

EDUCATION AND PUBLIC HEALTH (1948) Department.

SERIES.

G.O. NO. 2006 Education

Dated 13th August 1948.

[Despatch Abstract.]

Madras Educational Service -Fazl-ul-lah Sahib Bahadur, S.M., Lecturer -
Declared an approved probationer relaxing rule.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	2169						
	2112						
	475						
	15828						
	1381						
	295.12						

Further Papers.

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

From Sri D.S. Reddi, M.A. (Oxon)
Director of Public Instruction, Madras.

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

R.Cl. No. 2194 C1/47 dated 8th April 1948.

Sir,
Sub: MADRAS EDUCATIONAL SERVICE - S.M. Fazl-ul-lah
Sahib Bahadur - Probation.

In their Order No. Ms. 2169 Edn., dated 21st Decr. 1945 S.M. Fazl-ul-lah Sahib Bahadur, Assistant Lecturer was appointed to officiate as Curator, Government Oriental Manuscripts Library in the Madras Educational Service. He joined duty as Officiating Curator on the afternoon of 3rd January 1946, and completed two years' service in the Madras Edl. Service on the afternoon of 3rd January 1948. He has not undergone the six months' training in the Madras Record office during the period of his probation as Curator, as the Record office had not resumed normal working in Madras. He has not passed the Account Test for Executive Officers and the Special Language Test for Officers of the Education Dept. Lower Standard, which he has to pass during the period of his probation as Curator. In the meantime, he has been transferred to officiate as Lecturer in Urdu in the Government Muslim College Madras - vide G.O. Ms. No. 475 Edn., dated 10th March 1948, and accordingly he has taken charge as Officiating Lecturer on the forenoon of 22nd March 1948.

2. In view of the fact that S.M. Fazl-ul-lah Sahib Bahadur has since been transferred as Lecturer in Urdu, the service put in by him as Officiating Curator will count towards probation in the post of Lecturer under proviso to rule 7(a) of the Special Rules for the Madras Educational Service. But, for completing probation in the category of Lecturers in Class III, S.M. Fazl-ul-lah Sahib Bahadur need not pass any tests. Under these circumstances, I have the honour to enquire whether he should be considered to be regular probationer in the category of Lecturers in Urdu (category 5 of Class III) and if so, from what date. It may also be submitted that there appears to be no likelihood of S.M. Fazl-ul-lah Sahib Bahadur being re-posted as Curator, Government Oriental Manuscripts Library, Madras.

for Director of Public Instruction.

Conf

MEMO.No. 27849-A-1, d/-14.5.48

3

M.E.S.-S.M.Fazl-ul-lah Sahib Bahadur--Probation.

cf. Read:-From the DPI, No.2194-C1/47, d/- 8-4-48.
Accg. to the

the Proviso to rule 7(a) of the Spl Rules for the M.E.S., Syed Muhammad Fazl-ul-lah Sahib Bahadur is eligible to count the period of his service as Lecturer towards his probation in the post of Curator, Govt. Oriental MSS. Library - and not the period of his service as Curator towards his probation in the Lecturer's post. If his service as Curator shd. be taken into account for purposes of his probation in the post of Lecturer, either rule 7(a) of the Special Rules shd. be relaxed in his favour or the Proviso to that rule

shd. be amended with retrospective effect, ^{Suitably} so as to enable him to count ~~over his years~~. The latter course is considered preferable as it is likely that similar cases will arise in future. The D.P.I. is requested to send to Govt. a draft of the amendment to be made to the Proviso.

To the D.P.I.

P.S. 9.5.48

10/5/48

13 at 44

period in 8/2
10/5/48

46306
Confidential.



From
Sri D.S. Reddi, M.A. (Oxon.)
Director of Public Instruction, M a d r a s.

The Secretary to Government,
Education and Public Health Department.

R.C. No.2194 C1/47 dated 18th June 1948.

S i r,

Sub: MADRAS EDUCATIONAL SERVICE - S.M. Fazl-ul-lah
Sahib Bahadur - Probation.
Ref: Govt. Confidential Memo No.27949 A.1, dated
14th May 1948. *up.2 am*

With reference to the Memo cited above, I have the honour
to state as follows:-

Amendment 3 at (Y)
1. It is stated that if the service of S.M. Fazul-ul-lah Sahib Bahadur as Curator should be taken into account for purposes of his probation in the post of Lecturer, proviso to rule 7(a) of the Special Rules should be amended with retrospective effect, suitably. It is also stated that amendment to the rules as suggested is preferable as it is likely that similar cases will arise in future. In this connection, I may point out that cases similar to that of S.M. Fazl-ul-lah Sahib's will be very few (if any) and I consider that this particular case which is of a peculiar kind, need not be made a typical case calling for amendment to the Special Rules. Moreover, I may submit that even if an amendment to the rules as proposed is issued, the case of S.M. Fazl-ul-lah Sahib Bahadur will still be an anomalous one; for, without actually serving as Lecturer in Urdu for even a day, he would have completed his probation in the post of Lecturer satisfactorily on 3-1-1948, i.e., over two months earlier to the date of his actual joining duty as Lecturer. In this particular case it seems better to relax the rules in the officer's favour and declare him to have satisfactorily completed his probation in the post of Lecturer, counting his service as Curator for purposes of probation in the Lecturer's category, rather than amending the rules which is likely to give rise to other complications. In view of the fact that the transfer of Mr. Fazl-ul-lah Sahib as Lecturer was ordered by Government in the interests of public service, I consider that the relaxation of the rules in his favour as proposed, is justifiable. Accordingly, I recommend that rule 7 of the Special Rules for the Madras Educational Service may be relaxed in favour of S.M. Fazl-ul-lah Sahib Bahadur with a view to his counting his service in the post of Curator for purposes of probation in the post of Lecturer and that he may be declared to have satisfactorily completed his probation in category 5 of Class III of the Madras Educational Service on the afternoon of 3rd January 1948, although he joined duty as Officiating Lecturer only on 22nd March 1948.

2
Y
3. As regards the amendment to the rules called for, I shall address Government in the matter if and when an appropriate case necessitating the issue of amendment as suggested by Government arises, in future.

P m
for Director of Public Instruction.

RC. 22/6.

M.E.S. - Fazlullah Sahib Bahadur, Lecturer -
Declared an approved probationer, relaxing rule.

Read: From the D.P.I., No. 2194-C/47,

G.O. (MS.) No. 2006 Edn., dated 13.5.48

S.M. Fazl-ul-lah Sahib Bahadur, Asst. Lecturer;
was apptd. in Dec. 1945 to officiate as Curator, Govt. Oriental
Mss. Library, in the M.E.S. He joined that appt. on
3-1-46 A.N. He completed two years of service therein
on 4-1-48 F.N. ^{Within that period,} and ~~within that period~~ he did not pass ~~the tests~~
the Account Test for Executive Officers prescribed for a
probationer in the Curator's post and did not also undergo
the six months' training ⁱⁿ the M.R.O. ^{required} ~~requd.~~ of him as the
Record Officers had not resumed normal working in Madras:

Fazl-ul-lah Sahib Bahadur was later transferred,
in the public interest as Lecturer in Urdu, Govt. Muslim
College, Madras, from 22-3-48. Ordinarily, under rule 7(a)
of the Spl. Rules for the M.E.S., he has to undergo fresh
probation in the Lecturer's post as the proviso to that rule
would not apply to his case. But ~~that as the officer~~ ^{since he has} ~~that as the officer~~ ^{in the M.E.S.} served in a regular capacity for more
than 2 years in the M.E.S., in another post carrying the
same scale of pay, and ^{since} ~~as~~ further, if he is apptd. as
Lecturer, he need not pass any test or undergo any
trg. during the period of his probation in that post, the
Govt. consider that it is only fair that his service as
Curator is counted towards his probation as Lecturer.
H.E. the Govr. of Madras accordingly directs, under section
241(5) of the G. of I. Act, 1935, that the provns. of rule
7(a) of the Spl. Rules for the M.E.S. be relaxed in favour
of S.M. Fazlullah Sahib Bahadur with a view to his being
declared an approved probationer in the category of
Lecturers on the basis of his service as Curator, Govt.
Oriental Mss. Library.

2. Fazl-ul-lah Sahib Bahadur is declared to have
satisfactorily completed his probation in Category 5 of
Class III of the M.E.S. on 4-1-1948.

(Shd. be
self-explanatory;
hence no more
amts.)

(B) 48/12/48
N/12/48
H at 12/48

BK 113
Rule 8 of MFS Rules
as applicable to
Super of Sample Schools. at
P. 12/48

at 27/12/48
N/12/48

BK 113
C/12/48
YY

K at 12/48

12, BK 112

2 at 13/48

AS 3-1-46 A.N.
31-48 A.N. 22
continuous period
To the D.P.I.
A.G. 12/12/48
M.P.S. 12/12/48

12/13/48

14/48

From the D.P.I., No.2194-C1/47, d/- 8-4-48.

M.E.S.--S.M.Fazl-ul-lah, offg. Lecturer in Urdu--
Probation.

The effect of the Proviso to rule 7(a) of the Special Rules for the M.E.S., is not exactly as quoted by the D.P.I. at X in his letter below.

The first part of the Proviso, as worded, implies that, only if the person transferred from one category to another is already an approved probationer in the former category, he need not undergo fresh probation in the latter category. but that if he is a probationer in the former/he should undergo probation in the latter category.

Accg. to the second part, supposing a probationary Professor is transferred as Lecturer, he can be declared an approved probationer in the category of Prefs., taking into account his service as Lecturer - and not in the category of Lecturers itself. Similarly, in the case of S.M.Fazl-ul-lah Sahib Bahadur, his service as Lecturer can be counted for/probation as Curator, Govt. Oriental MSS. Library - ^{and} but not his service as Curator for probation as Lecturer. But, To his being declared an appd. probationer in the categ. of Curator, however, there is this objn., viz., that he has not passed the tests and has not undergone the trg., prescribed for that category. Therefore, the Dir.'s enquiry at Z in his letter shd. be answered in the ^{negative.} ~~affirmative~~ But, that would not be fair. There is no specific reason why, whereas he has ^{served} service for more than 2 years in the M.E.S. in a regular capacity, that service shd. not be given weight in respect of his ^{appt. or transfer} appt., ordered subsequently, as Lecturer, espily. when no tests are prescribed for the Lecturer's posts.

For orders whether, therefore, this dept. may recommend the relaxation of the ^{probation rule} ~~provision~~ in his behalf. [The alternative would be to amend the ~~rule~~ Proviso and give retrospective ^{effect} amendment to the amendment to cover Mr.Fazl-ul-lah's and other future cases that may arise.]

Pub.(Ser.) may see for remarks.



1642
4-MAY 1948
ASSISTANT SECRETARY TO GOVERNMENT
CHIEF SECRETARY

1642
4-MAY 1948
ASSISTANT SECRETARY TO GOVERNMENT
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1642
4-MAY 1948
ASSISTANT SECRETARY TO GOVERNMENT
CHIEF SECRETARY

Pub. Ser. Dpt
A on p. 1 ante: This dpt need not object
It should see the case & a copy of the order
relating thereto should be communicated to the
M.P.C.

The file may be returned to E.H.
An amendment of the
rule seems to be preferable as
similar cases are likely to arise in future
for orders.

575748 Japer
A draft Memo. is subd.
Pub. (Ser. A). u.o. No. 1642/48-1
6/5/48

11/5/48
14 MAY 1948
GOVERNMENT OF MADRAS
33942
14.5.48

Issued as Memo. No. 27949-A-1, dated 14-5-1948. cf. 2
From the D.P.I., No. 2194-C1/47, dated 18-6-48. cf. 3

In view of what the D.P.I. has stated at p.3 C.F.,
the probation rule may be relaxed in favour of S.M. Fazl-ul-lah
Sahib Bahadur, the question of amending the proviso to that rule
being left to be considered if cases in necessitating the amend-
ment arise in future. Pub. (Ser.) may be requested kindly to say
whether they agree to the adoption of the Dir.'s suggestion.

14/7/48
15/7/48
Public Services Dept.
27949-A-1
2423/48-1
53285

The proposal in this file is to relax
the rule in the M.E.T. Spl. Rules relating to
probation in favour of S.M. Fazl-ul-lah
Sahib Bahadur, formerly Curator, Oriental Manuscript
Library and now Lecturer in Urdu, Rushin College,
with a view to his being declared an
approved probationer in the Lecturers' category -
A at p.1 ante & 2 at p.2 ante. Public have
agreed. May be O.D. to H.P. (Ser.) & H.P.

17/7/48
17/7/48 S /
10A
21.7.48
A.P.V.
O.P.R.
10/8



A draft order is subd.

12/8/48 S /

11/8/48

800 121
121

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