Put up any

Govt. II-27--37,000--12-11-43

Edn. Ms. (1946) Department.

Ms SERIES. ①

G.O. No. ~~1098 Edn~~ 1098 Edn.

Dated 4. 6. 46.

orders on page 58

[Despatch Abstract.]

M. E. S. Guruswami Reddiar, Sri K.
Vice ~~Chancellor~~ / Principal Teacher's
College, Saidapet. Leave for 28 months
Granted. Recovery of overdrawn
pay and leave salary Ordered

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	
	766	"	16.5.45	862	Edn	5.6.44	
	1898	"	21.12.44	1301	"	27.9.43	
	1803	"	1.12.44				
	1539	"	9.10.44				
	1284	"	2.9.44				
	1242	"	1.8.44				

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1788	Ed					
	9.9	46					
	449	Ed					
	10	3.49					

1894
27.5

ASST. SECRETARY TO GOVT.
21 JUN 1945
EDUCATION AND PUBLIC HEALTH DEPT.

A

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

R.O.C.No.1296-C/45, Dated 20-6-1945. 2853

(2)

***

Madras Educational Service - Sri K. Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet - Application for leave.

Ref: Letter dated 15-5-45 from Sri K. Guruswami Reddiar to the Principal, Teachers' College, Saidapet.

My circumstances are such that I have to request the favour of as much leave in continuation of this vacation as can be granted without disturbance to any departmental arrangement.

I should explain that I have to be on leave for the full period for which leave can be granted without disturbance to departmental arrangements. I want to avoid any inconvenience or disturbance to any departmental arrangement.

The favour is requested of granting leave on such leave pay as can be granted in continuation of this vacation. Whatever pay the authorities care to grant or no pay if the authorities do not care to grant any pay. I am poor.

I should explain that this leave is not requested to avoid doing work. It is certainly not my intention to avoid work. I need not say that I have worked for twenty five years. My circumstances are such that I have to be on leave. This is the truth.

Thanks

Copy submitted and recommended.

The Accountant-General, Madras has certified that Sri K. Guruswami Reddiar is eligible for leave for 23 months and 4 days on 2-7-1945 - Vide the enclosed copy of his certificate. In anticipation of the sanction of leave, I have permitted the Vice-Principal to enter on leave from 2-7-1945 in continuation of the summer vacation.

20.6.45

for Director of Public Instruction.

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

RVR 20/6/-

Sol
25

I 5
II 1½
III 4½
IV
V 3½
VI 5
VII 1
VIII 2½

Report of the Accountant-General on application for leave of absence.

Station	Name of Officer	Appointment	Leave applied for.		
			Nature	Period Y. M. D.	Date of commencement
Saidapet	Sri K. Guruswami Reddiar	Vice Principal, Teachers' College.	1. Leave on average pay	.0 0 28	
			2. Leave on half average pay	1 10 6	2-7-45

N.G.A.IV Edn 237 dated 5-6-45.
(Under Fundamental Rules)

Certified that Leave for 23 months 4 days is admissible from 2nd July 1945 under Fundamental Rules, viz., Leave on average pay for 0 months 28 days with leave on ~~xxxxx~~ half average pay for 22 months and 6 days

There is no objection to his prefixing or affixing gazetted holidays or Sunday to leave provided the conditions prescribed to this respect are satisfied.

Forwarded to the Director of Public Instruction, Madras, with reference to his RC.No.1296-C/45, dated 25-5-45.

2. A copy of the orders anctioning the leave may be sent to this office, with an intimation of the actual hour and date on which he is allowed to proceed on leave.

3. The actual hour and date of his return to duty may also be intimated on his return from leave.

Sd-------------------
Asst Accounts Officer.

(TRUE COPY)

4

I 3½

III 5½

IV 3½

1½

1½

2½

Extract of Audit Instruction refd. to in Fin-note at p 4 NF

Maximum limit of continuous absence on leave combined with vacation

The limit of 28 months of continuous absence prescribed in this rule (81(d) FR) includes the period of vacation, if any, with which leave is combined

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P
11.7.

Mcf

Ⓠ

Memo M.28537 A-2 d 10/7/45. ④ Ex P.H.(C) 5

Gurus wami Reddiar, Sri K., Vice Principal, Teachers' College, Saidapet - Leave.

Ref. From the D.P.I. Roc No. 1296 C/45 of 20/6/4
~~A.G. No. GA IV Lrs 2370/56~~

Sri K. Gurus wami Reddiar has been continuously on leave from 4.4.44 when the vacatio of the Teachers' College commenced, except for one day (29.3.45) when he was on duty. G.O. No. 406 Fin of 21.7.3 requires inter alia that an officer who applies for leave other than on m.c. within a period of 3 month of his return from leave shd. state definitely the reasons for the leave. No such reasons are seen assigned in support of the officer's applic. ~~for~~ for leave from 2.7.45, which is not on medical rounds. It would be permissible to hold that the ffier joined duty on 29.3.45 to get the benefit of full pay for the vacation. ~~There has thus been an evading the leave provisions~~.)

[Attention is invited too to Audit Instruction 12 under R. 81(d) according to which the 28 months' continuous bsence from duty prescribed in that rule, in the case of eave other than on m.c., includes the period of vacation.

2/ he Director is requested to report why, having regard to the oregoing provisions, Mr. Guruswami Reddiar shd. not deemed to have been on leave from 4.4.44 and the imit of 28 months referred to above, applies on that asis, excluding, however, the period of 1 month & 28 days (from 1.2.45 to 28.3.45) ~~leave on m.c.~~ during which e was on leave on m.c.

3/ The reply shd. be sent thro' the A.G., Madras.

2.7.45

Int. 18/7/45

To The D.P.I.
Copy to A.G.

Despd
KM
12-7-45

2x. Rx. Sent
4.8.45

extract on p. 4 Cf

R.C.NO.1296-C/45

Office of the
Director of Public Instruction,
Madras, Dated 25-9-1945.

2 [illegible] 1945
Education and Public Health Dept.

From
Dr. B. B. Dey, D.Sc.(Lond.), F.R.I.C.
Offtg. Director of Public Instruction, Madras.

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

Through
The Accountant-General, Madras.

Sir,

Sub: Madras Educational Service - Sri K. Guruswami Reddiar, Vice_Principal, Teachers' College, Saidap
Grant of leave.

2/10

767

pp.5-6 ante

With reference to the Government Education and Public Health Department Memo. No.28537-A-2 dated 10-7-1945 I have the honour to submit the letters dated 5-8-45 and 4-9-45 from Sri K. Guruswami Reddiar and state as follows:-

pp.9-21 infra &
pp.23-24 infra

2. Sri K. Guruswami Reddiar rejoined duty on 29-3-45 after producing a medical certificate of fitness to return to duty from a competent Medical Officer. When he joined duty on 29-3-45 there were no reasons to think th joined duty to get the benefit of full pay for the vaca or that he would again proceed on leave in continuation summer vacation. On 15-5-1945, he applied for leave fo indefinite period with effect from 2-7-45 in continuati the vacation. The chief reasons for applying for leave a period of 3 months from the date of his return from l on 29-3-45, are stated to be (1) necessity for attending private affairs and (2) necessity for attending to healt I may point out in this connection that his request for grant of leave in continuation of the vacation only fac arrangements for the posting of a substitute without ca unnecessary disturbance in the Government Colleges, Whi would have happened had the Vice-Principal proceeded on sometime after the re-opening of the college. I, theref permitted him to enter on leave with effect from 2-7-45 in anticipation of Government Sanction. Having regard to the circumstances of the case I do not consider that Officer had any intentions of deliberately evading the leave rules in order to gain benefits not contemplated rules. At the same time the fact remains that the Vice-Principal was actually on duty for only one working-day (i.e) on 29-3-45 before the college closed for the Summer vacation in continuation of which he again proceeded on leave from 2-7-45. With due regard to the spirit underlying the grant of leave in these cases and to the limit of 28 months' leave specified in Fundamental Rule 81(d), I recommend that Sri K. Guruswami Rediar may be granted leave on average pay for 28 days from 2-7-45 and leave on half average pay for a period upto 30-9-46 only. In recommending the grant of leave upto 30-9-1946 account has been taken of the previous period of leave without Medical Certificate enjoyed by Sri K. Guruswami Reddiar from 4_4-1944, for purposes of the limit of 28 months' continuous absence from duty. I ~~any~~ may further submit that any further application for extension of leave without Medical Certificate beyond 30-9-1946 may be refused.

p.1 ante

p.23 infra

p.79, BR.154

14 months 28 days

A

3. I also recommend that the Officer may be directed to produce a certificate of fitness from a Medical

Board

: 2 :

Board before rejoining duty, as contemplated in rule 71 of the Fundamental Rules.

pp. 71-72
2 B.C. 156

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

28.9.45
for Director of Public Instruction.

RVR 27/9/-

Sd
28/9

Copy of letter from K.G. Reddiar, Vice-Principal, Teachers' College, Saidapet (on leave) to the Principal, Teachers' College, Saidapet.

Ref: My reply to your RC.6-00/45, dated 20-7-45.

...

pp. 9-21 ante

In addition to my reply dated 23-7-45 and 5-8-45 to your RC.6-00/45 dated 20-7-45 about my leave I have to invite your attention to the fact that the Director's Proceedings ROC.No.1296-C/45, dated 20-6-45 forwarded in your RC.6-00/45 dated 22-6-45 clearly says that I am permitted to enter on leave with effect from 2-7-45. It does not say that I am permitted to continue leave. It clearly says that I am permitted to enter on leave meaning clearly that there was no leave before 2-7-45 and that I was on duty right upto and inclusive of 1-7-45.

I request you to be so good as to kindly add this to my reply dated 23-7-45 and 5-8-45.

(TRUE COPY)

Re 6-00/45
14.8.45.

⑥

9

From

K. Guruswamy Reddiar,
Vice-Principal, Teachers' College,
Saidapet. (On Leave)

To

The Principal,
Teachers' College,
SAIDAPET.

Sir,

Ref:- Your R.C.No. 6-00/45 dated 20-7-1945. Reply . Seven Pages.

p 15 CF

Thanks. Though unwell I am writing this immediately as a reply is wanted by return of post. I am worried by your R.C.No. 6-00/45 dated 20-7-45 sending Director's proceedings R.C.No. 1296 C/45 dated 16-7-45. I never for a moment could have thought that there would be such Proceedings. It is quite unexpected and unheard of Proceedings. I respectfully but most firmly and strongly object to its contents. I have to refuse to accept them.

2. I am not well. Please be so good as to grant me some days' time to understand the contents more and deal with them with a number of points to be made. I am having Indian medical treatment here - special treatment which should be started in the proper season for it - July and August and continued without break - or interruption The Physician is the wellknown Dr. N. Moose (Dr. N. Moose) the Cochin State Physician. To say that I have been on continuous leave from 4-4-1944 is preposterously false and multiply wrong.

②

3. In the meantime please grant me a copy of G.O.No. 406 Finance dated 21-7-32 communicated in Proceedings R.C.No. 148 C/32 dated 13-8-1932 which is referred to in the Proceedings R.C.No. 1296 C/45 dated 16-7-45 communicated in your R.C.No. 6-00/45 dated 20-7-45 and a copy of F.R. 81(d) and a copy of Audit Instructions under F.R. 81(d) referred to in the Proceedings. If these copies cannot be granted free I am quite willing to pay reasonable fees for the same. I must explain that I am now in a village in Cochin State. F.R., Audit Instructions under F.R., and Proceedings of 1932 are not available here; (even ordinary white paper for writing is scarce and very difficult to get). And these are necessary for my use now as these are all referred to in the Proceedings. Excuse me for troubling you but these are necessary for use now in replying.

4. In the meantime, without prejudice to what I have to say later on, it is respectfully submitted that what is said in the Proceedings: "it would be permissible to hold that the Officer joined duty on 29-3-45 to get the benefit of full pay for the vacation" is not true. You know very well that I joined duty on 29-3-45 by the Medical Board Proceedings dated 17-2-45 saying that two months' leave from 1-2-45 was absolutely necessary and by the Certificate of fitness in consequence of the

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of the Proceedings granted by the Surgeon, Fourth District, Royapettah, Madras, in March 1945, and that neither the Medical Board Proceedings nor the Surgeon, Fourth District, Madras's - action and medical certificates can by any stretch of imagination be construed as an act of mine. I was in all those Proceedings a passive Official willing nothing, doing nothing, simply going from place to place, from authority to authority, voluntarily before the Medical Board and before the Surgeon, Fourth District. And the whole Procedure ~~thing~~ was initiated, again, not by my request (I never applied for Medical Certificate leave) but by the Director's Proceedings ordering me to appear before the Medical Board; although what I had applied for was ordinary leave without Medical Certificate. I hope that it will be easy in the circumstances to understand and grasp that all this was not done by me on my own initiative or volition according to an evil design of mine: I am not so clever and efficient as all that. All this was done by the authorities and I was merely obeying orders, Proceedings and instructions. It should therefore be easy to understand and grasp that my joining duty on 29-3-45 issued in consequence of the Medical Board Proceedings initiated by the orders of the authorities. It is not I who brought about "joining duty on 29-3-45", as though I planned and plotted the evil design of joining duty on 29-3-45. It should therefore be easy to see that the idea that I "joined duty on 29-3-45 to get the benefit of full pay for the vacation" is fantastic and false. I must repudiate the suggestion with adequate and appropriate moral force. Also I must respectfully but unhesitatingly reject the suggestion against my character - that I am going about in this World trying to make as much money as possible out of my employment without doing work. I certainly am not such a wicked character and I am not so clever and efficient, as all that. This suggestion against my character is an unsolicited testimonial after a dozen years of work in a Teachers' Training College - a suggestion which, if true, quite disqualifies me for the work of training teachers. If this is the testimonial I get after having worked in the Education Department for 25 years what am I to say! I have to say that I must be thankful. No, in plain fact, I did not join duty on 29-3-45 "to get the benefit of full pay for the vacation". I did nothing of the sort. I could not do anything of the sort. What else should I or could I (or any other officer in [illegible]) have done on 29-3-45! (It has to be remembered that I in January 1945 applied for leave without medical certificate on any terms and I was told to appear before the Medical Board and ~~everything~~ what happened thereafter happened in consequence of these Proceedings.

5. Having joined duty on 29-3-45 by Medical authorities' Proceedings (not by my own doing things, as suggested, dodging here and dodging there to get some money) I was during the vacation - vacation or no vacation - on duty and bound to do whatever I was asked to do while being on duty (or, if I could not do so, to apply for leave). Whatever orders had ~~to~~ come to me during the vacation I should have obeyed them. I was found to obey them. I must have obeyed them. I was clearly on duty throughout and bound to do whatever I was bound to do during the vacation being on duty. That is what employment means, and that is what joining duty means. All this is clearly indisputable, quite

clearly beyond the scope of any doubt. This is sound reasoning and good sense: besides being a plain fact. To say anything to the contrary is clearly false.

6. By no stretch of imagination can such a period of duty be "considered as leave"; as otherwise the distinction between being on duty and being on leave disappears. For leave, if I had wanted it, in the vacation I should have had to apply for it and get it.

7. The necessity for the leave from 2-7-45 was foreseen and applied for, the leave to take effect from 2-7-45; not, it goes without saying, from the date of application, nor, far less, from 29-3-45, or any such date, which I could not do because of the Medical Proceedings and the consequent happenings.

8. It certainly cannot be said that I was on leave from 30-3-45 for the obvious reason that whatever there was to do I was bound to do on 30-3-45 and subsequent dates, weeks, months and so on and so on as being on duty I was bound to do as otherwise by default I was liable to dismissal, summary dismissal. This is clearly seen from the fact that I could not possibly have said "no" to any orders from you or higher authorities from 29-3-45 onwards as otherwise I was liable to summary dismissal. Please think what would have happened if subsequent to 29-3-45 you had sent me one order after another and I had said "no.... "No. I am now (in the vacation) on leave!" As though I was on leave! (in the vacation)'. Honestly, would you not have at once reported against me to the Director for dereliction of duty and honestly, would not the Director have taken action on your report? Honestly, would you or the Director then have said that I was on leave and not on duty -- as is now falsely and wrongly suggested in the Proceedings? No, I certainly cannot be considered on leave from 29-3-45. I certainly was on duty until the date and time of my being authorised to be away from duty by subsequent orders. If I wanted leave during the vacation I should have had to apply for it and get it, if the authorities grant it.

9. So, you know very well that joining duty is not a trivial matter (as though one can join duty whenever one likes and consider oneself as on leave immediately after joining duty, to join duty being, as is wrongly supposed, being equal to being on leave from the next day! as it is supposed to be in the Proceedings in your R.C.No. 6-00/45 dated 20-7-45. "Joining duty" is a most serious fundamental action with the serious consequences of being on duty. It is amusing and amazing to see it suggested that joining duty means being on duty only on that day! and not after that! If that were so, all officials joining duty, including all Officials of all Offices, would be on duty only on the day of joining duty and would be ~~absent~~ absent from duty immediately after that, - from the next day, as is strangely supposed in the Proceedings. That sort of interpretation would make "joining duty" quite a trivial, even, meaningless affair, whereas, in fact, it is a most serious action. I was certainly holding charge throughout the vacation until authorised by orders to be on leave from 2-7-45. But for your orders permitting me to avail leave from 2-7-45 I was proceeding to Saidapet to be present there

on 2-7-45 as usual in continuous duty. If, as is supposed in the Proceedings, I could be "on leave" in the vacation where is the necessity for the authorities to permit me to proceed on leave with effect from 2-7-45 and to exempt me from the transfer of chargeon 2-7-45? I repeatedly requested for orders about the necessity of proceeding to Saidapet on 2-7-45 and only after getting definite orders could I consider being free on leave from the date mentioned in the orders - 2-7-45. Otherwise I would have been in Saidapet Teachers' College at 10 A.M. on 2-7-45. I was due there: in fact I was on duty throughout the vacation and due at Saidapet Teachers' College at any moment in and during the vacation when called. To suggest or say anything to the contrary is clearly false and wrong.

10. I have said before I am not well. Please grant time for writing further. I most respectfully but most strongly object to and protest against, with a number of points, against the contents of the Proceedings under reference. In reason and good sense I cannot possibly accept the contents of the Proceedings about being on "continuous leave!" etc.!" I am thankful for referring the matter to me. I request you to be so good as to send the copies requested for. Copy of G.O.No. 406 Finance dated 21-7-1932 communicated in Proceedings R.C.148 C/32 dated 13-8-32, Copy of Fundamental Rule 81-d and copy of Audit Instructions under Rule 81-d -- all of which are referred to in the Proceedings.

11. In the meantime I may add for the present that as for definite reasons for the leave while making the application I have said definitely that my circumstances necessitate the leave. If I had been told to state my reasons more definitely I would certainly have certainly done so. I am not the sort of official who would go about troubling authorities for leave for no definite reasons. I certainly wanted the leave for definite reasons. There is no doubt whatever about this. This is quite definite - that there are and that there have been very definite reasons necessitating the leave.

12. In goodness I request you to be so good as to strongly recommend what I haveto say in this context and see that what I say is accepted without unnecessary correspondence.

13. As everybody knows very well this is Vacation Department and vacation is not meant for me, but is intended for public benefit. And the leave basis for the Vacation Department, as everybody knows, is quite different from that for the non-vacation Department. I am a poor employee. I cannot have both my leave calculated on the vacation basis and at the same time be deprived of the vacation-and worse, much worse, it is to have vacation debited debited in the leave account!! also! and worse, very much worse, multiply wrong it is to have vacation debited in the leave account! It is believed that the idea is so obviously and absolutely wrong that only a perverted thought can think of doing such a thing in the circumstances. Such a gross distortion is believed to be fundamentally against the letter and spirit of the leave rules and the Collegiate vacation rules; and that

in the circumstances it is believed that to debit vacation in the leave account is double, treble, multiple punishment for innocence. Such~~x~~ a debiting and accounting would, it is believed, be devoid of sense, and must not be done.

14. Again, by the foregoing and other additional considerations I certainly was not on leave in or during the previous vacation. Vacation is quite different from leave. This is an elementary fact; otherwise every vacation would be leave for with permission everyone in the vacation department. And availing vacation is fundamentally different from being on leave. This is an elementary truth. And more so, being on duty in vacation is so fundamentally and radically different from being on leave that one should wonder how there can be any confusion at all between the two or among these several so easily distinguishable conditions. By no stretch of imagination can I possibly be considered, have been on leave then in vacation 44 or vacation 45 and by no stretch of imagination can I possibly be considered to have~~xx~~ been "on "continuous leave"!! This is plain fact, obvious truth, perfectly clear.

15. I need not further explain what is so perfectly clear.

Dated 23rd July 1945.

Vice-Principal, Teachers'
College, Saidapet, now
on leave.

Originally signed on 23-7-45.

For addition on receiving copies of G.O.No. 406 Finance dated 21-7-1932 etc please see the additional pages: pages 6 and 7.

C.A.
14/8

(2)

16. I have now seen G.O.No. 406 dated21-7-1932. This cannot have any application at all in this context. This is so obviously clearly inapplicable in this context that one should wonder how there can be any confusion at all.

(2)

17. G.O.No. 406 is intended, it is said, to prevent abuses like evasion of rules and mentions the case of an official who is said to have so evaded. I am not an official who has so evaded any rule. What rule have I evaded?! None whatever. Neither Fundamental Rule 71 nor 81 nor any other rule. I have had absolutely no intention of any evasion of any rule. I am not an official of that sort.

18. G.O.No. 406 mentions in the second paragraph the failure to get a medical certificate of fitness as the source of the trouble in the case of that official. I am an official who produced not only one certificate of fitnessfor duty in March 45 but two certificates of fitness: one first from a Physician of the Government General Hospital, Madras, and another,after that, when so ordered by the Director, from the Surgeon, Fourth District, Royapettah, Madras.

19. G.O.No. 406 in the first paragraph refers to Fundamental Rule 81 as saying that the maximum amount of leave on average pay on medical certificate should be limited to 8 months at a time. This is not the case of an official whose maximum average pay leave on medical certificate hasto be so limited.

20. G.O.No. 406 says in paragraph 3 that the provision of Fundamental Rule 71 should be enforced getting a medical certificate of fitness on return from medical certificate leave. This has been done in this case. Medical certificates of fitness have been produced. in March 45.

21. G.O. No. 406 says that definite reasons should be given for leave within three months of return from previous leave, It is more than three months from 29-3-45 to 2-7-45. And moreover I have had and have definite reasons for the leave. I would certainly not have thought of applying for leave except by absolute necessity. I am not the sort of official who would in any way trouble authorities for leave without definite and sufficient reasons and without absolute necessity for the leave. If I had been askedto state the reasons for the leave more definitely I would certainly have done so; it goes without saying that I would have done so. My explanation has been given, and is available.

22. G.O.No. 406 mentions in paragraph 3 compliance with the spirit of the leave rules. It is absolutely certain and clear that I am not in any way transgressing eitherthe letter or the spirit of the rules. I would certainly not do such a thing; I would not even think of doing such a thing. I am not that sort of official. I would certainly act in strict compliance with all rules.

23. Fundamental Rule 81-d says that the maximum period of continuous absence from duty on leave otherwise than on medical certificate is 28 months. In this case there is no such 28 months.

24. Fundamental Rule 81-d says something about a Government servant who is on leave preparatory to retirement. This is not a case of a Government servant who is on leave preparatory to retirement. And so, this has nothing to do with this case.

25. Audit instruction under Fundamental Rule 81(d) mentions the limit of 28 months of continuous absence etc. It is perfectly clear that there is no such continuous absence in this case.

4 audit

26. Audit instruction under Fundamental Rule 81(d) mentions the intention of the rule about extension after ~~2x~~ 28 months. There is no such 28 months in this case, and so, this has nothing to do with this case.

27. After all this explanation it is believed that for any right thinking it should be a matter for much wonder how it can be said though that these have any application in this case of this poor official in these circumstances.

Dated 5th August 1945.

5-8-45.
Vice-Principal, Teachers' College, Saidapet, now on leave.

K. G. Reddiar Vice Principal. Teachers College. Saidapet on leave

[illegible]00/45
6-9-45.

The Principal Teachers College Saidapet.

Sir,

Ref: your R.C. 600/45 dated 1.9.45 with a copy of Director's Proceedings R.C No. 1296C/45 30-8-45. received on 3.9.45. 6. P.M

1. As previously explained there are definite reasons for the leave from 2.7.45. The chief reasons besides others are:
 1. Necessity for attending to private affairs where there has been ~~much~~ disturbance. I have to harmonise these.
 2. Necessity for attending to health. I have to harmonise this.

2. The leave application for the longest possible leave from 2.7.45 has been made by absolute necessity

3. I have to add that I do not ~~tell~~ lies

4. You were informed of my leave address long long ago.

4.9.45

(Cochin State) 15.9.45

Additional explanation

5. It is none of my business to interpret G.O's; but I have to add this explanation as G.O. No. 406. Finance dated 21.7.1932 has been under reference now.

6. I was on duty from 20.3.45 up to and inclusive of 1-7-45.

7. By absolute necessity I have had to apply for the longest possible leave from 2.7.45.

8. Foreseeing the necessity the leave application with explanation was submitted on 15.5.45. Director's Proceedings R.C. No 1296/45 dated 20.6.45 permitted to enter on leave with effect from 2.7.45.

G.O. No. 406. Finance dated 21.7.1932 gives a direction about an officer's applying for leave other than on medical certificate within three months from his return from leave"

That the period of three months in the above G.O. is for the date of the new leave and not for the date of the application for the new leave. It is believed that this is the interpretation of the G.O.

P.T.O.

24

PUBLIC INSTRUCTION
7-SEP 1945
MADRAS

H.

11. The explanation for counting the three months period thus is:

Take two cases of two officials A & B returning from leave say on 1.4.1932.

Both A & B returning from leave on 1.4.1932

(1) A applies (for leave) say on 16.4.32 (or 16.5.32 or 16.6.32 or 26.6.32) for leave, say, from 1.11.32.

(2) B applies say on 5.7.32 for leave say from 1.9.32.

Of these two, the circumstances being the same or equal, it is reasonable and it makes sense to say that A's application though made within three months from return from previous leave deserves better consideration than B's application which though made after three months from return from leave is actually for leave two months (1.9.32) (or three months, if A's is 1.12.32) before A's leave from 1.11.32. It does not [illegible]

to say that in these circumstances, A should [illegible]

reasons for his leave, near leave from 1.1[illegible]

B need not state definite reasons for his re[illegible]

both having returned from previous leav[illegible]

on 1.4.32.

Thus it is proved clearly that the intern[illegible]

restriction (or extension) in the G.O. 406 of 1932 must be [illegible]

commencement of the new leave and no[illegible]

application for the new leave.

12. However as previously stated it is not my conte[illegible]

G.O. I have to give reasons for the leav[illegible]

I should give reasons for the leave. I ha[illegible]

for the leave definitely. It is only absolu[illegible]

that necessitates the longest possible [illegible]

dated 4.9.45

Thaikkattussery
near OLLUR post
S.I.Ry
(Cochin State)

R.C.No. 6-00/45 Dated [illegible]

Submitted to the [illegible]
Public Instruction, [illegible]
reference to Proceed[illegible]
1296 C/45 dated 30-8-1945. His
present address is "Thaikkattussery,
(Near) Ollur P.O., S.I.Ry., (Cochin
State.)"

PRINCIPAL
Teachers' College, Saidapet

No.G.A.IV.Edn.813. A

Office of the Accountant General,
Madras dated 23rd October 45.

(14) 25

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

Sir,

Subject:- Madras Educational Service-Sri K.Guruswami Reddiar, vice-Principal, Teachers College, Saidapet-Grant of leave.

.....

48269

11.7-8

In forwarding letter No.R.C.No.1296-c/45 of the Director of Public Instruction, Madras and its enclosures, I have the honour to invite a reference ~~of~~ to this office No.G.A.III.Edn.217 dated 17-4-44 and to state as follows. Sri K.Guruswami Reddiar was continuously on leave from 29-2-44 except the vacations in 1944 and 1945 and 3 days immediately preceding the 1944 vacation and one day immediately preceding the 1945 vacation as detailed below:-

28-2-44 to 31-3-44	leave on average pay
1-4-44 to 3-4-44	duty
4-4-44 to 3-7-44	vacation

26

4-7-44 to 3-8-44	leave on average pay
4-8-44 to 31-1-45	leave on half average pay
1-2-45 to 28-3-45	leave on average pay on Medical Certificate.
29-3-45 ...	duty.
30-3-45 to 1-7-45	vacation.

He has now applied for leave for an indefinite period from 2-7-45 in continuation of the vacation. A certificate of eligibility for leave will be issued on receipt of orders of Government about the nature of the leave proposed to be sanctioned to him.

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

M. Krishnagopal
Assistant Accounts Officer.

G.

34-35
30/11

30/11

O.P. 's br., para 2, p.7 CF -
& C.O.'s note on
p.5 N.F.

Fin.'s
note on
p.6 N.F.

(15)

Edn. and P.H. Dept.(A). 27

MEMORANDUM No. 28537-A-5-Edn. dated 30/11/45.

M.E.S. - Sri K.Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet - Leave.

pp. 5-6 CF. Read:- Memo.No.28537-A-2, dated 10-7-45.
pp.25-26 CF Ref:- From the A.G., No.G.A.IV. Edn. 813/, dated 23-10-45.

The Govt. consider that Sri K.Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet, should be deemed to have been on leave from 4-4-1944 and that the nature of leave for 28 months ~~from that date~~ xxxxxx to be granted to him should be regulated as follows:-

(1) From 4-4-44 to 3-8-44 (4 months) - L.A.P.
(2) From 4-8-44 to 31-1-45 (5 months a 28 days) - L.H.P.
(3) From 1-2-45 to 28-3-45 (1 month an 28 days) - L.A.P. on m
(4) From 30-3-45 to 4-8-46 (16 months 4 days) - L.H.P.
(x) [illegible] 8 (b) (iii)

The A.G. is requested to certify and whether the officer is eligible for the

28
kind of leave noted against each of the periods mentioned above.

W 20/11/45 OBM 21/11/45

ENDT. No. 28537-A-6-Edn., dated 30/11/45.

p.7 CF Copy to the D.P.I., with refce. to his R.C.No.1296-C/45, dated 25-9-45. He is requested to obtain and forward to Government an undertaking from Sri Guruswami Reddiar, as required by Note 3 under F.R. 81(b)(ii) ~~as~~ since ~~the leave on average pay for 1 month and 28 days pxopoxedxtoxbexgranted exceeds the limit of four months prescribed in F.R.81(b)(ii) and has to be granted under the proviso to that rule.~~

W 20-11-45 OBM 21/11/45

To the A.G.
— DO. 1.

Despd
KM
3-12-45

p.1 ante

So far as item (3) in the Memo. is concerned,

p.79, BK.154.

p.78 ibid
pp.78-79 ibid

Despd
KM
3-12-45

To the D.P.I.
(with copy of Memo.)

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(16)

No.G.A.IV.Edn.1052. Office of the Accountant General,
Madras dated 20th December 45,

To

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

58377

Subject:- Madras Educational Service- Sri K. Guruswami Reddiar, Vice Principal, Teachers' College, Saidapet-Leave.

Reference:- Government Memorandum No.28537-A-5-Edn dated 30-11-45.

p.27 ante

As the credit in Column 6 of the leave account of Sri K. Guruswami Reddiar Vice Principal, Teachers College, Saidapet on 4-4-44 was only 1 month 28 days the leave for 28 months should be regulated as shown below:-

From 4-4-44 to 31-5-44 (1 month and 28 days) leave on average pay.
From 1-6-44 to 31-1-45 (8 months) leave on half pay
From 1-2-45 to 28-3-45 (1 month and 28 days) leave on ~~half~~ average pay on medical certificate.
From 29-3-45 to 3-8-46 (16 months and 6 days) leave on half pay.

As he has already drawn full pay for the period 1-6-44 to 3-7-44 and from 29-3-45 to 30-6-45 and leave salary on average pay from 4-7-44 to 3-8-44 orders of Government may also be issued regarding the recovery of the overdrawn pay and leave salary.

M. K. Lingam
Assistant Accounts Officer.

ASST. SECRETARY TO GOVERNMENT
22 DEC 1945
EDUCATION AND PUBLIC HEALTH DEPT.

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

MEMO. No. 28537A/45-9 dated 31/12/45.

M.E.S. - Sri K.Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet - Leave.

----

p.29 cf

p.28 cf

A copy of letter No.G.A.IV.Edn.1052, from the A.G., dated 20-12-45, on the subject ~~cited~~ noted above, is forwarded to the D.P.I., in continuation of Govt. Endt. No.28537-A-6-Edn., dated 30-11-45. The Director is requested to report, in consultation with the A.G., if necessary, what ~~the exact~~ amount of overdrawn pay and leave salary ~~to~~ should be recovered from Sri Guruswami Reddiar, if the leave ~~for 28 months~~ to be granted to him is regulated as indicated by the A.G.

To the D.P.I.

28.12.45

29.12.45

31/12/45

2-1-46

32

A

(18)

33

R.O.C.No.1296 C/45 Madras, dated 25-2-'46.

From
Dr.S.R.U.Savoor, M.A., D.Sc., I.E.S.,
Director of Public Instruction,
MADRAS.

12290

ASST. SECRETARY TO GOVERNMENT
1 - MAR 1946
EDUCATION AND PUBLIC HEALTH DEPT.

To
The Secretary to Govt.,
Education & P.H.Department,
MADRAS.

Sir,

SUB:- M.E.S- Sri K.Guruswami Reddiar, Vice Principal, Teachers' College, Saidapet- Leave.

...

p.28 ante

REF:- Govt.Endorsement No.28537-A.6 Edn dated 30-11-'45.

...

pp.35-45 infra

I submit for the orders of Government a copy of the representation dated 12-1-'46 submitted by Sri K.Guruswami Reddiar.

28.2.46
For Director of Public Instruction.

EPK 28-2-

Sd/
28/2

35

(19)

Dated the 12th January 1946.

See pa

From

K.G. Reddiar,
Vice-Principal, Teachers' College, Saidapet(on leave).

To

The Principal,

Teachers' College, Saidapet.

Please see the sixth 6th page. 29.3.46.

Sir,

TEACHERS' COLLEGE
R.6.6-00/45
18 JAN 1946
SAIDAPET

Reference:- Proceedings R.C.No.1296-C/45 dated 7-1-46 of the Director of Public Instruction, Madras, copy sent to you; regarding undertaking as per Note 3 under F.R.81(b)(ii).

-----

1. Thanks.

pp. 9-17 ante

pp. 19-21 a

2. I have to invite your kind attention and the kind attention of the still higher authorities particularly to (besides other facts and correspondence) my humble representations dated 23-7-45 and 5-8-45 4-9-45, 13-12-45 and 21-12-45 wherein explanation after explanation has been respectfully presented and represented.

not seen

pp. 23-24 ante

3. There is no avoidable delay of any sort. I cannot afford to delay anything being dependant on my employment where I have to carry out every order quickly and promptly.

p. 79, Bk. 154

4. Note 3 under F.R.81(b)(ii) relates to undertaking to be given for (a) medical leave in the event of retirement at the end of the medical leave or (b) extension of the leave in the event of retiremen at the end of the extension of the leave.

Wrong

5. I was granted leave on medical certificate from 1-2-45 to 31-3-45 inclusive i-e., 2 months. I joined duty on 29-3-45 F.N., as ordered by the Director of Public Instruction, on producing duly authorised medical certificate of fitness for return to duty. So th is no undertaking necessary now as there was no retirement at the en of the leave. This disposes of (a) of paragraph 4 above.

28

4.V/20

ASST. SECRETARY TO GOVERNMENT
1 - MAR 1946
EDUCATION AND PUBLIC HEALTH

6. And there was or is no extension of leave either. I join duty on 29-3-45 F.N., by the Director's orders on proper medical ce ficate of fitness for duty. I was on duty from 29-3-45 to 1-7-45

inclusive. As there was or is no extension of leave no undertaking is necessary for any extension of leave. This disposes of (b) under paragraph 4 above. Thus

Thus by the application of the said Note/to the actual facts ther is no undertaking necessary for either circumstance contemplated in the Note. This disposes of both (a) and (b) under paragraph 4 above.

7. Besides facts like the substantive and material fact of my having been on duty from 29-3-45 to 1-7-45 both inclusive, Fundamental Rules definitely and specifically and unequivocally state that Vacation counts as duty. This applies not only to me but to every one else also in the Vacation Department. And leave calculation is entirely different for Vacation Department.

8. Any attempt at any forced false interpretation would be wrong and would be against Fundamental Rules and would cancel the Medical Board Proceedings and make the whole proceedings of the Medical Board null and void and the medical certificate of fitness for duty duly authorised necessarily following the Medical Board proceedings woul also be cancelled and made null and void. Thus there is the fundamen seriousness of the general question being raised of the value and significance of the Medical Board proceedings and following in consequence of those proceedings the duly authorised medical certificate of fitness for duty (which certainly is not for one day only or two days or ~~three~~ a few days only). And Joining duty can never mean duty for one day only or a few days only.

9. It has been repeatedly pointed out that I did not join duty on 29-3-45 at my own fancy or by my own design or by my own convenience. This was done by the Director's orders in accordance with the provisions of the Fundamental Rules and in accordance with the Medical Board Proceedings and duly authorised medical certificate of fitness for duty (which is never for one day only, or for a few days only). I joined duty on 29-3-45 F.N., because I was bound by rules and orders and the Medical Board Proceedings to join duty then.

10.

10. It is totally false to think, suggest or say that I joined duty on 29-3-45 only to get the benefit of full pay. Such an idea is falsified by actual facts. And that would be a completely false idea of my character.

11. The rules are applicable not only to me but universally to all. If all other officials were on leave during the vacation then I also was on leave during the vacation. If all the other officials were on duty during the vacation, I was also on duty during the vacation. The idea that all officials were/or are on leave during the vacation is fundamentally against the Fundamental Rules.

12. It is most certainly not the case that I am trying to score on mere technicality or trying to make money merely on account of mere technicality.

13. The real facts are that the Fundamental Rules are what they are. Such a rule as e-g., that Vacation counts as duty (not only for me but for every one in the Vacation Department), that the Medical Board Proceedings are what they are and have the effect that they have, and that the duly authorised medical certificate of fitness for duty is what it is and has the effect it has (certainly not for one day only nor for a few days only). And joining duty can never mean duty for one day only or for a few days only.

14. Vacation is an integral and inevitable part of every year in a Vacation Department. It is not unusual in the Vacation Department for an official by chance even ordinarily to join duty either immediately before or after or during the vacation and all the more particularly so because of the Medical Board Proceedings and medical certificate of fitness for duty. And for leave calculation Fundamental Rules entirely differentiate Vacation Department from Non-vacation Department.

15. Having joined duty on 29-3-45 I was on duty till 1-7-45(that it was vacation for every one in the Vacation Department, cannot be held to account only against me and held to account in favour of every one else) being permitted by the Director to enter on leave with effect from 2-7-45

in anticipation of Government sanction, vide Director's Proceedings RcNo. 12960/45 dated 20-6-45 which reads:-

> "Sri K. Guruswami Reddiar is permitted to enter on leave with effect from 2-7-45 in anticipation of Government sanction.
>
> sd/ Muhammad,
> 20-6-45
> for Director of Public Instruction."

16. Immediately on getting the Director's Proceedings No. R.C. 12960/45 dated 20-6-45 which permitted me to enter on leave with effect from 2-7-45, I requested instructions regarding the Transfer of Charge and was prepared to proceed to Saidapet to formally hand over charge on 2-7-45. This I was exempted from and prevented from doing by the telegram of the Principal, Teachers' College, Saidapet, dated 27-6-45 which reads:-

> "You need not come to Saidapet 2nd July 1945 avail leave,
>
> Principal,"

and this was confirmed by the post copy of that telegram sent by him. I had to act in accordance with the orders of the authorities concerned. My action is perfectly regular in all particulars.

17. In the light of the explanation again neither of the two circumstances contemplated in Note 3 under Fundamental Rule 81(b)(ii) has now arisen or arises for an undertaking to be given.

18. Any undertaking has to be in conformity with actual facts and the real truth. An ~~understanding~~ undertaking must not be in negation of facts and in negation of truth.

19. If what is wanted is an undertaking for the medical leave from 1-2-45 to 28-3-45 retrospectively, it is submitted herein though the accomplished fact now is that there was no retirement at the end of the medical leave.

UNDERTAKING FOR THE MEDICAL LEAVE

I hereby undertake that I will in the event of retirement at the end of the Medical Leave from 1st February 1945 to 28th March 1945 refund, by deduction from pension or in cash the difference between the average pay for the period of leave on average pay from 1st February 1945 to 28th March 1945 which would not have been admissible had the proviso not been applied.

(Signature) K. Guruswamy Reddiar
(Designation) Principal Teachers' College Saidapet

12/14-1-1946 Dated

20. I have again to invite your kind attention and the kind attention of still higher authorities among other facts and correspondence to (1) the Director's Proceedings R.C.No.1296C/45 dated 20th June 1945 permitting me to enter on leave from 2nd July 1945, (2) Telegram dated 27th June 1945 from the Principal, Teachers' College, Saidapet, telling me that I need not go to Saidapet to formally hand over charge on 2nd July 1945, (3) the Director's Proceedings R.C.No.1296C/45 dated 30th August 1945 which reads "with reference to paragraph 21 of his letter dated 23-7-45 and 5-8-45, Sri K. Guruswami Reddiar is informed that he has applied for a fresh period of leave from 2nd July 1945 on 15-5-45..... ...." and my representations dated 23-7-45, 5-8-45, 4-9-45, 13-12-45, 21-12-45 etc., ~~a~~ and (4) the authorities for each of the same.

21. Again a brief summary of actual facts is respectfully represented here:--

(1) K.G. Reddiar applied for ordinary leave in Jan. 1945.

~~(2) He was ordered to appear before the Medical Board.~~

U/146

(2) He was ordered to appear before the Medical Board.

(3) On Medical Board's Proceedings, he was granted leave on medical certificate for 2 months from 1-2-45 to 31-3-45.

U/20

(4) On producing duly authorised medical certificate of fitness for duty, he joined duty on 29-3-45 F.N., in the Teachers' College, Saidapet, by the Director's orders.

(5) The College had vacation from 29.3- 23-9-45 to 1-7-45.

p.1 ante

(6) ~~[illegible]~~ He applied on 15-5-45 for leave from 2-7-45 foreseeing the necessity for the leave.

(7) He was permitted by the Director to enter on leave/with effect from 2-7-45 in anticipation of Government sanction.

(8) He wrote at once to the Principal, Teachers' College, Saidapet, requesting instructions regarding formal handing over charge.

(9) He received telegraphic orders from the Principal dated 27-6-45 "you need not come to Saidapet on 2-7-45 avail leave". This was confirmed by post copy of the telegraphic orders.

(10) It is submitted that in every one of his action K.G. Reddiar has acted only on orders of the authorities concerned and that his actions are regular in all particulars.

(11) K.G. Reddiar again presents his representations to the Principal, Teachers' College, Saidapet, and still higher authorities, he having acted regularly in all particulars and in accordance with rules, orders and instructions in every one of his actions and thanks the authorities for the leave from 2nd July 1945.

12/14-1-1946

DIRECTOR OF PUBLIC INSTRUCTION
30 MAR 1946
MADRAS

Copy respectfully submitted to The Director of Public Instruction, Madras, with reference to his Proceedings R.C.No.1296C/45 dated 7-1-1946, received on 11-1-46.

12/14-1-1946

p.41 ante

Paragraph 19 (nineteen) ~~above~~ in K.G. REDDIAR'S representation dated 12/14-1-1946 : ..... Undertaking for the medical leave.. from 1.2.45 to 28.3.45 (Undertaking formal only please see the end of the paragraph nineteen above)

I hereby undertake that I will in the event of retirement at the end of the medical leave from the 1st February 1945 to the 28th March 1945 (There is no such retirement) refund by deduction from pension or in cash the difference (There is no such retirement) between the average pay and half average pay for the period of leave on average pay from the 1st February 1945 to the 28th March 1945 which would not have been admissible had the proviso to sub-clause (ii) of clause (b) of the Fundamental rule 81 not been applied. As there is no such retirement at all this undertaking is formal only and has no material value being of no practical use.

?!

Respectfully submitted to the Director of Public Instruction, Madras with reference to the proceedings R.C. No 1296/45 dated 16.3.46 received on 28.3.1946. It is explained that this is sent direct to the Director to avoid any delay.

29.3.46

Vice Principal, Teachers College, Saidapet on leave
29/3/1946

119/1153

Despd with Encl. 657 12-3-46

p.33 cf.

E.&O.H.(A) Δ

T.M. by post. (Encl: pp 35-45 cf. in orgl)

From: The ~~Asst.~~ Secy., E.&O.H. ㉕

To: The Dy. D.P.I.

Ref:- Dir.'s letter Roc. No. 1296-C/45, d/ 25.2-46 - Sri K. Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet - leave.

In the certificate furnished by Sri K. Guruswami Reddiar at p.4 of his letter of the 12th Jany., the words "and half-average pay" have been omitted, evidently by mistake, after the words "the difference between the average pay". Kindly arrange to have this omission supplied and a fresh certificate sent to Govt.

Please expedite also ~~let me also know~~ when the reply ~~may be expected~~ to Govt. Memo. No. 28537-A/45-7, d/- 31-12-45, ~~may be expect~~

Sent in orgl. to D.P.I.

cf. certificate inserted by C.S. at p.79, Bk.159.

Δ

p.31 cf.

9.3.46

9.3.46

11/3/46

R.C.No. 1296 C/45. Madras, 14th March 1946

(26)

ASST. SECRETARY TO GOVERNMENT
16 MAR 1946
EDUCATION AND PUBLIC HEALTH DEPT.

From
Dr.S.R.U. Savoor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, MADRAS.

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

15142

Sir,

Sub: Madras Educational Service - Sri K. Guruswami Reddiar, Vice Principal, Teachers' College, Saidapet - Regulation of leave.

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p. 31 ante

Ref: Govt. Edn & P.H. Memo No. 28537 A/45-7, dated 31-12-1945

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below
p.50 infra
p.27 ante
(t)/19
pp. 79-80
BK.159

With reference to the regulations of leave on behalf of Sri K. Guruswami Reddiar for the period from 4-4-1944 to 3-8-1944, I have the honour to enclose herewith a copy of my letter R.C.No. 1296 C/45, dated 21--2--1946 addressed to the Accountant General, Madras and his reply thereto No. G.IV Edn 1273, dated 6th March 1946. From the Govt. Memo No. 28537 A.5 Edn., dated 30-11-1945 it appears to me that the intention of Government is that Sri Guruswami Reddiar should be permitted to prefix the summer vacation from 4-4-1944 to 3--7--1944 to his leave as originally ordered in Government Memo No. 33199 A.2 Edn., dated 25--7--1944. Although the period of vacation prefixed to the leave should be deemed as leave for purposes of Fundamental Rule 82(d) and 81(d) I believe it is not the intention of Government that Sri Guruswami Reddiar should be actually granted leave during the vacation from 4-4-1944 to 3--7--1944 in supersession of their orders in the Memo referred to above and allowed to draw only leave salary and not pay during the above vacation.

2. I solicit the favour of Govt. Orders on this point with a view to work out the amount of leave salary that has to be recovered from Sri Guruswami Reddiar.

For Director of Public Instruction.

P.R.K. 15/3/46 15/3

Copy of letter R.C.No. 1296 C/45, dated 21-2-1946 from the Director of Public Instruction, Madras to the Accountant General, Madras.

Sub: M.E.S. Sri K. Guruswami Reddiar, Vice Principal, Teachers' College, Saidapet - Leave - Regulation of

Ref: Your letter No. G.A. IV Edn. 1052, dated 20-12-1945 addressed to Govt. of Madras Edn & P.H. Dept. (Copy forwarded to me by Govt).

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p. 29 ante

(t)/3+19
p.80, BK.154
p.50.
p.27 ante

In regulating the leave for 28 months to be granted to Sri K. Guruswami Reddiar, Vice Principal, Teachers' College, Saidapet from 4--4--1944, you have indicated that the Officer should be considered to have been on leave on average pay for the period from 44-4--1944 to 31-5-1944 only and on half average pay from 1-6-1944 to 31-1-1945 and so on. In this connection, I may point out that the period from 4-4-194 to 3-7-1944 was the summer vacation for the Teachers' College, Saidapet and the Officer was originally granted one month's leave on average pay with permission to prefix the above vacation to his leave. The above period of leave and the vacation did not exceed the 4 Months' maximum specified in Fundamental Rule 82(d) I may also invite your kind -- attention to Audit Instruction 11 under F.R. 82(d) wherein it is laid down that the limit of leave on average pay ordinarily admissible when it is combined with vacation will be either the credit in column 6 of the leave account plus the period of vacation or 4 months, whichever is less. Since the credit in Col. 6 of Sri Guruswami Reddiar's leave account was 1 month and 28 days, which period combined with the vacatio exceeds 4 months the period of leave on average pay has to be restricted to one month in continuation of the vacation. In the above circumstanc I have the honour to enquire whether Sri Guruswami Reddiar should not b considered to have been on leave on average pay till 3-8-1944 as origi suggested by Government in their memorandum No. 28537 A.5.Edn., dated 30-11-1945.

2. I solicit the favour of an early reply on receipt of which I shall submit to Government particulars regarding the recovery of excess pay drawn by Sri Guruswami Reddiar.

Copy of letter No. G.IV-Edn. 1273, dated 6th March 1946 of the Assistant Accounts Officer, Madras to the Director of Public Instruction Madras.

Sub: Madras Edl. Service- Sri K. Guruswami Reddiar - Leave Regulations of

Ref: Your R.C.No. 1296 C/45, dated 21-2-1946.

In Govt. Memo No. 28537 A-5- Edn., dated 30-11-45, Govt. consider that Sri K. Guruswami Reddiar should be deemed to have been on leave from 4-4-44 onwards. Hence the question of giving him the benefit of vacation does not arise and leave on average pay has to be limited to the credit in Col.6 of his leave account viz 1 month and 28 days.

/True copies/

For Director of Public Instruction.

Audit Instruction 12 under F.R. 82(d)

The limit of leave on average pay ordinarily admissible when it is combined with vacation by a Govt. servant of a vacation Dept. subject to the ordy. leave rules will be either the credit in Col. 6 of the leave account plus the period of vacation or 4 months, whichever is less.

Memo. No. 28537/45-A-8-Edn., d/ 27/3/46

M.E.S. — Sri K. Guruswami Reddiar, Vice-Principal, Teachers' College - leave.

Ref:- From the D.P.I., R.C.No. 1296-C/45, d/ 14.3.46.

p.49 CF.

p. 50 CF.

The D.P.I. is informed that the view ~~taken~~ expressed by the A.G. in his letter No. GA.IV.Edn. 1273, d/ 6.3.46, is correct. ~~The intention is that Sri K. Guruswami Reddiar shd. be deemed to have been on leave~~ also ~~during the vacation~~, from 4.4.1944, to 3.7.1944.

To the D.P.I.

25.3.46

25.3.46

26/3/46

27.3.46

52

(28) A52/A. 53

TELEPHONIC MESSAGE BY POST DATED 2nd APRIL 1946.

From
The Director of Public Instruction,
Madras.

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

p.47 ante

18326

ASST. SECRETARY TO GOVERNMENT
3 - APR 1946
EDUCATION AND PUBLIC HEALTH DEPT.

REFERENCE:- Your Telephonic Message by post dated 11-3-46 - Sri K. Guruswami Reddiar, Vide Principal, Teachers' College, Saidapet - leave.

...

Sri K. Guruswami Reddiar was requested to supply the omission pointed out by Government and submit a fresh certificate. The undertaking submitted by him is enclosed herewith.

p.45 ante (bottom)

The statement of leave-salary overdrawn by Sri Guruswami Reddiar is being got checked by the Accountant-General, Madras, and the amount that will have to be recovered from the Vice-Principal will be reported to Government shortly.

2.4.46
For Director of Public Instruction, Madras.

AN/2/4/

E. + P.H.(A)

The statement refd. to in para 2 above may be awaited till 30.4.46

4/4/46

P.9. 6.4.46

54

55

A

C.F. 30.

EDUCATION DEPARTMENT.

Received ....19 . Registered 30 APR 1946

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.

(29)

Subject.

MADRAS EDUCATIONAL SERVICE - Sri K.Guruswami Reddiar - Vice-Principal, Teachers' College, Saidapet - Leave -

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23075

ENCLOSURES.
No. ....
....
Spare copies ....

RC. No. 1296-C/45,

Station Madras., Dated the 29--4--- 1946 ~~19~~.

From (Name) Dr. S.R.U.Savoor, M.A., D.Sc., I.E.S.,

(Designation) Director of Public Instruction.

To The Secretary to the Government of Madras,

Education and Public Health Department.

Sir,

Ref:- Government Education and Public Health Department Memorandum No.28537-A/45-7, dated 31-12- and my Office Telephone Message (by post) dated 2-4-1946.

p.31 ante

p.53 ante

@@@@@

I have the honour to state that if the leave to be granted to Sri K.Guruswami Reddiar is regulated as indicated in the Accountant-General's letter No.G.A.IV, Education, 1052, dated 20-12-1945, a sum of Rs.2077-7-0 as detailed in the enclosed statement has to be recovered from that officer upto the end of 30-6-1945 to which date he drew his leave salary. He has not drawn any salary from 1-7-1945 onwards. From that date upto 3-8-1946, the Accountant-General, Madras states, that Sri Guruswami Reddiar will be entitled to leave-salary at Rs.400/- per mensem.

p.29 ante

p.57 infra

2. If the Vice-Principal's leave is regulated as proposed by Government, the amount of leave-salary and allowances to which he will be entitled till the end of April 1946 works out as below:--

P.T.O.

	Rs.
From 1-7-45 to 30-4-46 leave-salary for 10 months at Rs.400/- per mensem	4,000 0 0
War allowance to which he is entitled for the period from 1-7-44 to 3-8-44, but has not yet been drawn. @ Rs.60/- per mensem.	65 13 0
Total.... ...	4,065 13 0

Sri K.Guruswami Reddiar may be required to refund the sum of Rs.2,077-7-0 by short-drawal of the leave-salary due to him for the period from 1-7-45 onwards.

29.4.46

for Director of Public Instruction.

KP.29-4.

Sd
29/4.

57

Statement showing the details of pay and leave-salary drawn by Sri K.Guruswami Reddiar from 4-4-1944 onwards, the amount admissible and the amount overdrawn by him.

Year and Month.	Particulars of pay and leave salary already drawn.		Rate at which drawn.	Amount drawn.			Particulars of leave salary admissible.	Rate at which admissible	Amount admissible.		Amount over-drawn (Col.4 - Col.7)		Remarks
1.	2.		3.	4.			5.	6.	7.		8.		9.
			Rs.	Rs.	a.	p.		Rs.	Rs.	a.	Rs.	a.	
1944 April.	4th to 30th	Pay.	800	720	-	-	Leave on average pay.	800	720	-	-	-	Leave salary for the months of August 1944 to January 45 (inclusive) was drawn at Madras.
May		Pay	800	800	-	-	do.	800	800	-	-	-	
June.		Pay	800	800	-	-	Leave on half pay.	400	400	-	400	-	
July.	1st to 3rd	Pay.	800	77	7	-	Leave on half pay.	400	400	-	400	-	
	4th to 31st.	Leave Salary(av.pay)	800	722	9	-							
August.	1st to 3rd.	Leave on av.pay)	800	77	7	-	do.	400	400	-	38	12	
	4th to 31st	Leave on halfpay.	400	361	5	-							
September		Leave on half pay.	400	400	-	-	do.	400	400	-	-	-	
October.		do.	400	400	-	-	do.	400	400	-	-	-	
November.		do.	400	400	-	-	do.	400	400	-	-	-	
December		do.	400	400	-	-	do.	400	400	-	-	-	
1945 January.		do.	400	400	-	-	do.	400	400	-	-	-	
February	Leave on av.pay on Medical certificate.		800	800	-	-	Leave on av.pay on M.C.	800	800	-	-	-	
March.	1--28	do.	800	722	9	-	do.	800	722	9	-	-	
	29-31	Pay.	800	77	7	-	Leave on half pay.	400	38	12	38	11	
April		Pay.	800	800	-	-	do.	400	400	-	400	-	
May		Pay.	800	800	-	-	do.	400	400	-	400	-	
June.		Pay.	800	800	-	-	do.	400	400	-	400	-	
							Total Amount overdrawn.				2077	7	Has not drawn pay or leave-salary for the month of July 1945 and subsequent months. No information is available regarding the rate or amount of war allowance drawn by Sri K.Guruswami Reddiar.

for Director of Public Instruction.

29.4.46

Sd/
29/4.

(31) 58

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

M.E.S. - Guruswami Reddiar, Sri K., Vice-Principal, Teachers' College, Saidapet - Leave for 28 months - Granted--Recovery of overdrawn pay and leave-salary - Ordered.

U/6

I/2-3

U/21

Read:- G.O.No. 862 Edn., dated 5.6.44
" 1212 " " 15.8.44
" 1294 " " 2.9.44
" 1539 " " 19.10.44
" 1803 " " 18.12.44
G.O. 1898-Edn., d/ 21.12.44
" 766 " d/ 16.5.45
Memo.No.283537-A-5-Edn., dated 30-11-45.
From the A.G., G.A.IV.Edn.1052, dated 20-12-45.
From the D.P.I., ROC.No.1296-C/45, dated 25-2-46 and 29-4-46.

pp.27-28 CF

p. 29 CF

p.33

p.35 CF

G.O.(MS.) No. 1098 Edn., dated 4/6/46

The follg. notfn. will be publishedin the F.S.G. Gazette:-

NOTIFICATION.
Leave.

Sri K.Guruswami Reddiar, ~~Srixkx~~ Vice-Principal, Teachers' College, Saidapet, is granted leave for 28 months from 4-4-1944, as detailed below:-

From 4-4-44 to 31-5-44 - L.A.P.
From 1-6-44 to 31-1-45 - L.H.P.
From 1-2-45 to 28-3-45 - L.A.P.on m.c.
From 29-3-45 to 3-8-46 - L.H.P.

p.29.CF

(published) [The leave granted to the officer in Nofns. Nos. 91, 125, 134, 168, 186 and 1 in Part I-B of the F.S.G. Gazette d/- 13.6.44, 22.8.44, 12.9.44, 24.10.44, 5.12.44 and 2.1.45 resply. and in G.O. No. 766-Edn., d/. 16.5.45, is hereby cancelled.]

2. With reference to the orders in para 1 above a sum of Rs. 2077/7/0 (as detailed in the annexure), being the excess leave salary paid to Sri K. Guruswami Reddiar up to the 30th June 1945, will have to be recovered from him. The Govt. direct that this amount be recovered from ~~the officer's~~ his leave salary due from 1-7-45 onwards.

p.55 C.F.

p56 CF

also and war allce: if any paid in excess to the officer

(a)

OG
7.5.46

8.5.46

6/5/46

7/5/46

To the D.P.I. ✓
" A.G. ✓
(" S.G.P. (for pubn.
para 1 (~~in the FSGG.)~~
only. (" Pub. (CL.) ✓
(" R.B. ✓

1 clean copy

62
6-6-46

The A.G. is requested to report whether there has been any overpayment of war allce. to the officer for the period up to 30.6.45.

ANNEXURE.
(H.E. p.57 C.F.)

AG

(32)

60

.IV.Edn.303. Office of the Accountant-General, Madras,
Fort St.George, dated the 15th June, 1946.

ASST. SECRETARY TO GOVERNMENT
19 JUN 1946
EDUCATION AND PUBLIC HEALTH DEPT.

K.Guruswami Reddiar,
-Principal, Teachers' College, Saidapet (on leave)
.Metturajapet, Dindigul P.O. S.I.Ry.

a/58 J

t: Your leave for 28 months - Leave salary authorized.
nce: G.O.Ms.No.1098 Edn. dated 4.6.1946.

You are hereby authorised to draw leave salary at Rs.400/- (Rupees undred only) per mensem for the period 1.7.1945 to 3.8.1946, both nclusive, from the Pay Section of this office. You are also izeed to draw war allowance at Rs.60/- per mensem for the period 44 to 3.8.1944.

You are requested to refund to Government a sum of Rs.2077/7/- s two thousand and seventy seven/7/-) being the overdrawn leave upto 30.6.1945, as ordered in the G.O. cited above, by short drawal next leave salary bill.

The authorisation issued in this office No.G.A.IV.Edn.676 dated 5, for the drawal of pay and war allowance from 29.3.45 is hereby led and you are requested to refund to Government another sum of 9-0 (Rupees two hundred and nineteen/9/-) being the pay for 45 and war allowance for the period 29.3.1945 to 1.7.1945, drawn on 12.3.1946.

(sd) P. Venkatrama Iyer.
Assistant Accounts Officer.

SN

P.T.O

61

-2-

No.G.A.IV.Edn.305.dated 15.6.46.

Copy to the Secretary to Government of Madras, Education & Public Hea
Department, forinformation.

Assistant Accounts Officer
5N.

Psy/.

E.P.H.(A)

May be filed with the G.O. at

P.G.
21.6.
21.6.46

21/6/46

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(33) 62

From
K.Guruswamy Reddiar.
Vice Principal,Govt.Teachers' College,Saidapet (on leave).

To
The Principal,
Govt.Teachers' College,Saidapet.

a/58-59 c.f.
2 pages

respected Sir,

DIRECTOR OF PUBLIC INSTRUCTION
28 NOV 1946
MADRAS

Ref:- Your R.C.6-00/45 dated 23-7-1946,communicating Director of Public Instructions Proceedings R.C.1296 C of 45 dated 12-6-1946 communicating G.O.No.1098 Education dated 4-6-'46. My representations with reference to them -

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I. I Have to invite your kind attention to the above G.O.and above references and to my several representations after the above communications and with reference to the above.

a/3-4-5 c.f.

II. One of my previous representations dated 12/14-1-1946 before the G.O.above has repeated these following facts:-

1.K.G.Reddiar applied for ordinary leave in January 1945.

2.He was ordered to appear before the Medical Board.

3.On the Medical Board's proceedings he was granted leave on Medical certificate for two months from 1-2-1945 to 31-3-1945.

4.At the end of that leave on producing duly authorised medical certificate of fitness for duty from the Physician,Government General Hospital,Madras, and also from the Surgeon,IV District, Royapettah District,Madras, as ordered by the Director of Public Instruction, he joined duty on 29-3-1945 forenoon,in the Government Teachers' College,Saidapet by the Director's orders.

c.f. para 2 of a/7 c.f.

5.That college happened to have its vacation until 2-7-1945.

a/1 c.f.

6.He applied on 15-5-1945 for leave from 2-7-1945 foreseeing the probable necessity for the leave.

7.He was ordered by the Director to enter on leave with effect from 2-7-1945 in anticipation of Government sanction. Please see Director's proceedings R.C.No.1296-C/45 dated 20-6-1945. " Sri K.G. Reddiar is permitted to enter on leave with effect from 2-7-1945 in anticipation of Government sanction.

Sd/- ....
for Director of Public Instruction"

8.He wrote at once to the Principal Teachers' College,Saidapet requesting instructions regarding formal handing over charge.There was no finance or accounts to hand over,nor any permanent advance.

9.He received telegraphic orders ,no doubt authorised by still higher authorities, from the Principal,Govt.Teachers' College,Saidapet dated 27-6-1945. "You need not come to Saidapet on 2-7-1945 avail leave - Principal".

10.This was confirmed by post copy of the same telegraphic orders. Please see Principal's Telegram dated 27-6-1945 [illegible] copy of the same.

34 13

11. It is submitted that in every particular of the actions K.G.Reddiar has acted only on the orders of the authorities concerned and that his actions are completely regular in all particulars.

2/58 59

III. In the light of these facts I have to request to be favoured with information as to by what rule or rules the fact of my having joined duty on 29-3-1945 and been on duty (~~under~~ by the Director's orders with duly authorised medical certificate following the Medical Board's proceedings) has been ignored and abolished by the above G.O.1098 Education dated 4-6-1946, and have to request to be favoured with information as to by what rule or rules the consequential fact of having held charge and having been on duty from 29-3-1945 to 1-7-1945 inclusive i.e. until 2-7-1945 the next leave commencement date has been ignored and abolished by the above G.O.No.1098 Education dated 4-6-1946.

IV. I have also to request to be favoured with information as to by what rule the effect of the Medical Board's proceedings and the effect of the Medical certificates has been ignored and abolished by that G.O.1098 Education dated 4-6-1946.

V. It is submitted that my search for such rule, if any, has revealed no such rule capable of omitting and abolishing the above actual facts nor any capable of omitting and abolishing the Medical certificates; and therefore the favour is requested of furnishing the same information.

VI. There being no rule found capable of abolishing the Medical certificates or capable of abolishing the above actual facts of having joined duty on 29-3-1945 and consequentially having held charge and been on duty from 29-3-1945 to 1-7-1945 inclusive i.e. until 2-7-1945 the next leave commencement date this request is submitted of the gracious authorities being pleased to restore due recognition of and due understanding of these above facts and to pass orders in accordance with and having regard to the actual facts (not against the actual facts) and in accordance with the rules (not against the rules) applicable to the actual facts.

11-46

VII. It need not be stated that this poor Government officials [illegible] poverty accounts for this employment

Copy respectfully submitted to the Director of public instruction Madras. 22-11-46

1.46

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
R.C.No.5159-C1/46, dated 7--12--1946.

Sub: Madras Educational Service - Sri K.Guruswami Reddiar, Vice Principal, Teachers' College, (On leave) - Leave - Recovery of overdrawn pay and Leave-salary-Petition - submitting.

REF: Letter dated 22-11-1946 from Sri K.Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet addressed to the Principal of the College.

(35)

(Copy) Submitted for favour of orders.

2. Kind attention is invited to the correspondence ending with G.O.No.Ms.1098 Education dated 4-6-1946.

ASST. SECRETARY TO GOVERNMENT
11 DEC 1946
76077
EDUCATION AND PUBLIC HEALTH DEPT.

10-12-46

for Director of Public Instruction.

To

The Secretary to Government,
Educationa and Public Health Department.

RR.10/12.

Sd
10/12

C1 25

36

From K.Guruswamy Reddiar,
Vice Principal,Govt.Teachers' College ,Saidapet (on leave).

To The Principal,
Government Teachers' College,Saidapet.

Two pages

TEACHERS' COLLEGE
R.C.6.00/45
17 DEC 1946
SAIDAPET

respected Sir,

Ref:-Your Order R.C.No.6.00 of 45 dated 29-11-1946,communicating Proceedings R.C.5159 CL of 46 dated 21-11-1946 of the Director of Public Instruction, Madras.

Thanks.

I. Have absolutely no intention whatsoever of unnecessarily troubling you or the still greater authorities. All that has been requested and is requested is the favour of orders with due regard to the actual facts and with due regard to the gracious authorities' own actual rules - though there may be absolutely no regard whatsoever for this employee.

pp.1-2 ante

II. Have to invite your kind attention and the kind attention of the still greater authorities to my representation dated 22-11-1946. Please see also my representation dated 12/14-1-1946. Q/35-45 cf. Q/38-39 cf.

III. In spite of my search for rules to support the idea in the orders of the gracious authorities in Government Order G.O.No.1098 dated 4-6-1946, (please see your R.C.6.00 of 45 dated 23-7-1946 and the Director's Proceedings R.C.1296-C/45 dated 12-6-1946), (that is, the idea that the date of taking charge 29-3-'45 is a day of leave and the period of having held charge from 29-3-1945 to 1-7-1945 inclusive is a period of leave), it is not possible to find any such rules capa capable of abolishing the actual fact of having taken charge in the Government Teachers' College,Saidapet on 29-3-1945 (please see the Transfer of Charge records for the same); nor can any rule be found capable of abolishing the Medical Board's proceedings for 2 months leave upto 31-3-1945 (which pleasee see) and the consequentia Medical certificates and Proceedings (which please see) for returning to duty on 29-3-1945; nor can any rule be found capable of abolishing the effectual fact of having held the charge so taken on 29-3-1945 from 29-3-1945 to 1-7-1945 inclusive that is, until the next leave commencement date 2-7-1945.

cf. para 2, Q/1 cf.

IV. Your kind attention and the kind attention of the still greater authorities is invited to:-

(a) To the actual records of the Transfer of charge in the Government Teachers' College, Saidapet on 29-3-1945 forenoon,

and (b) to the Director's Proceedings R.C.No.1296 C of 45 dated 20-6-1945 (communicated by you)

"Sri K.G.Reddiar is permitted to enter on leave with effect from 2-7-1945 in anticipation of Government sanction.
Sd/-
20-6-1945
for Director of Public Instruction"

(37) 66 8

--2--

and (c) also to the Telegram dated 27-6-1945, of the Principal, Teachers' College, Saidapet, no doubt authorised by the still higher authorities, (when definitely requested for instructions about formal handing over charge on 2-7-1945)(there being no finance or accounts of any sort to hand over);-

"You need not come to Saidapet on 2nd July 1945. Avail leave. Principal";

DIRECTOR OF PUBLIC INSTRUCTION
23 DEC 1946
MADRAS

ASST. SECRETARY TO GOVERNMENT
6 JAN 1947
EDUCATION AND PUBLIC HEALTH DEPT.

and the Principal's post copy [illegible] his telegram confirming the same.

V. In the above representation dated [illegible]-1946 mentioned in paragraph II above the favour has been requested of the gracious authorities being pleased to pass orders in accordance with the actual facts and in accordance with the actual rules that the period of having taken charge and having actually held charge from 29-3-1945 to 1-7-1945 inclusive, having taken charge on 29-3-1945 and having held that charge until 2-7-1945 (that is the next leave commencement date) is a period of holding charge and of duty (not a period of leave).

320

Thanking in anticipation.

14.12.46. K. [illegible] Teachers College Saidapet (on leave)

14.12.46
16

R.C.No. 6-00/45 Dated 19th ~~8~~ December 1946.

Submitted to the Director of Public Instruction~~s~~, Madras, in continuation of this Office R.C.No. 6-00/45 dated 29-11-46.

PRINCIPAL, Teachers' College,
Saidapet.

To
The Director of Public Instruction, Madras.
R.R.19/12

p. 30

N.R.C. No. 5159 C/1/46, Dated the December 1946.

Submitted for favour of orders in continuation of this Office Endorsement R.C.No. 5159 C-1/46, dated 7th December 1946.

For DIRECTOR OF PUBLIC INSTRUCTION.

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

E (H) A (A)

The file containing the previous representation of K. Gurusvami Reddiar is now in Fin. Dept. Its return may be awaited.

15.1.47

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

A

26/20/1

MEMO.No.76077-A-2, d/ 17.1.47 (38) 67

M.E.S. - Sri K.Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet - Leave - Recovery of overdrawn pay, etc. - Petn.

Ref:- From the D.P.I., No.5159-C1/46, dated 7-12-46, and (30).12.46

21/1

The D.P.I. is requested to invite the attention of Sri K.Guruswami Reddiar, to para 1 of Govt.Memo.No.28537-A-2, dated 10-7-45, and to inform him that the orders in G.O.No.1098-Edn., dated 4-6-46, were based on that Memo.

a/5-6 CF
a/58-9 CF

To the D.P.I.

21.12.46 4/1/47

8/1/47

21/1

NOTE:-

The summarising note at "a"/N.F.9 pp.1-2 may be read. In his petn. in the C.F., Sri Guruswami Reddiar seems to question particularly how he could be treated as on leave on 29-3-45 (the day immediately preceding the summer vacation of the Teachers' College, Saidapet) - when he was actually on duty on that date. Where the limit of 28 months' continuous absence from duty is applied, a single day immediately preceding a vacation (& following leave) cannot obviously be treated as duty - because, then, the very purpose of the order treating the continuous period as leave would be thwarted. Pl. see the A.G. calculations at C.F.29 of "a" - as against entries (3) and (4) in the Govt. Memo. at p.27 ibid.

F.R.81(d)
p.79, Bk.154

Finance may see see for remarks.

1241 C.S.R

8 JAN 1947
FINANCE DEPARTMENT

21.12.46 4/1/47.

8/1/47 Finance (CSD)

EDH U.O.No.76077-A-1
8.1.47

The draft memo may be issued and the case returned to Edn & PH.

10/1/47

14-1-47

Fin U.O.No. 1241 CSR/47-1
15.1.47

15/1/47

E.P.H
A

2759
15 JAN 1947
EDUCATION AND PUBLIC HEALTH DEPT.

C.No. 28537A/45.

Note file

(39)

E &P. H. Dept.

Guruswami Reddiar, Sri K. - Vice Principal, Teachers' College Saidapet - Leave - Sanctioned -
Ref. - from the D.P.I. Roc. No. 1296-C/45 d. 20/6/45
" " A.G. No. GA. IV Edn. 237 d 5.6.45.

G.O.[illegible]/Ms. Edn. dated

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

Notification.
Leave.

Sri. K. Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet [is granted] leave on average pay for twenty eight days and leave on half average pay for twenty two months and six days in continuation from 2.7.45.

2 ~~Sri~~. Garuswami Reddiar is permitted to prefix the College vacation to the leave provided the Conditions prescribed in the Subsidiary Rules under F.R. 68 are satisfied.

22/6/45

54

To the D.P.I.
" " A.G.
" " S.G.P. for publication of notification (pencil only)
" " Public (Ch).
" R. Bd. (Rev/Inf).

Note For orders as to circulation.

22/6/45.

This officer ~~at his own partly~~ ~~[illegible]~~ was on leave for a considerable part of the last year. The leave began on 29.2.44 and was granted in driblets. Examine, in the light of what is taking place, the evasions of leave rules & orders

22.6.45.

29-6-45

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(40)

p4 p1 cf (t) Sri. Garuswami Reddiar was on leave from 29-2-44 to

7 (t) 31-3-44. The College vacation was from 4-4-1944 to 4-7-44 and Sri Reddiar applied for leave for one month in Continuation of the vacation. The A.G. raised the point whether Sri Reddiar's return to duty for the short period from 1-4-44 to 3-4-44 was

p4 of 7 (t) to evade the provisions of rule 82 (d) of the Fundamental Rules. The Govt. considered that in the Circumstances

pp12-13 cf & p9 of (t) stated by the D.P.I. there was no evasion of the rules in this case and Sri Reddiar was granted leave for one month

p8 of (t) from 4-7-1944 in G.O. 862 Edn. dated 5/6/44. Since then, Sri. Reddiar was extending his leave piecemeal and he was

(H), (D), (G), (X), + (I) granted five extensions ~~of~~ sanctioning leave up to 31-1-45. Sri Reddiar

St. at (W) then again applied for further extension of leave by 28 days

(S) which was refused by Govt. in G.O. ~~[illegible]~~ 122 Edn. dated ~~[illegible]~~ 26-1-45 at the instance of the D.P.I. But Sri Reddiar did not join

p1 of (U) duty on refusal of leave, as he was not well and was an in-patient in the Gl. hospital and on the

p6 cf of (U) recommendation of the Medical Board, he was granted

p21 cf of (U) leave on M.C. till 29-3-1945. In effect, Sri Reddiar was on leave from 29-2-44 to 31-3-44 and from

Vide Statement at (W) 4-7-44 to 29-3-45. Now Sri Reddiar has applied for

p1 cf ~~the maximum~~ as much leave ~~he is eligible for~~ as can be granted to him from 2-7-45 in Continuation of the College vacation. The A.G. has

p3 cf certified that Sri Reddiar is eligible for leave on average pay for 28 days & leave on half average pay for 22 months and 6 days in Continuation. The D.P.I. recommends the

p1 cf grant of the leave and has permitted Sri Reddiar to avail the leave in anticipation of Govt. sanction. The D.P.I. has also ~~proposed~~ submitted proposals for the

(Dislinked) Consequential arrangements. It is for Consideration whether Sri Reddiar will be granted the leave. Draft orders on pp1-2 ante from the D.P. are for Consideration.

For orders as to circulation.

25/6/45.

Pl: see p. 20 ~~[illegible]~~ c. 7 of

The ~~[illegible]~~ principal joined Duty, after having been ~~[illegible]~~ practically on leave for a year, on the 29th Nov

4

1945, availed the vacation with the term preceding holidays, from the 30th March '45 and now applies for leave in continuation of the vacation. The D. P. I. proposes the grant of the leave from the 2nd July. There is clearly an evasion of the leave provisions within the spirit of the orders in Go 606 Finance, of 21-7-32. D. P. I. may be asked why the whole absence ~~from 4-7-44~~ including 29.3.45 & the following vacation should not be treated as continuous period of leave. Finance may see.

26.6.45

27/6/45

Finance (C.S.R).

E.P.H. W.O. 28537A/45-1

27/6/45

Under F.R. 81 b(ii) Sri K.Guruswami Reddiar is eligible to take leave for 4 months on average pay at any one time and leave on half average pay for the rest of the period provided the maximum period of continuous absence from duty on leave granted otherwise than on medical certificate does not exceed 28 months.

27 JUN 1945
FINANCE DEPARTMENT

From 29-2-1944 the Govt. servant has availed himself of the following leave

(1)	29-2-44 to 31-3-44	Average pay	1 month 3 days
(2)	4-7-44 to 3-8-44	Average pay	1 month with permission to prefix the ~~holidays~~ vacation from 4-4-44 to 4-7-44 (3 months)
(3)	4-8-44 to 31-1-45	Half average pay	5 months 28 days
(4)	1-2-45 to 28-3-45	Average pay on medical certificate	1 month 28 days.

(29.3.45 Duty)

29.3.45 forenoon only

29107

Mr.Guruswamy Reddiar ~~has thus due to~~ joined duty on 29-3-45. He has now applied for the maximum leave admissible to him in continuation of the vacation under the rules. The D.P.I. has recommended that leave on average pay for 28 days and on half average pay for 22 months & 6 days may be granted to him with effect from 2-7-45. As the officer has been continuously excepting for a brief period of one day (29.3.45) on leave with effect from 4-7-44/ E P.H propose to ask the D.P.I why the entire period from 4-7-44 ~~xx~~ should not be trea[redacted]

A| 30th & 31st March & 1st April were public holidays & summer vacation commenced on 2.4.45

p. 1 c.f.

This may be agreed to, subject to the remarks on next page.

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(41)

A

under F.R. 81(d) the limit of 28 months continuous absence prescribed in this rule includes the period of vacation also. As the vacation of the Teachers College commenced on 4-4-44, the 28 months leave that is to be sanctioned under F.R 82(d) should be with effect from 4-4-44 in which case leave can be sanctioned to Sri Guruswamy Reddiar up to 2-10-1946. The position may be explained to the D.P.I and his remarks ~~may be~~ obtained.

excluding leave on M.C for 1 month + 28 days

29.6.45

30/6/45

30.6.45

E&PH

E&P. H. Dept.

Fin. Co. 29107 CSR-1
2.7.45

A draft memo to the D.P.I. is submitted. He may be requested to send his reply through the A.G.

[The D.P.I. has submitted ~~his~~ separate proposal for the appt. of Sri S. Namasivayam, the senior most lecturer in Teachers' College, Saidapet, as Vice-principal of the College vice Guruswami Reddiar proceeding on leave. The file C.M. 30178A/45 is linked below. The proposal in the file may be approved pending the orders sanctioning the leave.]

ASST. SECRETARY TO GOVERNMENT
JUL 1945
EDUCATION

Orders issued in G.O.No. 1020 Edn 11-7-45

30283

(a) Removed

11/7/45

8/7/45

9.7.45

SECRETARY; EDN. AND P. H.
10 JUL 1945
GOVERNMENT OF MADRAS

[Issued as Memo No. 28537A-2 d. 10/7/45]

pp. 7-8 c.f.

DEPUTY SECRETARY TO GOVERNMENT
7 NOV 1945
FINANCE DEPARTMENT

pp. 5-6 c.f.

C.48269. From the D.P.I., R.C.No.1296-C/45, dated 25-9-45.
From the A.G., G.A.IV.Edn.813, dated 23-10-45.

pp. 25-26 c.f.

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para 2, p. 7 c.f.

The D.P.I. considers that there had been no intention on the part of the officer to evade the rules. He, however, agrees that the officer may be deemed to have been on leave right from 4-4-44 and that the limit of 28 months' absence on leave may be applied.

—do—

p. 26 c.f.

FINANCE DEPARTMENT

2. The A.G. requests ~~for~~ orders of Govt. on the nature of proposed leave to be sanctioned to the Vice-Principal. The file may be sent to Finance for advice on this point.

1.11.45

3/11/45

6/11/45

E.D.P. 11/28537-A-3
6/11/45

50858

Finance (CSR) dept.

(Previous Finance notes on pp. 4-5 above)

The D.P.I. has agreed with the view of this dept.

that Sri K. Guruswami Reddiar may be deemed to have been on leave with effect from 4-4-1944. He has recommended that he may be granted leave on average pay for 28 days from 3-7-45 and leave on half average pay for a period up to 30-9-46. The case has now come to this department for determining the nature of the ~~leave~~ leave to be given to him. The following statement shows the period of leave availed of by Sri K. Guruswami Reddiar:--

p. 7 Cf

(1)	28-2-44	to	31-3-44	L.A.P.	1 months 3 days
(2)	4-4-44	to	3-7-44	Vacation	3 months
(3)	4-7-44	to	3-8-44	L.A.P.	1 month
(4)	4-8-44	to	31-1-45	Leave on half average pay	5 months & 28 days
(5)	1-2-45	to	28-3-45	L.A.P. on m.c.	1 month & 28 days
	29-3-45			Duty	
(6)	30-3-45	to	1-7-45	Vacation	

pp. 25-26 C.F.

As the D.P.I. has agreed with the view of this dept. that Sri K. Guruswami Reddiar may be deemed to be on leave with effect from 4-4-44 for 4 months (from 4-4-44 to 3-8-44), the leave granted may be on average pay. The period of leave from 4-8-44 to 31-1-45 a period of 5 months and 28 days may be on half average pay. The leave on medical certificate for the period 1-2-45 to 28-3-45 (1 month and 28 days) should be on average pay under F.R. 81(b)(ii) as the period of leave on average pay is in excess of 4 months.

M

pp. 28-79 [illegible]

Under Audit Instructions 1 to F.R. 87 average pay should be taken first followed by leave on half average pay but the authority which granted the leave has power to commute the leave ~~has~~ retrospectively into leave of a different kind though a Govt. servant does not possess any right to insist that it should be so commuted. Hence it is open to the Govt. to grant leave on average pay on medical certificate for a period of 1 month and 28 days with effect from 1-2-45. The balance of 16 months and 4 days may be granted to him on ~~a~~ half average pay from 30-3-45 to 4-8-46. The A.G. may be informed as above.

pp. 88 of Audit Manual

Audit Instr 12 under F.R. (p. 409 Audit Manual)

10/11/45

WS
13.11.45

E&PH Dept.

Fin. No. 50858 CSR1
14-11-45

14/11/45

M above: "Presumably the leave for 1 month and 28 days should be granted under the proviso to F.R. 81(b)(ii) [illegible] the

51886.

pp. 78-79, BK. 154

The undertaking reqd. by Note 3 under rule 81 ~~should~~ should be obtained from Sri Guruswami Reddiar. A draft Memo. to ~~the~~ A.G. is subd. The D.P.I. may be requested to obtain and forward the undertaking.

2. Finance may see before issue.

P.G.
20.11.45

W
20.11.45

21/11/45

Finance (CSR)

E.H.
U.O. 28537-A-4
21/11/45

(Prev. Fin notes on pp. 5-6 above)

The drafts may be perused and the case returned to EPH.

WS
25.11.45

DEPUTY SECRETARY TO GOVERNMENT
22 NOV 1945
FINANCE DEPARTMENT

23-11-45

23.11.45

Fin. No. 53782 CSR-1
27-11-45

E&PH

Draft Memo. & draft Endt. may issue.

P.G.
27.11.45

W
28.11.45

29/11/45

ASST. SECRETARY TO GOVERNMENT
53961
27 NOV 1945
EDUCATION AND PUBLIC HEALTH DEPT.

p. 28 Cf.

[Issued as Memo. 28537-A-5-Edn., d/ 30.11.45, & Endt. 28537-A-6-Edn., d/ 30.11.45.]

p. 29 Cf.

C. 58377. From the A.G., No. G.A.IV.Edn. 1052, d/ 20.12.45.

p. 29 Cf.

A copy of the A.G.'s letter may be sent to the D.P.I. and he may be requested to report ~~on the~~ what amount of ~~overdrawn~~ pay and leave salary ~~to~~ should be recovered from the officer. A draft Memo. is subd. for approval.

P.G.
28.12.45

29.12.45

31/12/45

[Memo. No. 28537-A/45-7, d/ 31.12.45.]

Cf. 31

C. 12290. From the D.P.I., Roc. No. 1296-C/45, d/ 25.2.46.

Cf. 33

[T.M. to Dir. d/ 11.3.46]

Cf. 47.

~~From the D.P.I. Rc. No. 129 [illegible]/45 d/ 14.3.46~~

Please see the ~~Finance~~ Dept. note on p. 5 N.F.

A draft reply is submitted.

W
25.3.46

26/3/46

[Issued as Memo. No. 28537/45-A-8-Edn., d/ 27.3.46.]

p. 51 Cf.

CSR

A

C.23075. From the D.P.I., R.C.No.1296-C/45,dated 29-4-46.

The D.P.I. has reported the amount to be recovered from Sri Guruswami Reddiar towards overdrawn ~~pay and~~ leave salary.

A draft order sanctioning the 28 months' leave and directing the recovery of the excess amount paid ~~amount~~ is subd. Fin. may see before circn.

P.G. 7.5.46 W 7.5.46

1/5/46 S

7/5/46

EPH U.O. 28537 A/45-9-ED 14/5/46

Fin (CSR)

Prev. Fin. note on p. 7 above.

Please see the letter from the D.P.I. on pp 55 – 56 C.F. The draft order may be accepted subject to the following remarks.

The D.P.I. has stated in the statement on ~~p~~ p 57 C.F that no information is available regarding the rate or amount of War allowance drawn by Sri Guru Swamy Reddiar. War allowance is admissible only for the first four months of leave. In the present case the leave was previously sanctioned piecemeal intercepted by short periods of duty or by vacation. Hence the limit of 4 months would not have become operative. But now the entire period from 4-4-44 is treated as one continuous period of leave; ~~and~~ consequently, there might be some overpayment in the matter of War allowance. The AG may be requested to ~~no~~ recover ~~any~~ overpayment, if any, in this regard, along with the overpaid leave salary. EPH may be requested to add a sentence to this effect ~~to~~ in the draft order

ASST. SECRETARY TO GOVERNMENT FINANCE DEPARTMENT 15 MAY 1946

17/5

28540 CSR

16-5-46

17/5/46

17/5/46

EPH: Fin U.O 28540 CSR 17/5/46

18 MAY 1946

26858

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(43)

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

A

W.r.t. "Z" in Fin.'s note on p.8 ante, the A.G. may be asked to ~~report~~ recover the amount of war allce., if any, paid in excess to the officer. ~~If, on receipt of that information, it is found necessary to make any further recovery, it may be ordered.~~ A sentence has been added to the draft order.

2. The history of the case is briefly as follows: Sri K.Guruswami Reddiar, Vice-Principal, Teachers' College, Saidapet, was continuously on leave from 29-2-44 to 1-7-45 except the summer vacations in 1944 and 1945 and 3 days immediately preceding the 1944 vacation and one day immediately preceding the 1945 vacation. He applied for extension of leave for an indefinite period from 2-7-45. The question was considered, in consultation with the D.P.I. and the Fin. Dept., - CF 1

(1) whether there was evasion by the officer of leave rules; and

(2) whether, w.r.t. F.R.81(d), the officer should not be granted 28 months' leave at a stretch from the beginning of the vacation of 1944. p.79, Bk.154

The Dir. has reported that there was no evasion of leave rules. He has however recommended that the officer may be granted leave for 28 months. CF 7.

The A.G. has pointed out that excess of salary paid to the officer should be recovered. In consultation with Fin., it is proposed to recover the excess amount and also to issue a refce. to the A.G. as at "A" above. The draft subd. below provides for these. ~~E~~ May be circulated for orders. p.29 CF

P.G. 24.5.46 W 24.5.46

I. Balakrishna Menon Asst. Secy. 24/5/46

S

3.6.46 S

Col. 31/5/46

30/5/46

PSA 1-6-46

(B..)

W

Leave taken by Sri. Garuswami Reddiar in 1944 & 1945 –

der sanctioning leave –	Period of leave –	Nature of leave –	Remarks.
Sanctioned by the D.P.I.	29-2-1944 to 31-3-1944	Leave on average pay.	After expiry of leave Sri Reddiar rejoined duty on 1-4-44 & worked for 3 days i.e. till 3/4/44 & went on leave in continuation of the ~~vacation~~ vacation that commenced from 4/4/44.
Go. 862 Edn. d 5/6/44	one month from 4.7-44 with permission to prefix vacation from 4-4-44.	on average pay.	
o. 1212 Edn. d 15/8/44	28 days from 4.8.44	On half average pay.	
Go. 1294 Edn. d 2.9.44	2 months till 31.10.44	Do	
o. 1539 " " 19.10.44	1 month till 30-11-44	Do	
o. 1803 " " 1.12.44	upto 18/12/1944	Do	
o. 1[illegible]6 " " 21-12/44	upto 31.1.1945	Do.	
o. 766 " " 16/5/45	1 month ~~and~~ 28 days i.e. till ~~[illegible]~~ 29.3.45.	Average pay on M.C.	Further extension of leave applied for ~~[illegible]~~ 1-2-45 to 28/2/45 refused in Go. 122 Edn 26-1-45 but Sri Red[illegible] an in-patient in [illegible] hospital & a [illegible] Medical ~~[illegible]~~ [illegible] strength of the [illegible] of the Med. B[illegible] granted for [illegible]

(During the period 29.2.1944 to 29-3-45, the officer had worked actually only for 3 days i.e. from 1.4.44 to 4.4.44. He had been working from 29.3.45 to 2.4.45 when the vacation began & now proposes to go on leave in continuation of vacation).

[illegible]