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E. & P. II. (194) Department.

(Is.) SERIES.

G.O. NO. 1179 Education.

Dated 9th June 1947.

(8)

[Despatch Abstract.]

Establishment Municipal - High School - Tiruannamalai
v.
Certain School Assistants - Breaks in service - Condonation
Orders passed.

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 Sri, K. Narayanasani, B.A.,
Municipal Commissioner,
Tiruvannamalai.
To The Secretary to Government,
Education and Public Health
Department, Madras.
Through The Director of Public Instruction,
Madras.

Ac/6691/46. Dated 16th November, '46.

Sub:- Establishment - Municipal High School - Assistants -
Sri V. Nilakantan, Sri K. Muthusamy, Sri S. Bala-
sundaram and Sri V. Sundaresan - Break in service -
Condonation - requested.

I beg to submit herewith a consolidated statement showing the names of petitioners, their periods of service etc. of the assistants, Municipal High School together with the copies of their petitions requesting to condone the break in their services and to treat their services continuous ones.

In this connection it is submitted that the additional sections to which these assistants were appointed were sanctioned by the council and approved by the District Educational Officer, North Arcot, were only for every school year and the assistants had to be ousted on the last working day of that school year.

The applicants, now request that these breaks in services may be condoned and their services treated as continuous as has been done in the case of one Sri G. Hanumantharao, B.A., L.T., Municipal High School in Government order No. Ms. 1736, Education dated 17-9-1946.

In the circumstances, I beg that Government may kindly be pleased to issue necessary orders regarding the claims put forward by the petitioners.

Forwarded.

V. K. Subramanian
Chairman. 23/11

Gs. 21-11.

K. Narayanasani
Commissioner. 22/11/46.

RM
22.11.46.

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1

Copy of the application of the assistant, Sri V. Nilakantan, Municipal High School dated 25th October, 1946 to the Municipal Commissioner, Tiruvannamalai.

I most respectfully beg to submit the following few lines to your most sympathetic consideration and favourable orders.

I was appointed as an assistant in the Municipal High School on the 21st August 1944 and was relieved from duty on the 7th May 1945, the date of closing of the school for summer vacation that year. I was re-entrusted on the 10th June 1945, the date of re-opening of the school after summer recess and was relieved again on the 6th May 1946, the date of closing of the school for summer that year. I was again re-entrusted for a third time on the 1st July 1946. In this connection I beg to add that excepting for the two breaks that I had, as afore-said for the two summers, I have been continuously working in section vacancies and that my case is also more or less similar and parallel to that of Mr. G. Hanumantha Rao, assistant of the school, who has been extended all the privileges as prayed for in his petition dated 2nd July 1946, in your order Aa/5347/46 dated 18-10-46.

I therefore most earnestly pray that you will be graciously pleased to grant me the same privileges as allowed to Mr. G. Hanumantha Rao, as prayed under.

- (1) that my break of service from 18-6-46 to 30-6-46 be kindly condoned,
- (2) that my period of service from 21-8-1944 onwards be treated as continuous,
- (3) that my vacation salaries be paid in full, and
- (4) that my increment (first be given on 21-8-46).

For which act of kindness and generosity, I would be ever grateful.

sd. V. Nilakantan,

11

Copy of the application of the assistant, Municipal High School, Sri K. Muthusamy, dated 21st October, 1946 to the Commissioner, Municipal Council, Tiruvannamalai.

Sub:- Breaks of service - from 7-5-45 to 12-8-45 and from 4-5-46 to 19-6-46 - Condonation and increment - Requested.

I beg to submit the following few lines for your kind favourable perusal and orders.

I was appointed for the first time as a probationary teacher on 19-1-44 in the leave vacancy of Sri Krishnamurthy Iyer and acted till 30-1-44 and again I acted in the leave vacancy of Sri S. Lakshminarayana from 2-2-44 to 3-3-44.

Then on 24-3-44 I was appointed again and my service was terminated on 7-5-45 (the day on which the school was closed for summer vacation).

Afterwards I was posted on the re-opening date, i.e., 12-6-45 again in the additional section but relieved on 4-5-46, the closing date of the school for the summer.

Lastly I was reappointed in the permanent vacancy caused by the demise of Sri C. Margasanyan Pillai on 30-6-46 though the demise took place on 12-7-45 and the post remained vacant even on the re-opening date of the school after summer i.e., 13-6-46.

Thus I have the following breaks of service:-

From 7-5-45 to 12-6-45 and 4-5-46 to 12-6-46.

I request your honour to be kind enough to condone the above break of service and treat my service as a continuous one from 24-3-44, leaving the prior service acted in leave vacancies, as is done in the case of Sri G. Hanumantha Rao an assistant of our Institution who is on the same lines with me.

I also request your honour to be kind enough to permit me to claim for the first increment which falls on 24-3-46.

sd. K. Muthusamy.

/ True copy /

III.

Copy of the petition of the assistant, Municipal High school Sri S. Balasundaram, dated 7th November, 1946.

I was entertained as an assistant in the Municipal High school, Tiruvannamalai on 13-10-45 and my services were terminated on the 4th May 1946 on the closing day of the school for the summer vacation. I was reappointed ~~xxxxxxxxxxxxxxxx~~ this year on 1-7-46 and not on the reopening day of the school though the sections continued to exist this year also. My co-teacher Sri Hanumantha Rao who has been appointed later in July 46 is condoned of his break of services for the period he had not been working, i.e., from the reopening day of the school to the day of his appointment and as such I request that my case similar to that of him may kindly be considered and the break of service of mine from the date of re-opening of the school to the date of my appointment be condoned and the orders passed to that effect may kindly be communicated to me.

sd. S. Balasundaram.

/ True copy /

IV.

Copy of the application of the assistant, Sri V. Sundaresan, Municipal High School, Tiruvannamalai to the Commissioner, Municipal Council, Tiruvannamalai.

I was entertained as an assistant in the Municipal High School, Tiruvannamalai, on 5-7-45 and my services were terminated on the 4th May 46 on the closing day of the school for the summer vacation. I was reappointed ~~xxxxxxx~~ this year on 1-7-46 and not on the reopening day of the school though the sections continued to exist this year also. My co-teacher Sri Hanumantha Rao who has been appointed later in July 46 is condoned of his break of services for the period he had not been working i.e., from the re-opening day of the school to the day of his appointment and as such I request that my case similar to that of his may kindly be considered and the break of service of mine from the date of reopening of the school to the date of my appointment be condoned and the orders passed to that effect may kindly be communicated to me.

sd. V. Sundaresan.

/ True copy /

Municipal Office,
Tiruvannamalai,
Dated 21-11-1946.

Gs. 21-11.

K. Narayanasami
Commissioner. 22/11/46

22.11.46

Statement showing the services of Sri V. Neelakantan, Sri K. Muthuswamy, Sri S. Balasundaram & Sri V. Sundare.
Assistants, Municipal High School, Tiruvannamalai

S. No.	Name	Date of appointment	Date of Termination	Nature of Vacancy	Remarks
1.	Sri V. Neelakantan	218-1944	6-5-45	Additional Section, IV class	Sanctioned by the Council Resolution No. 184 of 17.7.44 till the closure of the school
2.		13.6.45	3.5.46	Additional Section	Sanctioned by the Council Resolution No. 85 of 15.5.45 for 45-46.
3.		1.7.46	Continues	Additional Section	Resolution No. 86/15.5.46 for 46-47.
	Report 18.6.46		Break of Service = (1) 7.5.45 to 12.6.45 (2) 4.5.46 to 3.6.46 Summer vacations		
2.	Sri K. Muthuswamy	19-1-44	30.1.44	Leave vacancy	Caused by Sri V. Iyengar
	Chetty	2.2.44	9.3.44	do	do S. Lakshmi Narayanan
		24.8.44	6.5.45	do	do T.K. Sundaresa Iyer
		13.6.45	4.5.46	Additional Secn	Res. No. 85/15.5.45 for 45-46.
		20.6.46	Continues	Permanent Vacay	Caused by the demise of Margasahayam Pillai, a permanent incumbent.
			Breaks in Service: - 31-1-44 to 1.2.44 10.3.44 to 23.8.44 7.5.45 to 12.6.45 5.5.46 to 19.6.46		Condonation Registered by the pet honr.

No.	Name	Date of appointment	Date of Termination	Vacancy Served in	Remarks.
3.	Sri. S. Balasundaram	1. 30.7.45	21. 9. '45	Leave vacancy.	Caused by Sri V Krishnamurthy Iyer.
		2. 18.10.45	3. 5. '46	Additional section, class V.	Res No 85/15.5.46. Till the close of 45-46.
		3. 1.7.46	Continues	Additional Section	Res No 86 D/15.5.46 for 46-47
		Breaks in Service :-	22.9.45 to 17.10.45 } 4.5.46 to 30.6.46 }		Condonation Registered. <i>Refused</i>
4.	Sri. V. Sundaresan	1. 14.3.45	14.3.45	Leave vacancy.	" Sri. Subramania Aiyer.
		2. 26.3.45	20.4.46	to	to
		3. 4.7.45	3.5.46	Permanent Vacancy.	Sri. Margasahayam Pillai
		4. 1.7.46	Continues	Additional Section.	Resolution No 81 D/15.5.46 for 46-47
		Break in Service :-	15.3.45 to 25.8.45 21.4.45 to 3.7.45 } 4.5.46 to 30.6.46 }		Regd.

Municipal Office,
Tiruvannamalai
12.12.1946

K. Narayanaiah
Commissioner
12.12.46

Office of the Director of Public Instruction, Madras.
Dr. S. R. U. Savor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.

18 FEB 1947

R.C.No. 11388-G1/46.

Dated 10th February 1947.

Subject.

MUNICIPAL HIGH SCHOOL, Tiruvannamalai--Sri V. Nilakantan
and three other teachers--condonation of breaks in their
service.

Reference:-Letter No. A3/6691/46 dated 16.11.1946 from the
Commissioner, Tiruvannamalai Municipality.

Submitted.

2. With his above letter, the Commissioner,
Tiruvannamalai Municipality has enclosed a statement of
services of Sri V. Nilakantan and 3 other teachers and has
requested Government to condone the breaks in their service
on the analogy of G.O.No. 1796-Education dated 17.9.1946. The
cases are examined below:-

3. Sri V. Nilakantan:-

He served from 21.8.1944 to 6.5.1945, was entitled
to proportionate vacation salary for the vacation of 1945
and was reappointed on 13.6.1945, the re-opening day after
the vacation. Hence the vacation of 1945 should be counted
as duty with reference to G.O.No. 1016-Education dated 9.5.39.
He worked from 13.6.1945 to 3.5.1946 and was ousted then.
He was reappointed on 1.7.1946 and not on 18.6.1946, the re-
opening day after the vacation of 1946. This is a case
analogous to that of Sri G. Hanumantha Rao disposed of in
G.O.No. 1796-Education dated 17.9.1946 and hence the break in
the service of Sri V. Nilakantan is recommended for condona-
tion so that he may have continuity of service from 21.8.1944.

4. Sri K. Muthuswamy Chetty:-

For the same reason, the break in his service from
5.5.1946 to 19.6.1946 alone is recommended for condonation
so that he may have continuity of service from 24.8.1944 only.

5. Sri S. Balasundaram and Sri V. Sundaresan:

There is no case to support the proposal to condone
the breaks in their service as they did not work for even
one full school year since their first appointments in July
1945 and March 1945 respectively.

6. The Commissioner may be requested to obtain the
sanction of the Municipal Council for the continuance of the
additional section in which Sri V. Nilakantan is working for a
period of one year from 18.6.1946 so that there may be no
necessity to discharge this teacher again on the last working
day of the current school year. The Commissioner may also be
advised similarly so that Sri S. Balasundaram and Sri V.
Sundaresan also may not have further breaks in future.

To

FOR DIRECTOR OF PUBLIC INSTRUCTION.

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George, Madras.

ks.112.

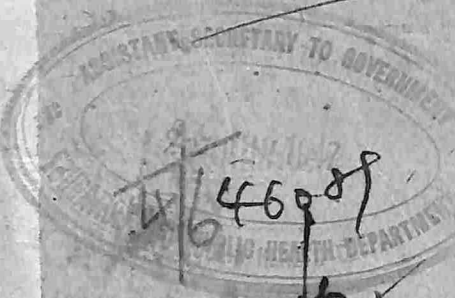


Essential as per page 1

Consul No. 12593.B/47-1. Edn. 89.4-47

Refused to be Examiner of Local Fund Accounts for remarks at an early date
J. Dur
B. S. S. S.

9/4/47



Do
Mr. Examiner of Local Fund Accounts
(eight pages - to be returned with reply)

67. 1326
M.S. 67

Examiner's Office.

(1) Sri V. Nilakantan.

The period of break in service from the 18th June 1946 to the 30th June 1946 may be condoned as a special case and his service from the 21st August 1944 may be considered as continuous with reference to G.O.No. 1016, Education, dated the 9th May 1939. He may be granted full pay for the vacation. But no pay is admissible for the period from the 18th June 1946 to the 30th June 1946 as he was not actually on duty.

(11) Sri K. Muthuswami.

Similar sanction for condonation of break of service for the 18th and 19th June 1946 may be accorded as a special case.

As regards the other two teachers Sri S. Balasundaram and Sri V. Sundaresan, I agree with the Director of Public Instruction that their cases do not require consideration as they have not worked even for one complete school year.

2. The enclosures received with the Government endorsement are returned herewith.

M. N. Shanker Rao.

(B.R. Shanker Rao)
Examiner of Local Fund Accounts.

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

Edn. & P.H.Dept.(B1)

Establishment - Municipal High School - Tiruvannamalai - Certain School Assistants - Breaks in service - condonation - Orders passed.

From the Commissioner, Tiruvannamalai Municipality
A.3.6691/46 dated 16-11-46.
From the D.P.I. No.11388 G.1/46 dated 10-2-47.
From the Examiner of Local Fund Accounts 1326 dated 31-5-47

ORDER/MS.NO. 1179 Edn. dated 9.6.47

The Govt. have considered the petitions of certain Assistants in the Municipal High School, Tiruvannamalai, for the condonation of the breaks in their service caused on account of their discharge just before the summer vacation and reemployment after the reopening of the school after the vacation and they proceed to pass the following orders:-

(1) Sri V. Nilakantan

The Assistant worked during the school year 1944-5 from 21-8-44 to 6-5-45 and was reemployed on the reopening day after vacation. With reference to G.O.No.1016 Edn. dated 9-5-39, the vacation of 1945 should be treated as duty and the Assistant should be paid proportionate vacation salary. He worked during the whole of the School year 1945-6 but was not reemployed on the date of reopening of the school after the vacation of 1946. The Govt. direct that the break in the service of the assistant from 18-6-46 to 30-6-46 (inclusive) be condoned as a special case, that his service from 21-8-44 be treated as a continuous one and that he be paid full pay for the vacation of 1946 with reference to para 1 of G.O.No.1881 Edn. dated 18-8-39. He will not however be eligible to draw pay for the period from 18-6-46 to 30-6-46 as he was not actually on duty during that period.

(2) Sri K. Muthuswami

The Assistant served from 24-8-44 to 6-5-45 and was reemployed on the reopening day after the summer vacation of 1945. The vacation should be counted as duty under G.O.No.1016 Edn. dated 9-5-39 and the Assistant should be paid proportionate vacation salary. He served

20-6-46 instead of on the reopening day. The Govt. direct that the break in the service of the Assistant for the 18th and 19th June 1946 be condoned as a special case and that his service from 24-8-44 be treated as a continuous one. He will be eligible to draw full pay for the vacation of 1946 but no pay will be admissible for the two days ^{during which he} did not work in the school after its reopening.

(3) Sri G. Balasundaram and Sri V. Sundaresan

The Assistants did not work for even one full school year since their first appointment and their request for condonation of the breaks in their service cannot be complied with.

The Special Officer, Tiruvannamalai Municipality is requested to sanction the continuance of the additional sections for a period of one year from 18-6-46 so that ^{which} Messrs. V. Nilakantan, G. Balasundaram & V. Sundaresan ^{were working for a} may ^{period of four year from 18-6-46 so that they may} not have further breaks in their service.

To
The Commissioner + S.O.
Tiruvannamalai
Municipality through
the C.M.O.
D.P.I.
Exmr, of L.F. Accounts.
I.S.C.

Sub: Establishment - Municipal High School, Tiruvannamalai
- Certain Secondary grade teachers - Request for condonation of breaks in service.

Ref: From the Commissioner, Tiruvannamalai Municipality
A3 6691/46 d/18-11-46.
From the D.P.I. RC.No.11388 G1/46 dated 10-2-47.
From the Examiner of L.F. Accounts L.F.1326 dated 31-5-47.

Four secondary grade teachers in the Municipal High School, Tiruvannamalai (Messrs. V. Nilakantan, K. Muthuswami Chettai, S. Balasundaram and V. Sundaresan) have petitioned that the breaks in their service caused on account of their discharge on the date of closing of the school for the summer vacation and reemployment after the re-opening of the school may be condoned as a special case so that they may have continuity of service from the date of their first appointment. Particulars in regard to the nature of the vacancy in which the teachers were employed and the periods of break in service in each case are given in the statement on pp. 7-8 c.f.

2. The petitioners are not permanent teachers and the principle observed for condoning breaks in service cannot be followed in these cases. The teachers had to be discharged on account of the fact that the additional sections ^{in which they were employed} were sanctioned from year to year and the teachers employed in the temporary posts were discharged at the end of the school year and re-employed ~~in the same posts as they were discharged at the end of the school year~~ after the continuance of the additional sections was sanctioned in the next year. Under para 2 of G.O. No. 1016 Education dated 9-5-1939, if a teacher whose services are dispensed with just before the vacation and who is allowed to draw vacation salary in full or in part resumes duty on the date of re-opening of the school after the vacation, the vacation should be treated as duty, but if he resumes duty, sometime later then the interval between that date and the actual resumption of duty will constitute a break in service. In the case of one Sri G. Hanumantha Rao, as assistant in the same school the break in service was condoned as a special case as he could have been reemployed on the day of the re-opening of the school but was not actually reemployed by the Commissioner. The petitioners want a similar concession.

3. The D.P.I. and the Exmr. of L.F. Accounts recommend that the break in the service of Sri V. Nilakantan from 18th June 1946 to 30th June 1946 (inclusive) and in the service of Sri M. Muthuswami Chetty on the 18th and 19th June 1946 may be condoned as a special case. If this is done, the service of the former from 21-8-44 and that of the latter from 24-8-44 ^{may} ~~will~~ be treated as continuous with reference to G.O. No. 1016 Edn. dated 9-5-39. (V)

The Commissioner and special officer Tiruvennamalai Municipality may asked to ~~authorize~~ sanction ~~of the Municipal Council for~~ the continuance of the additional sections in which the assistants Messrs V. Nilakantan, Balasundaram & Sundaresan are working for a period of one year from the date of re-opening of the school so that they may not have further breaks in service.

4. As regards Sri S. Balasundaram and Sri V. Sundaresan the D.P.I. and the Exmr. consider that their cases do not require consideration as they have not worked even for one complete school year. Their recommendation may be accepted.

A draft order is submitted below for approval.

2 The fourth
Muthuswami
chetty is employed
in a permanent
position
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6.6.47