 cf.

Sir,

Sub:- G.O. Ms.972 Edn. dated 29-6-'45 and my transfer to the post of Additional Professor of Botany, Presidency College, Madras re.D.P.I's Proceedings R.O.C. No.1743 C/45 dated 2-7-'45.

1. I have the honour to bring to your notice the following facts for your kind consideration and favourable orders:

2. I was selected for appointment to the post of Professor of Botany in the Madras Educational Service by the Public Service Commission and was appointed by the Government Orders issued on 2-11-'43 to officiate as Professor of Botany, Presidency College, Madras in a vacant permanent post. During my absence on leave taken for L.T. training Sri. M.S. Natesa Iyer, Assistant Professor of Botany officiated in my place in the isolated post and reverted to his substantive post on my return.

Go.1485-Edn. 2-11-43 V/30

G.O.978-Edn. 15-6-44 (W)

A/9 cf.

3. Orders were however issued in G.O.Ms.972 Edn. dated 29-6-'45 appointing Sri. M.S. Natesa Iyer, Assistant Professor of Botany, Presidency College, Madras to officiate as Professor of Botany; and, on the basis of these orders, I have been transferred by the D.P.I., in his orders dated 2-7-'45, as officiating Additional Professor of Botany against a temporary post recently created by Government. It is not clear why this transfer was made in the absence of specific orders of Government, removing my title to hold the permanent post and appointing me to hold charge in the temporary post. The physical transfer of charge required under the orders of the D.P.I. was not perhaps necessary.

K/5

G.O.669-Edn.

4 Under the Orders of Government, I should render my probation in the post of Professor of Botany as a direct recruit with no other substantive post in the Department and the intention of the G.O.Ms.972 Edn. issued on 29-6-'45 was evidently that Sri. M.S. Natesa Iyer, Assistant Professor of Botany, should officiate as Additional Professor in the temporary post created for the purpose. The Government, Orders of November 1943, appointing me to hold the permanent post have not been cancelled; and there was therefore no question of Mr. M.S. Natesa Iyer superseding me as his officiating appointment was an emergency arrangement under Rule 9 (a) (1) of the General Rules (See G.O.Ms.147 Edn. dated 10-8-'42). If the Government wished to alter my seniority in the manner shown in the Proceedings of the D.P.I. dated 2-7-'45, their specific orders were necessary under the Statutory Rules, as the D.P.I does not enjoy power of appointment to Gazetted posts.

5. The post of Professor of Botany in the M.E.S. is permanent, while that of Additional Professor of Botany is temporary for two years (see G.O.No.669 Edn. dated 30-4-'45) Unless the permanent post of Professor of Botany to which I was appointed has been abolished, it will not be correct to make me render service in a temporary post which does not count for pension; and two persons cannot, as the Government Orders of November 43 and June 45 would show, hold the permanent post of Professor of Botany at the same time. There is no certainty at present that this temporary post will be made permanent at a later date and my transfer to this temporary post as made by the D.P.I in the absence of specific Orders of Government, involves not only a breach of the conditions of my service but also serious hardship to me as a senior member of the unit, as it will not be possible for me to serve as the Senior Professor and the Head of the Botany Section to which I have a legal claim, as a direct recruit. My transfer to the temporary post gives me no guarentee in regard to prospects of confirmation and it will affect my claims to permanent appointment in the only post. If owing to any cause, Sri. M.S. Natesa Iyer is confirmed before me I will have no post to hold.

6 Government are aware that as the vacant post of the Professor of Botany was reserved to be filled in by direct recruitment in 1943.

Sri. M.S. Natesa Iyer's claims for this post do not exist. He was promoted only temporarily from 9-4-'43 to 20-12-'43 and he was reverted as the Assistant Professor of Botany when I took charge on 20-12-'43. When I took leave for 9 months from 10-7-'44, he again occupied the post temporarily and was once again reverted, when I returned from my L.T. Training course. All these events were supported by specific orders of Government. It can hardly be the intention of the Government that this position should be changed, that there should be a shifting of charges and that my seniority should be lowered below that of Sri. M.S. Natesa Iyer after two years. The fact that the total officiating service as Professor of Botany rendered by Sri. M.S. Natesa Iyer was longer than my servic as a Probationer in the post should not under the general conditions of service as embodied in the Statutory Rules affect my seniority and the creation of the temporary post did not bring about any change of the conditions of my service.

7. I was recruited in 1943 to the post of Professor of Botany and although the posts of Professor of Botany and Additional Professor of Botany are identical in grade of pay, etc., they are not quite equal because the post of professor carries with it certain administrative responsibilities as the Head of the Department. Moreover I am fully qualified to be the Head of the Department according to the University Rules. I have also rendered nearly 10 months of Probation in the permanent post and completed the course of training in the Theory and practice of Education in the University of Msdras. No reasons for the transfer have however been communicated to me so far.

8. I would therefore most respectfully request that the whole position be examined, that the terms of the G.O.Ms.972 Edn., be suitably modified and that specific orders of the Government retransferring me to the post of Professor of Botany be kindly issued.

I have the honour to be,
Sir,
Your most obedient servant,

Madras,
25-7-45.

J.M. Venkatanarasimhachari
25/7/45
Addl. Prof. of Botany

One copy submitted ~~through the proper channel~~ to Government direct to save delay.

Submitted to the Director of Public Instruction, Madras.
NRC 436/44
Presidency College, Madras,
26-7-1945.

S. Ranganathan.
Principal.

O F F I C E OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
Cl.No.23/45 Dated 22.8.1945.

MADRAS EDUCATIONAL SERVICE - Professor of Botany, Presidency college, Madras - Requestof Sri T.N. Venkatanatha Chari fo r being posted as the -- Petition submitted with remarks.

REF: Petition dated 25.7.1945 from Sri T.N. Venkatanathachari officiating Additional Professor of Botany, Presidency college, Madras.

- - - - -

S u b m i t t e d.

2. The following remarks are submitted on the several points raised by the petitioner:

Paragraphs 1 to 3 of the petition call for no remarks.

Paragraph 4: - Sri M.S. Natesa Ayyar commenced his probation in the Madras Educational Service on 18th August 1942 while Sri T.N. Venkatanathachari commenced his probation in the above service on 20th December 1943, i.e., sixteen months after Sri M.S. Natesa Ayyar. Although Sri Natesa Ayyar was first appointed to the Madras Educational Service under emergency powers, his appointment was subsequently regularised with retrospective effect -- Vide G.O. No.Ms.1812 Education dated 21.12.1942. It may, therefore, be seen that the appellant is by far junior to Sri M.S. Natesa Ayyar and so there is no question of altering the petitioner's seniority in any manner.

Paragraph 5:- The fact that the petitioner has been posted to the temporary post of Additional Professor does not affect his pay or increments nor will it prejudice his claims for confirmation with retrospective effect from the date from which he has been continuously on duty, provided he satisfactorily completes the period of his probation in the Madras Educational Service. As the substantive post of Professor of Botany is reserved to be filled by Direct Recruitment and Sri T.N. Venkatanathachari has been directly recruited against this vacancy, Sri M.S. Natesa Ayyar, a promotee from the Madras Educational Subordinate Service cannot be confirmed in the post. The fear of the petitioner is therefore, baseless.

Paragraph 6: -- When the petitioner joined duty as officiating Professor of Botany on 20.12.1943 Sri M.S. Natesa Ayyar who was officiating in the post then, had to revert to the Madras Educational subordinate Service not because he was in any way junior to the petitioner but because the petitioner, as a direct recruit, had to be appointed in the post which was reserved for a direct recruit and in which Sri Natesa Ayyar was officiating temporarily pending the appointment of a direct recruit. Had there been an Additional Professor's post then, it is highly probable that Sri Venkatanathachari would have been appointed to it in the first instance, rather than as Professor, without prejudice to his claims for confirmation in the Madras Educational Service as Professor.

Paragraphs 7 & 8: -- In the interests of administration a Government servant can be assigned any duty. As Sri M.S. Natesa Ayyar is a senior and experienced officer it was considered that it would be conducive to efficiency if he could be posted as head of the Botany department of the College in preference to a new entrant to the government service when such a posting was practicable. By the posting of Sri Venkatanathachari as Additional Professor of Botany

P.T.O.

no rules have been violated nor the legitimate interests of the petitioner affected. It is not necessary, that a particular direct recruit should be posted only in the vacancy against which he was recruited. For instance, Sri T.K. Lakshmanan was recruited against the substantive vacancy in the post of Professor of Physics, Presidency College, Madras, yet he is serving as Lecturer in Physics, Government Arts College, Rajahmundry, without prejudice to his interests as a direct recruit. Similarly, Sri B.M. Tirunaranan, though recruited against a vacancy in the Government Training College, Rajahmundry, served in a temporary post in the Queen Mary's college for a year before he was confirmed with retrospective effect as Lecturer in Geography, Government Training College, Rajahmundry.

3. In the above circumstances it is recommended that the request of the petitioner to repost him as Professor of Botany, Presidency College, Madras, may not be complied with.

24.8.45

for Director of Public Instruction

To

The Secretary to Government,
Education & Public Health Department.

G.A.W./24.8.1945.

Special

T.M.

E. & P. H. (A)

From: The Supdt, A Section, E. & P. H. Deptt.

To: The Senior Supdt., D.O.I.'s office.

Ref:— Director's Endtt. Cl.No. 23/45, dated 22-8-45.

Pl. say whether the appt. of Sri M.S. Natesa Ayyar as Professor of Botany from 11-4-43 to 19-12-43 was ordered by Govt. and, if so, kindly

refer me to the No. & date of the G.O. missing kindly

Issued
DPS
12/9/45

Reminded
DPS
3/9/45

13A 13

Office of the Director of Public Instruct
Madras, 15-9-1945.

T.M. (By Post)

13 SEP 1945

To

The Assistant Secretary to Government,
Education & Public Health Department.

pp. 11-12 ante

Ref: Secretariat T.M. dated 12.9.45 regarding Sri M.S
Natesa Ayyar

40332

Sri M.S. Natesa Ayyar, while officiating as Lecturer in Natural Science, Teachers' College, Saidap was transferred as officiating Professor of Botany, Presidency College, Madras in the Director's Proceedin Rc.596 C/43 dated 10.3.43. Sri M.S. Natesa Ayyar joi

p. 15 infra

duty at the Presidency College on the afternoon of 10.4.1945. A copy of the Director's Proceedings cit above is enclosed.

13.9.45

GAW/13.9.45.)

Dy. Director of Public Instruction

PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

C. No. 596 C/43 dated 10th March 1943.

SUB: Madras Educational Service - Lecturers - Postings - Ordered.

N O T I F I C A T I O N.

POSTINGS.

The following postings are ordered:--

I.

Sri B.M. Tirunarayanan, Officiating Lecturer, on return from leave to officiate as Lecturer in Geography, Teachers' College, Saidapet.

II.

Sri T.Balakrishna Nair, Officiating Lecturer, on return from leave to officiate as Lecturer in History, Government College, Kumbakonam.

III.

Sri K.V. Punniah, Officiating Lecturer, on return from leave, to officiate as Lecturer in History, Ceded Districts College, Anantapur.

IV.

Sri C.Bhashyakarla Rao, Officiating Lecturer, on return from leave to officiate as Lecturer in Natural Science, Teachers' College, Saidapet.

V.

Sri M.S.Natesa Ayyar, Lectuer in Natural Science, Teachers' College, Saidapet to officiate as Professor of Botany, Presidency College, Madras. To join on relief by No.IV.

2. Sri P. Kochunni Panikkar, Officiating Lecturer in Geography, Teachers' College, Saidapet, Sri K.Aravamudha Ayyangar, Officiating Lecturer in History, Government College, Kumbakonam, Sri R. Subba Rao, Officiating Lecturer in History, Ceded Districts College, Anantapur and Sri P.V.Narayanaswami Ayyar, Officiating Professor of Botany Presidency College, Madras, will on relief, revert to the M.E.SUB.Service.

3. Sri C.V.Narayanan, Officiating Lecturer in Economics, Government Muhammadan College, Madras will revert to the Madras Educational Subordinate Service from the afternoon of 1-4-43 or ~~xxxx~~ from the date on which Muhammad Kutbuddin Saheb Bahadur will rejoin duty, whichever is earlier.

4. Orders regarding the postings of Officiating Lecturers now under orders of reversion to the Madras Educational Subordinate Service will issue separately.

11.3.43

for DIRECTOR OF PUBLIC INSTRUCTION.

To The Principals, Teachers' College, Saidapet; Government Training College, Rajahmundry; Ceded Districts College, Anantapur; Presidency College, Madras; Government Muhammadan College, Madras and the Government College, Kumbakonam.

Copy to the Accountant-General, Madras at Bangalore.
" " the Superintendent, Government Press for publication of the notification in the Fort St. George Gazette (Para 1 only)
" " Sri B.V.Tirunarayanan, I.T. Class, Teachers' College, Saidapet.
" " Sri T. Balakrishna Nair, L.T.Class, " " "
" " Sri C. Bhavakarla Rao L.T. Class, " " "
" " Sri T. ~~Xxxxxxx~~ Punniah, B.Ed., Class, Government Training College, Rajahmundry.

:----------:

Edn. 10/43-1 750 Pp. 11/3.

Education & P.H.(A) Department.

Memorandum No.33591-A-1 Edn. dated 21-9-45.

...

M.E.S. - Sri T.N.Venkatanathachari, Addl. Professor of Botany, Presidency College,- Request for being posted as Professor of Botany.

Ref:-From Sri T.N.Venkatanathachari d/25-7-45.
From the D.P.I.,Endt.Cl.No.23/45,dated 22-8-1945.

...

The D.P.I. is requested to inform Sri T.N. Venkatanathachari that the orders in G.O.No.972.Edn., dated 29-6-1945 will not be altered.

To the D.P.I.(with personal files returned).

From
T.N.Venkatanathà chari, M.A., M.Sc.,B.T.,
Officiating Additional Professor of Botany,
Presidency College, Madras.

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

Through
The Director of Public Instruction,
Madras.

Through
The Principal,
Presidency College,
Madras.

Sir,

Ref:- Government E & P.H.Memo No.33891 A-1 Education dated 21-9-45.

I have the honour to submit the following for your kind consideration and favourable orders:

1. In their reply to my letter dated 25-7-45, the Government passed orders that the orders in G.O. No.972 Edn dated 29-6-45 will not be altered; but they were not pleased to state whether my transfer from the post of Professor of Botany, Presidency College, Madras to the post of Additional Professor in the same College by the D.P.I. (as per his Proc.R.O.C.No.1743 C/45 dated 2-7-45) was justified.

2. I was directly recruited to the post of Professor of Botany in the M.E.S. and was officiating as the Professor of Botany, Presidency College, Madras from 20-12-43 to 30-6-45. During this period, I had established a preferential claim for this post, irrespective of the seniority of the promotees in the Department.

3. In spite of this, however, on 2-7-45, I was transferred from the post of Professor of Botany to a lower post of Additional Professor in the same College; the duties and responsibilities of the Head of the Department were taken away from me and thereby my status was reduced and I suffered a loss of prestige. Further, the promotion of Mr.M.S.Natesa Iyer (who was a member of the S.E.S. and worked under me as an Assistant Professor during the entire period of my service as Professor of Botany) as the Head of the Department of Botany is unjust and unfair to me and puts me in an awkward situation.

4. As a result of this transfer from one seat to another in the same College, I am denied the many privileges enjoyed by me before and I find that I am now placed a rank lower than the one to which I was recruited and first appointed. This transfer to the post of Additional Professor of Botany brings about a change in my designation also. A difference in nomenclature between the two posts, although they belong to the same category of the M.E.S., indicates the difference in status, enjoyed by each.

5. In Para 13 (4) and (5) of the advertisement for the post of Professor of Botany by the Madras Public Services Commissi it was stated that my claims for the post may be superseded by a suitable war candidate, if any, recruited after the war. But a promotee has now been made to superseded me, and I am transferred

DIRECTOR OF PUBLIC INSTRUCTION
8-DEC 1945
C.252
MADRAS

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to another temporary junior post of Additional Professor of Botany, which post was created on my memorandum of July 1944.

6. The chief attraction in the post of Professor of Botany advertised for was that it offered scope for initiating and organising the work of teaching and research in the Department. The post of Additional Professor of Botany to which I am now transferred does not offer the same opportunities for work and independant action in the department as that of the Professor and I have only to follow the schemes and policies laid down by the Professor as the Head of the Department. If the post of an Additional Professor were advertised for, I may not have offered myself for recruitment to that post.

I therefore request that the matter may be reconsidered and favourable orders passed, reinstating me as the Professor of Botany to which post I feel I have a legitimate right as a direct recruit.

I have the honour to be,

Sir,

Your most Obedient Servant,

Madras
4-12-45

T.N. Venkatanathachari
4/12/45

One Copy submitted to the Government to save delay.

Submitted.
There seems to be a case for consideration.
S.G.M. Ramanujam
Prof. in charge 5/12

VNC 436/44
6-12-45

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
Rc.No.252 C/46
Dated 28.1.1946.

Submitted.

A/10418 of. A/360F.

2. Attention of Government is invited to the Director's Endorsement C1.No.23/45 dated 22.8.1945 disposed of in Government Memorandum No.33891 A-1 Education dated 21.9.1945. It is submitted that the present petition from Sri T.N. Venkatanathachari does not contain any new points to deserve a reconsideration of the orders already passed by Government.

for Director of Public Instruction.
29.1.46

To The Secretary to Government,
Education & Public Health Department.

G.A.W./29.1.1946.

SECRETARY, EDN. AND P.H. DEPT.
30 JAN 1946
GOVERNMENT OF MADRAS

Edn. and P.H. Dept. (C)

MEMO. No. 5813-A1-Edn dated 7/2/46.

M.E.S. - Sri T.N.Venkatanathachari, Addl Professor of Botany, Presy. College - Request for posting as Prof. of Botany.

READ:- From Sri T.N.Venkatanathachari, dated 4-12-45.
From the D.P.I., Rc.No.252-C/46, dated 28-1-46.

The D.P.I. is requested to draw the attention of Sri T.N.Venkatanathachari to rule 32(a) of the General rules relating to the Provl. and Subordinate Services and to inform him that the orders already passed in the matter will not be reconsidered.

5/2/46

To the D.P.I.

NOTE:-

Please see para 1 of the petition - C.F.1. Under General rule 32(a), the competent authority has power to requir a member of a service or class of a service to serve in any post borne on the cadre of such service or class and the member can have no grievance against it. The grounds urged by Sri

Venkatanathachari were examined in detail in the notes on pp.4-5 of "A", and it was decided that Sri M.S.Natesa Ayyar was senior to the petr. and that the former's appointment as Professor of Botany should stand. There is no reason now to alter that decision. The D.P.I. may be asked to inform Sri Venkatanathachari as in the draft above.

For orders as to circulation.

SECTT. EDN. AND P.H. DEPT. 6 - FEB 1946 GOVERNMENT OF MADRAS

C.No.23894. From the D.P.I., Cl.No.23/45, dated 25-5-1945.
Memo. No.23894-A/45-1-Edn., dated 30-5-1945.
From the D.P.I., C.L.No.23/45, dated 7-6-1945.

M.E.S. - Sri M.S.Natesa Ayyar - Appointment as Professor of Botany, Presidency College, Madras -

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In the Presidency College, Madras, there is at present one post of Professor of Botany in which post Sri T.N. Venkatanathachari is officiating. The Govt. have sanctioned a temporary post of additional Professor of Botany in the college from 1-7-1945 in G.O.No.669-Edn., dated 30-4-1945.

2. The D.P.I. proposes to transfer Sri Venkatanathachari as temporary Addl. Professor and to appoint Sri M.S. Natesa Ayyar as Professor. The normal position should be that Sri Natesa Ayyar should be appointed Addl. Professor, while Sri Venkatanathachari ~~should~~ continues to officiate as Professor. The Director has not explained how Sri Natesa Ayyar can be considered senior to Sri Venkatanathachari. The latter was first appointed to officiate in the M.E.S. on 9-7-1944 while the former was appointed as a direct recruit on 20-12-1943. Sri Venkatanathachari is ~~a direct recruit and is~~ now a probationer and his work as Professor has been reported satisfactory. In the circumstances, it is not clear why the Director recommends that he should be appointed as Addl. Professor. It would appear sufficient if Sri Natesa Ayyar is appointed Additional Professor.

3. For orders as to circulation.

The Director has given reasons for his proposal, namely that Mr. Natesa Ayyar is senior to Mr. Venkatanathachari and is also more experienced than the latter. The second consideration is obviously for Mr. ~~Venkatanathachari~~ has been in the deptt. since 1915 ~~and has been teaching~~ and has been handling college classes during a considerable part of his service; also his promotion to the M.E.S. took place early in July. His seniority is referrable to Rule 29(a) of the general rules relating to Provl. and Subordinate Services according to which ~~the period of extraordinary~~

Sri Venkatanathachari who was appointed to the service earlier than Sri Natesa Ayyar, ~~will have to be~~ is the senior of the two. The other rules referred to these have no operation here.

Both Professor and Addl. Professor, however, belong to the same Category (Category 4 of Class III) and no wrong will have been done if the Director's proposal is approved so long as Sri Venkatanathachari is kept on in a post in the category to which he was appointed direct and is eventually confirmed on the successful completion of his probation. In that view, it is for orders whether the recommendation in the roll may be accepted.

20.6.45 S/ A4

P.S. 6.2

SECRETARY, EDN. AND P.H. DEPT. 21 JUN 1945 GOVERNMENT OF MADRAS

I agree. Tell D.P.I. why

A draft order is submitted. 21.6.45

22.6.45

Two orders are go Dis. Draft orders

23.6.45 S/

It is now seen that the statement at "A" on p.1 ante, that Sri Natesa Ayyar was appointed to officiate in the M.E.S. on 9-7-1944, was not correct. He actually commenced probation on the 18th August 1942. I much regret that I took the statement for granted without verifying its correctness and proceeded to note.

The Director's recommendation may, in view of the correct information given above, be accepted.

S/ A4

SECRETARY, EDN. AND P.H. DEPT. 28 JUN 1945 GOVERNMENT OF MADRAS

25.6.45

28/6/45

190

A draft Dis. & a draft order are submitted below.

28.6.45

Dis. 23894 A3 d 29/6/45 DPI.

G.O. Exn. date 29.6.45.

Education & P.H.(A) Dept.

C.No.33891.A.45.

From Sri T.N.Venkatanathachari, dated 25-7-1945.
From the D.P.I., Endt. Cl.No.23/45, dated 22-8-1945.

...

M.E.S. - Sri T.N.Venkatanathachari, Asst. Professor of Botany, Presidency College - Petition against the appointment of Sri M.S.Natesa Ayyar as Professor.

...

C.F. 1-5 is a petition from Sri T.N.Venkatanathachari against the orders in G.O.No.972.Edn., dated 29-6-1945. He argues that, having been selected and appointed by direct recruitment to the post of Professor of Botany in the Presidency College in G.O.No.1485.Edn. dated 2-11-1943, he has a right to continue in the same post and that the appointment of Sri M.S.Natesa Ayyar from 11-4-1943 to 20-12-1943 was made only on a temporary basis as the post was reserved for a direct recruit.

2. The post of Professor of Botany was vacant from 11-11-1942, the date of retirement of Sri T.V. Narasinga Rao, reserved for a direct recruit. It was filled temporarily by the appointment of Sri R.V.Narayanaswami Ayyar till 11-4-1943, when Sri Natesa Ayyar, who was transferred to the post, in the Director's Proceedings dated 10-3-1943, took charge. Sri Natesa Ayyar continued in the post till 20-12-1943 when Sri ~~Tiruvenkatachari~~ Venkatanathachari, the direct recruit selected by the Commission, was appointed.

3. Though posts are reserved for direct recruits, it has been usual to fill them by transfer until candidates selected by the Commission for appointment by direct recruitment become available. The history of service, in the M.E. of Sri Natesa Ayyar and that of Sri Venkatanathachari are as follows:-

Sri Natesa Ayyar:

1.	From 18-8-42 to 9-4-43	Offg. Lecturer, Teachers' College, Saidapet.
2.	From 11-4-43 to 19-12-43 & from 10-7-44 to 9-4-45	Offg. Professor of Botany Presidency College, Madras.
3.	From 1-7-45 up to date.	do.

Sri Venkatanathachari:

1.	From 20-12-43 to 9-7-44	Offg. Professor of Botany, Presy. College, Madras.
2.	From 10-4-45 to 30-6-45	do.
3.	From 1-7-45 up to date.	Offg. Addl. Professor of Botany Presy. College.

4. Sri Natesa Ayyar started probation as Lecturer in the Teachers' College (Category 5 of class III). He was posted by the Director in March 1943 as Professor of Botany in the Presidency College (Category 4 of Class III). Posts of Lecturers and Professors carry the same scale of pay. Under rule 29 (c) of the General rules relating to Provincial and Subordinate Services, transfer of a person from one class or category of a Service to another class or category, carrying the same scale of pay, shall not be treated as first appointment to the latter, for purposes of seniority; his seniority will be fixed with refce. to the date of his first appointment to the category from which he was transferred. According to this rule, the seniority of Sri Natesa Ayyar will count from 18-8-1942 - the date of his appointment as Lecturer. Therefore, the appointment made in G.O.No.972.Edn., dated 29th June 1945, on grounds of seniority, is in order.

5. As pointed out by the D.P.I. in para 2 (e) of his Endt.., it is not necessary that a person appointed to a certain post should continue to perform duties in the same post even if exigencies of service should demand his transfer to another post carrying the same scale of pay. In the circumstances, the petition from Sri Venkatanathachari may be rejected. A draft memorandum is submitted for consideration.

EDUCATY. EDN. AND P.H. DEPT. 21 SEP 1945 GOVERNMENT OF MADRAS

[Issued as Memo. No. 33891-A-1, dt- 21-9-45.]

The papers may be filed with G.O. 972-Edn., dt- 29.6.1945.

From
T.N.Venkatanathachari,M.A.,M.Sc.,B.T.,
Permanent Professor of Botany and
Officiating Additional Professor of Botany,
Presidency College.
MADRAS.

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

Through the Proper Channel.

Sir,

Ref:- Proc. of the D.P.I., Madras C.No.1529 C.L/49 d/16-6-49 re my transfer to the post of Additional Professor of Botany, Presidency College, Madras.

I have the honour to submit the following facts for your kind consideration and favourable orders:

1. I was appointed to the post of Professor of Botany, Presidency College, Madras, in the Madras Educational Service by direct recruitment on 2-11-'43, and, after the satisfactory completion of probation in the category of Professors in the Collegiate Section of the M.E.S., was confirmed as Professor of Botany, Presidency College, Madras. (Vide G.O. No. 122 ~~April~~ May 18th, 1948). As one holding this senior post, I was also the administrative head of the Botany Department in the Presidency College.

2. I am now transferred by the D.P.I., in his orders dated 16-6-'49 to the post of Additional Professor of Botany, Presidency College -- a temporary post in the same category, and Sri.C.Bashyakarla Rao, Permanent Lecturer in Natural Science, Teachers' College, Saidapet, has been posted as Professor of Botany, Presidency College, Madras.

3. The posts of Professor of Botany and the Additional Professor are not of equal status, as the post of Professor of Botany carries with it certain administrative responsibilities and duties to be discharged by the Senior Professor as the Head of the Department. As a result of my transfer to the post of Additional Professor, the duties and responsibilities of the Head of the Department were taken away from me and thereby my status was reduced and I have suffered a loss of prestige.

4. As one directly recruited to the post of Professor of Botany, Presidency College, Madras and confirmed against that post, I had eastablished an undisputed and preferential claim to hold that post. It is therefore unjust and unfair to transfer me to a post with a reduced status in the same College. Further, I am now deprived of the privileges enjoyed by me before and I find myself placed in a rank lower than the one to which I was recruited and confirmed.

5. The chief attraction in the post of Professor of Botany, to which I offered myself for recruitment was that it offered scope for initiating and organising the work of teaching and research in the Department. The post of Additional Professor of Botany to which I am now transferred does not offer the same opportunities for work and initiative in the Department as that of the Professor of Botany and I have only to follow the schemes and policies laid down by the Professor as the Head of the Department. I may not have offered myself for recruitment to the post of Additional Professor, if it had been advertised for.

6. Sri.C. Bashyakarla Rao has no claims for the post of Professor of Botany in preference to me. He was recruited and confirmed against the post of a Lecturer in Natural Science, Teachers' College, Saidapet -- a post in the lower category of the M.E.S. He has not rendered any previous service in the category of Professors and has completed his probation only in the category of Lecturers. Even though he has completed his probation earlier than myself, he was not confirmed as Professor of Botany, Presidency College, Madras. As one holding the post of a Professor in the Presidency College for more than five years, I am senior to Sri. C. Bashyakarla Rao in the category of Professors and I have a claim to continue as the Professor of Botany and the Head of the Department.

7. If a transfer was inevitable for Sri.C.Bashyakarla Rao, he could have been posted as Additional Professor of Botany or otherwise. His longer service in the M.E.S. would only give him a claim for an earlier promotion to a higher post, if any, other than that of Professor of Botany and it will not entitle him to a preferential claim to the post held by me in a substantive capacity. The transfer now made can be justified only when a punishment has to be awarded to me.

-3-

8. Under the circumstances, the present transfer order affecting my status and seniority requires revision. I would therefore most repectfully request that the whole position be examined and favourable orders passed posting me as the Professor of Botany, Presidency College, Madras.

Yours faithfully,

Presidency College,
Madras. 23rd.Aug.49.

J N Venkatanarasimhachari
23/8/49

ADDITIONAL PROFESSOR OF BOTANY.

Copy to the Secretary direct to avoid delay.

DIRECTOR OF ... 31 AUG ... MADRAS

Re.92/49
30.8.49.

Presidency College, Madras
Dated 30.8.1949.

Submitted to the Director of Public Instruction, Madras.

M Adam Ellis
Principal
Presidency College,
Madras

29/8/49

Roc 2375-C1/49

Office of the Director of Public Instruction, Madras dated 25th September 1949

Subject: Madras Educational Service - Sri T.N.Venkatanathachari, Additional Professor of Botany, Presidency College, Petition for reappointment as Professor

Reference: Petition dated 23-8-49 of Sri T.N. Venkatanathachari with the Endt. N.Rc. 921/49 dated 30-8-49 of the Principal, Presidency College, Madras.

ASST. SECRETARY TO GOVERNMENT EDUCATION AND PUBLIC HEALTH DEPT. 20 SEP 1949

75381

Submitted.

2. On return from study leave Sri C. Bhashyakarla Rao was posted as Professor of Botany, Presidency College, Madras and the petitioner transferred as Additional Professor in the same College. The dates of first appointment to the Madras Educational Service of the two Officers are as follows:-

Sri C. Bhashyakarla Rao	19-1-42
Sri T.N. Venkatanathachari	20-12-43

Besides being considerably senior to the petitioner, Sri C.Bhashyakarla Rao has recently returned from Overseas after completing advanced studies in Botany. Hence Sri Rao was posted as Professor of Botany, Presidency College, Madras.

3. The grounds on which the petitioner requests to be reappointed as Professor of Botany are : (i) that he was recruited direct and appointed to the post of Professor (ii) that he has suffered in status and prestige by having been transferred as Additional Professor and (iii) that he has better claims to continue as the Professor as he held the post for over five years and is senior to Sri Rao in the category of Professor.

4. The grounds put forth by the petitioner are untenable for the following reasons:--

i The fact that the peititoner was recruited to the post of Professor of Botany, does not preclude his transfer to another post in the same class and cadre of service. The post of Additional Professor of Botany is also borne on the category of Professors in class III of the Madras Educational Service. Under General Rule 32(a) a member of a service or class of a service may be required to serve in any post borne on the cadre of such service or class. There is, therefore, no injustice, unfairness or loss of status and prestige involved in the petitioner's transfer as Additional Professor of Botany.

ii Though Sri C.B. Rao holds his substantive appointment as Lecturer, he is senior to petitioner in the Madras Educational Service in class III. Professors and Lecturers in Class III, though grouped under separate categories, are on the same scale of pay and the petitioner's statement that the category of Professors is higher than that of Lecturers is not correct.

5. In the circumstances stated above, it is recommended that the petition of Sri T.N. Venkatanathachari be rejected. In this connection attention is also invited to the orders in Government memorandum No. 33891-A1-Edn dated 21-9-45 disposing of a similar representation of the petitioner on a former occasion.

for Director of Public Instruction

To

The Secretary to Government, Education & Public Health Department, Fort St. George, Madras.

Vk 27.9

Edn. and P.H. Dept.(A).

MEMO.No. 7538?-A.1-Edn., d/- 8.7.49.

M.E.S.- Sri T.N.Venkatanathachari, Addl.Prof. of Botany - Petition against transfer from post of Prof.

Ref:-From the D.P.I., No.2375-C1/49, d/-25-9-49.

The D.P.I. is requested to inform Sri T.N. Venkatanathachari that his request for being posted as Prof. of Botany in the Presy. College, in the place of Sri C.Bhashyakarla Rao, cannot be complied with. The officer's attention may be drawn to General Rule 32(a) ~~the Dir.'s proceedings issued previously on the basis of~~ refd. to in Memo.No.5813-A-1 Edn., d/-7-2-46.

To the D.P.I.

NOTE:-

Sri Bhashyakarla Rao is far senior to Sri T.N. Venkatanathachari, the petitioner. Further, Sri Rao has recently undergone, at Govt. expense, higher studies in Botany, in U.K. To his being assigned the headship of the

dept. of Botany in the Presy. College, the petitioner cannot legitimately object. There is no real cause for the petitioner's feeling of loss of status and prestige. The usual practice is for the seniors to be the Profs. and for the juniors to be the Addl.Profs. The petitioner's statement that the post of Addl. Prof. does not offer equal opportunities for teaching and research, is meaningless. If only the Addl.Prof. is sincere and gives his co-operation to the Prof., he can command as much facilities as the Prof. himself command. No service rule or principle has been violated by the D.P.I.'s order, posting Sri Rao as Prof. and Sri Venkatanathachari as Addl.Prof. The Dir.'s remarks at p.6 C.F. are all correct. Draft overleaf is for approval. May be circd. to H.M.(E.&.L.).

P.T.
28.10.53

29/10/53

H.M (E+L)

2/11

SECRETARY, EDN. AND P.H. DEPT.
3 NOV 19..
GOVERNMENT OF MADRAS

27