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Scott. II-27-57,004-10-11-62

ETP.H. (1946) Department.

Ms. SERIES.

G.O. No. 1082

Dated

31-5-46

[Despatch Abstract.]

Schools - Secondary - Municipal High School,
Kavur - Sri A. Mahalinga Ayyar - Commercial
Instructor (Retired) - Payment of vacation salary.
Ordered

Back Papers.

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

Further Papers.

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

Karur, 23rd April, 46

10/11/46

(2)

From

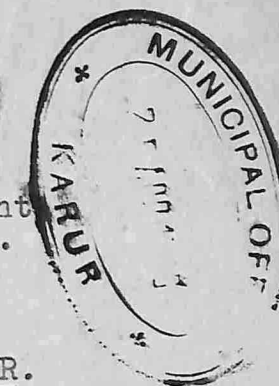
A. Mahalinga Ayyar,
Commercial Instructor,
34, North Street, K A R U R.

To

The Secretary to the Govt. of Madras,
Education & Public Health Department
Fort St. George, M A D R A S.

Through

The Commissioner,
Karur Municipality, K A R U R.



Most respected Sir,

I humbly beg to submit the following few points for your kind and favourable consideration.

I have been the Commercial Instructor of the Municipal High School, Karur for nearly 27 years from 3rd March, 1919.

2. I was due to retire from service on 20th Dec. 45, and the Municipal Council, Karur unanimously resolved to re-appoint me for a period of one year subject to the approval of the Director of Public Instruction as per special G.O. But I was re-appointed on the same pay, till the end of the current school year as per G.O. No. Ms. 2131 Edn. dated 17-12-45 and Govt. Memo. No. 58910/-2B dated 10-1-46.

3. I was ousted from service ~~from service~~ by the Municipality on 18-4-46, the last working day of the short-term of the school year 1945-46, eventhough I am due to be relieved as per above G.O. only on the forenoon of 3rd June, 46, the re-opening day after summer holidays.

4. Calendar year begins on 1st Jan. and ends with 31st Dec. of the year; and the official year begins on 1st April and ends with 31st March of the next year. So also School year extends from the reopening date of a year after the Summer vacation upto the reopening day of the next year. Therefore the term School Year legally includes summer holidays also.

5. Even acting and temporary employees who are appointed only till the last working day of the short term, are eligible for proportionate vacation salary.

6. I have worked hard continuously not availing myself of any kind of leave to which I was entitled, so that the progress of studies of my commercial students appearing

(D)
(not available)

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10/4/46 (3)
for the S.S.L.C. Public Examination, 46 might not be spoiled.

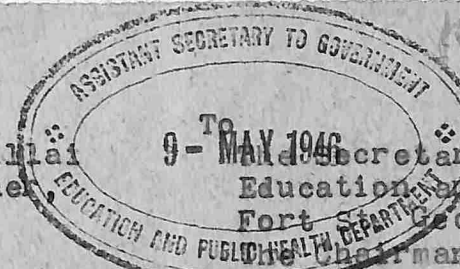
In view of the above facts and circumstances I humbly request that my case may be favourably considered, and I may be ordered to be relieved only on the forenoon of 3rd June, 46 and the salary paid to me upto that date.

I beg to remain,
Most respected Sir,
Your most obedient servant,
A. Mahalingam

K a r u r,

Dated 23rd April, 46.

From
Sri. S. Krishnasami Pillai
Municipal Commissioner,
Karur.



Sir, R.C. 4057/B2-46/29-4-1946.

Sub; ~~Establisshment~~ SECONDARY EDUCATION-Establishment- Karur Municipal Council- Petition of Sri. A. Mahalinga Ayyar- Commercial Instructor- Submitted

24935

In forwarding herewith the petition dated 23-4-1946 of Sri. A. Mahalinga Ayyar, Ex Commercial Instructor of the Municipal High School, Karur, I beg to state that the petitioner retired from the service of this Council with effect from 20-12-1945. Before his retirement, however, orders of the Government for his reemployment in the high school have been obtained in G.O. No. 2131, Education 17-12-1945. The petitioner is thus a reemployed temporary servant of the Municipal Council with effect from 20-12-1945. Steps are being taken separately for advertising this as well as other vacancies and for filling up the vacancy during the school year 1946-47. In Memo. No. 58910/2B dated 10-1-1946, the Government were pleased to fix his pay at Rs. 70 per mensem as a special case taking into account his personal of Rs. 20 which he was drawing over and above his substantive pay at the time of retirement.

2. The petitioner was discharged from the service of the Council with effect from 18-4-1946 after-noon, the date of closing of the school for summer vacation as he is not to be continued in service during the school year 1946-47 according to the existing orders of Government and his services are not required during the vacation. His request now is that he may be paid salary for the period of the vacation from 19-4-1946 to 2-6-1946. As already stated, his continuance during the vacation, which involved an expenditure from municipal funds has been considered by me to be unnecessary and a notice of discharge has accordingly been issued.

S. Krishnasami Pillai
30.4.46
Commissioner.

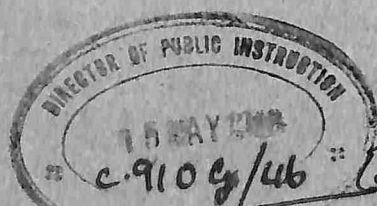
s.n. 20.4.

Forwarded.

2. In G.O.No.2151 Education dated 17-12-1943 Government have permitted the re-employment of the teacher till the close of the current school year. In the absence of any definition of the 'term school year' as commencing on the date of reopening after summer vacation, the term has to be interpreted broadly so as to include the period of vacation. The petitioner was re-employed on the same pay from the date of retirement i.e. 20-12-1943. So, for all practical purposes, he was working continuously without break. The teacher's contention that the period of his re-employment as per the Government Order will expire only on the date of the school reopening in June 1946 after their current summer vacation appears to be correct. Hence I think that the claim of the petitioner is just and reasonable and he may be paid the salary till the fore-noon of 3-6-1946.

J. S. Sankaralingam
Chairman,
Municipal Council, Karur.

7/5/46



c.910 G/46 Education & Public Health Department.
Endt. No. 24935 B.1/46-1 Edu. dated 13-5-46.

Referred to the Director of Public Instruction
for remarks.

To The Director of Public Instruction.

P. B. Subramanian
Asst. Secretary to Govt.
11/5/46
11/5/46

Office of the
Director of Public Instruction,
Madras, Dated 20-5-1946.

R.C.No.910-G/46.

Sub: Municipal High School, Karur - Sri A. Mahalinga Ayyar,
Commercial Instructor - Re-employed after retirement -
Payment of vacation salary.

Ref: Govt. endt. No.24935-B/46-1 Edn dated 13-5-1946.

Resubmitted.

2. As Sri A. Mahalinga Ayyar had worked as Commercial Instructor of the Municipal High School, Karur, for the whole school year preceeding the summer vacation, he should be granted vacation pay for the period from 19-4-1946 to 2-6-1946 following the orders in G.O.No.1881 Edn dated 18-8-1938 - Vide for a precedent G.O.No.1041 Edn dated 2-8-1943.



for Director of Public Instruction.

The Secretary to Government,
Education and Public Health Department.

RVR 20/5/-

ETP.H.(B.1)

N.S. 1946
3-6-46

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31/5/46

Sub: - School - Secondary - Municipal High School,
Kavur - Sri A. Mahalinga Ayyar, Commercial
Instructor (Retired) - Payment of vacation
salary - ordered.

pp. 1-3 of From Sri A. Mahalinga Ayyar, Commercial Instructor
(Retired), Municipal High School, Kavur, d. 23-4-46.

pp. 5-6 of the Commissioner, Kavur Rlty., R.C. 4057/3246/29-4-46.

pp. 7 of D.P.S., R.C. 10. 910-5/46 d. 20/5/46.

Order no. 1082 Edu. d. 31-5-46
Frs.

Recd
31/5/46

To the Commr, Rlty. d.,
Kavur Rlty., thro' the C.M.C.
... the D.P.S.
... P. Chidambaram

The Govt. consider that as Sri A. Mahalinga
Ayyar had worked as commercial instructor of the
Municipal High School, Kavur, for the whole school
year preceding the summer vacation in 1946, he should
be granted vacation pay for the period from
19-4-46 to 2-6-46 following the orders in G.O. 10.1881 Edu.
d. 18-8-39.

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25-5-46

27-5-46

Note.

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Note:- Please see the petition on pp. 1-3 cf., the letter from the Commissioner, Keweenaw Mts., on pp. 5-6 cf. and the D.P.'s remarks on p. 7 cf.

Draft order overleaf is subd. for approval. It follows the precedent in G.O. No. 1041 E.D. d. 2-8-43.

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