

Put Away
3/19 sub

Secd. II-27-87,004-18-11-45.

Edn and P.H.

(194 6) Department.

MS. SERIES.

G.O. No.

1583 Edn.

Dated

15.8.46.

[Despatch Abstract.]

Fundamental Rules - Dr. C. Narayana Rao, Assistant Lecturer, Govt. Arts

College, Anantapur - grant of leave- orders issued.

Back Papers.

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

Further Papers.

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

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
R.C.No.2281.C/45, dated 19.3.1946.



READ: Letter dated 24.12.45 from Dr.C.Narayana Rao,
Retired Assistant Lecturer in Languages, Ceded
Districts College, Anantapur.

Submitted to Government.

The petitioner is not eligible for the leave asked
for as leave was not refused under 86 (a) of the Fundamental
Rule. His petition deserves no consideration.

for Director of Public Instruction.

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

RR.21-3.

2

Memo. No. 16069 A/46 -

Edn. dt.

Exp. H. (A)

Subj: - Dr. C. Narayana Rao, Retd. Asst.
Lecturer, Ceded Dist. College, Anantapur -
Petition for leave - salary.

Ref: - ~~Letter~~ ^{Petition} dt. 24.12.45 from Dr. C. Narayana Rao. - p 3 below
From the D.P.I. R.C. 2281-C/45 dt 19.3.46. - p 1 above

The petitioner is informed
that his request cannot be complied with.

To
Dr. C. Narayana
Rao. (Retd.)
Asst. Lecturer,
C.D. College,
Anantapur.
Copy to the D.P.I.

Note:- In view of the D.P.I.'s
recommendation on p.1. above, the petition
may be rejected. The draft memo above is for approval.

Anantapur,
24-12-1945.

From

Dr. C. Narayana Rao M.A., Ph.D., L.T.,
Assistant Lecturer in Languages (Retd.),
Ceded Districts College, Anantapur.

To

The Secretary to Government (Education)
Madras.

Through The Principal, C.D. College, Anantapur
Sir, and the Director of Public Instruction, Madras

I request you to be so good as to consider the
following representation and grant me the request prayed
for.

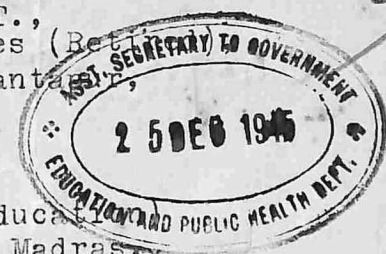
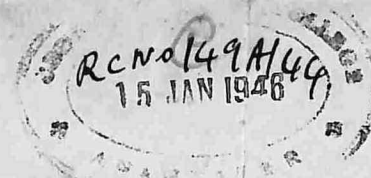
2. I applied for leave on full average salary from
the 22nd August 1945 to the 22nd September 1945. The
Director of Public Instruction was pleased to grant me
the leave applied for. But the order granting the
leave was communicated to me only on the 9th September
1945 and I was ~~not~~ ^{actually} relieved ~~on~~ the 19th September 1945.
All this period I was on duty in the college. I beg to
submit that on account of the delay in communicating the
orders granting the leave and because I was ~~not~~ ^{actually} relieved
~~on~~ the 19th September 1945, I was prevented from
availing myself of leave which was earned and which was
also actually granted.

3. I beg to submit that under these circumstances I
am entitled to the leave salary from the 22nd August 1945
to the 19th September 1945 both days inclusive.

4. I request you therefore to view the matter sympatheti-
cally and pass orders to enable me to draw my salary for
the above period.

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

C. Narayana Rao



4

2

C 58925 + 58924
Edn + P.H. Dept
Encl No. 58924C
2.1.46
Returned for resubmission
through the proper channel
(B.O.)

J. S. M. H. S.
Asst. Secy to Govt.
Cwa
31/12
Dr. C. Narayana Rao M.A. Ph.D.
Asst. Lecturer (Retd)
Ceded D's College,
Anantapur.

Resubmitted through the Principal, C. D. College,
Anantapur and the District Public Instruction,
Madhav.

13/1/46 T.M. 10069A/46 From: A.S. To: The Dy. D.P.I.

Issued 29/1/46
Pr. remind
P.C.F.
Ref: - Lett from Dy. D.P.I. No. P.C. 2281 of 45 dt 19.3.45
Can what date
Please say (under) Dr C. Narayana

Rao applied for leave preparatory to retirement,
(2) when the application was received in the Director's office
and (3) when orders sanctioning the leave were issued.
(4) Please also state what steps were taken to ensure that the officer was
not distressed in any manner so as to avail the leave
preparatory to retirement sanctioned by the Director

p.c. to go
29.3.46
Note: - It is true as stated by the Director
[P.T]

22/3/46

That F.R. 86 (a) has no application to the case on hand. But it seems that once the leave preparatory to retirement is sanctioned it is incumbent on the ^{sanctioning} authorities to see that the officer proceeding on leave (esp. on leave preparatory to retirement) is relieved in time. The T.M. above is for approval.

29.3.46

29/3/46

From A S E J H
The Dy Dy D I

Sub. Dr C. Narayana Rao, Retd Asst Lecturer,
C.D. College, Anantapur - petition for grant of
pay for leave period.

Ref my T.M. 2-4-46

p 5 rule

to the T.M. cited. As expedite your reply

P.C. 5/4

30.5.46

31/5/46



Office of the
Director of Public Instruc-
tion, Madras, 7-6-1946.

T.M. (By Post)

The Assistant Secretary to Government
Education & Public Health Department.

30558

Ref: Your T.M. dated 2.4.1946 regarding petition for grant
of pay for leave period from Dr. C. Narayana
Rao, retired Assistant Lecturer, Coded Districts
College, Anantapur.

- (i) Dr. C. Narayana Rao applied for leave preparatory to retirement on 15.8.45;
- (ii) The application was received in this office on 17.8.45;
- (iii) Orders sanctioning leave were issued on 7.9.45;
- (iv) He would have been permitted by the Principal to hand over charge of the post on the forenoon of 22.8.1945 and proceed on leave in anticipation of sanction if he had asked him as is usual in all such cases. This the petitioner does not appear to have done. The College was closed for the Michaelmas vacation on 9.9.1945 and reopened on 1.10.1945.

M. S. S. S.
for Director of Public Instruction.
7.6.46

GAW/7.6.1946.

8

LPH(A)

T.M. on p 5 ante. It may be observed that the
 leave application of the petitioner had been considerably
 delayed in the Director's office (a) from 15-8-45 - 7-9-45
 and that ^{the argument that} the petitioner has not asked the Principal
 of the College to relieve him on the forenoon of 22-8-45 in
 anticipation of the Director's order. Cannot it seem
 the appropriate course would have been for the Director to have asked the Principal to relieve the petitioner in anticipation
 he regarded as the petitioner's fault. The request in the
 petition on p 3 ante seems reasonable and may be
 granted. Finance may be consulted.

ES
K. S. S.

6

E & P.H. Dept. (A)

Sub: M.E.S.S.--Sri C. Narayana Rao, Asst. Lecturer--
 Delay in the grant of leave preparatory to
 retirement.

Ref: From the D.P.I. T.M. (by post) d. 7-6-46.
 **

Memo. No. 16069 A/46-2 Edn. dated 6-7-46

It is observed that there had been delay from
 17-8-45 to 7-9-45 in granting the leave preparatory
 to retirement to Sri C. Narayana Rao and also from
 7-9-45 to 19-9-45 ⁱⁿ relieving him from duty, after the
 leave was sanctioned by the Director of Public
 Instruction. The Director of ~~Public Instruction~~ is
 requested to ^{report} ~~explain~~ urgently in detail the reasons
 for the delay.

Dr Pd
 9-7-46
 To the D.P.I.

3-7-46
 3-7-46
 6/7/46

C.F. 32.

In reply, please quote
number, date and
short title.*



Education DEPARTMENT.

Received _____ Registered _____

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

(Designation) Director of Public Instruction,

Post Box _____, (Station) Madras.

Telegraphic Address _____

To

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

Rec. No. 2281 C/45, dated 24-7-1946 19

Sir,

* Dr. C. Narayana Rao, Assistant Lecturer in
languages - grant of leave preparatory
to retirement.

Ref: Memo No. 16069 A/46-2 Bdn., dated 6-7-1946.

I have the honour to state that there was
some avoidable delay in sanctioning the leave as
the Principal, Veda Districts College had to be
consulted for the posting of a substitute in the
place of Dr. C. Narayana Rao.

In my Proceedings C.3438 C/45 dated 29-8-45,
the Principal was consulted regarding the appointment
of a substitute. Hence he should have been aware that
the leave applied for by Dr. C. Narayana Rao would not
be refused and the Principal could have relieved the
Assistant Lecturer atleast on receipt of the orders
sanctioning leave. Meanwhile the College was closed
for Mid-term holidays from 9-9-45 to 30-9-1945.
Normally the Assistant Lecturer could have asked for relief
even on 22-8-45 the date from which he had
applied for leave and proceeded on leave in antici-
pation of sanction as is generally done. This the
petitioner does not appear to have done. Atleast
he could have got himself relieved on receipt of
the Proceedings sanctioning leave, which has also not been
done. Presumably he did not want to be relieved at all
though he had applied for leave preparatory to
retirement, so that he could enjoy the mid-term holi-
days from 9-9-1945 to 30-9-45 and subsequently
he benefited by the leave as one refused preparatory to
retirement.

M. S. S. S. S.
24.7.46
for DIRECTOR OF PUBLIC INSTRUCTION.

K.H. 24-7.

sol
24/7

99/15/3

F.R. - Dr C. Narayana Rao, Asst. Lecturer, Govt. Arts College, Anantapur - grant of leave - orders issued

From Dr C.N. Rao, petition of 24-12-45
the DPT, R.C.N. 2281-C(45) of 19.3.46
" " " " of 24-7-46

Order no. 1583 Edn of 15-8-46.
ms

Dr C. Narayana Rao, Asst. Lecturer, Govt. Arts College, Anantapur, was not relieved of his duties till 19-9-45, though he applied in time for one month's leave preparatory to retirement from 22-8-45. The Govt. direct that he should be granted the balance of leave not availed of (ie) for

from the period from 22-8-45 to 19-9-45 (both days inclusive) from the date of his retirement

under F.R. 86(a) The D.P.I. is requested to issue orders accordingly.

13.8.46 15.8.46

12/8/46

To The D.P.I. A.C. Secy

20/8/46

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

From Sri C. Narayana Rao, dated 24-12-45.
C.16069A. From the D.P.I., R.C.No. 2281-C/45, dated 19-3-46, and T.M. dated 7-6-46.

V.E.S.S. - Sri C. Narayana Rao, Asst. Lecturer - Delay in the D.P.I.'s Office in the grant of leave prep. to retirement.

Dr. C. Narayana Rao, Asst. Lecturer, C.D. College, Anantapur, retired from service on 22-9-45. Before retirement he applied to the D.P.I. for L.A.P. for 1 month from 22-8-45. His leave appln. dated 15-8-45 was recd. in the Dir.'s Office on 17-8-45. Orders sanctioning the leave were issued on 7-9-45. The order was communicated to the Asst. Lecturer on 9-9-45 but he was relieved of his duties only on the 19th Sept 45.

The Asst. Lecturer has now reported that he was on duty from 22-8-45 to 19-9-45. The appln. for leave preparatory to retirement should have been dealt with expeditiously and orders issued at once. There was, however, a delay of 3 weeks in the Dir.'s Office. Further, though the order was communicated to the Asst. Lecturer by the Principal on the 9th, he was actually relieved of his duties only on the 19th, after a lapse of 10 days. The result was that the Asst. Lecturer lost almost all the leave preparatory to retirement he had to his credit. He now requests that his case may be viewed sympathetically and that he may be granted leave (after retirement) for a period equal to the one from 22-8-45 to 19-9-45. The Dir. has reported that the Asst. Lecturer was not refused leave under F.R. 86(a) and that therefore he is not eligible for leave after retirement. In so far as the Asst. Lecturer was not allowed to avail himself of the leave, though it was applied for in time, it seems that the case will have to be treated as one coming under F.R. 86(a) and he be granted leave for a period of 28 days after retirement. The Dir.'s argument at "A" on C.F. 7, that if the Asst. Lecturer had asked the Principal for relief in anticipation of sanction of the leave he would have been relieved, does not seem convincing. Finance may see for remarks. Apparently the Principal when forwarding the leave application of the Asst. Lecturer did not report to the D.P.I. that he relieved the Asst. Lecturer in anticipation of the leave being

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Rs. 6.00

Sanctions. The D.P.I. should have therefore issued immediate orders for the relief of the Asst. Lecturer, if he was not for refusing the leave applied for. In the circumstances the request of the Asst. Lecturer that he may be granted leave after retirement seems admissible. Finance may see for remarks.

15-8-46
16/8/46
18.6.46

18.6.46

34303CB



Finance

Edu v. 16069 A/46-1-52

18-6-46

Finance (CSR.)

Please see the notes of E.P.H. on pp.1-2 above.

Dr. C. Narayana Rao, Asst. Lecturer, applied for leave for one month from 22-8-45 preparatory to retirement, only on 15-8-45. The application reached the D.P.I. the authority to grant leave on 17-8-45, when there were only 5 days for the leave to commence. As the leave was preparatory to retirement, the sanctioning authority must have had to decide, with reference to the hands available, whether the leave should be granted or refused. This would have taken some time.

Finance may consider that the leave was not applied for in sufficient time, and the delay in the grant of leave was necessitated by the late application for leave. If the above view is accepted, it is not necessary to grant the request of the petitioner. The petition may be rejected as recommended by the D.P.I.

We do not know exactly what the cause of the delay was.

28/7/46

21/8/46

I think the D.P.I. may be asked to state exactly why there was delay between 17/8 and 21/9 in granting the leave and between 21/9 and 28/9 in relieving the officer. Whether the request may be allowed or not will depend on the reply to these queries. If leave could have been given and relief provided earlier, in the ordinary course, but the delay was due to negligence or avoidable causes, there is no reason to deprive the officer of his leave.



JOH(A)

28/7/46

EMA 34303CB-1 24/6/46

16069 A/46-2 Edu 26-7-46
C.N. 40586/46, From the D.P.I., Rec No 2281 C/45 & 24-7-46

11/11/46

The D.P.I. admits that there was some avoidable delay in sanctioning the leave. His argument, that when his office issued a reference to the Principal about the appointment of a substitute, the latter should have been aware that the leave applied by the Asst. Lecturer would not be refused and that he should have relieved the Asst. Lecturer, does not seem to be convincing. He could have issued clear instructions for the relief. Further the arguments that the Asst. Lecturer could have got himself relieved and proceeded on leave in anticipation of sanction, if he had only asked for it, only indicates an attempt to shift the burden from one to the other.

22/11/46
obvious fault
A lame attempt

In the circumstances, the request of Dr. C.N. Rao for granting him leave after retirement seems reasonable and Finance may see again for remarks.

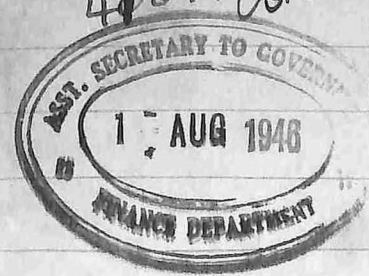
30-7-46
31/7/46
31/7/46

Finance (C.S.R.)

Edu v. 16069 A/46-3

7-8-46

40586/46



(Previous Finance note on page 2 above.)

Under Fundamental Rule 86(a), leave at the credit of a Government servant shall take on the date of compulsory retirement, provided that in sufficient time before that date he has formally applied for the leave and been refused it or ascertained in writing from the sanctioning authority that leave if applied for would not be granted, in either case, if the ground of refusal be the requirements of Public Service, then the Govt. servant may be granted, after the date of retirement, the amount of leave so refused subject to a maximum of six months.

the case under reference Dr. C. N. Rao, Assistant Lecturer, Ceded
Dt. College, applied for 1 month leave preparatory to retirement
from 22-8-45. The leave application was dated 15-8-45 and it
was received in the Director's office on 17-8-45. Orders
sanctioning the leave was issued on 7-9-45 and was communicated
to the Assistant Lecturer on 9-9-45. He was actually relieved
of his duty only on 19-9-45. Consequent on the delay in the
Director's office and in finding a suitable substitute for
relief, the officer was allowed only 4 days out of the one month
leave applied for by him.

The explanation of the Director for the delay in sanctioning
the leave and for relieving the officer of his duties is not
convincing. As the officer should not be penalised for the
delay in the Director's office, it seems reasonable to consider
that ~~it~~ ^{this} is a case of leave refused under F.R. 86(a) and the officer
granted the balance ^{out of the} one month leave not availed of by him, after
the date of superannuation.

to
2/8/46

2/8/46

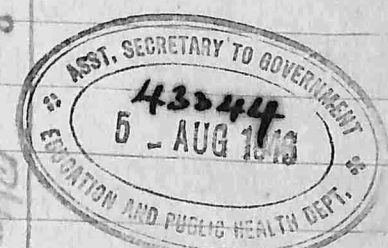
EPH(A)

Final 4/8/77 CSR/46

2.8.46.

A draft order is submitted for
approval.

17/8/46
R. S. C.



2/8/46