close
KSR

Sectt. II-27—39,004—24-10-44.

Ex Pt (1946) Department.

Ms SERIES.

1

G.O. No. 146 / Edn

Dated 21. 1. 1946

24

[Despatch Abstract.]

Establishment - District Board, Salem, - Sri M. Edward Samuel - Secondary School Assistant - Request for treating the period of service in A.R.P. Salem as on deputation - Petition against Director's orders - Rejected.

Back Papers.

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

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Memo	75426	Edn.	18/2/47				

1

(2)

65724

From: Sgt.M.E.Samuel- B.A.L.T.
IND/40620 Educational Instructor.
No.1 R.T.C., R.A.F., Walton, Lahore.

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

Through:-Officer Commanding, No.1 R.T.C.

Sir,

Most humbly I beg to submit this memorial against the orders conveyed to me in Dis No.3940/44 dated 6.11.44 from the Director of Public Instruction, Madras. (Vide extract A.) P.9 infra

2 The facts of the case are that I, a permanent Senior Maths. Assistant of the Dist. Board High School in Salem Dist. with five years service to my credit, applied on 4.6.42 to the Dist.Magistrate Salem, through the President, Dist. Board, Salem for the post of an officer in the Staff or Stores Department of the A.R.P. Services, Salem. Since I had no reply till nearly two months, on 3.8.42 I approached the Dist.Magistrate Salem personally with another application by way of reminder. During my interview, I not only invited the attention of the Dist.Magistrate to my former application but also acquainted him with the testimonials given to me by several officers appreciating my war efforts. The Dist.Magistrate was pleased to appoint me as second Depot Superintendent in the A.R.P. Salem, and recognising the fact that I was a Local Board Servant, caused a copy of my appointment order etc. (Roc No.367/ARP/42 dated 4.8.42 and 13.8.42 vide extracts B & C) to be communicated to the President, Dist. Board, Salem so that I might get relief to join my new appointment immediately. PP.7&9 infra

3 Accordingly I was relieved from the Dist.Board service in Roc. No.B 2 14891 - 42 dated 9.8.42 and 12.8.42 (vide extracts D & E). I joined duty on 17.8.42 in the A.R.P.: and within the short period of my service there, the authorities were so pleased with my work that my salary was raised from Rs.75/- to Rs.100/-: but quite suddenly at the instance of the Govt. of Madras, on 30.3.43 I was told that I should revert to my permanent appointment in the Dist.Board, Salem with immediate effect from the after noon of next day. This obliged me to apply to the Dist.Magistrate for leave for 20 days, but as the A.R.P. was disbanded and I was relieved earlier, he could not grant it and I had to apply to the President, Dist.Board for the same leave. PP.9&11 infra

4 At this point the President, Dist.Board made a reference to the Dist.Magistrate claiming my leave salary from the Provincial Funds as per G.O. No.764/LA dated 9.1.43. But the Dist.Magistrate to my shock and for reasons unknown to me and quite inexplicable in the face of the past facts, stated that I was taken in as an outsider and as such the President Dist.Board could not claim my leave salary from the Provincial Funds. Thereupon the President Dist.Board passed an order that my period of service in the A.R.P. (17.8.42 to 31.3.43) subsequent leave period (1.4.43 to 20.4.43) and joining time (21.4.43 to 27.4.43) should be treated as extraordinary leave without allowances with permission to seek employment elsewhere. PP.5&6 infra 3

5 This order at one stroke not only deprived me of the privileges allowed by His Majesty's Govt. to those deputed for war servic but also peanalised me for having volunteered in that the seven and a half months of service in the A.R.P. do not count for increment leave, Provident Fund Bonus etc. as the matter stands now. My appeal to the Director of Public Instruction for redress of this situation was turned down without any reasons being given, except for the leave being recommended from 1.4.43 to 27.4.43. (Copy enclosed A).

Since I believe that a far better treatment is definitely emplated upon in the several G.O.'s published for those who unteer for war service, I beg to request that a favourable reconsi deration might be given to my claim on the strength of the following facts:-

1. Both during my interview with the Dist.Magistrate and on passing the order of my appointment as second Depot Superintendent he was aware that I was a Dist.Board servant and his recognition of this fact was recorded in that a copy of the appointment order was duly communicated to the President, Dist.Board for necessary relief orders by the Board.

2. The same fact was further recorded in that my service register was called for and entries were made there for the period of my service in the A.R.P. No outsider has ever had such a record kept for his service in the A.R.P.

3. In passing the relief order the President, Dist.Board did not mention that the period of service in the A.R.P. should be treated as an extraordinary leave without allowances, nor did he object to the entry of the A.R.P. service in my service register.

4. During all these seven months of my service in the A.R.P. my name was shown in the pay bills of the Dist.Board High School, Attur, Salem Dist. as on other duty at the A.R.P.Training School.

5. Service in the A.R.P. under the same Provincial Govt. and in the same Dist. can hardly be taken to mean seeking employment elsewhere. Also in passing the return to duty order the President, Dist.Board clearly mentions that I have been relieved from A.R.P. Department and not returning from the expiry of any extraordinary leave granted to me (vide extract F.) p.13 infra

6. It was only an after-thought on the part of the President Dist.Board to state, and that too was given expression to only after my return from A.R.P. to the Dist.Board service, that my service period should be treated as an extraordinary leave without allowances with permission to seek employment elsewhere. This attitude is both contrary to the orders passed by the President, ten months earlier and the entries in the pay bill as well as subversive to the aim of His Majesty's Govt. towards Local Board servants deputed for military duty.

7. It is quite inexplicable how the President, Dist.Board who made such an immediate and elaborate relief arrangments for enabling me to join the A.R.P. could now state that he did not depute me to serve in the A.R.P., taking refuge in the interpretation of my case by the Dist.Magistrate inspite of the facts to the contrar

In view of these facts and in recognition of my services to the Crown, I beg to request that my period of service in the A.R.P Salem from 17.8.42 to 31.3.43 may be treated as on deputation by th Salem Dist.Board as per G.O. No.764 L.A. dated 9.1.43, so that:

pp-5-6 infra

A

(i) The period from 22.4.43 to 27.4.43 may be treated as joining time on average pay,

(ii) The with-held bonus towards my Provident Fund Accts in the Dist.Board may be sanctioned, and

(iii) My service may be regularised in the Dist.Board so as to enable me to draw my increments without postponement.

I beg to remain,
Sir,
Your most obedient Servant,

M Edward Samuel

Walton:
Date: 9th April 1945.

Encl. 6 (A to F).

Govt. of Madras. Local Administration Department.

G.O. No. 764 (L.A) dated 9-1-1943.

Establishment – Local Boards and Municipal Councils – Servants deputed for military service – Incidence of leave salary etc orders issued.

Read: From Govt. of India (Defence Department) Army Branch dated 13-7-42 No. B/68366/3 A.G 14(C)

Order: The Govt. have had under their consideration the question of pay, leave, provident fund etc of servants of local Boards & Municipal Councils, who are deputed for military service, including whole time duty connected with A.R.P measures and other duties connected with Civil Defence or in any post created for the efficient prosecution of the present war, or with the approval of competent authority in any post associated with the Training of War Technicians, the cost of which is borne by the Govt. of India. They are pleased to issue the following orders on the subject.

i) Pay. A local board or municipal servant deputed for military service should be given advance increments on his return to the civil appointment under the local board or the municipal Council, which will be equivalent to allowing him to count his military service for increments in his civil appointment.

ii) Leave. While in military service, leave to a local board or Municipal servant will be granted under the military rules. The Govt. of India (Defence Department) have agreed to bear the leave salary of the servant for the period of leave actually earned by him in military service. The provincial Govt. will similarly bear the leave salary of the servant for the period of leave earned by him in A.R.P or Civil defence duty under the leave rules to which he was subject under the local body. The balance of leave salary, if any, for any excess period of leave which might have been earned by the employee under the [illegible] body, should in all the above cases be borne by the local body concerned.

(iii) Transit Pay. The transit pay of an employee of a local board or municipal Council deputed for military service will be met by the military Department & that of an employee deputed for A.R.P or Civil Defence duty by the Provincial Govt.

iv) Provident Fund:

During the period of employment of a local board or municipal servant, in military service, his subscription to the Provident Fund maintained by the District Board or Municipal Council as the case may be, and the contribution thereon which the Govt. of India have agreed to bear shall be calculated on the basis of the total emoluments which he would have drawn, had he continued in the service of the local body. The employee's subscription to the Fund shall, for the period if any, of his employment outside India, be optional, provided that if he exercises his option not to subscribe for any such period, the Govt. Contribution, if any, to his account in the fund shall cease for the period. The contribution payable in respect of a servant deputed for A.R.P or Civil defence duty will be borne by the Provincial Govt.

v) Pension. Presidents of local boards and executive authorities of Municipal Councils are requested to report the cases if any of such of their servants deputed for military service, as are borne on the pensionary scheme, for orders on the question of adjustment of pensionary contribution in respect of such services.

By order of his Excellency the Governor

V. N. Kudwa.

Secretary to Govt.

deputation - Body of persons appointed to represent others.

APPENDIX "A"

PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS
DIS. No. 3940/44 dated 6.11.44

SUB:- Petition - Sri. M. Edgard Samuel - Secondary Schools - Salem District Board - for payment of leave salary etc - Orders passed.

READ: Petition from Sri.M.Edward Samoul dated 4.4.44
: Letter from the President, District Board, Salem, L-Dis.1146/44 dated 30.6.44.
: Further petition from Sri.M.Edward Samuel dated 20.8.44
: Endorsement of the President, District Board, Salem, Dis.No.19453/44 dated 12.9.44.

The request of the petitioner to modify the orders of the President District Board, Salem treating the period of his service in the A.R.P. up to 31.3.43 as extra-ordinary leave without allowances, cannot be complied with. The President, District Board is advised to treat the period of his absence from 1.4.43 to 27.4.43 as 21 days' earned leave and 6 days' unearned leave.

2. His supplemental petition dated 21.8.44 against the recovery of bonus from his provident Fund account is also rejected.

Sd. T.SURYANARAYANA,
for Director of Public Instruction.
Sd. ? ? ? ?
SUPERINTENDENT

To
The President, District
Board, Salem.

Copy to
Sri M.Edward Samuel
Through the President, District Board, Salem.

(TRUE COPY)

APPENDIX "B"

PROCEEDINGS OF THE Dt.Magte & A.R.P. Controller, Salem
Name : R.M. SUNDARAM Esq., I.C.S.,

Roc No.367/42 dated 4th August 1942

Short title : War - A.R.P. Salem - Depot Superintendent for a Second Depot in Salem - Appontment - Orders passed.

Read : Deputy Inspector General's remarks on the A.R.P. Programme for Salem and his C.No.1635-CD-42, dated 1.8.42.
2. Petition of Mr. M. Edward Samuel B.A., L.T. dated 3.8.42.

ORDER

Mr.M.Edward Samuel B.A., L.T., is appointed as a Second Depot Superintendent on Rs.75/- per mensem. He must join duty as soon a seat is secured for him in the A.R.P. Training School, Madras. Meanwhile he should make arrangements to get himself relieved from the District Board Service.

Sd. ? ? ? ?
For Dt.Magte & A.R.P.
Controller, Salem.

To
The individual
Copy to the President, District Board, Salem.

APPENDIX "C"

Sub - A.R.P. Salem - Training of Second Depot Superintendent.

PROCEEDINGS OF THE DT. MAGISTRATE & A.R.P. CONTROLLER, SALEM.
Present :- R.M. SUNDARAM, ESQ, I.C.S.,

Roc. No.367/42/A.R.P. dated 13.8.42

READ: (1) Thsi office Proceedings 367/42 dated 4.8.42
(2) Deputy Inspector General's C.No.1635/CD/42 dated 11.8.42

ORDER

Mr. M. Edward Samuel, B.A., L.T., who was appointed as Second Depot Superintendent should report himself for duty before the ~~smp~~ Special A.R.P. Officer, Salem on 17.8.42 and proceed to Madras the same day for training. He should appear before the Commandant A.R.P. Provincial Training School, Madras at 9 A.M. on 18.8.42 without fail.

Sd. ? ? ? ?
for District Magistrate & A.R.P.
Controller.

To the Individual
Copy to the Deputy Inspector General, Civil Defence, Madras
and the Commandant, A.R.P. Provincial Training School, Madras
Copy to the President District Board, Salem.

/True Copy/

APPENDIX "D"

Proceedings of the President, District Board, Salem.
Present Sri. K.A. Nachiappa Gounder M.L.A.
Roc: B2/14891-42 Dated 9th August 1942.

Establishment - Education - Secondary - Appointments and transfers - Orders issued.

READ: District Board Resolution Resolution No.130(980) dated 24.7.42
(2) Letter R.O.C.No.369/42 dated 29.7.42 and D.O. Letter dated 2.8.42 of the District Educational Officer, Salem.

ORDERS

Sri R.Y. Guruswamy Ayyer B.A., L.T., permanent Secondary Grade Assistant Board High School Attur is promoted to act as L.T. Assistant of the same High School on Rs.65/- per mensem in the scale of 65-5/2-100 vice No.2.

2. Sri N.S. Nagasubb Rao B.A., L.T., L.T. Assistant Board High School Attur is transferred to be L.T.Assistant Board Hight School Tiruchengode on Rs.80/- per mensem in the scale of Rs.65-5/2-100 vice No.3

3. Mr. Edward Samuel B.A., L.T., L.T. Assistant Board High School Tiruchengodu who has been selected for A.R.P. Work is hereby ordered to be relieved from duty to take up his new appointment from the date of his relief by No.2. His lien stands transferred to the Board High School, Attur.

4. Mr.B. Savlappa B.A., L.T., the next candidate in the waiting list is appointed to act as Secondary Grade assistant Board High School Attur on Rs.30/- per mensem in the scale of Rs.30-2/2-50. To join duty forthwith.

N.B. No.2 to be relieved immediately with instruction to join his new station as early as possible without availing full joining time.

Sd. M.M. Krishnaswamy
for Presedent.

To the parties concerned.
through the Headmaster.
Copy to the Headmaster Board High Schools Attur, Tiruchengodu in triplicat
Copy to the District Educational Officer, Salem.
Copy to G.7 and B.2 /True Copy/

Sd. ? ? ? ?
Superintendent.

/True Copy/

APPENDIX "E"

ablishment - Appointment and Transfer of L.T. Assistant Secondary chools - Orders issued.

Proceedings of the President, District Board, Salem

R.O.C. No.B.2 14891-42
READ :-1. This Office Proceedings R.O.C. No.B.2 14891-42 dated 9-8.42
2. D.B.R. No.130(980) dated 24.7.42.
3. Petition dated 10.8.42 from Mr. M. Edward Samuel, B.A.,L.T. dated 10.8.42 and Endt. No.151/42 dated 10.8.42 of the Head Master Board School, Tiruchengode thereon.

O R D E R S

Mr. M. Edward Samuel, B.A., L.T., L.T. Assistant Board High School Tiruchengode whose lien stands transferred to the Board High School, Attur and who has been ordered to be relieved to take up his new appointment in the A.R.P. work in this office proceedings ROC.No 14891-42 dated 10.8.42 is now transferred to act as L.T. Assistant Board High School, Dharmapuri on Rs.75/- per mensem in the scale of Rs.65-5/2-100 in the temporary L.T. Post created consequent on the opening of 3rd section in IV. Form of the school. He will join duty at Dharmapuri after relief as early as possible without availing full joining time.

Note :- If Mr. M.Edward Samuel, receives order from the A.R.P. training School before he joins duty at Dharmapuri he may join the A.R.P. Training school and report the fact to this office and to the Head Master Dharmapuri. If he does not receive the orders before he joins duty at Dharmapuri, he will join duty in his new station and await orders from the A.R.P. training school.

Sd/M.M. Krishnaswami
for President.

To the Party through the H.M. Bd.
H.S. Tiruchengode.
Copy to the H.M. Board High School, Tiruchengode, Dharmapuri and Attur in duplicate
Copy to the D.E.O. Salem and G.7 in duplicate and copy to B.2

/True copy/
Forwarded by Order

Sd. ? ? ? ?
Superintendent.

/True Copy/

APPENDIX "F"

Establishment - Return to duty - Sri.M. Edward Samuel, B.A., L.T. arrangements - orders.

Proceedings of the President, District Board, Salem
Present : Sri. K. A Nachiappa Gounder, M.L.A.,
R.O.C. No.B.2. 9986-43 Dated. 17.4.43
READ : Report dated 12.4.43 from Sri M.Edward Samuel, B.A., L.T.

O R D E R S

1. Sri. M. Edward Samuel, B.A., L.T., L.T. Assistant who has been relieved from A.R.P. Department and who has applied for leave upto 20.4.43 is permitted to join duty after expiry of the leave as L.T. Assistant Board High School, Dharmapuri in the temporary L.T. Post on Rs.75/. p.m. in the scale of Rs.65-5/2-100 and relieve No.2. His permanent lien is at Attur.

2. Sri. Johnson Joseph, B.A., L.T., Acting L.T.Assistant, Board High School, Dharmapuri on relef by No. 1. will stand ousted for want of vacancy.

Sd. M.M. Krishnaswamy
for President.

To Sri.M. Edward Samuel, B.A., L.T.
10 Habbeeb Sahib St. Fort Salem.
Sri. Johnson Joseph, B.A., L.T. through the H.M.
y to the H.M. B.H.S., Dharmapuri in duplicate ; Copy to the H.M., B.H.S
tur: Copy to the D.E.O. Salem ; Copy to G. Section in duplicate

/True copy/ forwarded by order

Sd. ? ? ?
Superi

25-5-45

13/ B (8) (15)

19024

From:- Headquarters, No. 227 Group, R.A.F.

To - The Secretary to the Govt. of Madras,
Department of Education and Public Health,
Fort St. Gearge, MADRAS.

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

Date:- 20th. April, 1945.

Ref :- 227G/6450/26/P3.

pp. 1-3 ante

pp. 5-11 ante

IND/40620 SGT. SAMUEL, M.E. - ED/INST.

The attached application, together with relevant correspondence, submitted by the abovenamed airman is forwarded herewith for consideration and necessary action.

W/O

(F.A. JONES)
for Air Commodore,
Air Officer Commanding,
H.Q.No. 227 Group, R.A.F.

14

Education and Public Health Dept.

B

~~Endorsement~~

~~Referred to the Director of Public Instruction for remarks.~~

~~Assistant Secretary to Govt.~~

14/5/45

To

~~The Director of Public Instruction, Madras.~~

15

9 (17)

34 21/5

E&PH(B)

Establishment - Salem Dt Bd - Sgt. M. E. Samuel Asst. Teacher - Treatment of the period of service in the ARP Salem as on deputation cte

P.P. 1-3 ante C No 19024 - Petition from Sgt. M. E. Samuel, Edl. Instructor No. 1. R.T.C. R.A.F. Walton. Lahore d 9-4-45.

P. 13 ante From the Air Officer Commanding HQ No 227 Group R.A.F. Rf 227G/6450/26/A3 d 20-4-45

21/5

Memo No. 19024-I.B., ~~dated~~, 21-5-45.

Referred to the P.DB Salem for very early remarks with particular refer to the orders in ~~G.O~~ 764 L.A., d 9.1.43 PP. 5-6 ante. The PDB is requested to submit the reply through the DPI.

17.5.45

14.5.45

To

The PDB Salem with C? in orgl to be retd with reply

Copy to the DPI (for info only)

Despd with Encls K.N 22.5.45

D.N.

I assume that G.O. 764 L.A/43 has gone to all departments.

Rd. on 3/9/45 & 3-10-'45.

10 16 (19)

SALEM DISTRICT BOARD.

ESTABLISHMENT -Salem District Board- Sri.M.Edward Samuel B.A.L.T. Treatment of the period of service in the A.R.P. as on deputation petition- Submitted with remarks.

- -

DIRECTOR OF PUBLIC INSTRUCTION
14 SEP 1945
1374
MADRAS

Roc.No. 11059-45.
District Board's Office,
Salem, Dated 7th September 45.

From
Sri.K.A.Nachiappa Goundar, M.L.A.
President, District Board, Salem.

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

Through
The Director of Public Instruction, Madras.

..

SIR,

Ref: Your Memorandum No.12024-1-8-dated 21-8-45. P.15 ante

...

PP.1-3 ante The petition of Sri.M.E.Samuel B.A.L.T. dated 9-4-45 received with the memorandum quoted above is herewith resubmitted with the following remarks:--

Sri.M.Edward Samuel, B.A.L.T., submitted an application on 4-8-42 to the Collector of Salem for an appointment in the A.R.P.Department and the same was forwarded to the Collector of Salem in this office No.Dis. 15879-42-dated 7-8-42 with the following endorsement "Forwarded for favour of disposal. The applicant has put in a service of about 5 years under this District Board as an Assistant and his services cannot be said to be quite creditable." This application, it seems, was not considered by the District Magistrate. The petitioner has given another application dated 3-8-42 in person to the District Magistrate of his own accord as agreed to by the petitioner himself in para 2 of his petition. The District Magistrate Salem appointed him as A.R.P.Depot Superintendent referring to the application dated 3-8-42, in his proceedings No.367-42-dated 4th August 1942, vide appendix B to the petition. This order was also not communicated to the petitioner through this Department. Only a copy of the order was communicated to this office for information. Being a permanent Assistant in the District Board secondary schools, he was

P.1 ante

P.4 ante

-3-

~~smaller streams, yield excellent brick-clays, whilst kankar is abundant in the tracts of older alluvium. Laterite is abundant in some parts while the Deccan trap provides an excellent building stone, and is also one of the best stones for macadam roads and for concrete-aggregate. The lameta or limestone occuring in the Satpuras and in Nagpur and Chanda (Karamgaon), constitutes an excellent ragstone.~~

~~There are several formations of excellent ornamental stones. For marble, the best known locality is the Marble Rocks in the Jubbulpore district, but numerous excellent marbles occur also in the Betul, Chhindwara, Nagpur, Seoni and Narsingpur district. Beautifully marked serpentine marbles can be had in Chindwaras.~~

~~Sandstones suitable for ashlar work and fine carving may be obtained from Bhutara hill and Isapur in the Chanda district, Silewada near Kumptee, Akhund in Nimar and Ellichpur in Amraoti. Fine white sandstones are quarried at Sirgora and Pathe in Betul. The Pachmarhi sandstone is also a good building stone.~~

was ordered to be relieved to take up his new appointment with his lien retained as per the general rules on the subject. Hence he cannot be considered to have been deputed by the Salem District Board for A.R.P. service. The District Magistrate in his letter Roc.457-43-A dated 20-4-43 copy enclosed has stated that Mr. M. Edward Samuel was appointed in the A.R.P. services as an outsider and that it was not treated as deputation from Local Board services. Hence the question of payment of leave salary etc by the Provincial Government as per G.O.No.764 L.A., dated 9-1-43 does not arise. He was granted extraordinary leave without allowances for the period from 17-8-42 to 27-4-43 with permission to seek employment elsewhere. He preferred an appeal to the Director of Public Instruction Madras in his petition dated 4-4-44 and the Director of Public Instruction in his order Dis.3940-44-dated 6-11-44 has rejected his petition, and has ~~also~~ advised me to treat the period of his absence from 1-4-43 to 27-4-43 as 21 days earned leave and 6 days unearned leave. Accordingly the Assistant was granted extraordinary leave without allowances from 17-8-42 to 31-3-43 earned leave with leave salary equal to his pay for 21 days from 1-4-43 to 21-4-43 and unearned leave with leave salary equal to one of half of his pay for 6 days from 22-4-43 to 27-4-43 in this office order B2.25602-44-dated 23-12-44. It will thus be seen that this teacher's case has been carefully considered already and that the Director of Public Instruction Madras, to whom the teacher had ventilated exactly similar grievances has already disposed of the matter. The teacher is only raking up a closed matter and his request repeated in this petition would therefore deserve no consideration. His certificates and testimonials etc are no good for this purpose. From my personal knowledge of his character and service as a teacher I have found that he was not a desirable type of man. His petition deserves no consideration at all and it may be rejected.

The Government Memorandum No.19024-1-B-dated 21-5-45 with the enclosures is enclosed herewith.

12-9-45

President, District Board, Salem.

K.V.N.11-9-45. 12.9.45

P.P.5-6 ante

P.7 ante

EDUCATION DEPARTMENT.

FROM

DR. B.B. DEY, D.Sc., (Lond), F.R.I.C.,
OFFG: DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

TO

THE SECRETARY TO GOVERNMENT,
EDUCATION AND PUBLIC HEALTH DEPARTMENT,
MADRAS.

5 OCT 1945

44438
6-10-45

R.C. No. 1394-G/45 dated the 2nd October 1945.

Sir,

SUB:- Petition - Mr. M. Edward Samuel, Asst., Secondary Schools - District Board, Salem for treating the period of his service in the A.R.P. Salem as on deputation etc.

In submitting herewith the letter R.O.C.No.B.2.11059/45, dated 7th September 1945 from the President, District Board, Salem, with reference to Government Memo. No.19024-1.B Education and Public Health, dated 21st May 1945, I have the honour to state as follows:

2. In his original petition dated 4th April 1944, Mr. M. Edward Samuel requested the Director to treat the period of his service in the A.R.P. Salem as one on deputation on foreign service and order the payment of leave salary etc. Basing on the report of the President, District Board, Salem, that the petitioner was treated as an outsider by the A.R.P. Controller and after consulting the Examiner of Local Fund Accounts, the President, District Board was advised in - Director's Proceedings Dis.No.3940/44 dated 6th November 1944 to treat the period of absence of the teacher from 1.4.1943 to 27th April 1943 as 21 days earned leave and 6 days unearned leave, the teacher being informed at the same time that his request to treat the period of his service in the A.R.P. as on deputation could not be complied with.

3. The applicability of G.O.No. 764, L.A., dated 9th January 1943 will arise only when the period of service in the A.R.P. is considered as one of deputation. It is for Government to come to a final decision on this point and in this connection, I may bring the following points to their notice.

4. The petitioner is stated to be a permanent teacher of the District Board with a service of five years on the date of his appointment under the A.R.P. Controller, Salem. Although the second application for appointment dated 3.8.1942 which secured him the post in the A.R.P., was not sent through the President, District Board, the latter retained for him a lien on his post and relieved him formally with a view to his taking up the new post, without demanding his resignation. It is not also clear on what basis the A.R.P. Controller treated Mr. M. Edward Samuel as an outsider in spite of the fact that he knew that the teacher was a servant of the District Board.

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

for DIRECTOR OF PUBLIC INSTRUCTION.

KAN.4/10
4/X

P.P. 16-17 ante

P. 15 ante

P.P.5-6 ante

E.&P.H.(B).

1/22/p

Memo. No. 19024—28.Edn., d., 20-10-45.

Establishment — Dt. Bd., Salem — Secondary schools — Mr. M. Edward Samuel, Asst. teacher — Treating the period of service ~~as~~ in the A.R.P. as on deputation.

A/25/10

PP.1-3 c.7. Ref: Petition, dated 9-4-'45, from Mr. M. Edward Samuel.

P.13 c.7. Endt. of the Officer Commanding, H.Q. No. 227 Group, R.A.F., Ref. 227 G/6450/26/P3, dated, 20-4-'45.

P.15 c.7. Govt. Memo. No. 19024-18., dated, 21-5-'45.

PP.15-16 c.7. From the P.D.B., Salem, Roc. B2. 11059-45, dated, 7-9-45.

P.18 c.7. From the D.P.I., R.C. No. 1394-G/45, dated, 2-10-'45.

~~the~~

(P.T.O.

~~2~~ 20

Referred to the Dt. Magistrate, & ~~A R P Controller~~, Salem, for very early remarks.

The D. M. is requested to ~~say~~ state why the service ~~the service of~~ Mr. Edward Samuel was not considered to have been deputed on foreign service terms for appointment under the ARP Controller ~~in the~~ A. R. P., ~~Salem~~, ~~was not considered~~ Salem according to ~~by him as one on deputation~~ with reference to the ~~as per orders~~ ~~in~~ G. O. No. 764 L. A., dated, 9-1-'43. pp. 5-6 & 7.

17/10/45.

17.10.45

RM
19/10/45

To
✓ The District Magistrate,
Salem.
(with C. F. in orgl. to be retd. with reply).
✓ Copy to the D. P. I.

Desp'd with encl.
RM
23-10-45

B

Establishment-Dt. Bd. Salem-Secondary Schools Mr. M. Edward Samuel, Asst. Teacher-Treating the period of service in A.R.P. as on deputation.

21

(13)

C.F. 32 (a).

Department	Received — Registered
From (Name) R.C.S. BELL ESQ. I.C.S.,	To
Designation Collector of Salem.	The Secretary to Government, Education & Public Health Dept. Madras.
Station Salem.	

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

55774

Enclosures : No. L.15648-C7 dated 4-12-45. 194

Sir,

p. 19 ante

Ref:- Govt. memo No. 19024/2B/Edn. d/20-10-45.

--

The petitioner Mr. M. Edward Samuel, Teacher, District Board High School, Dharmapuri applied on 4-6-42 through the President, District Board, Salem to the District Magistrate, Salem for the post of a depot Superintendent in the A.R.P. Service at Salem. As the President did not recommend the application, the petitioner was not appointed to the post, but another candidate K.A. Quadir was selected.

C He then applied on 3-8-42 direct to the A.R.P. Controller for another post created subsequently. He was appointed as the Second depot Superintendent and asked to make his own arrangements to get himself relieved from the District Board Service. He was relieved of his duties on 31-3-43 A.N. when the A.R.P. Scheme was wound up. He then applied for leave; but he was informed that he was not eligible for leave as he was relieved already after the scheme was wound up.

p.t.o

CA

As the petitioner was not actually deputed by the District Board but was recruited direct, he was not considered to have been deputed on foreign service. The records received with the Government memo are resubmitted.

6.12.45

for Collector.

dsv/5p

~~R~~ 1.
6.12/45.

From : Officer Commanding, No.2. ~~Recruits Training~~ Demobilisation Centre, R.A.F.

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

Date : 10.1.'46

Ref : 2D0/2204/8/P5.

12 JAN 1946

WELFARE - R.I.A.F. - AIRMEN
No.IND/40620 Rank. SGT. Name. Samuel. M.E.

2145

Enclosed herewith is application from the above mentioned airman for your attention.

2. Please inform this Unit of the action taken.

F/Lt.
For Wing Commander, Commanding,
No.2. ~~Recruits Training~~ Demob. Centre.

24

(15)

From :- IND/40620 SGT Samuel.M.E., B.A., L.T.,
Educational Instructor,
No.2 Demobilisation Centre,
R.A.F. Station, Jalahalli.
BANGALORE.

To :- The Adviser to the Government of Madras,
Education and Public Health Department,
Fort St. George, M A D R A S.

Thro'
The Officer Commanding,
No.2 Demobilisation Centre,
R.A.F. Station. Jalahalli,
BANGALORE.

Sir,

SUB :- MEMORIAL DATED 9th APRIL, 1945 TO THE SECRETARY TO THE GOVERNMENT OF MADRAS, EDUCATION/PUBLIC HEALTH DEPARTMENT.

Most humbly I beg to submit the following for your honour's kind consideration and favourable orders.

I beg to state that I submitted the above memorial (Copy - enclosed) in the month of April, 1945, and no reply to the same has been received yet. H 1-2 ante

I beg to state that I was an employee of the Salem District Board and my services were lent as an A.R.P. Depot Superintendent, Salem, as a full time worker. This war service of mine has interrupted my continuous service in the District Board and affected my regular promotions, increments, and provident fund benefits in addition to seniority.

The President of the Salem District Board relieved me only on receipt of a copy of my appointment order sent to him by the District Magistrate, Salem vide instructions contained in G.O. No.1717 L.A. dated 4th June, 1944 and thus I got proper relief to join War Service. [illegible]

Hence I humbly request that my memorial dated 9th April, '45 may kindly be called for and personal attention is shown in passing the final orders on the same treating my War Service in the A.R.P. as deputation from the Local Board Service agreeable to G.O. No.764 L.A dated 9th January, 1943.- (Copy on p 5 ante)

I beg to remain,
Sir,
Your most obedient Servant
M Edward Samuel

JALAHALLI.
10th JAN., 1946.

Encl: As stated above.

From: Sgt.M.E.Samuel- B.A.L.T.
IND/40620 Educational Instructor,
No.1 R.T.C., R.A.F., Walton, Lahore.

To : The Secretary to the Govt.of Madras,
Department of Education~~al~~ and Public Health,
Fort St.George, MADRAS.

Through: Officer Commanding, No.1 R.T.C.

Sir,

Most humbly I beg to submit this memorial against the orders conveyed to me in Dis No.3940/44 dated 6.11.44 from the Director of Public Instruction, Madras. (Vide extract A.)

The facts of the case are that I, a permanent Senior Maths. Assistant of the Dist. Board High School in Salem Dist. with five years service to my credit, applied on 4.6.42 to the Dist.Magistrate Salem, through the President, Dist. Board, Salem for the post of an officer in the Staff or Stores Department of the A.R.P. Services, Salem. Since I had no reply till nearly two months, on 3.8.42 I approached the Dist.Magistrate Salem personally with another application by way of reminder. During my interview, I not only invited the attention of the Dist.Magistrate to my former application but also acquainted him with the testimonials given to me by several officers appreciating my war efforts. The Dist.Magistrate was pleased to appoint me as second Depot Superintendent in the A.R.P. Salem, and recognising the fact that I was a Local Board Servant, caused a copy of my appointment order etc. (Roc No.367/ARP/42 dated 4.8.42 and 13.8.42 vide extracts B & C) to be communicated to the President, Dist. Board, Salem so that I might get relief to join my new appointment immediately.

Accordingly I was relieved from the Dist.Board service in Roc. No.B 2 14891 - 42 dated 9.8.42 and 12.8.42 (vide extracts D & E). I joined duty on 17.8.42 in the A.R.P.: and within the short period of my service there, the authorities were so pleased with my work that my salary was raised from Rs.75/- to Rs.100/-: but quite suddenly at the instance of the Govt. of Madras, on 30.3.43 I was told that I should revert to my permanent appointment in the Dist.Board, Salem with immediate effect from the after noon of next day. This obli~~d~~ged me to apply to the Dist.Magistrate for leave for 20 days, but as the A.R.P. was disbanded and I was relieved earlier, he could not grant it and I had to apply to the President, Dist.Board for the same leave.

At this point the President, Dist.Board made a reference to the Dist.Magistrate claiming my leave salary from the Provincial Funds as per G.O. No.764/LA dated 9.1.43. But the Dist.Magistrate to my shock and for reasons unknown to me and quite inexplicable in the face of the past facts, stated that I was taken in as an outsider and as such the President Dist.Board could not claim my leave salary from the Provincial Funds. Thereupon the President Dist.Board passe an order that my period of service in the A.R.P. (17.8.42 to 31.3.43) subsequent leave period (1.4.43 to 20.4.43) and joining time (21.4.43 to 27.4.43) should be treated as extraordinary leave without allowances with permission to seek employment elsewhere.

This order at one stroke not only deprived me of the privileges allowed by His Majesty's Govt. to those deputed for war servic but also peanalised me for having volunteered in that the seven and a half months of service in the A.R.P. do not count for increment leave, Provident Fund Bonus etc. as the matter stands now. My appeal to the Director of Public Instruction for redress of this situation was turned down without any reasons being given, except for the leave being recommended from 1.4.43 to 27.4.43. (Copy enclosed A).

Since I believe that a far better treatment is definitely contemplated upon in the several G.O.'s published for those who volunteer for war service, I beg to request that a favourable reconsi-

27

enclosed

contempl
volunteer

24

(12)

deration might be given to my claim on the strength of the followin facts:-

1. Both during my interview with the Dist.Magistrate and on passing the order of my appointment as second Depot Superintendent he was aware that I was a Dist.Board servant and his recognition of this fact was recorded in that a copy of the appointment order was duly communicated to the President, Dist.Board for necessary relief orders by the Board.

2. The same fact was further recorded in that my service register was called for and entries were made there for the period of my service in the A.R.P. No outsider has ever had such a record kept for his service in the A.R.P.

3. In passing the relief order the President, Dist.Board did not mention that the period of service in the A.R.P. should be treated as an extraordinary leave without allowances, nor did he object to the entry of the A.R.P. service in my service register.

4. During all these seven months of my service in the A.R.P. my name was shown in the pay bills of the Dist.Board High School, Attur, Salem Dist. as on other duty at the A.R.P.Training School.

5. Service in the A.R.P. under the same Provincial Govt. and in the same Dist. can hardly be taken to mean seeking employment elsewhere. Also in passing the return to duty order the President, Dist.Board clearly mentions that I have been relieved from A.R.P. Department and not returning from the expiry of any extraordinary leave granted to me (vide extract F.)

6. It was only an after-thought on the part of the President Dist.Board to state, and that too was given expression to only after my return from A.R.P. to the Dist.Board service, that my service period should be treated as an extraordinary leave without allowance with permission to seek employment elsewhere. This attitude is both contrary to the orders passed by the President, ten months earlier and the entries in the pay bill as well as subversive to the aim of His Majesty's Govt. towards Local Board servants deputed for military duty.

7. It is quite inexplicable how the President, Dist.Board who made such an immediate and elaborate relief arrangments for enabling me to join the A.R.P. could now state that he did not depute me to serve in the A.R.P., taking refuge in the interpretati of my case by the Dist.Magistrate inspite of the facts to the contr

In view of these facts and in recognition of my services to the Crown, I beg to request that my period of service in the A.R Salem from 17.8.42 to 31.3.43 may be treated as on deputation by th Salem Dist.Board as per G.O. No.764 L.A. dated 9.1.43, so that:

(i) The period from 22.4.43 to 27.4.43 may be treated as joining time on average pay,

(ii) The with-held bonus towards my Provident Fund Accts in the Dist.Board may be sanctioned, and

(iii) My service may be regularised in the Dist.Board so as to enable me to draw my increments without postponement.

I beg to remain,
Sir,
Your most obedient Servant,
M Edward Samuel.

Walton:
Date: 9th April '45
Encl. 6 (A to F).

(18) 30

APPENDIX "A"

PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS
Dis. No. 3940/44 dated 6.11.44

SUB:- Petition - Sri. M. Edgard Samuel - Secondary Schools - Salem District Board - for payment of leave salary etc - Orders passed.

READ: Petition from Sri.M.Edward Sameul dated 4.4.44
: Letter from the President, District Board, Salem, L-Dis.1146/44 dated 30.6.44.
: Further petition from Sri.M.Edward Samuel dated 20.8.44
: Endorsement of the President, District Board, Salem, Dis.No.19453/44 dated 12.9.44.

The request of the petitioner to modify the orders of the President District Board, Salem treating the period of his service in the A.R.P. up to 31.3.43 as extra-ordinary leave without allowances, cannot be complied with. The President, District Board is advised to treat the period of his absence from 1.4.43 to 27.4.43 as 21 days' earned leave and 6 days' unearned leave.

2. His supplemental petition dated 21.8.44 against the recovery of bonus from his provident Fund account is also rejected.

Sd. T.SURYANARAYANA.
for Director of Public Instruction.
Sd. ? ? ? ?
SUPERINTENDENT

To
The President, District
Board, Salem.

Copy to
Sri M.Edward Samuel
Through the President, District Board, Salem.

(TRUE COPY)

APPENDIX "B"

PROCEEDINGS OF THE Dt.Magte & A.R.P. Controller, Salem
Name : R.M. SUNDARAM Esq., I.C.S.,

Roc No.367/42 dated 4th August 1942

Short title : War - A.R.P. Salem - Depot Superintendent for a Second Depot in Salem - Appontment - Orders passed.

Read : Deputy Inspector General's remarks on the A.R.P. Programme for Salem and his C.No.1635-CD-42, dated 1.8.42.
2. Petition of Mr. M. Edward Samuel B.A., L.T. dated 3.8.42-

ORDER

Mr.M.Edward Samuel B.A., L.T., is appointed as a Second Depot Superintendent on Rs.75/- per mensem. He must join duty as soon a seat is secured for him in the A.R.P. Training School, Madras. Meanwhile he should make arrangements to get himself relieved from the District Board Service.

Sd. ? ? ? ?
For Dt.Magte & A.R.P.
Controller, Salem.

To
The individual
Copy to the President, District Board, Salem.

31

(19) 32

APPENDIX "C"

War - A.R.P. Salem - Training of Second Depot Superintendent.

PROCEEDINGS OF THE DT. MAGISTRATE & A.R.P. CONTROLLER, SALEM.
Present :- R.M. SUNDARAM, ESQ, I.C.S.,

Roc. No.367/42/A.R.P. dated 13.8.42

READ: (1) Thsi office Proceedings 367/42 dated 4.8.42
(2) Deputy Inspector General's C.No.1635/CD/42 dated 11.8.42

ORDER

Mr. M. Edward Samuel, B.A., L.T., who was appointed as Second Depot Superintendent should report himself for duty before the Special A.R.P. Officer, Salem on 17.8.42 and proceed to Madras the same day for training. He should appear before the Commandant A.R.P. Provincial Training School, Madras at 9 A.M. on 18.8.42 without fail.

Sd. ? ? ? ?
for District Magistrate & A.R.P. Controller.

To the Individual
Copy to the Deputy Inspector General, Civil Defence, Madras and the Commandant, A.R.P. Provincial Training School, Madras
Copy to the President District Board, Salem.

/True Copy/

APPENDIX "D"

Proceedings of the President, District Board, Salem.
Present Sri. K.A. Nachiappa Gounder M.L.A.,
Roc: B2/14891-42 Dated 9th August 1942.

Establishment - Education - Secondary - Appointments and transfers - Orders issued.
READ : District Board Resolutien Resolution No.130(980) dated 24.7.42
(2) Letter R.O.C.No.369/42 dated 29.7.42 and D.O. Letter dated
2.8.42 of the District Educational Officer, Salem.

ORDERS

Sri R.Y. Guruswamy Ayyer B.A., L.T., permanent Secondary Grade
Assistant Board High School Attur is promoted to act as L.T. Assistant
of the same High School on Rs.65/- per mensem in the scale of 65-5/2-100
vice No.2.
2. Sri N.S. Nagasubb Rao B.A., L.T., L.T. Assistant Board High
School Attur is transferred to be L.T.Assistant Board Hight School
Tiruchengode on Rs.80/- per mensem in the scale of Rs.65-5/2-100 vice No.3
3. Mr. Edward Samuel B.A., L.T., L.T. Assistant Board High School
Tiruchengodu who has been selected for A.R.P. Work is hereby ordered to
be relieved from duty to take up his new appointment from the date of his
relief by No.2. His lien stands transferred to the Board High School,
Attur.
4. Mr.B. Savlappa B.A., L.T., the next candidate in the waiting list
is appointed to act as Secondary Grade assistant Board High School Attur
on Rs.30/- per mensem in the scale of Rs.30-2/2-50. To join duty forth-
with.
N.B. No.2 to be relieved immediately with instruction to join his new
station as early as possible without availing full joining time.

Sd. M.M. Krishnaswamy
for Presedent.

To the parties concerned.
through the Headmaster.
Copy to the Headmaster Board High Schools Attur, Tiruchengodu in triplicate
Copy to the District Educational Officer, Salem.
Copy to G.7 and B.2 /True Copy/

Sd. ? ? ? ?
Superintendent.

/True Copy/

APPENDIX "E"

Establishment - Appointment and Transfer of L.T. Assistant Secondary Schools - Orders Issued.

Proceedings of the President, District Board, Salem

R.O.C. No.B.2 14891-42
READ :-1. This Office Proceedings R.O.C. No.B.2 14891-42 dated 9-8.42
2. D.B.R. No.130(980) dated 24.7.42.
3. Petition dated 10.8.42 from Mr. M. Edward Samuel, B.A.,L.T. dated 10.8.42 and Endt. No.151/42 dated 10.8.42 of the Head Master Board School, Tiruchengode thereon.

ORDERS

Mr. M.Edward Samuel, B.A., L.T., L.T. Assistant Board High School Tiruchengode whose lien stands transferred to the Board High School, Attur and who has been ordered to be relieved to take up his new appointment in the A.R.P. work in this office proceedings ROC.No.B2. 14891-42 dated 10.8.42 is now transferred to act as L.T. Assistant Board High School, Dharmapuri on Rs.75/- per mensem in the scale of Rs.65-5/2-100 in the temporary L.T. Post created consequent on the opening of 3rd section in IV. Form of the school. He will join duty at Dharmapuri after relief as early as possible without availing full joining time.

Note :- If Mr. M.Edward Samuel, receives order from the A.R.P. training School before he joins duty at Dharmapuri he may join the A.R.P. Training school and report the fact to this office and to the Head Master Dharmapuri. If he does not receive the orders before he joins duty at Dharmapuri, he will join duty in his new station and await orders from the A.R.P. training school.

Sd/M.M. Krishnaswami
for President.

To the Party through the H.M. Bd.
H.S. Tiruchengode.
Copy to the H.Ms Board High School, Tiruchengode, Dharmapuri and Attur
in duplicate
Copy to the D.E.O. Salem and G.7 in duplicate and copy to B.2

/True copy/
Forwarded by Order

Sd. ? ? ? ?
Superintendent.

/True Copy/

APPENDIX "F"

Establishment - Return to duty - Sri.M. Edward Samuel, B.A., L.T. arrangements - orders.

Proceedings of the President, District Board, Salem
Present : Sri. K. A Nachiappa Gounder, M.L.A.,
Dated. 17.4.43

R.O.C. No.B.2. 9986-43
READ : Report dated 12.4.43 from Sri M.Edward Samuel, B.A., L.T.

ORDERS

1. Sri. M. Edward Samuel, B.A., L.T., L.T. Assistant who has been relieved from A.R.P. Department and who has applied for leave upto .20.4.43 is permitted to join duty after expiry of the leave as L.T. Assistant Board High School, Dharmapuri in the temporary L.T. Post on Rs.75/. p.m. in the scale of Rs.65-5/2-100 and relieve No.2. His permanent lien is at Attur.

2. Sri. Johnson Joseph, B.A., L.T., Acting L.T.Assistant, Board High School, Dharmapuri on relef by No. 1. will stand ousted for want of vacancy.

Sd. M.M. Krishnaswamy
for President.

To Sri.M. Edward Samuel, B.A., L.T.
10 Habbeeb Sahib St. Fort Salem.
Sri. Johnson Joseph, B.A., L.T. through the H.M.
Copy to the H.M. B.H.S., Dharmapuri in duplicate ; Copy to the H.M., B.H.S.
Auttur: Copy to the D.E.O. Salem : Copy to G. Section in duplicate

/True copy/ forwarded by order

Sd. ? ? ?
Superintendent.

/True copy/

357

65/21/1

Edn (B)

5136

Establishment – District Board Salem – Sri M. Edward Samuel – Secondary School Assistant – Request for treating the period of service in ARP Salem as on deputation – Petition against Director's orders – Rejected.

CNo 19024/45 pp1-3 & 24 cf — Petition from Sri M. Edward Samuel, Educational Instructor No 2 Demobilization Centre RAF Station Jalahalli d 9-4-45 & 10-1-46

p 23 cf — From the Officer Commanding No 2. Demobilization Centre R.A.F. Ref. 2DC/2204/8/P.5 d 10-1-46

pp16-17 cf — From the P.D.B. Salem Roc. B2 11059-45 d 7-9-45

p18 cf — From the DPI Rc no 1394-G/45 d 2-10-45

p21 cf — From the Collector of Salem L. 15648/45-C-7 d 4-12-45

Order Ms No 146 Edn. dated 21.1.46

21.1.46

p 7 cf

The Govt do not consider that there is any case for interfering with the orders passed by the P.D.B., Salem, & the DPI in the matter. The petition is rejected.

KSR 17.1.46

BM 17/1/46

18/1/46

To
The petitioner through the Officer Commanding No 2. Demobilization centre RAF Station, Jalahalli Bangalore
P.D.B. Salem
DPI
Collector of Salem

Despd KSJ 22.1.46

N. Dis. 1

(22)

Estt. (B)

Establishment - District Board Salem - Mr. M. Edward Samuel - Assistant Board High School, Dharmapuri - Request for treating the period of service in ARP as on deputation.

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pp 1-3 cf C.No 19024/45. Petition from Mr. M. Edward Samuel Asst Board High School. Dharmapuri, d 9.4.45

p 10 cf From the P.D.B., Salem Roc. No 1394 A/45 d 7.9.45

p 18 cf From the D.P.I. RC. No 1394 G/45 dated 2.10.45

p 21 cf From the collector of Salem L. 15648/45 d 4.12.45

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p 16 cf

The petitioner Mr. M. Edward Samuel is a permanent Secondary School assistant under the Salem Dt Bd with about five years' service. On 4.6.42 he applied to the Dt Magistrate Salem, through the P.D.B. Salem, for an appointment in the ARP and it was forwarded with an unfavourable endorsement. The application was not considered. On 3.8.42, the petitioner applied direct to the ARP Controller for another appointment and he was appointed as the Second depot Superintendent. He was asked to make his own arrangements to get himself relieved from the Dt Bd service and a copy of the appointment order was communicated to the P. DB, Salem. He was allowed to have a lien on his substantive appointment under the Dt Bd and permitted to take up the ARP appointment. He was relieved of his duties on 31.3.43 when the ARP scheme was wound up. He applied for leave for 20 days but he was directed by the Dt Magistrate, Salem, to apply to the P.D.B. Salem. At this stage, the P.D.B. Salem, applied to the Dt Magistrate Salem, claiming leave salary for the period of leave earned during service in the ARP from Provl funds as per G.O. No 764 LA d 9.1.43, but the Dt Magistrate refused to admit the claim on the ground that Mr.

p 21 cf
A

Copy on p 7 cf

p 21 cf

para 4 on p 1 cf

Copy on pp 5-6 cf

8

Dev. Dept.

G.O. No. 472 I/36-2, d 26.2.36

Refce: Dir's letter No. 1 Engy/36 dated 7.2.36 - Industries - Stores - Articles required for use during 1936-37. Purchase of - Instructions regarding. -

The Director of Industries is informed that the instructions issued by the Govt of India, Deptt. of Industries & Labour in their letter No. S. 497, dated 20.5.1930, apply to offices of the Central Govt. The orders issued by this Govt regarding the utilisation of the agency of the Indian Stores Deptt., Delhi, are contained in G.O. No. 858, Finance, dated 9.12.1929, which should be followed.

[illegible] 26/2/36.

pp 1-4 CF.

①

⑤

Despd [illegible] 26/2

To the Dir. of Industries 26.2.36.

S.O. 25.2.36

12/36

26/2

55

Edward Samuel was recruited direct, and considered as an outsider for purposes of the appointment in the ARP.- Thereupon the PDB, Salem. ordered that the entire period of the teacher's absence from 17.8.~~32~~ 42 to 27.4.43. should be treated as extraordinary leave without allowances with permission to seek employment elsewhere. The petitioner appealed to the DPI against the order of the PDB. Salem. The DPI declined to comply with the petitioner's request for treating the period of his service in the ARP up to 31.3.43 as on deputation and advised the PDB Salem to treat the period of absence of the teacher from 1.4.43 to 27.4.43 after relief from ARP. as one of earned + unearned leave. The Assistant has now petitioned to the Govt for treating the period of service in the ARP Salem from 17.8.42 to 31.3.43 as on deputation by the Salem Dt Bd so that he might get the benefits referred to at A on p 3 cf

p.12 cf

p.7 cf

2. The Dt Magistrate, Salem, knew that Mr Edward Samuel. was a permanent School Assistant under the Dt Bd and he communicated a copy of the appointment order to the P.DB, Salem. It is not clear how he could treat the teacher as an outsider and a direct recruit~~ment~~. The P.DB, Salem. should also have ascertained from the Dt Magistrate, Salem, whether leave salary, transit pay and Provident fund contribution would be met from Provincial funds before relieving the ~~Asst~~ to take up the appointment in the ARP. It would seem that the assistant should not be penalised for the mistake of the authorities, and that the period of service in the ARP should be treated as on deputation.

D

3. The P.DB. Salem. may be asked to report whether the School Assistant was contributing to the ~~Provident fund~~ while he was employed in the ARP. Salem, and if so what is the amount of leave salary, transit pay & ~~Provident~~ fund contribution payable

from Provincial funds if the period of service in the ARP is treated as one on deputation.

A draft memo is submitted below for approval. Public and L.A. may see

KSK
27.12.45

BM
30/12/45 S

The question is whether this service can be treated as 'deputation'. I think it is quite clear from A at p.1 ante & B at p.17 cf & C at p.21 cf that it cannot be treated as deputation. I do not agree with the views ~~indicates~~ indicated at D at p.2 ante. The petitioner was clearly to blame for putting in an application direct - & he must take the consequences. The Collector was obviously not concerned with how exactly the petitioner [illegible] got himself relieved from his Dt. Bd employ [illegible] where the 'direct' appointment was made: he cannot be blamed. It was open to the P.D.B to ask for his verification or to discharge him - but instead he had in fact allowed him a concession by keeping his lien for ~~him~~. The [illegible] orders about leave were also in the nature of concessions & not of penalisation. I do not think there is any case for interference with the orders passed by the P.D.B & the D.P.I. The petition may be rejected.

[illegible]
3/1/46

Pub:
L.A

Public (Ser) Dept

ASSISTANT SECRETARY TO GOVT.
4 JAN 1948
CHIEF SECRETARIAT

37/46
4.1.46

Pub Serho
37/461 291-46

E.&P.H. U.O. No
19024/45-3.E
4-1-'46.

Public (A.D) U.O.

8/1/46

8/1/46
8.1.46

B

Pub. C.D. Dept

Please see the petition on pp 1 and 3 CF and the reports on pp 16-18 and 21-22 CF and E.P.H. Secy's note on p 3 ante. As the petitioner was not appointed to the A.R.P. service on the application sent through the Dt. Board, it cannot be said that he was deputed by the Board to A.R.P. service so as to make him eligible for the benefits sanctioned in G.O. 76 L.A. — Cf. G.O. 9.1.45 to local board servants left for A.R.P. service. p 5 CF

The file may be passed on to L.A.D.

16/1/46

9/1/46

Pub (C.D) u.o. 88/46-1 10-1-46

L.A.D.(A)

Submitted that this Dept may agree with view expressed by Secy E&P.H & the Pub (C.D) Dept that the peti's service in A.R.P cannot be treated as deputation. The case may be returned to E&P.H.

11.1.46

TBR 12.1.46

16/1/46 Secy

Ed PH

LOCAL ADMN. SECRETARIAT, MADRAS 10 JAN 1946

V 11.1.46

989

16/1

L.A. u.o. 989-1 A 16/1/46

Ed PH(B)

Cno 2145/45. From the Officer Commanding No 2 Demobilisation Centre, R.A.F. No 40620 d 10.1.46

Please see the further representation from Mr Samuel on p. 24 cf.

The facts of the case are stated in para 1 of this Dept's note on pp 1-2 ante. The petitioner's request is that the period of his service in the ARP Salem may be treated as on deputation so that he might get the benefits

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

26/1

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(24)

referred to at A on page 3 cf.

p 21 cf

2. The petitioner applied to the A.R.P controller Salem, direct, for appointment as Second Depot Superintendent and he was therefore treated as a direct recruit and the period of his absence from the Dt Bd service was treated as extraordinary leave without allowances with permission to seek employment elsewhere.

p 17 cf

Both Public (C.D) & L.A. agree with the view expressed by the Secretary on page 3 ante.

A draft order rejecting the petition is submitted below for approval. The file may be circulated to A2 with reference to his minute on p 23 cf.

18/1

USR 1.46

17/1/46 S

18/1/46 A2

1.46

SECRETARY, ED. AND P.H. DEPT. 21 JAN 1946 GOVERNMENT OF MADRAS

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