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Edw (1948) Department.

MS SERIES.

G.O. NO. *648 Edw*

Dated *24.3.48*

(V)

[Despatch Abstract.]

Memorial to H.R. the Governor - *Sri K. Nambi Ayyangar*
Retired Attender - Request for Pension - *Rejected*

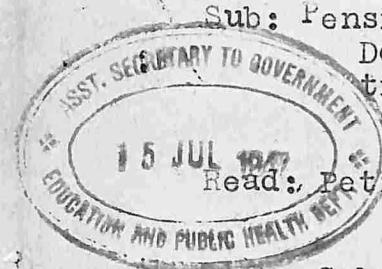
Back Papers.

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

Further Papers.

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

Office of the Director of Public Instruction, Madras.
N.Re.1051 J/47 dated 12-7-1947.



Sub: Pension - Sri K.Nambi Ayyangar, Retired Attender, Office of the Deputy Inspector of Schools, Sankarankoil - Request for treating him as an inferior servant for purposes of pension.

Read: Petition dated 1-2-1947 from Sri K. Nambi Ayyengar.

Submitted.

2. The request of the petitioner is inadmissible.

for Director of Public Instruction.

To the Secretary to Government,
Education & P.H.Department, Madras.

k.h.14-7.

57611
sd
14/7

AN APPEAL FOR MERCY.

To

The Private Secretary,

To His Excellency the Governor of Madras,

M A D R A S.

From

K. Nambi Ayyangar,

Retired attender,

Officer of the Deputy Inspector of Schools,
(Now at) South Car street,
Sankarankoil,
Tinnevely District.

Honoured Sir,

I beg to submit this humble memorial to your very kind consideration and for favour of your placing this before His Excellency for his kind and sympathetic consideration and favourable orders.

1. I entered service as an Attender, office of the Sub Assistant (now Deputy) Inspector of Schools in this District. I was confirmed on 1-12-1914. Up to 1929, my scale of pay was very low and then a new scale, Rs. 20-1-35 was introduced and the service was ordered to be treated as a superior one. I drew Rs. 20 in 1-4-1929 according to this scale and I got Rs. 35, the maximum, in 1944. As ordered by my superiors, I retired from service on 16-8-45 in my 55th year.

2. I beg to submit, sir, that in 1940 a G.O. - (G.O. No. 523, Finance dated 25-8-40) was issued treating the service of attenders as superior for purposes of pension. As soon as this G.O. came and as directed by my superiors I elected to be treated as coming under superior service under the option given to me and retiring in my 55th year. Accordingly I was asked to retire from 16-8-45.

3. Before my retirement the pension papers on my behalf were prepared and submitted to the Account-General, Madras but they were returned afterwards with the remarks that I would be eligible only for a gratuity as I had not got the requisite service under either inferior or superior service to earn a pension as I had elected to be classified as belonging to superior service under the option given and the option once exercised was final. He also directed that the

NDP

Returned

for submission through the Dy Inspector of Schools

3.2.47
PSS

pension application be revised admitting only a gratuity.

4. I beg to submit, sir, that I had put in a total service of 30 years-8 months and 15 days (1-12-14 to 31-3-29, 1-4-29 to 22-8-40 and 23-8-40 to 15-8-45 the latter two in superior service and I had acted as a clerk also in leave and other vacancies in superior service in 1916, 1924 and 1926 (Two times).

5. I was sanctioned and was paid a gratuity amount of Rs. 326/- only. This, I beg to add, is very small and is hardly sufficient for me. I have ^{been} practically stranded and made helpless as I have no lands, savings, or other property to fall back upon. I am suffering very much for the past 1 1/2 years. ^{people} As some say this amount is sufficient ^{only} for my funeral ceremonies.

6. I beg to state, sir, that under the impression (proved now to be wrong) that the G.O. came as a boon to help us in the matter of getting pensions somewhat more than what an inferior service would give I elected to be coming under superior service and retiring in the 55th year. At the time of exercising my option in 1940 I was not aware of the fact that it would adversely affect me and my pension nor did I foresee these hard days and war conditions. There was none to properly guide me with regards to the rules. For this innocent mistake of mine I have been suffering now for the past 18 months.

7. I beg to add, sir, that if I had elected to be treated as inferior service retiring in my 60th year I would have continued in service for 5 more years in these difficult days and getting Rs. 35 plus 16 D.A. -- (Rs. 51 in all). I would get pension also after my 60th year. When getting declaration from us no detailed instructions or rules were given to ^{us} showing us what exactly we would get. If the G.O. issued in 1940 had been (a little) more explicit with the resultant

none of us would have chosen it and elected to ^{retire} ~~retire~~ in the 55th year.

8. I beg to state that for a government servant who had faithfully and loyally served for more than 30 years to receive a meagre gratuity of Rs. 326 is a grave injustice and wrong and I ~~am~~ have been ~~it~~ hit hard, disappointed and disheartened.

9. I submitted two separate petitions ~~for~~ praying for my re-employment to the Director of Public Instruction, Madras and to the District Educational Officer Tinnevely, but unfortunately my request had not been granted even though in this department and in all other departments retired officials and servants have been given re-employment.

10. I came to understand some months ago that a new G.O. G.O. No. 342 pension dated 27-4-46 stating ~~that~~ ⁱⁿ "Inferior servants who are discharged after having completed 30 years' service are eligible for a pension equal to half of their average emoluments." I beg to submit, sir, that I may be classed at least among the inferior servants for purposes of pension. To say that the option is final hits me most for an act of mine inadvertently done under the impression that it had come ^{to} ~~allow~~ ^{our} benefit. I had put in nearly 31 years' service. ~~or~~ I may be restored to my appointment to continue until my 60th year, ^{and} earn such a pension as I may be entitled to, according to the G.O. referred to. I beg to state that even if supposing such a G.O. (G.O. No. 582) Finance dated 23-8-40) had not come I would in the natural course of events completed the 30 years' inferior service enabling me to earn a pension according to the instructions of the latest G.O. for even inferior servants.

11. I beg to submit, sir, that I had submitted 2 detailed memorials one on 22-5-46 and another on 2-8-46 to the Hon'ble the Minister for Education, Government of Madras but -

sent in original
to D.P.G.

unfortunately I have not ^{faavourable} yet got any reply.

12. I therefore have decided to submit this memorial and appeal for mercy to His Excellency the Governor.

13. This poor man who had put in a loyal service for nearly 31 years and who was paid only Rs. 326 ^{and} has been suffering much since his retirement from 16-8-45 begs to request you to be so kind as to place this memorial before His Excellency and request him to view this with utmost mercy and sympathy and issue ⁽¹⁾ favourable orders ^{him} sanctioning ^{me} pension equal to half ^{his} pay from the date of retirement

(ii). ^{him} or, by treating ^{me} as an inferior servant for purposes of pension ^{by} converting if necessary the superior service into inferior service, ^{him} sanctioning ^{me} pension at the pay rate or

(iii). ^{him} restoring ^{me} to serve again until ^{the} my 60th ^{him} year and then sanctioning ^{me} pension at half the rate of pay.

— For which act of charity ^{he} will be ever

grateful.

I submit I am prepared to refund ^(1/2) gratuity amount of Rs. 326/-, if necessary.

I beg to remain,
Honoured Sir,
Your Most obedient servant,

K. Nambi Aiyengar
1-2-47

I humbly pray, Sir, that the necessary rules under the C. S. R. may even be amended and my declaration given in 1940 be cancelled and I may be sanctioned pension or I may be allowed to work again till I complete my 60th year in 1950 and then I may be sanctioned pension according to the latest G.O. by treating the whole period as inferior one (as I would be completing more than 34 years' service) and by condoning the break of service. Mercy may, I humbly pray, be bestowed on me; my declaration be cancelled and I may be protected with pension and retirement.

Governor's Secretariat.

100509
U.O. Note No. 2433/47-1 dated 23rd December 1947.

6/19-10-47
57611
The enclosed petition from Sri K. Nambi Aiyengar dated 17th December 1947, about his previous petitions for grant of pension or reappointment up to the age of 60 years, may be forwarded to E&PH Dept who may be requested to state whether the previous petitions ^{referred to} were received by them and if so, in what stage the matter stands at present.

Nornidan Nair
22/12/47
P.S.G.

E&PH Dept u.o.

"An appeal for mercy to H. E. the Governor of Madras."

From

K. Nambiarayengar,
Retired attender,
Office of the Deputy
Inspector of Schools,
(Tiruchendur Range)
now at Paradesi St.,
Nanguneri.
(Tinnevely Dtr.)

Honoured Sir,

To

The Private Secretary
to H. E. the Governor
of Madras,
Madras.

Ref: i, my appeal petition for mercy in
the first week of March, 1947

and ii, my petition of October, 1947.

Sub: Pension and re-appointment - grant of
request for.

I humbly beg to bring the following
few lines for your kind and sympathetic consideration
and favourable action.

I am a retired government servant
who has worked for nearly 31 years, most satisfactorily,
faithfully and loyally as an attender and as a clerk
in the Offices of the Deputy Inspector of Schools in this
district and retired in August, 1945. My service, I beg
to state, Sir, remained as an inferior one for purposes
of pension till 1940 after which as per a G.O. received
it was made a superior one. As directed by my
superior authorities in 1940 as soon as the above G.O.
was received I gave a written declaration electing
to retire as a superior servant in my 55th year. But,
I beg to add, Sir, I did like this out of complete
ignorance and want of enlightenment of the
relevant rules and the consequent results.

According to the option exercised by me
I was asked to retire on the completion of my 55th
year, on 15-8-'45. I was granted and paid only
a gratuity amount of Rs 326/- only. I was informed
I was not eligible for any pension under the
rules. My last pay was Rs 35/- excluding D.A.

I am a poor man without any lands
or any other property to fall back upon. The small
amount was insufficient for me even for 1 1/2 years
allowing Rs 20/- for my soul use. I, a poor servant
who had served most loyally and faithfully for
31 years has been hit hard. I am undergoing
unbearable and innumerable sufferings and hardship.

R.S.

for the last 2 1/4 years.

I have submitted nearly four (or five) petitions to the higher authorities, the Government and the Hon. the Minister for Education explaining my pitiable case and requesting to Cancel my original option and issue orders granting me pension or re-appointment and pension till my 60th year and pension thereafter. Unfortunately I have not received any favourable orders.

Thereupon I submitted an appeal petition for mercy to your Honour, for favour of being placed before H.E. the Governor for his kind and sympathetic consideration and favourable orders, in the first week of March, '47. The petition was returned to me with the direction to resubmit it thro' the Deputy Inspector of Schools. At once I submitted it (with your endorsement in your predecessor's own hand writing and signature) to the Dy. Inspector of Schools, Tiruchendur Range and I learned that it was submitted with his recommendation to the Dt. Educational Officer, Tirunelveli East within a week for favour of being sent up. I did not hear anything till the middle of

October, '47. So I submitted another petition to your Honour in the last week of October, '47 explaining all the facts and requesting to consider my appeal for mercy submitted in March, '47 and issue favourable orders. The petition was returned with your endorsement asking me to resubmit it through the proper channel. Then I submitted it to the Dt. Educational Officer, Tirunelveli East with your endorsement and a covering letter. I hope my two above petitions have been received by your Honour by now through the several intermediate superior officers. I request

you to be so kind as to call for the two petitions from the concerned authorities if they have not yet ^{reached} ~~received~~ you. I have decided to address you direct to save delay.

I humbly request you to be so kind as to place my appeal petitions including this before H.E. the Governor and request him to view my case with all mercy and sympathy and issue orders granting me pension or re-appointment till my 60th year and then pension - for which act of kindness and charity I shall ever be grateful.

I beg to remain,

your most obedient servant,

K. Nambi Ayyangar

Namquineri,
21/12/47

57611

U.O. Note No. 2433/47-2 dated the 23-1-48.

Subject: Petition from Mr. K. Nambi Ayyangar re. grant of pension or reappointment up to 60 years of age.

Ref: Governor's Sectt. no. No. 2433/47-1 d/- 23-12-47.

Department may be requested to state when the file on the above subject may be expected.

(sd) P.G.N. 23-1-48. E 464 Department u.o

Forwarded / By order

Subba Rao
Superintendent-
23/1/48

EDUCATION

Department

From (Name) SRI D.S. REDDI, M.A. (Oxon)

Received

Registered

Designation DIRECTOR OF PUBLIC INS-

TRUCTION,

Station

M A D R A S.

The SECRETARY TO GOVERNMENT,
EDUCATION AND P.H. DEPARTMENT,
FORT ST. GEORGE, M A D R A S.

Enclosures:

No. RC.1051/J/47

dated 28th February 1948.

Sir,

SUB:- Pension = Sri K. Nambi Ayyangar = Ex-
attender, Office of the Deputy Inspector
of Schools, Tiruchendur Range:

IN submitting herewith an appeal dated 27th Octr.
1947 from Sri K. Nambi Ayyangar, Retired Attender, Office
of the Deputy Inspector of Schools, Tiruchendur Range,
I have the honour to state as follows:

2. The ex-attender retired on 15th August 1945
after putting in over 30 years qualifying service of
which Y.25-M.8-D.23 was in the superior service. But he
was not eligible for pension as he had elected to come
under superior service with reference to G.O.No.528,
Finance, dated 23rd August 1940. He was sanctioned a
gratuity of Rs.326/- for the inferior service rendered by
him. The Director condoned a deficiency of 4 months
and 7 days in his superior service to enable him to
get a gratuity of Rs.35/- for his superior service.

3. The petitioner now requests that he may be
sanctioned half pay as pension. Perhaps he wants to
be treated as an inferior servant and granted half pay
as pension with reference to G.O.No.342, Finance (Pen)
dated 27th April 1946. The Accountant-General has
already expressed his opinion that the option once
exercised by him that he would come under superior service
is final. His petition dated 1st February 1947 for
treating him as an inferior servant was submitted to
Government in this office N.R.C.No.1051/J/47 dated the
12th July 1947. No orders of Government have been re-
ceived in the matter. Further G.O.No.342, Finance,
retired prior to 1st January 1946.

4. In the above circumstances the request of the
petitioner is inadmissible. However, his case is
recommended for favourable consideration with reference
to Article 924(b) C.S.R. The file containing the con-
nected papers is enclosed for reference and return.

for Director of Public Instruction.

KAN.1/3

This rule is not in
existence since
various from him

was in the
inferior service
and Y.4-M.7-D.23

Y.25-M.8-D.23
4-7-23

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pp 3-6 and

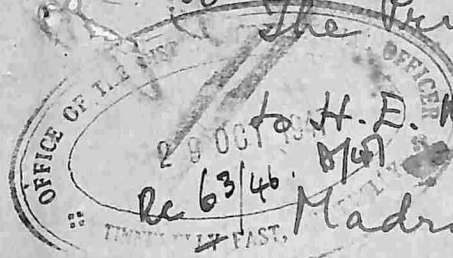
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030
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3/13

To The Private Secretary
to H.E. the Governor
of Madras,
Madras.



Through
The District Educational Officer
Tinnevely East.

Honoured Sir,

Ref: your endorsement No. nil d/
24.10.47 directing me to resubmit my
petition thro' proper channel.

I beg to resubmit my appeal
petition for mercy thro' the proper channel
as directed in your endorsement for favour
of being placed before H.E. the Governor for
his very sympathetic Consideration and favour
P.T.O.

From

K. Nambai Aiyengar,
Retired attender,
Office of the Dy. Insp.
of Schools.
Tiruchendur Range
now at Katcheri Street,
Nanguneri.

Nanguneri,
D/ 27-10-47

able orders, along with my original appeal
petition for mercy submitted by me in the first
week of March 47 through the Deputy Inspector
of Schools, Tiruchendur Range and then through
the District Educational Officer, Tirunelveli
East from whose office ^{I think} the petition might have
been submitted to the next higher authority viz.
the Divisional Inspector of Schools, Madurai in the end
of May, '47. I request you to be so kind as to request
H. E. the Governor with mercy and pass orders
granting me half the pay as pension or re-appoint-
ment and pension after my 60th year.

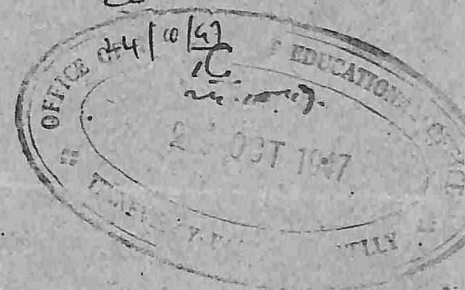
I beg to remain,
Honoured Sir,
Your most obedient
servant,
K. Nambiar Iyyangar

11 7/9 16
Governor's Secretariat.

Returned for resubmission through proper
channel.

Ootacamund,
24-10-47.

Poundan Nair 1/10/47
Private Secretary to H.E.
the Governor.



12
To The Private Secretary
to H.E. The Governor
of Madras
Madras.

Thro' The District Educational
Officer,
Tinnevely East.

Honoured Sir,

Sub: Pension or re-employment and
pension - sanction of - requesting.

Ref: my appeal petition for mercy,
Submitted in the first week of March '47.

I beg to state I submitted an
appeal petition for mercy to your honour for
favour of being placed before H.E. The Gover-
nor of Madras for his sympathetic Considera-
tion and favourable orders; and as directed
by you (in your own handwriting and with your
signature - your predecessor Mr. A. J. Platt) I also
submitted at once, in the first week of March '47
F.T.O.

From K. Nambi aiyengar,
Retired attender,
Office of the Deputy
Insp. of Schools,
Tiruchendur Range,
now at Katcheri street,
Nanguneri.

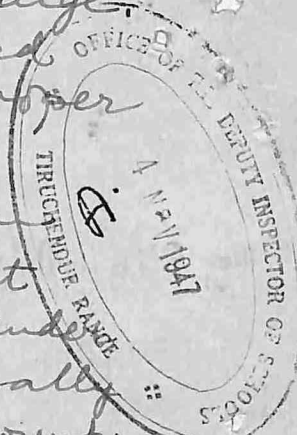
Nanguneri,
D/18-10-47.

an appeal petition direct² to you and another thro' the Dy. Inspr. of Schools, Tiruchendur Range. I hope the same might have been received by you by now after passing through the proper channels.

I beg to submit, Sir, I have been suffering very much since my retirement from 15-8-1945. I put in a service of an attendant for nearly 31 years most faithfully and loyally and on my retirement I was paid an amount of Rs 326/- only as gratuity. I have no landed or any other property to fall back upon. I have been completely stranded and am suffering very much in these hard, famine days.

owing to complete ignorance of the rules and the resultant consequences I elected to retire in my 55th year and I suffer now due to want of subsistence allowance. I, therefore, beg to request you to be so kind as to place my petition for mercy before H.E. The Governor for his very sympathetic consideration and also request him to view my case with utmost mercy and issue orders sanctioning me half pay as pension or re-appointing me till my 60th year and then sanctioning pension at half the rate - for which act of kindness this poor man will ever be grateful to you.

I beg to remain,
Honoured Sir,
your most obedient servant
K. Nambi Ayyangar



C. no 57611 A/47
pp 3-6, 9-10 and 14-15 CP

pp 1 and 13 CP,
P. 9 CP and P. 10 CP

Vide precedent on pp 13-14 CP and also Self Instruction 109

No EDPH Dept.

Memorial to H.E. the Governor, Sri K. Nambi Ayyangar
Retired attendant, Office of the Dy Inspector of Schools
Request for pension - Rejected

Petitioner from Sri K. Nambi Ayyangar, d 1.2.47, 27.10.47 and 17.12.47

Encls. of the D.P. I, No 1051 J/47 d 12.7.1947 and 28.2.48

Order 118 6/8 E. d. 24-3-48

As the petitioner has not approached the Govt before submitting his petition to H.E. the Governor, he has not availed himself of all the remedies open to him and his petition is therefore liable to summary rejection under the instructions for the submission of petitions addressed to H.E. the Governor. H.E. has however directed that the petition should be treated as ^{having been} presented to the Govt under the instructions for the submission of petitions to the Govt.

P.T.O

G.O. 57611.A/47.

From the D.P.I. No. 1051 J/47, dated 12-7-47.

Memorial to H.E. the Governor - Sri K. Nambi Ayyangar - Retired attender, Office of the Deputy Inspector of Schools - Request for pension.

In G.O. 528 Fin., (Pension), dated 23-8-40, the services of attenders in the offices of the Deputy Inspectors and Sub-Assistant Inspectresses of schools were treated as superior for purposes of pension with effect from the date of the order. In G.O. No. 652, Fin., (Pension), dated 14-10-40 attenders in those offices then in service were given the option ~~of choosing~~ to have their services treated as inferior for purposes of pension, the option once exercised being final.

2. The memorialist Sri K. Nambi Ayyangar chose to have his services treated as superior and he retired from service on 16-8-45 on his attaining the age of 55 years. On his retirement he was given a gratuity of Rs. 326 in consideration of his services. He now states that he chose to have his services as superior on a wrong impression that he would get ^{more} pension ~~more~~ than that he would get as an inferior servant on his retirement and that there was none to properly guide him with regard to the rules. As the amount sanctioned to him as gratuity is very small, he says that he is practically stranded and made helpless, as he has no property to fall back ^{upon} ~~upon~~. He has therefore, submitted a memorial to H.E. the Governor praying:-

(1) that the declaration given by him in 1940 for treating his services as superior may be cancelled and granted pension or

(2) that he may be allowed to work again till he completes his 60th year in 1950 and then he may be sanctioned pension according to G.O. No. 342 Fin. (Pension), dated 27-4-46 by treating the whole period as inferior service and condoning the break in his service. (He states that he is prepared to refund the gratuity amount of Rs. 326/- already sanctioned to him if necessary)

3. As regards ^{above} ~~A~~ on p. 1 ante it may be stated that

p68 9 (C)

p9-1150 (V)

p3 CF
p4 CF
do

p4 CF

p6 CF

p11 CF 9 (T)

p6 CF

2-27963

2. The petition has been Considered accordingly and H.E. the Governor hereby orders that the petitioner be informed that his requests cannot be granted.

Vide precedent on pp 13-14 CF 9 (Y)

5-3-48
13/3/48

8/3/48

14/3/48

To The D.P.I. with encls
(with encl)
relends at (8)
in original.
S/C.

the D.P.I. was asked to explain the position clearly to the attenders concerned. It may also be mentioned in this connection that G.O. No. 342 Fin. (pension), dated 27-4-46 referred to by the petitioner on p.5 C.F. applies to persons who retired from service on or after 1-1-46.

4. The following note is submitted with reference to the Instructions in Appendix III on p.55 of the Business Rules and Secretariat Instructions:-

(1) The memorial has been submitted through the head of the department viz., the D.P.I.

(2) The memorialist has not availed himself of the remedies provided by the rules and orders applicable to his case.

(3) The memorial has not been submitted within time.

(4) No previous petition on this subject has been disposed by H.E. the Governor.

(5) ^{The} ~~The~~ file may be circulated to the P.S.G. with reference to Sect. Instruction 109.

26.1.48.

26.1.48. S. H. P. S.

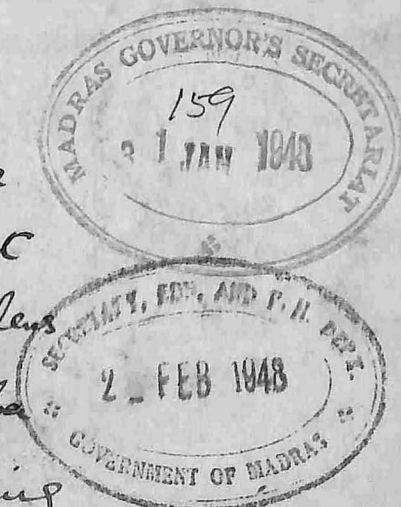
P.S.G. H.E. directs that the memorial may be treated as one addressed to the Govt.

11/30/48

L.P.P.

11/30/48

with reference to the Request (1) of the petitioner on p.1 ante it is submitted that the Govt. have permitted certain attenders like T. S. Nataran, P. L. Samuel and C. S. S. Rao to come under inferior service cancelling their previous choice for superior service. Please see the Govt. at (1) (2) and (3). But those



men were in service when they applied for revision of their option. As the petitioner has retired from service, it does not seem that the declaration given by him in 1940, while he was in service, to have his services treated as superior for purposes of pension, may now be cancelled and his request complied with.

2. Request (2) on p.1 ante of the petitioner also does not seem acceptable. The D.P.I. does not support his requests. For orders ~~which~~ ^{where} the petition may be rejected. Please see before circulation.

7.2.48.

9/2/48

11/4/48

11.2.48

The notes on 11-1-3 above may be placed.

Finance may agree with A and B above.

16.2.48

16/2/48

EPH



16.2.48

May now be circulated to H.M. (Edu.) for orders on 'A' and 'B' above.

11/30/48

11/30/48

11/30/48



11/30/48



184

28.2.48

28.2.48

15797A/48

From the D.P.I. No 10518/47 d 28.2.48.

The D.P.I. has since forwarded another petition d 27.10.47 addressed to the P.S.G. from the

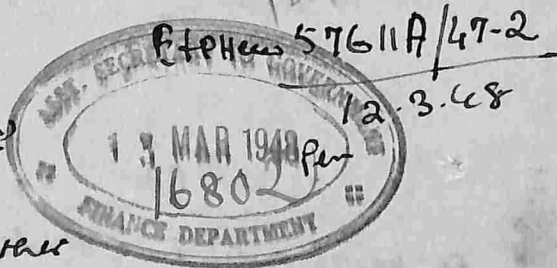
Memorialist. It contains the same requests
 as those made in his previous petitions d 1.2.47
 and 17.12.47 and also it does not contain any
 new fresh reasons beyond those stated in his
 previous petitions. It does not seem necessary
 to re-circulate the case to H.E. as he has recently
 directed that the petition may be treated as
 one addressed to Govt and also in view of the
 reasons stated at R above.

2 u.v.c para 4 of the D.P.'s letter on
 p 13 CF it is submitted that ^{as} clause (b) to Art
 924 C.S.R has since been deleted from the
 Rules and the case of the Memorialist cannot
 be considered under that article. u.v.c the
 orders at A on 3 ante a draft order is submitted.
 Finance query, perhaps see the previous issue. Public
 may also see for verification whether the position open up
 in para. 1 above is not objectionable.



3.68. *DM* 8/3/48 S *DM* 14/3/48
DM 16/3/48

(Previous Finance note on p 3 above)
 The order in circulation at p 3 above, the further
 on pp 3-4 above and the draft order below
 may be perused and the case passed on to Public.



16/3.48

C 17/3.

Public

Public (Genl-B) Dept



The notes from p 1 ante may and
 the draft order may be perused. This
 Dept may agree with the views of EPH
 at 'M' above and return the file to them.

19.3.48 *DM* 19.3.48

19.3.48 *DM* 19/3/48 EPH

Pub Genl B
 cc: 426688
 20/3/48

EdPH Dept 5

The draft order may now be issued.

DM 22.3.48
DM 22/3/48
DM 20/3/48

"A humble appeal to H.E. the Governor of Madras for mercy and sympathy?"

To The Private Secretary
to H.E. the Governor of Madras,
Governor's Camp,
Madras.

From

K. Nambi ayyangar,
Retired attender
(Office of the Deputy Inspector of
at Paradesi Street, Tiruchendur Range Schools,
Nanguneri. P.O. (Tirumelveli Dt.)

Honoured Sir,

Governor's Secy.

Encl. XN. 2: 2.5.48.

Transferred to the Secretary
to Govt. Ldn & Public Health
Department, for disposal.
(By order of H.E. the Governor).

M. Nandam
Private Secretary
H.E. the Governor

1/5/48

Ref: My humble petitions d/ 1-3-47, 8-3-47,
October, 47 and December '47 submitted
both direct and thro' the proper channel
as per your orders contained in the
endorsements.

Sub: Pension and re-appointment -
grant of - request for orders.

I humbly beg to submit this - my
humble petition to your very kind consideration
and for favour of placing before H.E. the
Governor for his very kind and sympathetic
consideration and favourable orders.

I was working as an attender, in the
Educational Department, in the Offices of the
Dy. Inspector of Schools for about 31 years
and retired in August, 1945. Owing to complete
ignorance of rules and want of enlightenment
and explanation of the rules and the result
ant consequences I had elected to retire in
my 55th year, in the superior service. For the
last two years or so before my retirement I was
getting Rs. 35 (pay) + Rs. 16 D.A. = Rs. 51 in all. After my
retirement I was informed by the authorities that
I was not eligible for any pension but I was
paid a small gratuity amount of Rs. 32.5 and od.

I had submitted several petitions to my superior officers and to the Hon. the Minister for Education praying to re-consider my case and grant me a pension to me and give me re-appointment till my 60th year. But unfortunately I did not get any favourable orders.

I beg to submit, Honoured Sir, that I am a poor man with no lands or any other property to fall back upon and so I am suffering very much for the past 2 1/2 years or more.

I submitted a mercy petition to your Honour on 1-3-47 and it was returned to me directing to resubmit it thro' the Dy. Inspector of Schools.

I resubmitted it thro' the Dy. Inspector of Schools, Tiruchendur Range on or about 6.3.47 and also posted a copy direct to you. I fear, Sir, that

my petitions submitted thro' the proper channel might have been delayed or detained in the several intermediate offices and might not have reached your Honour's hands.

I submitted another petition in October, 1947 direct to you and it was also returned to me asking me to resubmit it thro' the proper channel. I submitted it thro' the Dt. Educational Officer, Tirunelveli East with your endorsement as soon as received from you.

I again submitted a petition to your Honour in December, 1947.

Unfortunately for me, I beg to submit, I have not received any favourable orders.

I am suffering very much. My option exercised may be cancelled.

I, therefore, beg to request that the relevant papers, my service books, records etc be called for from the departmental authorities, my case be viewed with mercy and kindness and orders granting me a pension of at least 50/- p.m. be issued - for which act of charity I shall ever be grateful.

Nanguneri,
28.4.48

I beg to remain,
Honoured Sir,
your most obedient servant,
K. Nambi Ayyangar

EDPH DEPT.

Memorandum 32897 A-1 B.d. 24.5.48
Pension and re-appointment - grant of.

Ref. - Petition from Sri K. Nambi Ayyangar, Retired
Attended 28.4.48.

The petitioner is informed that the orders issued in G.O. 648 B.d. 24.3.48 will not be modified. A copy of the G.O. is however enclosed for his information.

address of applicant
To The Petitioner
(with encl.)
Copy to pp 20-21 CP (R)

15.5.48/10
19/5/48

Note: - The memorials submitted by the petitioner to H.B. were rejected in G.O. 648 B.d. 24.3.48. The present petition does not contain any new facts beyond

Sermadevi,
27th July 1949.



K. Nambi Ayyangar, Retired Attender,
Office of the Deputy Inspector,
Tiruchendur Range,
P.S.I Quarters, Sermadevi,
Tirunelveli District.

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

Sir,

I beg to pray the Government to be so good as to redress the grave injustice done to me by the Deputy Inspectors of Schools who were charged with the definite responsibility of advising the attenders the effect of G.O.No.652 Finance (Pension) dated 14-10-1940 communicated in Proceedings Roc.No.2719-C dated 21-10-1940 in the matter of electing inferior or superior service by advising me to elect superior service saying that I would thereby get half pension.

2. I joined service on 1-12-1914. I had put in 30 years 8 months and 15 days service on the date of retirement i.e. 16-8-1945. On the date of the receipt of the G.O. referred to above I was employed as attender, Office of the Deputy Inspector of Schools, Ambasamudram Range. Messrs A.V.Sankara Subba Ayyar and Joshua were the then Deputy Inspectors. Both of them advised me to elect superior service and assured me that I would be getting half pension. Obviously they have not cared to study the G.O. correctly and explain to me the effect of the G.O. in proper perspective. Had they explained to me the effect of the G.O. correctly, I would not have made a suicidal election of superior service. No one would be so foolish as to elect superior service and forego the prospective concessions, and advantages available by continuing in inferior service. The Deputy Inspector of Schools, Tiruchendur Range, Mr. K. Nambi Ayyangar, who made out my pension application for preliminary verification was also labouring under the identical misapprehension and recommended half pension. I came to know that I was wrongly advised by the Deputy Inspectors only when the Accountant General returned my application saying that I was not eligible for pension either in superior service as I had not put in 10 years service or in inferior service as I had not 30 years qualifying inferior service. Had the officers correctly explained to me the effect of the G.O. I would have most naturally elected to continue in inferior service thereby remaining in service upto 60 years of age, i.e., upto 16-8-1950 and also getting the benefit of G.O.No.342 Finance (Pension) dated 27-4-1946, Sanctioning half pension to all inferior servants. On account of the remissness of duty on the part of superior officers I have been put to a loss of 5 years service and salary and allowances to the extent of Rs.3,240/- (35 Plus 19 x 12 x 5) and the chance of getting Rs.17½ p.m. as pension and consequently to untold miseries and sufferings. My wrong election is due to the administrative fault, i.e., due to the careless advice tendered to me by my superior officers specifically charged with the responsibility of explaining to me the effect of the G.O. I understand that there have been cases in which if officers were made to lose in emoluments through administrative faults they were compensated by Government. An instance in point I hear was that when Dr. Dey was re-employed as Director of Public Instruction superseding the claims of Dr. S.R.U.Savoor, the latter on appeal was considered to have acted as D.P.I. and paid the salary and allowances due to him as D.P.I. even though he did not

actually discharge the duties of the D.P.I. On this analogy, I am entitled to get the arrears of pay of Rs.3,240/- and half pension of Rs.17½ p.m. as against the gratuity of a petty sum of Rs.361/-.

In the circumstances I pray I may be considered to have elected to remain in inferior service and the period from the date of actual retirement, i.e., 15-8-1945 to date be treated as leave for which I may be eligible and sanctioned half pension of Rs.17½ per mensem with effect from the date of orders. In the alternative I pray the Government to be pleased to sanction at least a pension of Rs.6/- admissible to inferior servants in 1945 with effect from 16-8-1945 adjusting the pension due to me from that date towards the gratuity of Rs.361/- drawn by me. This is only a bare justice I crave at the hands of the Government.

I beg to remain,
Sir,
Your most obedient Servant.

K Nambi Ayyangar

P.S.

A similar petition has been submitted to the Director of Public Instruction, Madras

Ep 14 A

Memo No 57824 A/49 - 1 Education dated 1.8.49
K. Nambi Ayyangar - Retired Attender - 137 1/8 in
Memorandum for pension
from Sri K. Nambi Ayyangar dated 29.7.49

pp-2 above Petition from
The attention of the D.P.I. is invited to the petition cited, a copy of which has been sent to him and he is requested to offer his remarks on it.

MCS
39/7

11/8/49

To the D.P.I.
3/8

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

Rs. No.30 C9/49 dated 25.9.49.

Subject: Pension - Sri K. Nambi Ayyangar, Retired Attender.

Read:- Petition dated 29.7.49 from Sri. K. Nambi Ayyangar.

Submitted to Government with reference to Memo. No. 57824 A/49 - 1 Education dated 1.8.49. Attention is invited in this connection to G.O. No. 648 Education dated 24.3.48.

2. If rules permit a fresh application for pension may be entertained in this office case.

3. The pension papers are enclosed for reference and return.

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

M.B. 27.9

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A similar petition has been submitted
to the Director of Public Instruction, Bangalore

57824
Hl-2
29/10/49

Memorandum 57824 Hl-2-3 Edn 2 8/10/49
Sri K. Nambhi Ayyangar, Retd.; attender -
request for pension
From Sri K. Nambhi Ayyangar, petition to 29.7.49
.. in Retd. 30.9.49 to 25.9.49

The petitioner is informed
that ~~this~~ request ~~contained in his petition~~
~~mentioned above~~ cannot be complied with.

To
The D.P.O.
(with enclosure
re:-)
in sealed cover

MUS
22/10
22/10/49

24/10/49

Note: Finance may see before issue

No 57824 A-2 Edn
24.10.49

MUS
22/10
22/10/49

24/10/49

Fin (Per)

may be passed and returned to E & P. H.



Fin 10.70550 Per-1
26.10.49

26.10.49

26.10.49

83433
27/10/49

27/10/49

K. Nambi Ayyangar.
Retd. Attendar, Office of the
Deputy Inspector of Schools,
Thiruchendur Range.

Perumalkovil Street, Valliyur.
25-1-1950. RD

To

His Excellency the Maharaja of Bavanagar,
Governor of Madras,

Revenue Dept no

May, it please Your Excellency,

The humble memorial of K. Nambi Ayyangar, Retired Attendar,

Office of the Deputy Inspector of Schools, Tiruchendur Rangae,
Triunelveli District showeth as follows:-

8 - FEB 1950

8199

The humble memorialist craves at the hands of Your Excellency
bare justice at least as a matter of grace and in commemoration

of the inauguration of the Indian Republic for the grave injustice
done to him by the administrative officers entrusted with the

(H) responsibility of explaining to him the effect of G.O. No.M.S. 652
Finance, Pension dated 14-10-40 re: the election of superior or

inferior service and by the refusal of Government to look into his
case as stated in their Memo. No.57824 A/49-3 Edn. dated 28-10-49.

The humble memorialist begs to place before Your Excellency
the following facts:-

The humble memorialist entered service on 1-12-14.

In G.O. No.528 Finance, (Pen.) dated 23-8-40, the posts of attendars
employed in the offices of Deputy Inspectors of Schools, were
declared to be of superior service for purposes of pension with
effect from 23-8-40. According to the Pension Rules then in force,
officials in superior service should retire from service on
completion of 55th year of age and could get half-pension and those
in inferior service can continue in service upto 60 years of age
but will be eligible for a pension of only Rs.6/-. Officials in
inferior service have since been declared eligible for half pension
in G.O.No.342 Finance (Pen.) dated 27-4-46. As the declaration
conveyed in G.O. No. 528 Fin.(Pen.) dated 23-8-40 worked hard in
the case of attendars who had only a few years before them to complete
55 years of age, the Government in their order No.652 F.(pen.) dated
14-10-40 gave a choice to the attendars either to continue in
'inferior service' or to go under 'superior service'.

In para 2 of this G.O. it is stated as follows:-

" The Director of Public Instruction is requested to have the position as explained in Para 1 above put clearly before the attendars concerned and ask them to choose one of the two courses in writing. "

The Director of Public Instruction in his foot note communicating the G.O. reiterated the above instructions.

The humble memorialist had to complete his 55th year on 16-8-45. As illluck would have it, the Deputy Inspectors of Schools under whom he was serving on the date of receipt of the G.O. advised him to elect " Superior service" assuring that he would get thereby half-pension. Obviously, the Deputy Inspectors had not cared to understand the effect of the G.O. and to advise the humble memorialist correctly. This is borne by the fact that the Deputy Inspector of Schools who made out the pension application of the humble memorialist had recommended half-pension. The humble memorialist came to know of his ^{luck} fill only when the Accountant General returned the pension application saying that the humble memorialist was not eligible for pension either in superior service as his qualifying service was about 5 years or in inferior service as he had only 25 years and odd of qualifying service even though he had put in a total service of 30 years 8 months and 15 days. Ultimately the humble memorialist was retired from service on 16-8-45 with a paltry gratuity of Rs.361 with the result that after serving the Government sincerely and honestly for over 30 years he has been thrown on the streets to go abegging and starve. Had the Deputy Inspectors correctly explained the effect of the G.O. the humble memorialist would not have made the suicidal election of 'superior service' thereby losing the chance of still continuing in service upto 15-8-50 and earning a half pension of Rs.17-8-0 per mensem. The loss of prospects to the humble memorialist was due to the careless advice tendered by the Deputy Inspectors who were charged with the definite responsibility of putting clearly before the attendars concerned the effect of the G.O. This is an administrative fault for which the humble memorialist had been made to undergo untold sufferings. For an administrative fault of the Madras Government in having reemployed Dr. B.B.Day for sometime

as Director of Public Instruction overlooking the claims of Dr.S.R.U. Savor, the Government were pleased to treat Dr.S.R.U.Savor as having acted as D.P.I. and allowed him the benefit of service and emoluments for that period. The humble memorialist prayed only for the grant of a pension of Rs.6/- treating the entire period of 30 years 8 months and 15 days as inferior service even though he is justly entitled to claim retention and service upto 15-8-50 and a pension of Rs.17-8-0. The present administrative officers-- The District Educational Officer, Tirunelveli East, The Divisional Inspector of Schools, Mathurai Division and the Director of Public Instruction, Madras-- felt the injustice done to the humble memorialist and were pleased to recommend to Government his case for favourable consideration. The present Government as of old turned down the recommendation summarily.

The humble memorialist begs to be excused for representing to Your Excellency that there is no change of heart in the Government and in the new dispensation people expect equal, just and impartial treatment accorded to all alike irrespective of status, rank etc. The humble memorialist begs to place before Your Excellency that this Land from time immemorial is famed for high sense of Justice and Truth. One Chola King (Manuneethi- Kanda-Cholan) offered his son as a sacrifice for a wrong happened to a cow. King Sibi offered his own body as food for an eagle in place of a dove which sought his protection. On auspicious occasions gifts were freely given to all. On the auspicious occasion of the Inauguration of the Indian Republic the humble memorialist understands that even criminals are given remission of punishments.

The humble memorialist prays Your Excellency to be graciously pleased on this auspicious occasion to sanction on his behalf a pension of Rs.6/- p.m. from 16-8-45.

The humble memorialist begs to remain,

Your Excellency's loyal subject.

K Nambi Ayyangar

Edn (A) Deptt

Memorandum 8199 A/50 - Edn 13/3/50

Memorial - Sri K. Nambi Ayyangar, Retd.

Attender - request for pension

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13/3

Memorial from Sri K. Nambi Ayyangar 25/1/50

Sri K. Nambi Ayyangar

is informed that his memorial ^{has been} rejected.

Sri K. Nambi Ayyangar M.P.

Retd. Attender

Personal writ 82

Valligum

S.L.

11/3

11/3/50

18/3/50



Edu Dept

C.No: 8199. A. Memorial from Sri. K. Nambi Sanyasani,
Retired attender, Edu Dept & 25.1.50

Please see the Memorial from Sri. K. Nambi Sanyasani on pp 1-3 of addressed to S. E. the Governor requesting that he may be granted a pension. As a previous memorial from him to S. E. on the same subject was rejected in go no: 648 Edu & 24.3.48. this memorial is liable to summary rejection. The file may be circulated to H. ell (E+L) and the North Chief Minister for order.

Please see instruction 3 of the instructions for the submission & disposal of petitions addressed to S. E. - 147 of the Rules & Sect. instructions

1/3/50. 2/3/50 3/2/3/50 H. N. (E+L) H. C. N.
Reject by H. N. (E+L)
Don't pension death
H. N. (Fin) (Pension)
2/3



Please the minute of H. N. (E. N.) above. The file may be circulated to H. N. (Fin) also as he is concerned with pension, for order.

1/3/50. 7/3/50 7.3.50.

H. N. (Fin) 9.7. Edu (A)
A draft memo is sent. for approval
H. C. N. 1/3/50

[After issue of memo the papers will be filed under the file of @]

1/3/50 1/3/50

