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Am

Sectt. II-27-39,004-24-10-44.

Education and Public Health (194 6) Department.

Ms. SERIES.

Eoh
G.O. No. 1796

Dated 17-9-1946

[Despatch Abstract.]

Establishment-Municipal High School, Tiruvannamalai Hanumantha Rao
Sri G. Assistant-Break in service-Condoned.

Back Papers.

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

Further Papers.

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

From

G. Hanumantha Rao, B.A., L.T.,
Nattarampalli Po.
North Arcot District.

To

The Hon'ble the Minister for Education,
Fort St. George,
M a d r a s.



Honoured Sir,

Kindly permit me to submit the following for
your sympathetic consideration and favourable orders:--

I joined as a Science Assistant in the Municipal High School, Tiruvannamalai, on 28-8-1944 in a vacancy caused by an additional section in Sixth Form. I was relieved from duty on 7-5-45, when the School closed for Summer Holidays. I was re-appointed and I rejoined duty on 13-6-45 on which day the school reopened. I continued my work till 3-5-46, when I was once again relieved as the Summer Holidays began from the next day. The school reopened on 13-6-46 and I have not been appointed so far though the section in Sixth Form has been continued.

In this connection I beg to point out that the Municipality has been adopting from a very long time the policy of removing from service teachers working in section vacancies before the commencement of the Summer Holidays irrespective of the continuance of the section during the succeeding academic year and the necessity to re-employ the same teachers. I am one of the five teachers who were thus removed from service. The authorities have been pleased to re-entertain the other four teachers after the school reopened this year.

Formerly though relieved on 7-5-46 I was re-entertained on 13-6-45 on the very day when the school reopened. During the vacation, I was asked to value answer papers of pupils and do other school work. Though I did as much work as any other assistant teacher, I was paid only the proportionate salary. But this time, besides no amount being paid for

P.T.O.

(M)

vacation, I have not been ordered to rejoin on 13-6-46, the day on which the school reopened. Thus twice there has been a break in my service and these periods are not taken into account for purposes ^{of} probation. Due provision has been made in the Municipal Budget for paying me for the full year and for no fault of mine I am made to suffer. The savings thus made are quite negligible as this is a first-rate Municipality spending huge amounts every year.

I learn that in the case of Sri N.R. Ragunathan, B.A., L.T., an Assistant teacher of the school, the Management was pleased to allow him to be in service continuously when he worked under similar circumstances.

It is not possible for me ^{to} secure employment during the periods when I am not kept on in service by the Municipality. I can ill-afford to remain unemployed even for a short time and I am not sure when I would be called back to duty. The year's work to be assigned to me will have to be done by over-time work irrespective of the period that lapses. Hence, it is my humble prayer that you may be pleased to consider my case sympathetically and pass orders sanctioning

1. My re-employment at an early date,
2. Payment of full salary from 4-8-46 to the day of my re-employment and
3. Treatment of my service as continuous from 28-8-44 when I joined the school for the first time.

Praying for early orders for which act of kindness I shall ever be grateful,

Tiruvannamalai.
2 - 7 - 1946.

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

G. Sankaranarayanan

- P. T. Q.

5. Regarding the contention in para 3 of the petition; i.e., that of the 5 temporary assistants who were ousted, he alone was yet to be appointed, I beg to submit that the four teachers referred to were secondary grade trained and their maximum salary being only Rs.50/-, the appointments entirely vested with me and they were appointed on the request of the Headmaster, Municipal High School. The petitioner's case had to be considered by the Appointment Committee and the District Educational Officer and hence there was some delay.

6. The case of Sri. N.R. Raghunathan, referred to by the petitioner is not in all ~~four~~ with the petitioner's. He was officiating in a substantive vacancy while the petitioner was acting only in a temporary vacancy created for a specific period.

7. Of the final prayer, item 1 has already been complied with; item 2 cannot be complied with as the payment of salary is controlled by the order in G.O.No.1331, E and P.H., dated 13-3-39; as regards item 3, his service cannot be treated as continuous from the date of his first appointment as the post itself in which he officiated was not continuous.

K. Narayanaiah
Commissioner. 30/7/46.

Forwarded.

B. Srinivasan
via Chairman.

Gs. 30-7.

E & P H (B1)

The G.O.s quoted in the current have been called for from Record. The current may be over till 28-8-46.

has
29/8/46

2 to Sub.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, M A D R A S.
R.C.No.1351 G1/46, dated 15-8-46.

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Sub:- Memorial to Hon'ble the Minister for Education, Sri G. Hanumantha Rao, Assistant - Municipal High School, Tiruvannamalai - for vacation pay etc.

Ref:- Endorsement N.Dis.No.4262/A3/46 dated 29-7-46/8446/1946
Tiruvannamalai Municipality.

Submitted with reference to Government endorsement No. 38460-1B, Edn., dated 18-7-46.

2) The memorialist, Sri G. Hanumantha Rao, B.A., L.T., is the science Assistant in the Municipal High School, Tiruvannamalai. He was first appointed as L.T. Assistant in August '44 in the additional section in Form IV which was sanctioned only upto the end of the school year 1944-45. He was relieved from duty on 7-5-45 when the school closed for summer vacation. He was paid proportionate salary for the summer vacation of 1945-46. He was reappointed on 13-6-45, the reopening day of the school after the vacation. He was again ousted on 3-5-46, the last working day of the school as the additional section was sanctioned only for the school year 1945-46. He was not paid any salary for the summer vacation of 1946 and was not reappointed though the school reopened on 18-6-46.

In his present memorial he has therefore made the following three requests:-

- (i) Re-employment at an early date.
- (ii) payment of full salary from 4-5-46 to the date of his re-employment.
- and (iii) treatment of his service as continuous from 28-8-44 when he joined the school for the first time.

3) (i) The memorialist has since been appointed on 6-7-46 - vide para 3 of the Commissioner's endorsement.
(ii) As he worked for the school year 1945-46 from the reopening of the school on 13-6-45 to the closure of the school for the summer vacation, he is entitled to full pay for the summer vacation of 1946 with reference to para 1 of G.O.No.1881 Edn., dated 18-8-39.

(iii) As he was paid proportionate salary for the summer vacation of 1945 and as he was reappointed on the reopening day after the vacation, the vacation of 1945 should be counted as duty with reference to para 2 of G.O.No.1016 Edn., dated 9-5-39. This means that he will have continuous service from 28-8-44 to 3-5-46 (The memorialist states that he joined duty on 28-8-44 while the Commissioner states that he was appointed on 29-8-44)

If the summer vacation of 1946 is to be counted as duty, he should have been reappointed on 18-6-46, the reopening day of the school but in fact, he was appointed on 6-7-46 and so, there is break in his service. However, under section 70 of the District Municipalities Act, 1920 and rule 3 of the rules issued with G.O.No. 4785 L & M dated 1-12-32, the Municipal Council has full powers to sanction the necessary additional staff in schools in consultation with the District Educational Officer, for the period it is considered desirable from the administrative point of view. As the temporary additional section had been sanctioned previously for the school years 1944-45 and 1945-46, it may, perhaps, be sanctioned for one full year from the reopening date (ie) from 18-6-46 to 17-6-47 in which case, the question of discharging him on the last working day again will not arise, if this is done by the Municipal Council in consultation with the District Educational Officer, Government may, as a special case, consider the condonation of break in his service. The Director of Public Instruction has no powers to condone breaks in services.

P.T.O.

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-2-
4) I may, however, request that the memorialist may be informed that he should not have addressed Government of the Hon'ble the Minister in the first instance and that he should submit his appeal to the Director of Public Instruction who would look into the case and pass such orders as he may deem just.

for Director of Public Instruction.

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

PKR.16-8
17/8.

86
17/9
Establishment - Municipal High School, Tiruvannamalai
Hanumantha Rao Sri G Assistant - Break in service-
Condoned.

Read

Petition from Sri G.Hanumantha Rao Asst MI High
School, Tiruvannamalai dated 2-7-46
From the Commissioner Tiruvannamalai Mty N.Dis 4262 A-3
46 dated 29-7-46
From the D.P.I. R.C. No 1351 G1/46 dated 15-8-46

Order No 1796 Edn 17.9.1946
Ms

In his petition cited above, Sri G.Hanumantha Rao who was reemployed as Science Assistant in the Municipal High School, Tiruvannamalai, from 6-7-46 has made the following requests:-

(1) Payment of full salary from 4-5-46 to 6-7-46- the date of his reemployment

(2) Treatment of his service as continuous from the date of his first appointment in the school in August 1944.

The Govt have considered these requests and they proceed to pass the following orders thereon.

Request (1) ~~The Assistant worked for the~~ school year 1945-6 from ~~the~~ reopening of the school on 13-6-45 to the closure of the school for the summer vacation of 1946. He should be granted full pay for the vacation of 1946. No pay ~~will be allowed~~ for the period from 18-6-46 to 6-7-46 as he was not ^{actually} employed as Science Assistant during that period.

Request No (2) The Assistant was paid proportionate salary for the summer vacation of 1945 and was reappointed on the reopening day after the vacation. The vacation of 1945 should therefore be counted as duty with reference to para 2 of G.O. No 1016, Edn dated 9-5-39. ~~The period~~ He worked ^{during} the school year 1945-6. He could have been reemployed on ~~18-6-46~~ the reopening day after the summer vacation of 1946 as the council sanctioned the continuance of the additional section in Form VI during the school year 1946-7 and the D.E.^o also approved the proposal before the reopening of the school. The Assistant was however reemployed only from 6-7-46. The Govt direct

that the break in the service of the teacher caused thereby be condoned as a special ^{case} and the entire service of the teacher from the date of his first appointment in August 1944 ^{upto date} be treated as a continuous one. The Commissioner Tiruvannamalai Municipality is requested to obtain the sanction of the Council for the continuance of the additional section in Form VI for a period of one year from 18-6-46 so that there may be no necessity to discharge the Assistant again on the last working day of the current school year.

2. The petitioner is referred to the Commissioner Tiruvannamalai Municipality for orders on his representation.

18.7.46

16.7.46

To
The Commissioner
Tiruvannamalai Municipality
through the C.M.C.
D.P.I.
Examiner of H.P. & Co
petitioner (para 3 only)

2- The assistant
shd not have
admission to
service. This
is against
Rule 19 of the
rules relating
to his personal
conduct & should
of not do so.
The Council
has requested to
his attention of his
conduct & his
service.

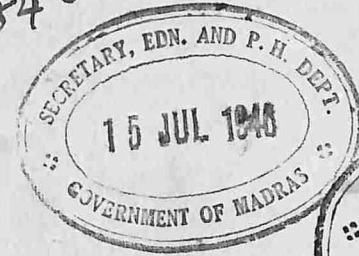
Establishment - Municipal Council - Tiruvannamalai -
Sr. G. Hanumantha Rao. Science Assistant. Municipal
High School. Request for reemployment

C.No. 38460/43. Petition from Sr. G. Hanumantha Rao. ex-Science
Assistant Ml High School. Tiruvannamalai 2-7-46

Secretary E. & P.H.

I am sending herewith a representation from Mr.
Hanumantha Rao. If the allegations contained in para. 2
are true, it is really very bad indeed. The matter may be
enquired into and reported.

H.M. Education.



The remarks of the Commissioner Tiruvannamalai
Municipality may be obtained on the file.
The draft ends on p 3 of is for approval.

17.7.46

18.7.46

ER 20/8/46

[End. no 38460-1 B1 EDN. d. 18.7.46]

from the Commr. Tiruvannamalai Mplty, N. Dis 4262/43/46 d. 29.7.46
from the D.P.I., R C No 1351 G.1/46 dated 18.8.46

Please see the remarks of the Commr.
Tiruvannamalai Mplty and the D.P.I. on the memorial

of Sri G. Hanumantha Rao.

2 In his memorial the teacher has made the following requests :-

- (i) Re-employment at an early date
- (ii) Payment of full salary from 4.5.46 to the date of his re-employment.
- (iii) Treatment of his service as continuous from 28.8.44 when he joined the school for the first time.

3 With reference to request (i), the Commr. reports that the teacher has been re-employed from 6.7.46.

4 Request (ii) :- As observed by the D.O. the teacher is entitled to full salary for the summer vacation of 45-46 i.e. for the period from 4.5.46 to 17.6.46 with reference to orders in G.O No 1881 Edy, 8.15.46.

5 Request (iii)

The teacher has already served for two years, and there was no necessity to refer the question of his re-employment again to the DEO & the Appointment Committee. The continuance of the section was sanctioned by the M.C. in its resolution No 86 of 15.5.46 and the approval of the DEO was received on 13.6.46. The Commissioner could have allowed the teacher to join duty on the resuming day i.e. 18.6.46. In the circumstances the break in the service of the teacher from 18.6.46 to 6.7.46 may be condoned as a special case but no pay need be allowed for that period as the teacher did not actually work in the school during that period. The Commissioner Tiruvannamalai may be asked to obtain necessary sanction for the continuance of the section for full pay from 18.6.46.

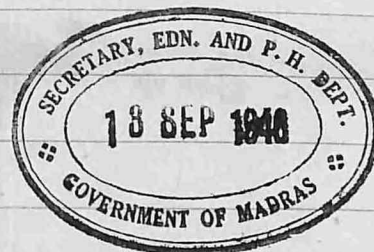
6 The teacher should not have addressed H.M. (Con) direct vide rule 19 of the rules relating to the personal conduct of officers & servants of Municipal Councils.

308/157-157
157-157
under the PM
2-1-1971

The Commissioner Tiruvannamalai Municipality may be asked to draw the attention of the teacher to the rule and to inform him that he should have addressed the SP9 in the matter through the proper channel.

The file may be circulated to H.M. (Con) with reference to his minute on page 1 ante.

USK
31.8.46



h. 8.46. f. 5.9.46

ISA
13.9.46

H.N. (Edn.)

A draft order is submitted below for approval.

USK
14.9.46

16.8.46

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