

close
11/16/48
Seepal

Bd. Dept. 1948.

P13 Series

Cc No 765 Bd.

(18)

Dated 2.4.48

Est. Madras Ministerial Service - Appoint-
ment of Ex-Jemadaw P.D. Chaviam as clerk
in Bd. Dept. orders passed.

EDUCATIONAL

DEPARTMENT.

C.F. 36.

Received 19 . Registered 19 .

Subject.

Public Services - Madras Ministerial Service -
Appointment of Ex-Jemadar, P.D. Cheriyan as clerk in
the Malabar District.

ENCLOSURES.

No.

Spare copies.....

R.C. No.11328 C.6/46

Station Madras, Dated the 13th March 1947 19

From (Name) Dr. S.R.U. Savor, M.A., D.Sc., I.E.S.,

(Designation) Director of Public Instruction, M

To The Secretary to the Government of Madras,

EDUCATION & PUBLIC HEALTH Department.

Sir,

In enclosing herewith a copy of letter R.O.C.No. 1000/45, dated 9th October 1945 from the District Educational Officer, South Malabar together with a copy of letter L.Dis dated 25th Octr. 1945 from the Secretary, Public Service Commission, I have the honour to state as follows:-

One Sri P.D. Cheriyan was selected for the post of a clerk in 1942 and allotted to the unit of the District Edl. Officer, South Malabar. But at the time of his allotment, he was working as Havildar clerk in the Record office, No.1. Transporation Centre I.E. Deolali and consequently could not take up his appointment in the Department. His name was however retained in the list of propationers.

When the candidate after his release from the Army applied for a posting his discharge certificate was called for and on scrutiny it was found that Sri P.D. Cheriyan

h 2 info

h 2-3 info

Kept below

was dismissed from the Military service on 4-6-1945 by order of a summary general court ~~xxx~~ Martial in consequence of a summary General Court Martial held at Deolali under Section 39(a) of the Indian Army Act after serving 3 years and 44 days with the colours. The Ex-Jemadar was tried on a charge of behaving in a manner unbecoming the position and character of an officer and the Court awarded one year's R.I. and dismissal from service. But the general Officer Commanding while confirming the finding remitted the sentence of 1 year. Long after his dismissal from the Military service, he preferred an appeal to the G.H.Q. and the same was rejected - Vide copy of order No. 134564/P.S.3(c), dated 11-2-1947 of the G.H.Q. Adjutant General ~~xxxx~~ Branch, New Delhi enclosed.

When I made a reference to the General Officer Commanding Southern Command, Poona, as to whether he had any objection to the appointment of Sri P.D. Cheriyan in the Civil Department, he stated that this matter is entirely one for my consideration. Under these circumstances, I request you to be good enough to let me know whether the appointment of the candidate as a clerk in the Unit of the Malabar District to which he was selected by the Commission will be in order in view of his dismissal from the Military service.

The discharge certificate of Sri P.D. Cheriyan is sent herewith for reference and ~~reference~~ return.

I have the honour to be,
Sir,
Your most obedient servant,

For Director of Public Instruction.

P.R.K. 14/3/47

Copy of letter R.C.No. 1000/45, dated 9-10-45 of the Dt.Edl.Officer, S.Malabar, Calicut to the Secretary, Public Service Commission, Madras.

Sub: Madras Ministerial Service - Clerk - Sri P.D. Cheriyan, Retention of his name in the list of probationers. Re-appointment after dismissal from Military service - Instructions solicited.

One Sri P.D. Cheriyan was allotted to this unit for appointment as clerk in your letter No. 1318 E/42-9, dated 12-6-1942. But as at the time of his being allotted to his unit he was working as a Havildar Clerk in the Record Office No. 1. Transportation Training Centre, I.E. Deolali and consequently could not take up appointment in this unit, his name was permitted to be retained in the list of probationers in your letter No. 1318 E/42-14, dated 15-7-1942.

2. The candidate in question has now applied for order of appointment in this unit after his dismissal from the Military service. When his Military discharge certificate was called for and perused it was found that he was dismissed by order of a summary General Court in consequence of a summary General Court Martial held at Deolali under Sec. 39(a) IAA Indian Army Act. He was dismissed on 4th June 1945. His application for appointment was received in this office on 18-9-1945.

3. I request you to kindly let me know whether in view of his dismissal from the Military service as stated in para 2 supra he can be entertained in Govt. Service as per the liew given to him as a probationer in this Unit. The favour of very early instruction in the matter is requested.

4. The discharge certificate No. 3551 of 1 - 46010 Jam.Clerk P.D. Cheriyan is enclosed in original for reference and return.

Copy of letter No. X.L.Dis dated 25-10-1945 from the Secretary, Public Service Commission to the District Edl.Officer, S.Malabar.

I am to say that the question ~~raised~~ in your letter cited regarding the reappointment of Sri P.D. Cheriyan who should be deemed to have become an

MISCELLANEOUS.

Government of Madras

PUBLIC (SERVICES) DEPARTMENT

G.O. No. 700, 22nd March 1946

Public Services—War service candidates—Recruitment—Verification of antecedents—Instructions issued.

Order—No. 700, Public (Services), dated 22nd March 1946.

Under notes (4) and (5) to rule 2 of the Madras Civil Services (War Service Personnel) Recruitment Rules, 1941, persons whose war service has been characterised in their discharge certificate or other document as 'indifferent' or 'bad' or who have been discharged from the Army, Navy or Air Force or any other kind of war service for any reasons other than medical invalidation, demobilisation or completion of engagement will not be eligible for the concessions allowed by those rules. A question has been raised whether an authority competent to make selection to the reserved posts can enquire into the antecedents of the candidates prior to their enrolment in the Armed Forces and whether bad antecedents prior to enrolment can be held as wiped out by 'good' service during the war. The Government consider that the selecting authority's discretion should not be fettered in any way and that it should have every right to go into the

character and antecedents of a war service candidate in order to assess his suitability for employment under Government, whether his misconduct (or good conduct) occurred prior to his enrolment or not. While it may ordinarily be unnecessary to go beyond the record of war service of a candidate the selecting authority should, if specific cases of pre-war bad antecedents are brought to light, have full discretion to take them into consideration in assessing the merit of the candidate.

2. According to Explanation II to rule 8 of the Madras Civil Services (Classification, Control and Appeal) Rules, dismissal of a person from the Civil Service of the Crown shall ordinarily disqualify him for future employment under Government. In the abnormal circumstances that prevailed during the war, persons who had been dismissed, removed or debarred from employment under Government might have enlisted themselves in the forces or might have

No. 700, PUBLIC (SERVICES), 22ND MARCH 1946

rendered 'war service' otherwise. In view of the fact that some of these persons may have atoned for their past misdeeds by their subsequent conduct, the Government consider that they should not be considered as automatically ineligible for appointment to the war reserved vacancies or to other civil posts for which they are eligible to compete but for the ban against their employment and that the case of every such person should be examined on its merits by the Madras Public Service

Commission or other selecting authority, as the case may be, and a decision arrived at as to whether the disqualification should continue to operate or whether it should be removed. For this purpose the selecting authority concerned should refer to the notifications published in the *Fort St. George Gazette* from time to time debarring persons from employment under Government and check up all candidates against the black lists.

(By order of His Excellency the Governor)

K. RAMUNNI MENON,
Chief Secretary.

To the Board of Revenue (Post-War Reconstruction) with reference to its reference No. Y-3564/45-1, dated 20th December 1945.

„ all other Heads of Departments (including Collectors and District Judges).
„ all Departments of the Secretariat.
„ the Secretary, Madras Public Service Commission, with reference to correspondence ending with his letter No. 163-G-1/46-2, dated 9th March 1946.
„ the Services Resettlement Liaison Officer, Madras.
„ the Secretary to the Government of India, Home Department.

To the Director of Resettlement and Employment, Madras.
„ Director of Resettlement, G.H.Q., New Delhi.

Copy to the Hon'ble Residents in Mysore and Hyderabad for information.
„ Resident for Madras States, Trivandrum.
„ Public (Resettlement) Department.
„ Public (War) Department.
„ Chief Civil Liaison Officer, Madras.
„ Secretary, Madras Provincial Soldiers', Sailors' and Airmen's Board.

GOVERNMENT OF MADRAS
Revenue Department

MEMORANDUM No. 73474-2/46-4, dated the 8th April 1946.

Prohibition - Nann Rao (Sri C.) - Prohibition Petty Officer undergoing training in the Prohibition Staff College, Madras - Dismissal from the P.I.A.F. - Bar for employment under Government - Orders issued.

From the Board of Revenue, C.R. 41434-abk/40-C.1, dated 22nd December 1945

From the Board of Revenue, C.R. 41434-abk/46-C.1, dated 9th March, 1946.

The Board of Revenue is informed that dismissal from the P.I.A.F. in connection with a ~~mutiny~~ mutiny should be taken as a bar for subsequent employment under the Government.

V. K. RAO,
Deputy Secretary to Government

To the Board of Revenue (Excise)

Forwarded by Order

Superintendent.

aj/B.4



Roe 619A/45 & 26-1-48

Submitted to the Director of
Public Instruction, Madras with
reference to his Pro. Re. No 11328 C6/46

my dated 25-11-47.

D. Ramayya Reddi

Asst. Director of Schools,
Coimbatore

C.F. 32 (a).		Education Department	Received _____ Registered _____
From (Name)	Sri D.S.Reddi, M.A., (Oxon).		To
Designation	Director of Public Instruction, Madras.		The Secretary to Government, Education & P.H. Department, Madras.
		Rc. No. 11328 C2/46	dated 24-3-1948.

23450

Sir,

sub: Public Services - Madras Ministerial Service -
appointment of ex-jamadar P.O. Cheriyan
as clerk in the Malabar District.

Ref: Govt. Memo No. 21316 A2/Edn., dated 16-11-1947
and the correspondence resting with my
endorsement Rc. No. 11328 C6/46 dated
29-1-1948.

I request you to be good enough to let me know when the
orders of the Government may be expected on the reference cited.

P. M. M.

for Director of Public Instruction.

k.h. 28-3.

2/13

an approved probationer in the Madras Ministerial service on the date of his dismissal from Military service may be referred to the head of your department for instructions.

The discharge certificate of Sri P.D. Cherian is returned

No. 134564/PS3(c)
General Headquarters
Adjutant General's Branch
New Delhi, 11 Feb. 47

To

Ex-Jemadar Clerk P.D. Cherian
1 Deshpriya Park Road, Calcutta 26.

In reply to his petition dated 12th August 1946 addressed to HQ Southern Command, ex-Jemadar P.D. Cherian is informed that his case has been carefully considered at these Headquarters.

2. In view of the serious nature of the offence for which he was convicted it has been decided that no grounds exist which would warrant any modification of the orders already passed in his case.

3. It is regretted therefore that the petition must be rejected.

Sd. Illegible Lt.Col.
For Lt. ~~Col.~~ General., Adjutant General in
India.

No. 197374 A2
HQ Southern Command
Poona 6th March 1947.

To

The Director of Public Instruction,
Madras.

Sub: SGCM - EX Jem P.D. Cherian

Ref: Your No. 11328 C6/46, dated 27th Feb. 1947

Ex-Jemadar P.D. Cherian was tried by SCCM of a charge of behaving in a manner unbecoming the position and character of an Officer. He was sentenced to dismissal and one year R.I.

The Army Comd while confirming the finding and sentence remitted sentence of one year R.I.

GHQ have recently rejected the petition submitted by Ex.Jem. Cherian against his dismissal.

Ex. Jem. Cherian is no longer in Military employ and the question of his suitability for employment in the Civil Government is entirely one for your consideration.

Sd x x x F.G. Schofield.
Maj. General
M.G.A. Southern Command.

/True copies/

For Director of Public Instruction.

[Signature]
14/3

From, T. T. No. 21316 A. Lich.
9-5-47

To, Asst. Secy to Govt. E. P. H. Dept.

The Secy. D. I.

Public Services Madras Provisional
Service - Appointment of Sa. Jemadar P. D. Chariyan
date in the Palakur District.

From the DOI:- NO 11328 C.6/46 d 12-3-47

Journal
R5
9.54

Please let me know whether ~~Mr~~ Sri. P. D. Shenoy has been declared as an approved probationer in the Madras Ministerial Service and what exactly was the offence for which he was Court-martialled.

$\frac{10}{15}$

$$\frac{m}{8/52w}$$

It is not a good idea to use a single word to describe a whole sentence.

for Director of Public Instruction.

DEPARTMENT.

Registered

(STATION)

dated 19

C.F. 32 (a).

Education Department

Received Registered

To

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

From (Name) Dr. S.R.U. Savor, M.A.,
D.Sc., I.E.S.,
Designation Director of Public Instruction.
Station Madras.

Enclosures : Rc No. 11328-06/46 dated 2-6-1917.

Sir,

Sub:; Public Services - Madras Ministerial service - Appointment of Ex-Jamadar, Mr. P.D. Cherian, as clerk in the Malabar District.

Ref:- Your Telephone message No. 21316-A. Ebn., dated 9-5-1947

I submit herewith an extract of letter Rc. No. 619-45, dated 23-5-1947 from and a copy of Endorsement Rc. No. 619-A/45, dated 13-1-1946 of the Divisional Inspector of Schools, Coimbatore Division, which furnish the information called for in the Telephone message cited above.

kp. 4/6.

for Director of Public Instruction.

P.T.O.

28
An extract of letter Rec.No.619-A/45, dated 23-5-1947.

The District Educational Officer, South Malabar, has reported that Sri P.D.Chcrian was allotted by the Public Service Commission, Madras, for appointment as clerk in that unit, but at the time of allotment, he was working as a Havildar clerk in the Record Office No.1. Transportation Trg. Centre I.E. Deolali and consequently he could not take up his appointment as clerk in this department. However, his name was permitted to be retained in the list of probationer by the Public Service Commission in their letter No.1318-E/42-14, dated 15-7-1942. He applied for the post in this Department after being dismissed from the Military.

Copy of the Divisional Inspector's Endt. No.619-A/45, dated 13-1-1945.

Sub:- Public Services - Sri P.D.Chcrian, Ex-Jamadar dismissed from Military service
Copy of letter Ref. No.2702/20/dated, 28th Dec., 1945 from Captain R.E.Lieut
Colonel, I.E. Officer i/c. Records (R.A. Childs) to the District Edl. Officer,
South Malabar.

Sub:- I.O.46010-EX-JEM. Clerk- P.D.Chcriyan.

Ref:- Your No.1000/45, dated 23-12-1945.

The a/m was charged under Section 39(a) of the I.A.A. for behaving in a manner unbecoming the position and character of an officer. He was found guilty of the charge by a Summary General Court Martial and dismissed from the service.

SD/Captain R.E.
for Lieut. Col. I.E. Officer i/c Records
(R.A.childs)

Copy submitted to the Director of Public Instruction, Madras with reference to Pros. C.No.4699-8/45, dated 12-12-1945 for orders.

SD.x.x.
-- Divl. Inspector of Schools, Coimbatore

for Director of Public Instruction.

kp.4/6. *SP*
4/6

C.F. 32 (a).

EDUCATION

From (Name) Dr.S.R.U. Savor, M.A.,
Designation D.Sc., I.E.S.,
Station Director of Public Instruction,
M a d r a s.

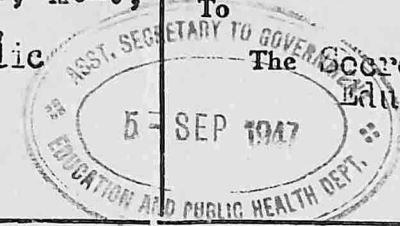
Department

Received

Registered

To

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



Enclosures:

Re.No.11328 06/46, dated 3rd September 1947.

Sir,

Sub:- Public Services - Madras Ministerial Service -
Appointment of ex-Jamadar Mr.P.D.Chcriyan as
clerk in the Malabar District.

Ref:- My letter to Government Re.No.11328 06/46,
dated 13-3-1947.

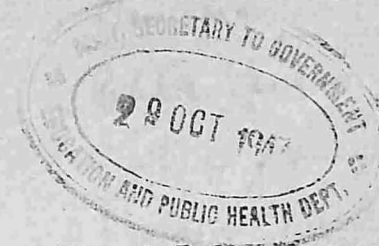
I request you to let me know when orders of the
Government, may be expected on the reference cited.

m.k.4/9.

for Director of Public Instruction

34

Rc.No.11328 C6/46.



10
25
OFFICE OF THE
DIRECTOR OF PUBLIC INSTRUCTION;
MADRAS, 27/10/47.

From

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

To

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

Sir,

832065
21/316

Sub: Public Service - Madras Ministerial service - Appointment
of ex-Jamadar Mr. P.D. Cheriyan as clerk in the Malabar Dt.
Ref: My letter to Government Rc.No.11328 C6/46 dated 13/3.47.

I request you to let me know when orders of the Government
may be expected on the reference cited.

Ramu.28/10.

S. Ramu
for Director of Public Instruction.
SRS
28/10

26

Public Services - Madras Ministerial Service - Appointment
of Ex-Jamadar, P.D. Cherigan as clerk in the Malabar
Malabar Dt.

Ref: Letter from the D.P.G. No 11328-C6/46 of 2-6-47.

The D.P.G. is requested to ascertain
from the military authorities the full facts
leading to the framing of the charge of behaving
in a manner unbecoming the position and
character of an Officer, against the Ex-Jamadar
P.D. Cherigan.

To The D.P.G.

Memorandum No. 21316 A-2 Dated 18.11.47

Public Services - Madras Ministerial Service - Appointment
of Ex-Jamadar, P.D. Cherigan as clerk in the Malabar
Malabar Dt.

Ref: Letter from the D.P.G. No 11328-C6/46 of 2-6-47.

The D.P.G. is requested to ascertain
from the military authorities the full facts
leading to the framing of the charge of behaving
in a manner unbecoming the position and
character of an Officer, against the Ex-Jamadar
P.D. Cherigan.

15.11.47

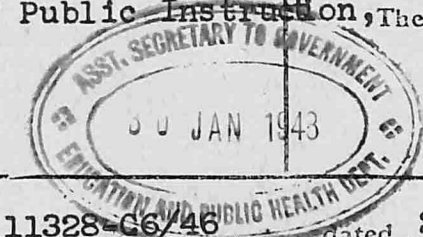
17/11/47

Note: This has been very badly
delayed

[Faint, mostly illegible handwritten text in a South Indian script, likely Tamil, covering the left page of the document.]

C.F. 32 (a).

Department Received Registered
From (Name) **Sri D.S.Reddi, MBE.,** To
Designation **Director of Public Instruction, The** Secretary to Government,
Station **Madras.** Education and Public Health Dept.
Madras.



Enclosures: Rc No. **11328-C6/46** dated **27th January** 194**8**.

Sir,
Sub: **Public Services - Madras Ministerial Service - appointment of ex-jemadar, P.D.Churian as clerk in the Malabar Dt.**
Ref: **Govt.Memo No.2316 -A2 Edn. dated 16-11-47.**
....

7026
21316

The matter is under correspondence with the Divisional Inspector of Schools, Coimbatore Division. I shall submit my reply as soon as his report is received.

VRK
for Director of Public Instruction.
Eftt R.

CPK.28.1. *This copy now lie over. The D.P. I may be required again on 1.3.48 if necessary.*
20.1.48 *2/2/48*

30

Director of Public Instruction,
Madras.
Secretary to Government,
Education and Public Health
Department,
Madras.

No. 11328-66/46 27th January 8

Ref: Govt. Memo No. 2316-42 Edn., dated 16-11-47.
Sub: Public Services - Madras Ministerial Service -
Appointment of ex-Jamadar, P.D. Cheriyan as clerk
in the Malabar Dt.

The matter is under correspondence with the
Divisional Inspector of Schools, Coimbatore Division. I shall
submit my reply as soon as his report is received.

for Director of Public Instruction.

CH. 28.1.

Office of the Director of Public Instruction,
Madras.
Re.No.11328 66/46 Dated 29-1-1948.

Sub: Public Services - Madras Ministerial Service -
Appointment of Ex-Jamadar, P.D. Cheriyan as
Clerk in the Malabar District.

Ref: From the Divisional Inspector of Schools,
Coimbatore Division No. 619 A/45
dated 26-1-1948.

p 82.

p 27 rule



Submitted to Government with reference
to their memo No. 21316-A2 Edn., dated 16-11-1947.

for Director of Public Instruction.

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

k.h.30-1.

3/30/1

Rec. No. 1000/45
Dated 21-1-1948.

From
Sri A. V. Harihara Iyer, B.A., L.T.,
District Educational Officer,
South Malabar, Calicut.

To
The Divisional Inspector
of Schools,
Coimbatore Division.

Sir,

Sub.- Public Services - Madras Ministerial Service - Appointment of Ex-Jamedar, P.D. Cherlyan as clerk in the Malabar District.

Ref.- Your Proceedings Rec. No. 619 A/45 dated 5-12-47.

With reference to your above proceedings, I enclose herewith a copy of letter No. 18920/PS1 dated 6-1-1948 of the Adjutant General, Army Headquarters, New Delhi.

S. V. Harihara Iyer
District Educational Officer,
South Malabar.

15/2/48 kkr/20/1/

Enclosure.

CONFIDENTIAL.

Copy of No. 18920/PS1 dated 6-1-1948 of the Army Headquarters India Adjutant General's Branch, New Delhi, to the District Educational Officer, South Malabar, Calicut.

Ex-Jem Clerk P.D. Cherlyan.

Reference your No. 1000/45 dated 10-12-1947.

1. The above named individual was convicted by a Summary General Court Martial held at Deolali on 19th March 1945 on the following charge:-

"Behaving in a manner unbecoming the Position and Character of an Officer,

In that he,

When on Active Service, at Deolali, on the night of 17 Feb 1945, for immoral purposes brought into his (the accused's) bed room Military quarters Hav. Clerk Gde III K. Narasimhan, one of his (the accused's) subordinates."

2. He was sentenced to suffer rigorous imprisonment for one year and to be dismissed from the service. The GOC-in-C Southern Army remitted the sentence of one year's R.I.

3. Irrespective of this trial the general character of Ex-Jem. P.D. Cherlyan in the Army was "Very good".

4. Any further information regarding the antecedents of this man may please be obtained from the Officer Commanding, No. 1 TTC Deolali.

Sd.....
Adjutant General.

Edn and P. H. Dep

E. S. B. — Madras Ministerial Service - Appoint-
ment of Ex-Jemadar P. D. Cheringan
as clerk. — ^{in Ex. Dept.} Order passed.

Ref letter from the D.P.S

NO: 11328C6/46 & 13.3-47.

Order/178 765 Bole d. 2. 4. 48

The D. P. S is informed that steps may be taken to terminate the probation of P. D. Bheriyaw as clerk if he has not been declared as an approved probationer in the ^{the District Rules}

Page 152 of vol I g
the Perry, et al
PbK 112

Madras Ministerial service - Vide rule 22 of
for the Madras Province and Sub. Services. If he
has been declared as an approved probationer
he may be dismissed from service by taking
action ~~may be taken~~ ^{may be taken} against him under
rule 15 of the Civil Services (Classification,
Control and Appeal) Rules.

Page 20 gold

To the D.P. & Carpenter
with Certificate of
65-18 CF in original

S/e.

Public (Series) may see.

$\frac{100}{374} = 0.267$

08/07/17 (1), und

We are the
 greatest friends of
 the people of
 the world.

(2)

(3)

11/11/11

①

3) above:

③ above: Secretary is apparently referring to the instructions issued in G.O. No. 700 Dtd. 22.8.46. This question will be further examined after the info receipt of the information.

12/5

7 | 5 | 47

$$\frac{42}{8152 \text{ kg}}$$

[Issued as T11 NO 21316 A Edn of 9-6-47]
 Memo dtd 21316 A 2nd Edn 4-6-47
 From the WPI :- NO. 11328-C6/46 of 2-6-47
 and 29.1.48.

1022CF

for the day off. Seen
to have joined by
affairs & Harker
frustration at the
h. have as of
in the 'waiting
list' - y ferns
checked in 17 ps.
for appointments.
y

A on p 22CF

The Offspring
indicates how
horizontal turbulence
by

X on p32cp

Please see the letter from the D.P.D on pp 21-2 and 31CF. It is seen from the extract of the letter of the Divisional Inspector of Schools, Coimbatore that Sri P.D Cheriyam is not an approved proponent but a Candidate whose name was included in the list of provocateurs in the Edu. Dept.

2. The offence for which he was dismissed from the Army is at A on p 32CF. Instructions issued in Gono Too Pde (Ser) d 22346 are of no help to decide on the present issue. In the absence of specific instructions, the question has to be decided on its merits and the answer lies in the question whether Si Chingan would have been dismissed from Civil Service, for the same offence for which he was dismissed from the Army, had he been employed in Civil Service. It may be submitted in this connection that Military Law, so far as punishments are concerned are more rigid than the Rules governing Civil Services, because circumstances necessitate such rigidity from the point of view of military discipline. Apart from this offence, his general character in the Army was "very good".

Submitted for orders etc. etc. with
reference to the instructions at A on page 50
2294 Pule (Sec) of 27.10.46, Sri P.D. Chavhan in his
circumstances sketched above. Sri Chavhan as
he appointed as clerk in the Edu. Dept. in the

Unit of the Malabar District to which he was selected by the M.P.S. and his suitability for full assignment in service may be postponed, until he is appointed and completes one year of duty in that post, in accordance with the instructions at A on p. 2 of Govt. 2297 Public (Ser) d. 29.10.46. The file may be sent to Public (Ser) for remarks.

25.2.48. 1/2/48 S/Pub. (Ser) d. 29.10.46. I think in public service his name is taken off the waiting list in accordance with the M.P.S. (I believe in my remarks).

Public (Services) Dept.

Please see the E. & P.H. department's note on pp. 3-4 ante. The case is briefly as follows:-

Sri P.D. Cheriyan is an approved candidate allotted for appointment as clerk in the Unit of the District Educational Officer, South Malabar, in 1942. He had joined the Army before his actual appointment as clerk and during his service in the Army he was dismissed by a Court Martial for an offence involving moral turpitude. The question of his appointment as clerk in the civil department has now arisen. E. & P.H. consider that the proper course is not to appoint him but to remove his name from the waiting list.

In consultation with the Commission. Under General Rule 44 of the Madras Civil Service Rules, an approved candidate not actually appointed to a civil post on account of his absence from his military duty, should be appointed in his turn with effect from the date on which he would have been appointed if but for his absence and he would be entitled to count the period of his military duty towards probation in his civil post. By virtue of the provision of the above rule, he is already a member of the Madras Civil Service and a probationer therein. Therefore, there is no question of not appointing him now. In the circumstances the proper course appears to be to take disciplinary action

against him on the basis of his conviction by the Court Martial under Rule 15(b) of the M.C.S. (C.C. & A.) Rules, a similar procedure is provided in cases of conviction by a Military Court. With the above remarks, the file may be returned to E. & P.H. Department.



Public (Ser) d. 29.10.46. 1/2/48 S/Pub. (Ser) d. 29.10.46.

1/2/48 S/Pub. (Ser) d. 29.10.46.

1/2/48 S/Pub. (Ser) d. 29.10.46.

E. & P.H. Dept.

Please see the note of Public (Ser) on pp. 4-5 above. For orders whether the draft Memo on p. 1 ante may now issue.

30.3.48 1/2/48 S/Pub. (Ser) d. 29.10.46.

1/4/48 S/Pub. (Ser) d. 29.10.46.



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