

clerk
or

Scott. 11877-87,061-10-11-62

Edn. & P. H.

(1946) Department.

SERIES.

G.O. No. 1619

Dated 20-8-1946

[Despatch Abstract.]

Establishment-Elementary Education-Municipal Council-Devakottai-
Sri M.C. Sankaranarayanan, Teacher-Break in service-Condoned.

Back Papers.

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

Further Papers.

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

Memorial.

3587



The Government of Madras (Education Department),
Madras.

Through

Proper Channel,

Respected Sirs,

Memorial respectfully submitted by M.C. Sankara-

narayanan, Teacher, II Ward Municipal School, Devakottai

against the fixation of his initial pay as from 1-9-45 in

the time scale of Rs. 23--2/2--45 by the Commissioner, Deva-

kottai Municipality and against the orders of the Director

of Public Instruction vide Dis. No. 1028/46 dated 30-3-46.

(Copy enclosed)

1. The petitioner entered service as a teacher under the Devakottai Municipality on 15-11-1938 and was confirmed in his post on 12-11-1941. Subsequently he earned two increments one on 15-4-1942 and the other on 15-4-1944.

2. While so, in May 1945 pursuant to two resolutions of the Municipal Council dated 21-5-1945 and 30-5-1945 to abolish the VI, VII and VIII standards of the Higher Elementary School with a view to open new schools in Schoolless places and to provide additional teachers for the existing schools, wherever necessary, the petitioner was selected among some others for discharge and given three months' notice thereof from 1-6-45 in the Proceedings of the Municipal Commissioner R.O.C. A.3-1087/45 dated 31-5-1945 (copy enclosed) and the notice was served on the petitioner on 1-6-45.

3. The petitioner drew his pay in the pay bill of +

Municipal Higher Elementary School till 2-7-45 (i.e. for one month and two days at Rs. 27/- per mensem as before when he was absorbed in the leave vacancy of a teacher in that school itself. He has also subscribed to the provident fund during that period. Eversince he is continuing in the service of the Municipality without break and has been drawing his pay at Rs. 27/- P.M. upto 31-8-45.

4. Now his pay has been reduced to Rs. 23/- (the minimum in his time scale) with effect from 1-9-1945. The order of such reduction has not been communicated to him. But he came to know of it through his pay bill on 1-12-45 when his pay for October 1945 was disbursed. In this respect the petitioner submits that he drew Rs. 27/- for September 1945 also, but in his pay for October, 45 Rs. 4/- was required to be refunded, as overpayment for September 1945 fixing his pay at Rs. 23/- the minimum in the time scale, as from 1-9-45 and petitioner refunded the same. Since he was not served with the order reducing his pay he has not ~~xxx~~ enclosed copy of the same. He therefore begs to submit that he is entitled to draw Rs. 27/- per mensem, the pay he drew on the date of service of notice upon him.

5. Further in view of the three months' notice of discharge given to him, instead of immediate discharge and payment of a gratuity as required by rule 18 of the rules relating to "ESTABLISHMENTS UNDER MUNICIPAL COUNCILS" issued in G.O. No. 2342 L.S.G. dated 2-6-36 as subsequently amended and as neither order of abolition of post held by the petitioner nor an order of discharge from service have been served on

him, the abolition of the post cannot be given effect to
until the expiry of the notice period of 3 months, i.e.,
upto 31-8-45 as per rule 19 (1) of the above rules. So
he has held the post upto 31-8-45. In the meantime as he
was appointed in a regular vacancy his services are continuous
for the purpose of his pay which has to be fixed with reference
to the last sentence of paragraph No. 1 in G.O. No. 533 L.A.
dated 1-3-41.

It is therefore prayed that the above order of the Director of Public Instruction reducing the petitioner's pay to the minimum of Rs. 23/- from 1-9-45 be set aside and the original pay of Rs. 27/- as from 1-9-45 be restored and the petitioner be allowed to count his services for future increments from Rs. 27/- and thus be protected.

The petitioner begs to remain,
Respected Sir,
Your most obedient Servant,

Misamfar Faray anan
Petitioner

Advance copy to the Govt. of Madras (Education Department),
Madras.
Copy to the Director of Public Instruction, Madras.

Encl: 1. Notice of discharge given to the petitioner.
2. Dis. No. 1028/46 dated 30-3-46 of the Director of Public Instruction.

Submitted

C. Soma Sundaram
5.6.46

-3-

him, the abolition of the post of H.M. School
until the expiry of the term of 3 months, i.e.,
from 1-6-45 to 31-8-45 as per rule 19 (1) of the above rules.

no has held the post upto 31-8-45. In the meantime as he

was appointed in a regular vacancy his services are continuous

for the purpose of his pay which has to be fixed with reference

to the last sentence of paragraph No. 1 in C.O. No. 583 of 1-1-45.

dated 1-8-45.

It is therefore prayed that the above order of the

Director of Public Instruction reducing the petitioner's

pay to the minimum of Rs. 28/- from 1-8-45 be set aside and

the original pay of Rs. 28/- as from 1-8-45 be restored and

the petitioner be allowed to count his services for future

increments from Rs. 28/- and thus be protected.

The petitioner begs to remain

Respected Sir,
Your most obedient servant,

(Sd. C. Soma Sundaram)
5-6-46

Advance copy to the Director of Public Instruction, Madras.

Copy to the Director of Public Instruction, Madras.

Encl: 1. Notice of discharge given to the petitioner.
2. C.O. No. 1087/45 dated 30-5-45 of the Director of Public Instruction.

Proceedings of the Municipal Commissioner, Devakottai.

Present: Sri P. Sundararajulu Naidu, B.A., Commissioner.

Rec. A3. 1087/45.

Dated 31-5-45.

Sub: Education - Elementary - Higher Elementary School - Retrenchment- Proposals - Abolition of standards VI to VIII - orders - passed.

Read the following:

M.C.R. No. 51 dated 21-5-1945 and 57 dated 30-5-1945.

NOTICE.

The Municipal Council in its resolutions dated 21-5-1945 and 30-5-45 has decided to abolish the VI, VII and VIII standards of the Higher Elementary School with a view to open new schools in schoolless places and to provide additional teachers for the existing schools wherever necessary. In pursuance of the abovesaid resolutions, seven teachers including the Weaving Instructor have to be discharged from service from 1-6-45. The following seven teachers are selected with reference to the seniority list maintained in this office. Three months notice of discharge from service from 1-6-45 is hereby given to the following teachers.

1. Sri S. Deivasikamani.
2. ,, M. Jaganathan, Weaving Ins.
3. ,, T. Edward Packiam.
4. R. Srinivasagopalan.
5. M.C. Sankaranarayana Pillai.
6. S. Doraisami Thevar.

The services of Sri. S. Venkatasubramanian Probationer and K. Sheriff, acting Watchman are no longer required from 1-6-45.

The Headmaster will arrange for the distribution of the work among the remaining seven teachers excluding Sri. A.V. Muthurama Iyer to look after the classes. He will send Sri. A.V. Muthurama Iyer to II Ward School in the place of Sri. Doraisami Thevar, ousted.

Separate orders will issue regarding the fixation of pay of secondary grade teachers in the lower grade posts.

The Headmaster will not be paid the duty allowance of Rs. 5/- sanctioned for him previously. Separate orders will issue.

Sd. B. Sundararajulu Naidu, 1-6-45.
Commissioner.

(True copy)

To The Individuals concerned.

M. Sankaranarayana Pillai
(P.T.O.)

PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

Dis. 1028/46.

Dated 30-3-'46.

SUBJECT: Elementary Education- Local Board Institution,
Municipal Council, Devakotta - appeal - M.C. Sankara-
narayana Pillai - regarding fixation of pay - rejected.

READ: 1. From M.C. Sankaranarayana Pillai dated 24-1-'46.
2. From the Commissioner, Municipal, Devakottai.
3. ROC. No. B-1-472/46 dated 23-1-'46.

The appeal is rejected.

G.O. LOBO,
For Director of Public Instruction.

True copy FORWARDED By order.

Sd. xxxxxxxxxxxxxxxxxxxx
SUPERINTENDENT.

To
The Petitioner (through the Commissioner)
The Commissioner, Municipal Council, Devakottai (with enclosures)

(True copy) *M. Sankaranarayanan*

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

P.O.C. NO. 2410-B.2/46, Dated 26-6-1946.

LOE



for Director of Public Instruction.

To

The Secretary to Government,
Education and Public Health Department.

35009

RVR 29/6/-

29/6

59
9/7

11 EPH Dept (B2).

Mem No 35009 B2-1 Educ d. 9.7.46

Estt. Hlcl Devakottai, Sri H.C. Sankaranarayanan Pillai, Teacher - Fixation of pay

Ref:- Petition from H.C. Sankaranarayanan Teacher d. 5.6.46

Endt. of the Commn, Devakottai Hlcl, N.D. 3587/46
" of the D.P.I. No 2410-B2/46 d. 26.6.46

It is observed from the petition of Sri H.C. Sankaranarayanan, Teacher II Ward Municipal School Devakottai, d. 5.6.46 forwarded to the Govt with the D.P.I's endt. cited above, that the teacher has sustained no break of service on account of his retrenchment and re-employment. According to Go no 5332.H d. 1.3.41, he is entitled to draw of his old rate pay viz Rs 27/- per mensem from 1.9.45 onwards P.T.O

24/2 1946
 The date of his re-employment. The Director
 of Public Instruction is requested to state the reasons for
 why the petitioner's previous appeal of 24.4.46 for higher initial pay
 was rejected by him in his proceedings No
 1022/46 d 30.3.46.
 To The D.P.G. 12.7.46
 8/7/46



EDUCATION DEPARTMENT.

DR. S.R.U.SAVOOR, M.A., D.Sc., I.E.S.,
DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

THE SECRETARY TO GOVERNMENT,
EDUCATION AND PUBLIC HEALTH DEPARTMENT:

R.C.No.2410B2/46 dated 19th July 1946.

Sir,

40415

SUB:- Elementary Education - Municipal Council,
Devakottai - Sri M.C.Sankaranarayana Pillai,
Teacher - Fixation of pay:

REF:- Government Memo.No.35009-B.2.1 Edn., dated
9th July 1946.

pp 11-12. ante

WITH reference to the Government Memo. referred to
above, I have the honour to state that the teacher was discharged
from service on 1st June 1945 and he sustained a break in service
before he was reappointed on 25th June 1945; there was no post
under the Municipal Council beyond 1st June 1945 in which the
petitioner could be continued. Further he has been paid gratuity
for the period of 24 days from (1st to 24th June 1945) in June 1945
when he was out of service. Hence his appeal was rejected.

I have the honour to be,
Sir,

Your most obedient servant,

[Signature]

for Director of Public Instruction.

KAF.22/7 *[initials]*
22/7

(B.2.)

C.No. 35009, B2/46

ESTT. --ELE. EDN.--- ML.--CL.-- DEVAKOTTAI--SRI
M.C. SANKARANARAYANAN, TEACHER--BREAK IN SERVICE--
CONDONED.

From Sri M.C. Sankaranarayanan, Teacher, dated 5-6-46
Endorsement of the Commissioner, Devakottai Municipality, No.N.Dis. 3587/46 dated 19-6-46.
-d0- of the D.P.I. Roc No. 2410 B2/46 dated ~~26-6-46~~ 26-6-46 and dated 19-7-46.

ORDER/MS. No. 1611 Edn A dated 20-8-46

The Govt. condone, as a special case, the break in the service of Sri M.C. Sankaranarayanan, teacher under the Municipal Council, Devakottai, during the period from 1-6-45 to 24-6-45 and direct that he be given the benefit of his past service for purposes of pay, seniority, etc. The Commissioner is requested to refix the teacher's pay. The teacher will not, however, be eligible for any arrears of pay.

2. The petitioner is referred to the ~~Commissioner~~ Commissioner, Devakottai Municipality, for orders on his petition.

To the Commr. Devakottai Municipality through the C.M.C.
To the D.P.I.
To the Examr. of L.F. Accts.
To the Petitioner (Para 2 only)
s/copies.

96
5.8.46
2
5.8.46

OSM
6/8/46
9.8.46

C. no 35009 B2/46 From the D.P.J. Roc no 2410-Ba/46 d 26-6-46

Estt. Hlcl. Devakottai - Sri H.C. Sankaranarayanan
Pillai, teacher - Fixation of pay

p 13 CF

The Current file Contains a memorial from Sri H.C. Sankaranarayanan an elementary school teacher under the Hlcl Devakottai. He was appointed on 15.11.38 and was Confirmed on 12.11.41. On 1.6.45 he was discharged from service on account of retrenchment and was re-appointed on 25.6.45 under the same Municipal Council. Before his retrenchment the teacher was had earned two increments and was drawing a salary of Rs 27 per mensem in the scale of Rs 23-2 1/2-45. On his re-employment on 25.6.45 his pay was fixed at Rs 23, the minimum of the time scale of pay.

p 13 CF

p 3 CP

2 None the petitioner requests that he may be allowed his old ^{rate} scale of pay viz Rs 27 from the date of his re-employment and that his services rendered from that date may be allowed to Count for future increments.

3 Only The request of the petitioner can be Complied with if the break in his service is Condoned. The following are the principles laid down for Condoning such breaks in service:—

A on pl. 6 of
901094 Bala at (U)
2.6.46

(1) In no case the question of Condonation of break in service should be Considered if the past service is below 3 years.

(2) The period to be Condoned should not exceed a week for each year of such service.

Applying these principles the total period which can be Condoned in the present case will be over

Six weeks while the actual period to be Condoned is only 25 days according to the statement of the D.P.J.

p 13 CP

4 For orders whether the break in service in the present case may be Condoned so that the petitioner may get the benefit of his old pay from the date of his re-employment.

Ch. & court is for service for purpose of 30.7.46 increment, seniority etc.

the break in service may

20.7.46.

251-3427H9K3

be considered

31/7/46 / 9.8.46

A draft order is submitted. The file may be circulated to H.H.C. Secy.

2.8.46 / 6/8/46 / 9.8.46

13/8/46
19.8.46
SECRETARY (AN) DEPT.
19 AUG 1946
GOVERNMENT OF MADRAS

The request of the petitioner for the appointment of the petitioner as a clerk in the office of the Secretary to the Government of Madras is considered. The petitioner is a graduate of the Government College, Madras, and has been employed as a clerk in the office of the Secretary to the Government of Madras for the last three years. The petitioner is a native of Madras and has been residing in Madras since his birth. The petitioner is a Hindu and is a member of the Madras Legislative Council. The petitioner is a graduate of the Government College, Madras, and has been employed as a clerk in the office of the Secretary to the Government of Madras for the last three years. The petitioner is a native of Madras and has been residing in Madras since his birth. The petitioner is a Hindu and is a member of the Madras Legislative Council.

251-3427H9K3