

Put on

26/9/46

Seott. II-27-37,004-18-11-45.

EdH (1946) Department.

Ms

SERIES.

G.O. No.

1773

EdH

Dated

13.9.1946

9

[Despatch Abstract.]

Madras Educational Service - Sitaruman, Sri A.S. Appointment as Principal, College of Engineering, Guindy - Ordered with retrospective effect.

Back Papers:

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1022						
	167.45						
	208						
	9.2.45						
	1610						
	18.10.45						

Further Papers.

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

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
R.C.NO.1902-C/46, Dated 11---6---1946.



Madras Educational Service - Sri K.S. Sitaraman, Professor -
Appointment as Principal - Retrospective effect - Requesting.

Letter RC.No.1-52-A/45, dated 3rd June 1946 from Sri
K.S. Sitaraman, Offtg. Principal, College of Engineering,
Guindy.

In G.O.No.Ms.977 Edn. dated 15-5-1946, I am appointed
as Offtg. Principal of the College from 15th May 1946. In
this connection, I submit that I took charge of the office
of the Principal on the F.N. of 19th July 1945 in addition
to my duties as Professor of Civil Engineering and have
been performing both the duties of Principal and Professor
from that date i.e. 19th July 1945.

The scale of pay attached to the post of Principal
was Rs.800-100/2-1000 with effect from 31st July 1944 - Vide
G.O.No.209 Edn dated 9th February 1945 and Rs.1250-50/2-1500
from 19th September 1945 - Vide G.O.No.Ms.1471 Edn dated
19-9-1945.

I therefore request that I may be appointed as Offtg.
Principal of this college from 19th July 1945 the date on
which I took charge of the office of the Principal and allowed
to draw pay at Rs.1000/- from 19th July 1945 to 18th September
1945 and at Rs.1250/- from 19th September 1945 on-wards.

I may be

: 2 :

I may be permitted to mention that I am due to retire from 21st November 1946 and hence by ordering the officiating appointment as Principal from 19th July 1945, I will have the slight increase in my emoluments calculated for pension. Further I entered first into contract service as Professor of the College in the year 1934 and cannot therefore put in the required service for full pension on the date of my attaining 55 years of age i.e. on the 20th November 1946.

Lastly I beg to submit that by granting my request to order the appointment as Principal of the College from 19th July 1945 it is a no loss to Government as no separate Professor has been appointed during the period in the scale 600-900

(copy) submitted for favour of orders.

2. Attention is invited to paragraph 4 of the Director's R.R.Cl.No.12/46, dated 8-3-1946 disposed of in G.O.No.Ms.877 Edn. dated 15th May 1946.

M. K. S. Sitaraman
17.6.46

for Director of Public Instruction.

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

RVR 15/6/-

15/6

78/154

I/16 CF
not put up
CF. 2

13/19

f/34 CF

(M) E. & P. H. (A) 3

M.E.S. - Sitaraman, Sri K.S. - Appt. as Principal, College of Engg., Guindy - Ordered with retrospective effect.

Read: - G.O. No. 208-Edn, dt 9.2.45
" " 1471 " " 19.9.45

From the D.O., G.O. No. 1902-Edn, dt 11.6.46

G.O. (Pb.) No 1773 Edn, dt 13.9.46

In modfn. of G.O. No. 977-Edn, dt 15.5.46, Sri K.S. Sitaraman is apptd. to officiate as Principal, College of Engg., Guindy, with effect from 19.7.1945, the date from which, in addition to his own duties as Professor, he ^{discharged the} ~~took charge~~ duties of the post of Principal. Sri Sitaraman will be paid salary from 19.7.45 upto 18.9.45 at Rs. 1,000 and from 19.9.45 onwards at Rs. 1,250, p.m. ² ~~the~~ Govt. however, direct that the difference between the emoluments

To the ~~2001~~ /
..11 ~~A.G.~~ (tho'
Fin.)

From the D.P.I. R.C.No.1902-C/46 dated 11-6-46.

M.E.S.--Sri K.S. Sitaraman, Offg.principal,
Engg. College, Guindy--Retrospective effect
to apt.

Pl. see copy of the representation from Sri K.S. Sitaraman, offg. Principal, College of Engg., Guindy in the C.F. He was apptd. as Principal with effect from 15-5-1946. The scale of pay of the post is Rs. 1,250-50/2-1,500. Prior to 15-5-46 he was Prof. of Civil Engg., holding full addl. charge of the post of Principal, from 19-7-45. For performing addl. duties he was granted as charge allowance 1/5th of his pay. This addl. charge arrangement was ordered as Dr. J.J.Rudra, the permanent Principal, was required for services in connection with the organisation of the new Engg. College at Coimbatore. It was then expected that Dr. Rudra would be away from duty for about 10 days and that the Supdtg. Engineer, Pykara Elec. System, would be placed in administrative charge of the college, as a tempy. measure. As, however, the Suptg. Engr. could not find time, Dr. Rudra was placed on special duty for one month. Later, the period was extended ^{up to 20.6.46} to one year-G.O. 1650-Edn., dated 18-10-45. Since then, it has further been extended till 21st November 1946, the date on which Sri Sitaraman will retire.

2. As pointed out by Sri Sitaraman he was performing the duties of Principal and Professor from 19-7-45, the date on which he took the addl. charge. The charge arrangements lasted from 19-7-45 to 14-5-46. The appt. of Sri Sitaraman as Principal could not be taken up before November 1945, as the period of absence of Dr. Rudra from Guindy remained unsettled. ^{was} ~~Then~~ The question of his appt. as Principal was raised by the D.F.I. in Feb.

P.T.O.

Gr 15-5-46 Sr. Silamua
was apt. today. Principal.

f/17-1800

1946 and orders on his recommendation could not be issued immediately as the claims of Sri A. Viswanath (Professor) for promotion on grounds of "War Service" had also to be considered in consultation with Public who addressed the Chairman, N.S.L.T., in the matter.

3. The D.P.I. in his recommendation roll at "f"/23 C.F. suggested the appt. of Sri Sitaraman from 19-9-45. This Dept. supported the suggestion as on administrative grounds, there was no objection to appoint Sri Sitaraman from the date on which he took additional charge of the post of Principal and was the delay caused in ordering his appt. was out of administrative necessity. But the Director's recommendation was not given effect to, mainly on financial grounds. *Please see notes and orders on pp 12-13 NF 5.*

4. The scale of pay of the post of Principal has been as shown below:-

From 31st July 1944 to 18th September 1945

Rs. 800-100/2-1,000

From the 19th Sept. upto date

Rs. 1,250-50/2-1,500

By appointing Sri Sitaraman to be in addl. charge of the post of Principal, he drew emoluments at Rs. 1,269 p.m. (Pay 900; addl. pay 180; war allee. 189) during the period from 19-7-45 to 14-5-46. His present request is that he may be appointed as Principal from the date on which he took addl. charge of the Principalship, i.e., 19th July 1945. If he is apptd. as Principal from that date his pay should be regulated as follows:-

From 19-7-45 to 18-9-45 at Rs. 1,175 (pay: 1,000 and war allee: 175)

From 19-9-45 to 14-5-46 at Rs. 1,469 (pay 1,250 and war allee. 219)

The arrears of pay that will have to be paid to the officer, if the request is allowed, will be Rs. 1,385. The excess amount drawn by him from 19-7-45 to 18-9-45 has been deducted in calculating the arrears.

1) What is the amount of savings effected thereby? *5.7.46*

2) Did Mr. Dr. Rudra have a lien on his job during his period? I believe Dr. Rudra is drawing salary at *Baribatur*, Mr. Dr. Rudra is attached to that post, but as Principal, first, on the duty, in his higher scale. How does this affect the position? *5.7.46*

5/ As pointed out by Sri Sitaraman, if he had been appointed as Principal from 19-7-45, he would have discharged the duties of Principal only — but, by holding addl. charge, he ^{performed} the duties of the Professor as well as those of Principal. He Even if he had been appointed as Principal from 19-7-45, there is saving to Government ~~by way of~~ ^{as no} not appointing a separate Professor has been appointed during the period.

6/ Attention is in this connection invited to the minutes of the Adviser for Edn. (extracted below) ^{recorded} when Mr. Rudra and Mr. Franco, Principals Teachers' College, asked for fixation of their pay at Rs. 1,000 in the scale of 800-1,000.

"** It is wrong that Officers, who are holding the posts of Principals in these two important colleges (Engg. and Teachers' Colleges) should not benefit on taking over greater responsibility and should suffer from a sense of grievance. **"

Please see also portion 'A' of Sri Sitaraman's representation on p. 2 C.F.

7/ In the circumstances, it is for orders whether the request of the Principal, which is supported by the Director, may be accepted in this Dept., for reasons mentioned in paras 3, 5 and 6 above. Finance may see before circulation.

Secy.'s query (1) above:

The amount of savings is Rs. 6,950 nearly.

Query (2):

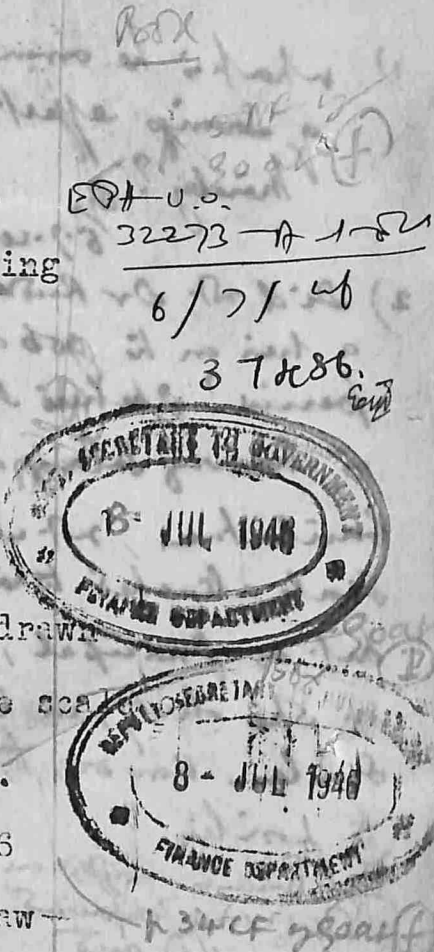
Dr. Rudra has been the permanent Principal of the Guindy College, and from July 1945 offg. in a special tempy. post of Principal created for the A.H. College of Tech., Coimbatore. In the special tempy. post, he has been allowed to draw pay at Rs. 1,250 in the scale of Rs. 1,250-50/2-1,500. He has his permanent lien in the Guindy Principal's post, but

it is rendered vacant temporarily by his absence on other duty.
There is therefore no objection to fill it with effect from 19-7-45
by the appt. of Sri Sitaraman in an offg. capacity.

5.7.46 *Am* *As in previous page may be accepted.*
6/7/46 *8.7.46*

Finance

Sri K.S.Sitaraman, professor of Civil Engineering, was placed in additional charge of the post of the Principal of Engineering College in July 1945. At that time, the scale of pay of the latter post was 800-1000. As however, Sri Sitaraman held additional charge of the post ^{he drew} ~~and received~~ pay under FR. 49 i.e. Rs. 900 plus ⁽¹⁸⁹⁾ (900) plus War allowance or 1269 instead of Rs. 1000 plus 175 war allowance or 1175 which he would have drawn if he had been appointed as Principal only. From 19-9-45 the scale of pay of the post of Principal was revised to 1250-50/2-1500. Mr. Sitaraman continued to hold additional charge till 15-5-46 when he was appointed as Principal. He became eligible to draw pay at Rs. 1250 only after his appointment as Principal was made. By the charge arrangements till 14-5-46 Sri Sitaraman drew at 1269 p.m. from 19-7-45 to 14-5-46. The emoluments that would have been drawn had he been regularly appointed from July 1945 would be ^{Rs.} From 19-7-45 to 18-9-45 at Rs. 1175 (1000 plus war allowance Rs. 175) From 19-9-45 to 14-5-46 at Rs. 1469 (Pay Rs. 1250 plus War allowance 219) i.e. in all Rs. 13906. The latter arrangements would have benefitted Sri Sitaraman by Rs. 1385.



2. Mr. Sitaraman had requested that he may be regularly appointed as Principal from 19-7-45 and points out that if this is done he will get a slightly increased pension when retires

As Dr. Rudra has a lien on the post of Principal, the conditions in Art. 486(h) CSR. are not satisfied and Mr. Sitaraman cannot therefore claim with retrospective effect. It is doubtful whether this is his enhanced offg. pay as Principal for pension.

PPI-2 CF

note 'M'
3
K

the immediate reason for the
officer's request seems to be that the pay of the Principal's post was raised to Rs. 1250-50/2-1500 from 19-9-45. The question whether any retrospective effect should be given to the regular appointment of Mr. Sitaraman as Principal was considered even at the time when his appointment was under consideration and ^{the then} E & P.P. Secretary agreed with Finance that retrospective effect need not be given to the appointment. There are no ~~fresh~~ fresh grounds except the point regarding pension put forward by Mr. Sitaraman for reconsidering the decision. As mentioned above the point about pension has no force. The fact remains that there was no intention in July 1945 to appoint Sri Sitaraman regularly. and he was actually benefitted by charge arrangements, till the pay of the post was revised from September 1945. The arrangement cannot be revised merely ~~because~~ to benefit an individual. It is therefore for consideration whether this Department may advise against the proposal.

Ys. Finance may then be the view expressed at 12.7.46 and advise against the proposal.

15.7.46 *15/7/46* *15/7/46*



Sri K.S.Sitaraman has been apptd. as Principal, College of Engg., Guindy, from 15-5-46. The point at issue is whether he should be apptd. as Principal from 19-7-45, the date ^{from} on which he held full additional charge of the post. Sri Sitaraman was not apptd. as Principal regularly in July 1945 as the period of ^{likely} absence of Dr. Rudra (the permanent Principal), apptd. as offg. Principal of the Coimbatore Engg. College, was not definitely reported on. Only in Octr. 1945, with the issue of G.O. 1650-Rdn., dated 18-10-45, appointing Dr. Rudra as Principal of the Coimbatore College for one year, the question of making a regular appt. to the Guindy Principalship arose. As already noted, the D.P.I. sent in proposals in Feby. 1946 and recommended Sri Sitaraman's appt. as Principal from 19-9-45. The fact remains

PICF

PP. Sec 112+13
NP 29004 f

Cap

4 portion 'K' imp. file.

14.7.46

15.7.46 *15/7/46* *15/7/46*

Ths. Rev

21.7.46

DS

EDH

para 2, pp. 1-2

1/21/46

16/7/46

E.P.H. - Dept. (2)

that Sri Sitaraman discharged the duties of Principal in full from 19-7-45 onwards. If he was not appointed regularly from that date, it was not his fault; the proposal could not be put through earlier for administrative reasons. But the D.P.I. later suggested that an appt. could be made retrospectively, without infringing on the rights of any other member.

2. From a financial point of view also, by the arrangement that existed, there has been a saving of Rs.6950 ^{to go for} the period from 19-7-45 to 15-5-46 and if Sri Sitaraman's ~~is~~ request is allowed, he will have to be paid an arrear salary of Rs.1385 from out of the savings ^{accrued in} for the period during which he performed both Professor's and Principal's duties. ^{of the} request is allowed it will only mean due payment for the service rendered.

3. With refce. to "A" in Fin.'s note above, it may be stated that what was proposed at the time of Sri Sitaraman's appt. as Principal in May 1946 was to discontinue the 'in-charge' arrangements that were in force from 19-9-45 and to appoint him regularly from that date. Fin. D.S. opined that if 'in-charge' arrangements were good enough before 19-9-45, they shd. be good enough after. The then E.P.H. Secy. did not think that the case for appt. from 19-9-45 was strong enough and therefore the proposal was not pressed. What is now proposed is to appoint Sri Sitaraman from 19-7-45. The question of his having been benefitted to the extent of Rs.94 p.m. from 19-7-45 up to 19-9-45 would not then arise.

4. In the circumstances, it seems only just and fair that Sri Sitaraman's request is allowed. Finance however do not ^{support the} ~~consider the~~ request. For orders whether the proposal may be pressed.

5. For orders as to circulation.

23.7.46
24/7/46
I agree with finance.
Mr. Sitaraman's request may not be granted.
TSA
27.7.46
H.N. (Edn.)
H.P.M.



This seems to me to be a deserving case. I see from flag (I) that the previous principal Dr. Rudra's pay was fixed with retrospective effect. The petitioner's request may be granted.

27.8/46

May be re-circulated to H.N. (Edn.) for perusal of H.P.M.'s minute on P6 only

2.9.46

24/9/46



TSA
H.N. (Edn.)
H:9.46

A draft order is subd. Finance may see before issue.

7.9.46

7/9/46

Finance Dept.

(Previous note of Finance on H.4-5 above)

Please see the orders in circulation

on pp 6-7 above. The draft order may be accepted and the case returned to S.H.H.



10.9.46

10/9/46



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11-9-46

12/9/46

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