M 24/ Scott.-II-27—58,004—2[illegible]-10-47.

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

Mis SERIES.

G.O. NO. 3358

Dated 29/12/48

[Despatch Abstract.]

Sub:- Estt.. Office of the D.E.O. Coimbatore. confirmation of clerks and typists of former D. papers recorded.

Back Papers.

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

Further Papers.

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

1/2

D.O.

Office of the District Educational
Officer, Coimbatore & the Nilgiris,
Coimbatore, dated 8th July 1946.

(6)

Dear Sir,

Sub: Dt.Educational Office, Coimbatore-Sri A.R. Krishnaswami Ayyangar and Sri E.Sivalingam, clerks of the Dt.Educational Council-Confirmation of.

Ref: Your D.O. dated 2-7-1946. not recd in office

Sri A.R. Krishnaswami Ayyangar was first appointed as clerk, Dt.Educational Council, Coimbatore on 10th June 1921 and Sri E.Sivalingam on 1st February 1926. They continued to be in the office of the Dt.Educational Council from the date of their appointments to the date of abolition of the Council in June 1939. After the abolition of the Council these two persons were absorbed in the temporary posts specially created in this office to attend to the work involved in sanctioning teaching grants to aided Ely.schools. The posts were made permanent in June 1944 after their temporary existence for a period of five years. The two incumbents had completed their probation satisfactorily in June 1941 and were awaiting confirmation. But unfortunately these persons were not confirmed either in earlier vacancies or in the

-vacancies. PTO

-2-

vacancies that became available when the posts created for them were made permanent. Their cases are really hard and hence a reference from this office has been sent for special consideration with particular reference to Sri A.R.Krishnaswami Ayyangar, as the Typist's post in which Sri E.Sivalingam was officiating has been filled in by the Divisional Inspector of Schools, Coimbatore Division by giving the lien to a typist of his office. If the two posts created to absorb the Dt.Edl. Council men are secured to them only, Sri E.Sivalingam also will have to be confirmed in the Typist's post created for him.

The present position is that these persons could not be confirmed as all posts are reserved for ex-service men. In this case, these posts were created before the war, specially to absorb them. These posts deserve to be exempted from reservation for ex-service men and the Dt. Educational Officers permitted to confirm them in their posts.

Yours sincerely,

R Sambam
11 7 46

To The Hon'ble Mr.T.S.Avinashilingam Chettiar.
Minister for Education,Fort St.George, Madras.

3

Copy of letter R.C. No.54(41)A/46 dated 2-5-46 of the Dt.Educational Officer,Coimbatore and Nilgiris to the Divisional Inspector of Schools,Coimbatore Dvn.

Sub: Madras Ministerial Service-Clerk Sri A.R.Krishnaswami Ayyangar of the defunct Dt.Educational Council-Permission to confirm-Requested.

probably communicating p10 of 7

Ref: Director's Proceedings R.C.No. 954 C/44 dated 20-1-1945.

The Dt.Educational Councils were abolished in the year 1939 and with a view to attend to the additional work involved in sanctioning teaching grants and issuing teaching grant bills to aided elementary schools, two temporary posts (1 clerk and 1 typist) were created in this office with effect from 1-6-1939. In filling these posts, in their Memo.No.12178-C. Education dated 29-3-1939, the Government Ordered that the clerks and typists of the defunct Dt.Educational Council should be given preference and that outsiders should be appointed only if suitable men are not available on the Establishment of the defunct Dt.Educational Council. Sri A.R. Krishnaswami Ayyangar, Head Clerk of the defunct Dt.Educational Council was appointed as the temporary clerk of this office on 3-6-1939 and is continuing in service in this office after having satisfactorily completed his period of probation in this office. The posts of the clerk and the typist in this office were made permanent with effect from 1-6-1944 in G.O. No. 440 Education, dated 20-3-1944. On the presumption that the vacancy is reserved for the men of defunct Dt.Educational Council with reference to the Government Memorandum quoted above, Sri A.R.Krishnaswami Ayyangar was confirmed as clerk of this office in the vacancy created by the confirmation of the temporary post in G.O. No. 440, Education, dated 20-3-1944. The Divisional Inspector of Schools, Coimbatore Division in his proceedings R.C. No. 156-A/44 dated 9-12-1944 ordered that the confirmation of Sri A.R.Krishnaswami Ayyangar should be cancelled as the vacancy has not been in existence for 2 years as required in G.O. No. 2543 P.S. dated 26-8-1944. The confirmation was cancelled in this office R.C. No. 455 A/44 dated 8-12-1944.

F/1 45 cf
removed
dF CNo 58744
p.2 of cf (y)
-do-
(1)/1-2
p.10 cf of (y)

2. Government Memo No. 32833-C.6 Edn. dated 15-1-45 says that the clerks of the defunct Dt.Educational Council can be confirmed in substantive vacancies only in accordance with the Madras Civil Service (War Service Personal) Recruitment Rules, 1941 and the instructions contained in G.O. No. 2543 Edn. dated 26-8-44. Considering the hardship caused to men who have been in service for many years particularly in posts created even before the commencement of the war, the Government permitted the confirmation of such men in substantive vacancies that have been in existence for two years. In view of the fact that the post was created before the war, that Sri A.R. Krishnaswami Ayyangar was entertained in the post prior to the declaration of the war and also that the post in question was reserved to the Dt.Educational Council men of which Sri A.R.Krishnaswami Ayyangar was one, Sri A.R.Krishnaswami Ayyangar could be confirmed in the vacancy at least on 1-6-1946 as by that time the vacancy would have been in existence for two years. But the Divisional Inspector in his proceedings L.Dis. No. 788 A/45 dated 22-3-1946 has ordered that all vacancies that occurred after 1-1-1943 are reserved for ex-service men. I therefore request you to kindly consider this as a really hard case covered by G.O. No. 2543 Edn. dated 26-9-44 and give me permission to confirm Sri A.R.Krishnaswami Ayyangar in the vacancy created by the permanent retention of temporary clerk's post in G.O. No. 440,Edn. dated 20-3-1944.

(1)/12
p.2 cf of (4)
(1)/1-2

3. In G.O. No. 2543 Public (Service), dated 26-8-44, the Government have definitely stated that reservation of vacancies that occur after the war for war service candidates will not be a breach of faith in view of the fact that candidates who commenced the probation prior to 1-4-1941 have a reasonable grievance on the score that they have been

-deprived of-

PTO

deprived of the rights that acrued to them when they started probation. Therefore, in supersession of all previous orders, the Government in their G.O. No. 2543 P.S. dated 26-8-44 ordered that substantive vacancies in any service reserved for war service candidates may be filled up permanently by the appointment of approved probationers after they (vacancies) have been in existence for two years. G.O. No. 839, Public(Service), dated 5-4-46 has now been issued reserving all vacancies in existence on 1-4-46 for war service candidates. The case of Sri A.R.Krishnaswami Ayyangar is a very hard one. The post held by him was created before the war and reserved for him only as a man of the defunct Dt.Educational Council. He was entertained in the service before the war. The post has been on a temporary basis for 5 long years and subsequently made permanent. His right for confirmation in the post may be conceded and permission to confirm him may be granted.

4. I submit in conclusion that even if reference to the Director of Public Instruction or Government is needed, the same may be made as the case is rather a hard one and deserves consideration.

(Sd.) D.Sambasivam Pillai,
Dt.Educational Officer,
Coimbatore and the Nilgiris.

(True copy).

Es/10.7.

Education and P.H. Deptt.(A)

Endt.

Referred to the Director of Public Instruction for very early remarks.

Asst. Secretary to Govt.

P.G.
17.7.46

To ~~the Director of Public~~ ~~Instruction~~ (pp.1-4 above)

RAO BAHADUR
C.M. Ramachandra Chettiar, B.A., B.L.
Ex-President, Dt.Educational
Council, Coimbatore.
......

Coimbatore,
29th October 1946.

Dear Sir,

You might remember that a few months back I gave you a Note regarding the confirmation of the Dt. Educational Council Clerks, A.R.Krishnaswami Ayyangar and E.Sivalingam Chettiar now temporary clerk and typist in the Office of the District Educational Officer, Coimbatore. I am sure you would have taken steps in the matter. While reminding you again on the subject, I shall put their case briefly as follows:-

The clerk and typist had put in 19 years and 14 years' substantive service in the Dt.Educational Council and 7½ years in the Dt.Educational Officer's Office. On the abolition of the Dt.Edl.Council on 1-6-1939 they were drafted to the Dt.Educational Officer's office in temporary posts created for the purpose in June 1939. The temporary posts remained as such for 5 years and were made permanent with effect from 1-6-1944 in G.O. No.440 Education, dated 20-3-1944. The clerks who completed their probation satisfactorily on 1-6-1941 were awaiting confirmation along with the posts but in vain. Actually the confirmation made in the case of the clerk was cancelled in accordance with G.O. No. 2543 Edn. d/26-8-1946 which demanded that the posts should have remained substantively vacant for 2 years before they could be permanently filled up. They waited for another 2 years which period also elapsed on 1-6-1946 and still they have not been confirmed consequent on the issue of G.O. No. 839 P.S. dated 5-4-1946 reserving all vacancies in existence on 1-4-1946 for war service candidates. Their case is a hard one deserving your sympathetic consideration.

Since they were holding substantive posts at the time of absorption, it was thought that the Director of Public Instruction would maintain a list of all such clerks arranged according to their service in the Dt. Educational Council and would confirm them anywhere in the District as vacancies arose without prejudice to their acting appointments. This was not done. Atleast

-the Divisional-

PTO

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-2-

the Divisional Inspector could have maintained a list of such clerks and confirmed in vacancies that arose in his jurisdiction. This was also not done. The G.O. No. 440 Edn. dated 20-3-1944 that confirmed the posts could have been availed of for the confirmation of the incumbents therein. Again the G.O. No.2543 P.S. dated 26-8-1944 that was issued specially to alleviate the grievance of those who completed probation before 1-1-1943 has not come to their rescue consequent on the proviso that the posts should have been permanently vacant for 2 years before being filled up. ~~Nowxtherefore~~

Now therefore, I am writing to you to exempt the posts created in G.O. No. 579 Edn. & P.H. dated 11-3-1939 (to absorb these clerks) and made permanent in G.O. No. 440 Education, dated 20-3-1944 from coming under the scope of the war reservation G.O. No. 839 dated 5-4-1946.

Early orders are solicited on this question as well as the question of waiver of the recovery of the excess pay disbursed to E.Sivalingam, about which the Secretary to Government has been addressed and copy sent to you already.

under separate consideration

Sivalingam waived – G.O. No. 403 Edn 4.3.47

With regards
Yours sincerely

To
The Hon'ble Sri T.S.Avinashilingam Chettiar, B.A., B.L.,
Minister for Education, Fort St. George, Madras.

Edn

A 1

The Non-Gazetted Govt. Officers' Association

MADRAS

President :
K. Jagadisa Ayyar, B.A. (Hons.)
Vice-President :
B. Narasinga Rao, B.A.
General Secretary :
S. S. Alwarappan
Treasurer :
T. J. V. Naidu

"Non-Gazetted Officers' Home"
31, Neeli Veeraswami Chetty Street
Triplicane
Madras (No. 5) [illegible] 1946

CHIEF SECRETARIAT
20 NOV 1946
C.NO. 654

58/N

To
The Chief Secretary to the Govt. of Madras.
Fort St. George, Madras.

Sir,

I am to enclose a copy of a note containing two points relating to the retention and fixation of pay of the temporary clerks in the Educational Department who were absorbed in temporary vacancies consequent on the abolition of District Educational Councils. The question relates to about 50 subordinates in this Presidency. As the number is small the Association requests that the Government may be pleased to sanction the permanent absorbtion of these candidates in permanent vacancies and their pay in the revised scales being fixed as prayed for by the petitioners.

I beg to remain,
Sir,
Your most obedient Servant,
K. J. Ayyar
President

(Encl. one)

p.3 infra

ASST. SECRETARY TO GOVERNMENT
71365
21 NOV 1946
EDUCATION AND PUBLIC HEALTH DEPT.

Pub(Ser) Dept.
E & P.H. Dis.

20.11.46.

20.11.46

20.11.46

Pub(Ser) No. 654/46-1
21.11.46.

8

Rec on 2/11/46

ENDORSMENT No. 71365 A/46-1 (Edn.) 25-11-46

Referred to The Director of Public Instructions for remarks.

(By order)

~~By order~~ J. B. M. [illegible]
Assistant Secretary to Govt.

DIRECTOR OF PUBLIC IN[illegible]
C 11374 H/46
28 NOV 1946
MADRAS

To
The Director of Public Instruction.

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C.No: 383 58/46

QUESTION - (1) What about the confirmation of the temporary clerks who have put in more than 7 years? The following is a case of injustice in the Educational Department which please take note of.

The District Educational Councils were abolished on 1-6-'39 and the clerks employed therein were absorbed in the District Educational Officers' Offices in temporary posts created for the purpose. The posts remained temporary for 5 long years (from 1-6-'39) and were made permanent from 1-6-'44 (in G.O.No.440-Education, dated 20-3-44). The incumbents were not confirmed since a G.O. was issued to the effect that a post should have remained substantively vacant for 2 years before it is filled up permanently. The clerks had to wait for another 2 years till 1-6-'46; but in the meanwhile G.O.No.839-Public Service, dated 5-4-'46 has been issued to the effect that all vacancies in existence on 1-6-'46 should be reserved for war service candidates. The result is that clerks who had put in 19 years service in Distict Educational Councils and more than 7 years in the District Educational Officers' Office still continue to be only temporary. Most of them are due to retire soon in the course of a couple of years and it is not known whether they can have confirmation at all before retirement. This injustice can be remedied by exempting those posts from coming under the scope of the War Reservation ~~xxxxxxxxxx~~ G.O. Will the President of the Central Association take up this case to Government for redress, Please?

QUESTION - (2) The clerks (above said) who were holding substantive appointments in the old scale 35 to 60 and who elected to come under fundamental rules in those days were after absorption in the District Educational Officers' Office put in the new scale and ~~xxxx~~ allowed to draw the pay last drawn subject to the maximim of the new scale (Rs.30/- to Rs.55/-). Accordingly those who drew Rs.57/- and 58 in 1939 are now getting only Rs.55/- for the last 7 years. The difference in the pay last drawn and fixed, has not been given as an allowance even. What will be their stages in the scale of pay under contemplation. Unless it is fixed at the maximim of the scale contemplated, this will add another to the series of injustices done to them. This point may also be borne in mind and brought to the notice of Government if needs arise please.

Linked with 11506/46.

C 11709 C6/46

C6+C3.

Transferred to C. section.

11/12-

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
RC.11506-C6/46, dated 15--1--1947.

Sub: Confirmation of disbanded District Educational Councils' Personnel - Letter from the President of the Non-Gazetted Officers Association.

REF: Government Endorsement 71365-A/46-1 Education dated 25-11-46.

ASST. SECRETARY TO GOVERNMENT
17 JAN 1947
EDUCATION AND PUBLIC HEALTH DEPT.

Resubmitted in continuation of this office C.No.11506-C6/46, dated 6-1-47 in which the position of the disbanded District Educational Councils personnel has been examined.

As stated in the endorsement referred to in para 1 above exceptional cases of hardship may be met with by relaxation of statutory Rules.

With regard to the fixation of pay of the ex-District Educational Councils clerks kind attention is invited to para 4 of G.O.MS.NO. 1234 Education d/31-5-39 in which a personnel allowance was granted to make up the difference subject to the maximum in the time-scale.

3309. put up in another file

for Director of Public Instruction.

To

The Secretary to Government,
Education and Public Health Department.

16/1.47

RR.16/1.

x C No. 38350 A/46.

Edn and P.H. Dept

A.

The question of ~~making permanent~~ confirming ~~personnel~~ disbanded D.E.C. personnel has been raised in the L.F. & this papers may be added to that file

28/1/47

28/1/47

A

11

8

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS
C.No.11506-C6/47, dated 6-1-1947.

Sub:- Confirmation of disbanded District Educational Council ~~Officer~~ personnel - Relaxation of rules.

Ref:- Endorsement Rc.393 A/46, dated 22-11-1946 of the Divisional Inspector of Schools, Guntur.

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9 JAN 1947

1667

(Copy) Submitted.

2. Technically the contention of the District Educational Officers is not correct in as much as the posts created consequent on the abolition of District Educational/ Councils ~~Officers~~ should be deemed to have fallen vacant from the date on which they were made permanent with reference to G.O. No.433 Finance, dated 29-9-1936. However, in view of the fact that the clerks under reference viz., Mr. P. David, clerk in the Guntur District and Sri P. Kameswara Rao, Typist, Office of the District Educational Officer, East Godavari, actually commenced their probation even before the outbreak of the war and acquired a statutory right for confirmation as long ago as about 6 or 7 years, their cases may be treated as exceptional cases of hardship and they may be permitted to be confirmed by relaxation of statutory Rules with reference to para 2 of G.O.No.2615 P.S., dated 31-10-1945.

(10)

(W)

.1.47

for Director of Public Instruction

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

m.k.7/1/47. 7/1.

Copy of letter Roc.No.367 A/46, dated 23rd September 1946 of the Dt. Educational Officer, Guntur North, Guntur addressed to the Divisional Inspector of Schools, Guntur Division, Guntur.

Sub:- Confirmation of Mr. P. David as clerk - Orders soliciting.

The two temporary clerk's posts sanctioned to this office from 1-6-1939 consequent on the abolition of the Dt. Educational Councils were made permanent from 1-6-1944 and they are still left unfilled as per para 3(3) of the Madras Civil Services (War Service Personnel) Recruitment Rules, 1941, appended to G.O.No.2677 Public (Services) dated 7-11-1945. These rules make mention of those that are appointed by direct recruitment and not of those appointed by transfer. It therefore seems to follow that permanent vacancies may be filled up by candidates recruited by transfer to the clerk's posts irrespective of the fact whether the vacancy was allowed to exist for not less than two years and the date of its commencement. There is one Mr. P. David in this district officiating as clerk. He was first appointed as attender and was recruited as clerk by transfer on 6-8-1949 and he satisfactorily completed his probation as clerk on 12-1-1941. He holds his permanent appointment as attender. He is the senior most of all the approved probationary clerks (with no war service) working in the composite district of Guntur. The other approved probationary clerks were appointed by the direct recruitment and as such their claims for confirmation cannot be considered. I solicit the favour of orders if Mr. P. David may be confirmed in one of the clerk's posts which have been permanently vacant from 1-6-1944 and if so from what date.

not put up

2. This is the case that was made mention of in this office L.Dis. No.462-A/46, dated 21-9-1946 addressed to the Director of Public Instruction, Madras, a copy of which was also submitted to you.

II

Copy of letter Roc.No.215 C/46, dated 17-6-1946 of the Dt. Educational Officer, East Godavari, Cocanada addressed to the Divisional Inspector of Schools, Guntur.

Sub:- Sri M. Kameswara rao, Typist, Dt. Educational Officer's Office, Confirmation in the Typist post created consequent on the abolition of the Dt. Educational Councils in 1939.

Sri M. Kameswararao, officiating typist of this office submitted an application for confirmation in the Typist post created consequent on the abolition of the Dt. Educational Councils in 1939, Sri M. Kameswara Rao started his probation as typist on 20-5-1937 and he completed his period of probation in July 1940 and he is working in the above post from the date of creation of the post.

"D"

In Government Memo. 32833-6 Edn., dated 15-1-1945 it is stated that the clerks, typists and attenders of the offices of the District Educational Councils who were absorbed in the Government Service can be confirmed in substantive vacancies only in accordance with the Madras Civil Service (War Service Personnel) Recruitment Rules 1941 and the Instructions contained in G.O.No.2543 Public (S) dated 26-8-1944.

The present vacancy was created on 1-6-1939 but it was made permanent with effect from 1-6-1944.

not put up

Under Rule 3(3) of Madras Civil Services War Service Personnel Recruitment rules 1941 issued in G.O.No.2677 P.S. dated 7-11-1945, two conditions have to be satisfied for confirmation viz., (i) Existence of a vacancy for 2 years and (ii) occurring of a vacancy before 1-4-1943 In the present case the first condition has been satisfied and the second condition has not been satisfied as the post was made permanent only with effect from 1-6-1944.

not put up

Again in G.O.3036 dated 29-12-1945, it is laid down that persons recruited to the service before 1-1-1942 can be confirmed in their turn in accordance with rule 3(3) of the Madras Civil Services (War Services Personnel) Recruitment Rules 1941.

P.t.O.

(1) But the substantive vacancies arising in consequent of permanent retention of temporary posts have been excluded from the scope of G.O. No.2543 P.S. dated 26-8-1944 vide Government Memo.No.2136 C.1., dated 25-1-1945 communicated in Director's Proceedings Roc.3079 C/44, dated 1-2-1945.

(W) Again in G.O.No.2615 Public (Services), dated 31-10-1945 the Government consider that exceptional cases of hardship can be met by relaxation of statutory rules.

(1) As the incumbent has been working since 1937, his case may be treated as a special and hard one in as much as his juniors working in permanent vacancies which occurred before 1-4-1943 have chances of confirmation while he has been deprived of the privileges of G.O.No.2543 P.S., dated 26-8-1944 simply because he happened to work in the temporary post. If the rule is not specially relaxed and the temporary posts of District Educational Councils confirmed with retrospective effect people like the present incumbent who have put in nearly 10 years service have no prospect of confirmation at least for another decade as the war service candidates have to be confirmed in permanent vacancies first.

This postponement of confirmation for an indefinite period has a demoralizing effect on the staff as stated in the G.O. I therefore request you to be good enough to address the Director of Public Instruction if necessary as similar cases are very few.

/true copy/

Roc.No.393 A/46. dated 22-11-1946.

Reference.

Copies of letters (1) Roc.No.367 A/46, dated 23-9-1946 from the District Educational Officer, Guntur North and (2) Rc.215 C/46, dated 17-6-1946 from the District Educational Officer, East Godavari reg: confirmation of clerks and typists in the temporary posts created on the abolition of the defunct Dt. Educational Councils and subsequently made permanent from 1-6-1944.

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Submitted to the Director of Public Instruction, Madras.

2. These are two references made by the District Educational Officers, Guntur North and East Godavari, regarding confirmation of clerks and typists who are approved probationers in permanent vacancies of clerks and typists' posts created with effect from 1-6-1944 consequent on the abolition of the defunct District Educational Councils from 1-6-1939. The two cases recommended for confirmation by the District Educational Officers are (i) a clerk in Guntur district and (2) a typist in the East Godavari district, both of whom are actually officiating in the temporary posts created consequent on the abolition of the defuct District Educational Councils with effect from 1-6-1939 which were eventually made permanent with effect from 1-6-1944. The two clerks under reference ~~[illegible]~~ are approved probationers awaiting confirmation from the years 40 and 41. Rule 3(3) of the Madras Civil Services (War Service Personnel) Recruitment Rules, as finally amended and brought upto date by (1) G.O. No.2543 P.S., dated 26-8-1944, (2) G.O.No.2677 P.S., dated 7-2-1945 (not put up) and (3) G.O.No.839 P.S., dated 5-4-1945 lays down that substantive vacancies reserved for war service candidates, except those arising on or after 1-4-43 could be filled up by approved probationers, after they have been in existence for a period of not less than 2 years, subject to the condition that for each such vacancy so filled up a vacancy arising in the period immediately succeeding the termination of the War, shall be reserved for and filled up by war service candidates. It follows therefore, that for filling up the substantive vacancies reserved for war service candidates which occurred prior to 1-4-43 the following two conditions have to be satisfied.

(i) the occurrence of the substantive vacancy before 1-4-43.
(ii) the substantive vacancy under reference should have been in existence for a period of not less than 2 years.

If these two conditions are satisfied, approved probationers if any, could be confirmed in such substantive vacancies.

In the two cases under reference, only one of the above conditions is satisfied viz., the existence of substantive vacancies for a period of not less than 2 years, while the other condition viz., the occurrence of the vacancy before 1-4-1943 not satisfied.

3. The District Educational Officers now contend (1) that the question of reservation of substantive vacancies for war service candidates arising on any date - whether before or after 1-4-1943 applies only to those which are to be filled up by direct recruitment but not to those, as in the cases under reference, which were originally temporary on their creation in June 1939 and made permanent subsequently from 1-6-1944 and (ii) that the posts un-der reference are also those filled up by transfer from the defunct District Educational Councils or by promotion not strictly falling within the scope of the Rule 2 of the Rules for the Madras Ministerial Service and therefore the question of their reservation for war service and therefore the question of their reservation for war service candidates, does not at all arise. There seems to be some force in the contention x raised by the District Educational Officers and at any rate, it does not seem to be free from doubt. I request you, therefore, to kindly examine the position, with reference to the several rules on the subject and favour me with definite instructions as to whether the contention of the District Educational Officers is tenable and the recommendation made by them for the confirmation of the two clerks, acceptable.

In their contention is not found tenable, it is a matter for kind consideration whether, in view of the fact that the clerks under reference actually commenced probation even before the actual commencement of the War and acquired a statutory right for confirmation as long ago as about 6 or 7 years back, their cases may not be recommended to Government, as exceptional cases of hardship for relaxation of statutory rules, with reference to para 2 of G.O.No.2615 P.S., dated 31-10-1945.

The favour of early instructions is solicited.

Sd.....
Divisional Inspector of Schools,
Guntur Divn.

To
The Director of Public Instruction, Madras.

-----@-----

/true copy/

for Director of Public Instruction
7-1-47

47

Edn +P. H.Recept

86
25/4

Memo. No. 38350. A1/47 Edn 25-4-47.

Establishment - Confirmation of disbanded District Educational Council personnel.

Refa:- Letters from the DPI :- No. 11506-C6/46 of 6-1-47 and 15-1-47

The attention of the DPI is invited to G.O. No. 821 Pub (Ser) dated 15-3-47 and he is requested to report whether there is any prospect of the clerks referred to in his letters cited above and also Sri. A.R. Krishnaswami Iyengar and Sri. E. Sivalingam Chettiar, clerks, office of the DEO, Coimbatore, being confirmed in the vacancies allotted to Civilians under the G.O.

24-4-47

To,
The DPI.

23/4/47

28/4/47

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
R.C.NO.11506-C.6/47, Dated 2---8--1947
£@£

Establishment - Confirmation of disbanded District Educational Council Personnel.

Ref: From the Divisional Inspector of Schools, Coimbatore Dn. ROC. No.512-A/47 dated 23-5-47 and 24-7-47.

2. From the Divisional Inspector of Schools, Godavari Dn. ROC.No.P.393-A/46 dated 25-7-47

(copies) submitted to Government with reference to their Memo. No.38350-A.1/47 ~~dx~~ Edn dated 25-4-47.

ASST. SECRETARY TO GOVERNMENT
8 AUG 1947
EDUCATION AND PUBLIC HEALTH DEPT.

64168

K. Narasimha

for Director of Public Instruction.

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

SR
6/8

RVR 5/8/-

Copy of Proceedings RC.No.11506-C.6/47 dated 8-5-47. of the Director of Public Instruction, Madras to the Divisional Inspector, Godavari Dn.

Read: Govt. Memo.No.38350-A.1/47 Edn dated 25-4-47

...

The attention of the Divisional Inspector, GodaVari Dn, is invited to G.O.No.821 Public (Services) dated 15-3-47, communicated with the Director's Proceedings RC.No.6608-C.6/46 dated 8-4-47, and he is requested to report whether there is any prospec of the following persons being confirmed in the vacancies allotted to civilians under the above G.O.

1. Mr. P. David, Clerk.
2. Sri M.Kameswara Rao, Typist.

Copy of RC.No.11506 C.6/47 of the Director of Public Instruction Madras to the Divisional Inspector, ~~Godavari Dn~~. Coimbatore Dn.

Ref: Govt. Memo.No.383 A.1/47 Edn dated 25-6-1947

...

The attention of the Divisional Inspector, Coimbatore Dn is invited to G.O.No.821 P.(S) dated 15-3-47 communicated with the Director's Proceedings RC.No.6608-C.6/47 dated 8-4-47 and he is requested to report whether there is any prospect of the following persons being confirmed in the vacancies allotted to cifilians under the above G.O.

1. Sri A.R.Krishnaswamy Ayyangar,
2. Sri E.Sivalingam Chettiar, Clerks, Office of the Dt.Edl.Officer, Coimbatore.

Copy of Endt ROC.512-A/47 dated 23-5-47 of the Divisional Inspecto of Schools, Coimbatore Dn.

Ref: From the Dt.Edl.Officer, Coimbatore and the Nilgiris, R.C.No.23-A/47 dated 17-5-47 - Estt confirmation of disbanded Dt.Edl. Council~~s~~ Clerks

...

I have the honour to report that there are only 2 posts of clerks vacant in this office now which are reserved vacancies Sri A.R.Krishnaswami Iyengar and Sri E.Sivalingam ex-Dt. Edl. Council Clerk and typist respectively are working in this office, as clerks and typist respectively.

pto

If one of the two posts of clerk's post can be alloted to the civilians in the ratio 66 2/3 : 33 1/3 vide this office RC. 23(20) A of 47 dated 17-5-47, Sri A.R.Krishnawamy Iyengar, can be confirmed now. Sri E.Sivalingam cannot however be confirmed as there is no post of a typist, vacant in this office.

...

Copy submitted to the Director of Public Instruction, Madras with reference to Proceedings RC.11506-C.6/47 dated 8-5-47.

2. According to G.O.821-P.S dated 15-3-1947 one of the 2 existing vacancies may now be filled up by confirming Sri A.R.Krishnaswami Iyengar. Sri E.Sivalingam Chettiar is working as officiating typist and he cannot be confirmed, as there is no permanent vacancies in that cadre.

Copy of letter RC.No.P.393-A/46 dated 25-7-1947 of the Divisional Inspector, Rajahmundry to the Director of Public Instruction, Madras.

Ref: Your Endt. RC.No.11506-C.6/47 dated 8-5-47 regarding confirmation of disbanded District Educational Council personnel.

...

In reply to your proceedings quoted above, I have the honour to report that there is every propsect of the following persons being confirmed in the vacancies allotted to the civilians in G.O.No.821-P.S. dated 15-3-47 as they happen to be the seniormost of the Approved probationers in the respective units concerned. So far as the Guntur District is concerned the number of vacancies originally reported from this office related to the old composite district. But subsequently it has been bifurcated into Guntur North and Guntur South with the headquarters of the latter at Ongole. As Sri P.David, the senior most of the Approved probationers (now in Guntur North District) originally belonged to the old composite unit, there can be little difficulty in his being ~~akk~~ absorbed as a full member in either of the Districts, though the number of vacancies allotted to Civilians in the above G.O. may have to be allocated separately between the two districts.

In this connection, I request the favacour of orders for my information and guidance on the question raised in para 3 of this office letter RC.No.393-A/46 dated 22-11-46.

Copy of L.Dis.512-A/47 dated 24-7-47 of the Divisional Inspector, Coimbatore Dn to the Director of Public Instruction.

Sub: Confirmation of disbanded Dt.Edl. Council - Personnel - Coimbatore Dt.
Ref: Director Proceedings RC.11506-C.6/46 dated 8-5-47

...

In continuation of this office RC.No.512-A/47 dated 23-5-47, I have ~~the~~ to state that Sri A.R. Krishnaswami Ayyangar has been confirmed as Lower Division Clerk and is at present working as officiating Upper Division Clerk of this office.

(TRUE COPIES)

R. Narasimhan

for Director of Public Instruction.

Further action a.c.

13

Ed & PH Dept

Memo No. 38350 A/47-3 Edn d. 8.3.48

Estt. Sri E. Sivalingam Chettiar, typist, Office of the D.E.O Coimbatore and the Nilgiris Confirmation

Ref:- Letter from the D.P.I, No 11506 C6/46, d 6-1-47, 15.1.47 and 2.8.47

~~The D.P.I is informed that~~ Sri E. Sivalingam Chettiar Officiating typist, office of the D.E.O Coimbatore and the Nilgiris, should be confirmed as soon as a vacancy in the post of typist arises in the Coimbatore Division, in accordance with Rule 25 of the Madras Provincial and ~~Subordinate~~ Subordinate Service Rules.

pp10-11 d 19 CP

p 15-3 BK 112

To The D.P.I
(one S.C.)

4/3/48.

C.F. 1-2

From the D.E.O. Coimbatore and the Nilgiris, D.O. dated 8-7-1946 to H.M.(Edn.)

D.E.O's office, Coimbatore--Sri A.R.Krishnaswami Ayyangar and Sri E. Sivalingam--Confirmation.

**

A

This seems to be a hard case. That they should not be made permanent after so many years of service is really very hard. The matter may be examined and report

T.S.A(vinashilingam Chettiar),
15-7-1946.

The District Educational Councils were abolished in 1939. To cope with the increased work in the D.E.O's and the Inspectresses' offices consequent on the abolition of the Councils, 58 temporary posts of clerks, typists and attenders were sanctioned in those offices. For appt. to these posts, persons who were formerly in the Councils were given preference. Sri A.R.Krishnaswami Ayyangar (age 46) and Sri E. Sivalingam (age 41) referred to in C.F. 1-2, are among those who were taken to Government Service. Their service under Dt. Educational Councils does not count for Govt. service or pension. They have been taken to Govt. Service only on a temporary basis.

Removed F/45 CF

2. The 58 temporary posts were made perm~~ent~~anent with effect from 1-6-1944. According to the Madras Civil Services (War Services Personnel) Recruitment Rules, 1941, all substantive vacancies arising on or after 1-1-43(which should, under the rules, be filled by direct recruitment) should be reserved to be filled by the appointment of persons who have rendered war service.

L.Y. above
GO No: 440 Edn / 20.3.44
(4) l.F. C.No. 58744A.
p.160, BK.112

In June 1944, the D.P.I. recommended the confirmation of all the D.E.C men, in the 58 posts. The proposal was examined at length--cf.pp-1-9 N.F. of G.O.No. 440 Edn dated 20-3-44. It was turned down for the reasons stated in Public Department's note on pp 6 and 8 N.F. thereof.

(4)
L.Y. above

3. If Sri Krishnaswami Ayyangar and Sri Sivalingam are to be confirmed in two of the 58 posts, rule 3 (1) (a) of the War Service Personnel Recruitment Rules has to be

p.160, BK.112

relaxed. If a relaxation should be madein the case of these two persons, similar concession will have to be shown to all the 58 persons offg. in the posts. ~~in the~~ But it seems that the objection raised by Public still holds good. The remarks of that Department may first be invited u.o.

PG. S.S.D. I.B.M., 3. 8. 46.

P.S.V./5-8-46.

xx The merits of the cases may be examined. From the above note, ~~and~~ I find a certain view has been taken before. I don't think it is fair. It may again be reexamined.

T. S. Avinashilingam Chettiar),
12-8-46.

The file may be sent to Public (Services) for examination of the case, w.r.r. H.M. Edn.'s minute above.

17/8/46

Pub (Ser) Dept.

17.8.46

17.8.46

The question whether existing orders in regard to reservation of vacancies for war service candidates should be modified and if so, in what manner is under consideration separately. E&P.H. may be requested to await the decision ~~on this point~~ thereon.

21/8/46 E & P.H.

Pub. (Ser) Dept.
u.o. 2719/46-1

ASST. SECRETARY TO GOVERNMENT
48164
22 AUG 1946
EDUCATION AND PUBLIC HEALTH DEPT.

E&PH u.o. 38350-A-1
17.8.46

ASSISTANT SECRETARY TO GOVT.
19 AUG 1946
2719
19/8/46
CHIEF SECRETARIAT

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15 A

E&PH (A)

In the circs. stated by Pub (Ser), this may lie over. They may be requested to state the position again on 5-9-46.

22/8/46

23/8/46

H.M. (Edn.)

26.8.46.

SECRETARY, EDN. AND P. H. DEPT.
2 - SEP 1946
GOVERNMENT OF MADRAS

TSA
30-8-46

H.M. (Edn.) for perusal.

Pub. (Ser.) may be requested to say whether orders on the qn. mentioned in their note (bottom of previous page) have since been issued. ~~and if not, when they are likely to be.~~

20/9/46 Pub (Ser) ~~Dept.~~

26.9.46

26-9-46

The question is being examined by a Cabinet Sub Committee. It will take some time before a decision is reached. ~~on this question~~. E&P.H. may be informed accordingly.

E&PH
u.o. 38350-A-2
27.9.46

ASSISTANT SECRETARY TO GOVT.
28 SEP 1946
3451
CHIEF SECRETARIAT

27/9/46

30.9.46

Pub. (Ser) Dept.
u.o. 3451/46-1
30-9-46.

E&PH

L.O. until 1/11/46

1/10/46

ASST. SECRETARY TO GOVERNMENT
57714
1 - OCT 1946
EDUCATION AND PUBLIC HEALTH DEPT.

May continue to L.O. till 1.12.46 – Orders on the general qn. have not been issued yet.

A2

4.11.46

4.11.46

9/11/46

Secretary, E. & P.H.

p. 45 c.f.

I am herewith sending you a representation about A.R.Krishnaswami and E.Sivalingam Chettiar. I think a previous note also was sent about them. Their case seems to be very hard. Even after many years of service, they are yet to be regarded as temporary. It is very difficult indeed. I do not remember whether any orders were passed on their applications. Their papers may be put up.

TSA
4. 11. 46

H.M. Education.

6 - NOV 1946
67197

~~Subd.~~ Please see the note on pages 1-2 ante.

~~Xm~~ A decision on the case has not yet been arrived at. Orders on the general question, which is under the consideration ~~by~~ of a Cabinet Sub-Committee, viz., whether the existing orders of reservation of vacancies for war service candidates require modification, are awaited.

15.11. 15.11.46

19/11/46

S

(M) (Gr.)

[The Cabinet seems to have decided the matter as it [illegible] necessary]

The Cabinet has decided that two-thirds of the posts may be reserved for ex-servicemen and one-third for men existing in service but the real allocation of posts as to which may be for ex-servicemen and which for the men in service, has not yet been made and I expect the Sub Committee will go into it very soon. This may be taken up after that ~~is finished~~ allotment is made

TSA
7-12-46

9 - DEC 1946

Sol. H. Dept. A.

Orders have since been issued in G.O. No. 821 Pub (Er) dated 15.3.47 allotting $33\frac{1}{3}$ per cent of the war reserved

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38744

16

5

vacancies to civilians. The attention of the DPI may be invited to the G.O and he may be asked to report whether there is any ~~[illegible]~~ prospect of the clerks in question being confirmed now. A draft memo is submitted

K. 23.4.47

23/4/47

24-4-47

[Issued as Memo No 38350 A/47-1 Edn. d 25.4.47]

p 17 c.f.
C. No 64168 A/47 From the D.P.I No 11506 C6/47 d 2.8.47.
p 19 c.f.

The file relates to the question of confirming the following four persons of the disbanded district educational councils in the Education Dept:—

(1) Sri P. David — clerk, office of the D.E.O. Guntur (North
(2) Sri M. Kameshwara Rao — typist, office of the D.E.O., East Godavari
(3) Sri A.R. Krishnaswamy Ayyangar — clerk, D.E.O's office Coimbatore
(4) Sri E. Sivalingam Chettiar — Typist — do — and Nilgiris

6

The Divisional Inspector of Schools Rajahmundry has reported that there is every prospect of ~~items~~ Nos (1) and (2) on p1 ante being confirmed in the vacancies allotted to civilians in G.O. No 821 Pub (Ser) d 15.3.47. The Divisional Inspector, Coimbatore division has stated that ~~item~~ No (3) has been confirmed as L.D clerk and that ~~item~~ No (4) could not be confirmed as there is no permanent vacancy in the cadre of typists. In the circumstances it is for orders whether the D.P.I may be asked to confirm Sri E. Sivalingam Chettiar as soon as ~~the next~~ a vacancy in the cadre of typists arises in the Coimbatore Division. The file may be sent to Pub (Ser) for remarks.

p10 cf

not [illegible]

A on p20 cf

A

26.1.48

5/2/48

18

18/2/48 [illegible]

DP
19/2/48

Pub. (Ser.) Dept.
508
20/2/48

Returned for [illegible]

E&PH no 38350 A/47-2
19.2.48

C no 38350 A/47

17

7

Public (Services) Deptt

(This department last noted on p. 3 ante)

The E & P.H department notes from the bottom of p. 4 ante may be perused and the case returned to that department. With reference to A on p. 6 supra, it ~~may be~~ is presumed that Sri Sivalingam Chettiar is eligible for ~~such~~ confirmation in the next vacancy under genl. rule 25

MM
24.2.48

p. 153 of [illegible] II 2

21.2.48

26/2/48

E & PH

Pub. (Ser) Dept
a.n.o. 508/48
27/2

SECRETARY, EDN. AND P. H. DEPT.
8 - MAR 1948
GOVERNMENT OF MADRAS

14992

E & PH Dept.

W.r.t the notes of this Dept at A on p6 and those of Pub (Ser) above, a draft memo is submitted. The file may be circulated to H.M (Edn.) w.r.t his minutes on p4 ante.

(Please let me know why there was delay of 6 months (between Aug: 47 & Feb: 48).)

CF
4.3.48

5/3/48 S

5/3/48 Ch. (Cir)

ISA

3/3/48

Dated 4/3/48

Extract taken for separate action
13.3.48

Issued as Memo No 38350 A/47-3 Edn. d 8.3.48

The papers may now be

Order (Ms) no 3358 ~~Edn~~ dt 29/12/48

Recorded

MK.S
27.12.48

28/12/48

29/12/48

Abstract

ESH – Office of the D.E.O.
Coimbatore – Confirmation
clerks & of former D.E.O. –
typists papers
Recorded