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Sectt. II-27-58,004-27-10-47

Edn. & P.H. (1948) Department.

Ms. SERIES.

G.O. NO. 2543. Edn.

2543

Dated the 7th October 1948.

Shoals-16

1 for R.S.  
13-168  
12745

7.12.1948  
16

[Despatch Abstract.]

Education - Schools under local bodies - ~~XXXXXXXXXX~~  
Retirement of teachers during the middle of the school  
year - Revised instructions - Papers recorded.

# Back Papers.

| Date. | G.O. | No. | Dep. |
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# Further Papers.

| Date. | G.O. | No. | Dep. |
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பாதுகாப்பு பிரதி-1

செப்பனிடுவவர் பெயர்: வி. கருணாநிதி

செப்பனிடுவதற்காக எடுத்தக்- 10/08  
கொள்ளப்பட்ட நாள்.

செப்பனிடும்  
முதல் முதிபாள  
கையொப்பம்

செப்பனிடும்  
2ம் முதிபாள  
கையொப்பம்

செப்பனிடும்  
உதவியாளர்  
கையொப்பம்

G.F. 32 (a).

In reply, please quote  
number, date and  
short title.\*

LOCAL ADMINISTRATION DEPARTMENT.

Received

Registered

From (Name) N. S. Arunachalam Esq. O.B.E., I.C.S.,

(Designation) Special Officer, Malabar District  
Board,

Post Box (STATION) CALICUT.

Telegraphic Address

To

The Secretary to Government, Education and  
Public Health Department, M A D R A S

No. A.3.16033/48, dated 21st May, 1948.

Sir

\* Education-Schools under local bodies-  
retirement of teachers during the middle  
of the school year-Instructions sought-  
Govt. Memorandum No. 95111G.3.47-3-Edn.  
dated 4-5-48.

ENCLOSURES

SPARE COPIES

Regarding the re-employment of teachers who  
are due to retire in the middle of a school year  
I request instruction as to (1) whether such  
teachers who are efficient and otherwise desir-  
able can be re-employed even if substitutes are  
available for appointment and (11) whether the  
services of such re-employed teachers should be  
terminated on the closing date of the school for  
the summer vacation or they can be permitted to  
avail themselves of the summer vacation and (111)  
whether such teachers who are reemployed accord-  
ing to the instructions contained in the memor-  
andum cited above are eligible for the leave  
preparatory to retirement.

2. Leave preparatory to retirement should be  
limited to the amount of leave admissible to the  
P.T.O.

servant under the substantive portion of use (11) of F.R. 81(b), that is, to the amount of leave at credit in column 6 of the leave account subject to a limit of 4 months. If a teacher who is due to retire in the middle of a school year is ~~found~~ inefficient or otherwise undesirable for reemployment and has no sufficient period of leave in col. 6 it may become necessary to grant leave on half average pay or leave without allowance as the case may be. I presume there will be modification to this.

*[Signature]*  
For Special Officer.

CI/25/5/

Education & Public Health Dept. (G.S.)

Endowment No. 39025 G3/48-1 Gdn. 3/6/48.

Referred to the Director of Public Instruction for remarks.

Assistant Secretary to Govt.

To The Director of Public Instruction.

B2/8837/48 dated 16-6-48.

From

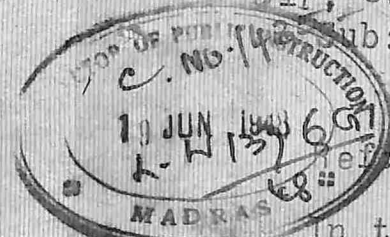
Sri P. Gopalan Nair, I.M.P., L.P.H.,  
Municipal Health Officer and Commissioner-in-charge,  
Kancheepuram Municipality, Kancheepuram.

To

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

The Director of Public Instruction, Madras  
and The Chairman, Municipal Council, Kancheepuram.

Sir, G1/48.



Sub:- EDUCATION - Schools under local bodies - Retirement of teachers during the middle of school year - Instructions.  
Ref:- Govt. Memo No. 95111-G-3.47-3 Edn. dated 4-5-48.

In the memo referred to above, Government have ordered that when teachers are due to retire in the middle of a school year, steps should be taken to retire them by the end of the previous school-year by granting them leave preparatory to retirement to which they may be eligible if there is no chance of substitutes being found. These instructions have been issued with a view to avoiding any disturbance in the working of the school. I submit the following facts in this connection for favour of reconsideration of the orders of Government.

2. If according to the instructions of Government a teacher is compulsorily retired from service granting him leave to which he may be eligible, the Municipality will have to pay leave salary to the retiring incumbent and regular salary to the substitute appointed and thus meet expenditure on two incumbents from the Education Fund. It is unlikely that all teachers who are to retire in the middle of a school-year will take leave of their own accord preparatory to retirement as most of them would like to be on duty at the time of retirement. Further more the teachers being in the Vacation department earn leave on full pay without medical certificates ~~and~~ only for 3 days in a year and they cannot take leave on average pay unless they produce medical certificates and take medical leave. Otherwise they will be eligible for leave on half-pay only and they may not like to draw leave salary on half-pay but would like to be on duty so as to draw full pay. If the teachers are therefore permitted to retire on the dates due, it will be financially to the benefit of the employee concerned as well as to the Municipality.

3. The purpose of issuing the G.O. under reference is to obviate disturbance in the middle of a school-year. I submit that changes or disturbances caused by the retirement of teachers are few and far between when compared to changes caused on account of the grant of leave on medical certificates to the teachers. The teachers, whenever they want leave, resort to production of medical certificates so that they can draw full leave salary and the leave also may not be refused. The disturbances caused by the grant of leave to teachers cannot be said to be rare or infrequent. When compared to these changes, the changes on account of retirement will be insignificant.

4. In the circumstances stated above, I request that Government may be pleased to permit the retirement of teachers on the dates due. Pending the receipt of orders on this letter, I am retaining the teachers who are to retire in this school year (1948-49).

*Commissioner-In-Charge.*

ek17a

*Forwarded  
M. Srinivasan  
Chairman  
17/7/48*

EDUCATION

DEPARTMENT.

Received

19

Registered

19

Subject.

SCHOOLS - Secondary - Local Bodies - Retirement of teachers during the middle of the School year - Certain doubts raised for clarification - Remarks - *Offered.*

1. Letter A.3.16033/48 dated 21-5-48 from the Special Officer, District Board, Malabar addressed to Government and forwarded to the Director for remarks with Govt. Endt. No.39025-G3/48-1 Tdn., dated 3-6-1948.  
2. Letter B2-8837/48 dated 16-6-1948 from the Commissioner, Municipal Council, Kancheepuram addressed to Government, through the Director.

ENCLOSURES.

No.

Spare copies

RC. No. 1376-G1/48.

Station M.A.D.R.A.S., Dated the 9th July 1948.

From (Name) SRI. D.S. REDDI, M.A., (Oxon).  
(Designation) DIRECTOR OF PUBLIC INSTRUCTION.

To The Secretary to the Government of Madras,  
Department.

EDUCATION & PUBLIC HEALTH

Sir,

I submit herewith the two references cited above with the following detailed remarks on the issues raised therein:-

a) With regard to the three points raised in para 1 of the letter of the Special Officer, District Board, Malabar, he may be informed that if there are no probationers awaiting re-employment, the retired persons may be re-employed and no advertisement need be made to fill up the vacancy and in cases where there are probationers

P.C.O.

probationers available for re-employment it will not be proper to re-employ the retired persons since it will amount to supersession of the claims of probationers for re-employment;

2) the services of the retired re-employed people may be terminated on the last day of the closing of the school for summer vacation as their services may not be required during summer and as they are eligible for proportionate vacation salary and 3) since they will be actually deemed to have retired from service on the date of their superannuation and as their services from the day following the date of their retirement will be considered only as one of re-employment, the eligibility for grant of leave preparatory to retirement will not arise.

With reference to the doubt raised in para 2 of his letter he may be informed that as per the orders in Government Memo. No. 95111-G3/47-3 Bdn., dated 4-5-48 such teachers can be granted only the leave to which they are entitled.

(b) On a careful examination of the issue raised by the Commissioner, Municipal Council, Kancheepuram in his letter cited above with reference to the orders of the Govt.

Memo in regard to the procedure for re-employment of retired persons it is observed that (i) it will involve an additional expenditure to the local body towards the leave salary of the person who is to retire and also towards the salary of his substitute. (ii) It will give room for undue privileges and abuse on the part of the appointing authorities of the local bodies while deciding the question of re-employment of persons at the commencement of the school year, (iii) It will be an indirect punishment on such of teachers as ~~may~~ may be deemed especially ~~on the verge~~ of their retirement as inefficient as they will have to be forcibly granted leave preparatory to re-employment for which they are eligible for and will also have to receive half pay for that period (since they do not have ~~sufficient~~ leave on full pay to their credit as they belong to vacation department) much against their intention to work and receive full pay for the period.

P.L.O.

2. In the circumstances explained above, I recommend

that the orders of the Government in their memo cited above may be modified so as to provide for the continuance of all the teachers in service till their dates of superannuation and not to grant them leave preparatory to retirement against their intention to work or declaring them as inefficient on the eve of their retirement from service and that the present procedure under which Government sanction the re-employment in individual cases may be continued as hitherto for.

FOR DIRECTOR OF PUBLIC INSTRUCTION.

KN.15.7.

EPH(83)  
The original of memo no: 95111 83/47-3 (con A) referred to as, please 4.5-48/ was put up in another file bearing C.no: 51290/48 and circulated to HM (ED) on 21/7/48. That file has not yet returned from O. This may lie over till the return of that file.

26/7/48  
ces  
20/7

26/7/48

C.F. 32.

In reply, please quote number, date and short title.



56168

ENCLOSURES

SPARE COPIES

pp 5-7 ante

Received \_\_\_\_\_ Registered \_\_\_\_\_  
From (Name) Sri D. S. Reddi, M.A. (Oxon.),  
(Designation) Director of Public Instruction,  
Post Box \_\_\_\_\_, (STATION) Madras.  
Telegraphic Address 'Instruction'.

To

The SECRETARY TO THE GOVERNMENT OF MADRAS,  
EDUCATION AND PUBLIC HEALTH DEPARTMENT,  
FORT ST. GEORGE, MADRAS.  
R.C.No. 1390-G1/48, dated 26th July 1948.

Sir,

Municipal Council, Palacole--Secondary Schools--  
\* Sri V. Padmanabhan, Retired Secondary Grade teacher--Re-employment after retirement--instructions--Solicited.  
Reference: Government Memorandum No. 95111-43/47-3 Education dated 4.5.1948.

In continuation of my remarks in para 1 (a)

of this office endorsement R.C.1376-G1/48 dated 9.7.1948, I have the honour to bring to your kind notice that the Commissioner, Municipal Council, Palacole proposed to reemploy a retired secondary grade teacher-one Sri V. Padmanabhan with reference to the instructions in the Government Memorandum cited above though there are probationers awaiting reemployment. As already stated in my endorsement dated 9.7.1948, the reemployment of the superannuated secondary grade teacher cannot be recommended in as much there are probationers awaiting reemployment. In the above circumstances I propose to inform the Commissioner not to reemploy the said superannuated secondary grade teacher and to fill in the vacancy immediately by reappointing the seniormost probationer awaiting reemployment. I solicit the favour of instructions whether my action in informing the Commissioner on the above lines will be in order with reference to the orders in Government Memorandum cited above. I request that orders may kindly be issued urgently to enable me to inform the Commissioner at an early date.

Yours faithfully,

*K. Sankararajan*

For Director of Public Instruction.

Ref.C.No.14573-A3-48.

7  
S.K. District Board Office,  
Mangalore, d/ 17-8-1948.

From S.R. Kaiwar Esq, M.A., I.C.S.,  
Special Officer, Dt. Board,  
South Kanara, Mangalore.

To The Secretary to Government,  
Education & Public Health Department,  
M A D R A S.

\*\*\*\*\*

25 AUG 1948  
Sir,

6316A  
Sub: EDUCATION - Schools under Local Bodies -  
Retirement of teachers during the middle  
of the school year - certain instructions  
requested.

Ref: Government Memo.No. 95111-G3-47-3-Education,  
dated 4-5-1948. M/344

According to the Government Memorandum referred  
to above, when teachers are due to retire in the middle of ~~the~~ a  
school year, steps should be taken to retire them by the end of the  
previous year by granting them leave preparatory to retirement to  
which they may be eligible in case the teachers are inefficient or  
otherwise undesirable. In this connection, I have to bring to the  
notice of the Government that when a teacher has no leave on --  
average pay at his credit, he may not be willing to go on leave  
from the beginning of the school year till he retires and as such  
Government may be pleased to instruct whether the teacher will have  
to be retired by the end of the previous school year against his will.

RM/20-B-48.

29/8/48.

FOR SPECIAL OFFICER,

*29/8/48*  
*RM/20-B-48*  
*in another file*  
*Action has already been taken regard to*  
*the request of the Spl. Officer. No separate action*  
*is necessary on this. This may be lodged.*

8  
3/543  
13  
Memo: 39025/48-29, Edn. 17/9/48 E & P.H. (G3) Deptt.  
Education - Schools under Local Bodies - Retirement of  
teachers during the middle of the school year - revised  
Instruction issued.

From the S.O. Dt. Bd, Malabar 43-16033/48 dated 21-5-48.  
From the Commissioner, Kandeepuram Municipality, 32-8837/48  
dt. 16-6-48.  
From the Director of Public Instruction, R.C. 1376 G1/48 dated  
9-7-48.  
From the Director of Public Instruction, R.C. 1380-G1/48 dated 26-7-48.  
\*\*\*

With regard to the points raised by the S.O. Malabar Dt. Bd.  
in his letter cited, he is informed as follows:-

(i) If there are no probationers awaiting reemployment, the  
~~retired~~ persons may be reemployed and no advertisement need be  
made to fill ~~the~~ vacancies but where there are probationers,  
~~only these~~ <sup>they</sup> should be appointed in any ~~vacancies~~ <sup>vacancies</sup> which might arise.

(ii) The services of the persons reemployed after retirement  
should be terminated on the last day of the school before the  
summer vacation. <sup>will however be</sup> ~~they~~ <sup>eligible</sup> for vacation salary  
in accordance with G.O. No. 1887 204. D. 10th Aug. 1948.  
(iii) In the case of persons reemployed after retirement, no  
question of leave preparatory to retirement will arise.

(iv) In the case of teachers attaining <sup>the</sup> ~~superannuation~~ <sup>superannuation</sup> age in  
the middle of a school year, <sup>where</sup> ~~it~~ <sup>it</sup> is not proposed to reemploy on  
account of <sup>their</sup> ~~inefficiency~~ <sup>other reasons</sup> only the leave which is strictly  
admissible to them <sup>under</sup> ~~the~~ rules should be granted when  
applications for <sup>such</sup> ~~leave~~ are submitted by the persons concerned.

2. In partial modification of the instructions contained in  
Memorandum No. 95111-47-3 Edn. dated the 4th May, 1948 ~~and~~  
<sup>Special</sup> Officers of Dt. Bds. and Ex. authorities of Municipalities are  
instructed to see that teachers are continued in service till  
the date of their retirement leave preparatory to retirement  
being granted to persons <sup>only</sup> to the extent to which such leave is  
admissible, <sup>only</sup> in cases where applications <sup>for</sup> ~~such~~ such leave are  
forthcoming. The present procedure under which Govt. sanction  
for re-employment is sought in individual cases ~~should~~ <sup>should</sup> be  
continued as hitherto.

3. The Director is informed that he will be in order in

pages 3-4 of in  
So 2547 Bm  
(M) 28.11.47

Vice pages 3-4 of  
Sub para (b) in  
p. 6 of

14

informing the Municipal Commissioner, Palacole, on the lines indicated in his letter No. 1380-G1-48 dated 26-7-48, in respect of the case referred to therein.

page 9 of

23-7-48  
3-8-48

u-9-48

u-9-48

To  
The S.O. Dt. Bd. Calicut.  
(Paras 1 & 2 of Method only)  
All S.Os. of Dt. Bds. (Paras 1 & 2 only)  
Executive Authorities of Municipalities. (Paras 1 & 2 only)  
The D.P.I.  
The I.L.B.  
The Examiner of L.P.A.  
The L.A. Deptt.  
Copy to B1 & B2 sections  
S.Cs. 150 C.A.

B2.No.8837/48,dated 23-7-1948.

9

15 9 2543

FROM SRI M. NARAYANA SHENOY, B.A.,B.L.,  
COMMISSIONER, KANCHEEPURAM MUNICIPALITY.  
KANCHEEPURAM.



TO  
The Secretary to the Government of Madras,  
Education & Public Health Department.  
Through The Chairman, Municipal Council,  
Kancheepuram,  
&  
The Director of Public Instruction, Madras.

Sir,  
SUB: EDUCATION--Schools under local bodies--Retirement of teachers during the middle of school year--Instructions.  
REF:This office letter B2.No.8837/48,dated 16-6-1948.

File B2/H separately

I request that early orders may kindly be issued in the matter.

*M. Narayana Shenoy*  
Commissioner.

FORWARDED.

*M. Narayana Shenoy*  
Chairman. 26/7/48

wvb26p

RC. 1376-G1/48.

10 921 7 3  
OFFICE OF THE DIRECTOR OF PUBLIC  
INSTRUCTION, MADRAS.  
DATED 9th August 1948.

SUB: SCHOOLS - Secondary - Local Bodies - Retirement of  
teachers during the middle of the school year -  
Certain doubts raised for clarification - Orders -  
Requested.

REF: Letter B2-8837/48 dated 23-7-48 from the Commissioner,  
Municipal Council, Kanchi.

61128

SUBMITTED in continuation of Director's Ltr. 1376-G1/48

dated 15/8/48.



FOR DIRECTOR OF PUBLIC INSTRUCTION.

TO:  
THE Secretary to Government,  
Education & Public Health Department,  
Fort St. George, Madras.

KN.13.8.

Sub: Education Schools under Local Bodies -  
Retirement of teachers during the middle of the  
school year - Instructions.

From the Commissioner, Kancheepuram distt.  
Re no: 8837/48 D 23-7-48  
From the Director of Public Instruction  
Encl Re no: 1376-9/48 D 9-8-48.

Memo: dated.

The matter is under consideration.

KA  
10/8/48  
The Commissioner, Kancheepuram distt.  
(through the C.O.)  
The D.P.I.

N.A. The file relating to the subject mentioned above  
has been submitted separately. The Commissioner may be  
informed that the matter is under consideration. The draft above is

C.F. 32.

LOCAL ADMINISTRATION Department

From (Name) N.S. Arunachalam, Esq.,

O.B.E., I.C.S.,

Designation Special Officer,

Malabar District Board,

Calicut.

Received Registered

To

The Secretary to Government,  
Education and Public Health  
Department, M.A.D.R.A.S.

61654

Ref. No. A.S. 16033/48 dated 14th August 1948.

Sir,

Education - Schools under local bodies -  
Retirement of teachers during the middle  
of the school year - instructions sought.  
Government Memorandum No. 95111 C.S. 47-3  
Education dated 4-5-1948.  
This office Ref. A.S. 16033/48 dated 22-5-1948.

I request the favour of early orders in the  
matter.

VJ/16/8/

L. Arunachalam  
For Special Officer.

93 12/2543  
Notified 12/2543  
Post Copy of Telephonic Message dated 1st Sept. 1948.

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

66421

Sub: Municipal Council, Kanchepuram--Secondary schools--  
retirement of teachers during the middle of the school  
year--certain instructions.  
Ref: Director's endorsement No. 1518-G1/48 dated 27.6.48.

Kindly let me know when the orders of  
Government may be expected in the matter.



*K. Sankaranarayanan*  
For Director of Public Instruction.  
2/49.

Schools - Secondary - Local Bodies -  
Retirement of teachers during the middle  
of the school year - certain doubts -  
Clarification.

13  
2543

pp 1-2 of From the S.O., D. Ad., Malabar

A<sub>1</sub>: 16033/48 dated 21-5-48

pp 3-4 of From the Commissioner, Kanchipuram Mphs

B<sub>2</sub>: 18237/48 dated 16-6-48

pp 5-7 of From the Director of Public Instruction

RC: 1376-9/48 dated 9-7-48

p 9 of From the Director of Public Instruction

Re: 1388-9/48 dated 26-7-48

p 34/ (M)

1 With reference to Govt memo no:

95-111 93/47-3 Govt D 4-5-48 re: the

re. employment of teachers who are due  
to retire in the middle of a school year,  
the S.O., D. Ad., Malabar has solicited  
instructions on the following three points:

(i) Whether such teachers who  
are efficient and otherwise desirable can  
be re. employed even if substitutes are  
available for the employment;

(ii) Whether the services of such  
re. employed teachers should be terminated  
on the closing date of the school for  
the summer vacation or they can  
be permitted to avail themselves of the  
summer vacation;

(iii) Whether such teachers who  
are re. employed according to the  
instructions contained in the memorandum  
cited above are eligible for the leave  
preparation to retirement.

The above three points  
have been answered by the D.P.1  
in para (a) of his letter at pp 5-6 of.

It is for orders whether the S.O., D. Ad.,

Palace, may be informed accordingly.

2 In para 2 of his letter at p 3 of, the Commissioner, Kanchipuram Hdy, has pointed out that if the teachers are permitted to retire on the dates due, it will be financially to the benefit of the employee concerned as well as to the municipality. He has further stated that the change on account of retirement will be insignificant when compared with the disturbances caused by the grant of leave to teachers. In the circumstances the Commissioner has requested that the teachers may be permitted to retire on the dates due.

3 On an examination of the Commissioner's remarks, the D.P.I. has pointed out certain anomalies, in para (a) of his letter at p 6 of. He requests that G.O. memo: 95-111 53/47-3 Bon D. 4.5.48 may be so modified as to provide for the continuance of all the teachers in service till their dates of superannuation and not to grant them leave preparatory to retirement against their intention to work by declaring them as inefficient on the eve of their retirement from service and that the present procedure of the Govt. in sanctioning re. employment in individual cases may be continued.

4 Attention in this connection is invited to the note of this Dept at 1194 of G.O: 25-47 Edn A/ 28/11/47. Point in view of the ~~above~~ difficulties pointed out by the D.P.I. in para (b) of his letter at p 6 of and p 7 of, it is for orders whether the modification suggested by him in para 3 above may be accepted.

para 3, p 3 of

p 3 of

p. 3 of (M)

para 2, p 7 of

(M)

His orders may be taken  
1/19/48  
1/19/48  
1/19/48

121 25 3

17/5/48  
25/5/48  
Please also see the letter from the D.P.I. at p. 9 of. He proposes to inform the Commr, Palacode repts not to re. employ Sri. V. Padmanabha a superannuated secondary grade teacher and to fill in the vacancy by reappointing the senior most probationer awaiting re. employment. He ~~requests that~~ <sup>requests</sup> his action may be approved is in order. As a substitute is available in this case, it seems but meet that Sri. V. Padmanabha may not be employed. For orders.



12/8/48  
3/8/48  
cc  
1/10/48

12/8/48

12/8/48  
12-8-48

A draft memo is submitted with reference to 'A' and 'B' on p 2 ante and 'C' on p 3 above

14/8/48  
20/8/48  
3.8.48

4-9-48

5/9/48

15 22 / E.P.H (93)

Education - schools under local  
bodies - Retirement of teachers -  
during the middle of the school  
year. Revised instructions -  
~~issued~~ papers - Recorded.

12/3  
2543

Doclet  
6/10

bp 13-1426/5 Ref. Memo. no. 39025/48-293. Edn. 2/7.9.48

6/10

Order. No. no. 2543 Edn. 2/ 2/10/48

RECORDED.

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