

Edith (1949) Department.

Ms. SERIES.

G.O. NO.

664 Edm

Dated

10.3.1949.

[Despatch Abstract.]

Establishment - District Board -

Simmevelly - Board Sanskrit School, Thirukkurungudi  
 Sri T. P. Sankara Parthasarathy - Head Tamil Panchayat  
 Vacation Salary for 1947-8 - Payment - Collected

## Back Papers.

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

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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RC. 2269-G1/48.

Office of the  
Director of Public Instruction,  
Madras: Dated 5/2/1949:

Sub: District Board, Tinnevely -Sri.T.P. Sankara Sastrigal  
-Ex.Head Tamil Pandit-Board Sanskrit School,  
Thirukkurungudy-Request for grant of vacation  
salary.

Ref: From Sri.T.P..Sankara Sastrigal dated 21/6/1948.

12 FEB 1949

-for-

Copy submitted with a copy of the forwarding note  
L.Dis. 26867/48 dated 2/8/1948 on the petition.

2. The matter was referred to the Examiner of Local  
Fund Accounts who agreed with the Special Officer's remarks in  
his Endt: L.F.No.8148/48 dated 27/12/1948(copy enclosed).  
The points now governing the question at issue are (i) that the  
petitioner was ousted from school on the last working day  
before closure for summer vacation, (ii) that he was relieved  
from the school consequent on the permanent closure of the  
institution with reference to Director's Procs. Rc. 2231-G2/47  
dated 19/12/1947(copy enclosed) and (iii) that he had put in  
a total service of six years and odd.

3. Though the Government have already negatived payment of  
vacation salary to one Sri.S. Ragunatha Sarma of the same  
institution in Government Memo. No. 5715-B1/47-1 Edn. dated  
29/7/47 on the basis of the remarks of the Examiner of Local  
Fund Accounts the case under reference needs further  
consideration of the Government in view of the following:

As the school was ordered to be abolished only from  
the beginning of the school year 1948-49 the school should be  
deemed to have existed till that date and this includes the  
period of vacation involved in this case though the services of  
the petitioner were dispensed with by the last working day  
of the school before closure for summer vacation on the  
ground that there was no work for the teacher during the  
vacation. 5 Vacation salary is payable to such teachers  
on discharge in accordance with the instructions in G.O.No.  
1881 Education dated 18/8/1939 on the basis of the service  
rendered by them in school year 1947-48. Had it not  
been for the closure of the school, the petitioner would have  
counted his service during the vacation towards duty and would  
have also got vacation salary. The petitioner had a total service  
of six years and odd to his credit on the day of his  
discharge as against Sri.S. Raghunatha Sarma who had only a  
short service of 10 months and odd. No doubt, where a management  
gets dissolved and ceases to exist, where there is no agency  
available to make the payment, there is some practical diffi-  
culty in ordering payment, but in this case the management continues  
to exist and should be considered to have continued to exist  
with a moral responsibility to meet its earlier liabilities.

It is not that the school was "abolished", but this  
is not a valid ground for refusing vacation salary. Vacation  
salary is paid when retrenchment is effected and "abolition"  
of schools is not fundamentally different from retrenchment,  
being one of the steps which retrenchment assumes under  
certain circumstances. Government is besides are generous  
in allowing vacation salary to its own employees appointed under  
Rule 9(a)(i) of the Statutory Rules and who are sent out on  
the eve of vacation. Similarly the privilege of earned leave  
is often allowed to officers retrenched and "Vcation" from  
one point of view should be equated to such "leave", in as much  
as on the ground of vacation other leave is curtailed. The  
audit objection in this case therefore waived as the circumstances  
deserve the waiver as the circumstances are peculiar and  
not ordinary.

PTO

4. In the above circumstances I recommend that Government may favourably consider the request of the petitioner notwithstanding their orders in a previous case, and sanction of vacation salary.

*Thiruvananthapuram*

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

Copy of letter from the Ex.Headm Pandit (T.P. Sanakara Sastrigal) to the Director of Public Instruction dated 21/6/48.

Appeal petition against the Tinnevelly Dt. Board Office Order No. L.Dis.17839/48 dated 17th May 1948 regarding payment of vacation salary for 1947-48.

The petitioner humbly begs to bring the following facts to your Honour's kind perusal and favourable orders:

1. Copy of the Endt. No.L.Dis.17839/48 dated 17/5/48 sent to the petitioner by the Tinnevelly Dt. Board Office is herewith submitted.
2. The petitioner had been regularly working in the Sanskrit school At Thirukkuringudy without any leave on loss of pay from June 1947 to the end of 21st April 1948.
3. As per fundamental rules of Education, Vacation Department Teachers are eligible for their pay for the Vacation period if they have worked for eleven months without loss of pay.
4. In pursuance of the above fundamental rules (pages No. 80 Rules No.82) Vacation counts as duty.
5. As per copy of Procs. Rc.No.2231-G2/47 dated 19/12/47 of the Director of Public Instruction, Madras, the Tinnevelly Dt. Board Sanskrit Elementary School At Tirukkurungudy was sanctioned to be closed from 1948-49 which means the school is supposed to be working till the re-opening.

It is therefore prayed that your Honour may be graciously pleased to pass orders to pay him his vacation salary setting aside the Dt. Board order (copy submitted herewith) if he is eligible for the vacation salary as per rules.

Sd.T.P. Sankara Sastrigal.

Copy of L.Dis.17839/48 dated 17th May 1948 of the Tinnevelly Dt. Board:

Sri.T.P. Sankara Sastrigal-Ex.headpandit, Board Sanskrit Pandit Tirukurungudi.  
Petition dated 2/5/48 from Sri.T.P. Sankara Sastrigal requesting payment of vacation salary for 1947-48.

The petitioner is informed that he is not entitled to vacation salary as the school itself was abolished and as he was given notice sufficiently early.

Sd.  
for Special Officer.

Copy of Endt. L.Dis. 26867/48 dated 2nd August 1948 of the Special Officer, Dt. Board, Tinnevelly.

Appeal petition dated 21/6/48 of Sri.T.P.Sankara Sastrigal.

Forwarded.

2. The Board Sanskrit school, Thirukurungudi was closed on  
.....3

closed on 21/4/48 as per Procs. No.2231-G2/47 dated 19/12/1947 of the Director of Public Instruction, Madras. The appellant, Sri.T.P. Sankara Sastrigal was informed in this office notice dated 11/1/48 that his services would be terminated from the date of closing the school for summer vacation i.e. 21/4/48. The notice was acknowledged by him 17/1/1948.

3. He submitted a petition dated 2/5/48 requesting payment of vacation salary for 1947-48. His request was refused in view of the orders contained in Government Memorandum No.57154-B1/47-1 Education dated 29/7/47 (copy sent to you). The case of Sri.S. Raghunatha Sarma, Ex.assistant Board Sanskrit school, Alwartirunagari which was similar to the present case was dealt with in the above Govt. Memo. and the Govt. ordered that the teacher was not entitled to vacation salary as the school itself was abolished and as he was given notice sufficiently early.

4. The appellant is not entitled to any vacation salary. The appeal may be rejected.

Sd.  
for Special Officer.

Examiner's Office.

L.F. 8148/27.12.48.

I agree with the Special Officer's view in his endorsement L.Dis.26867/48 dated 2/8/1948.

The papers received are returned herewith.

Sd.  
Asst. Examiner of L.A. Accounts.

Copy of Director's Procs. 2231-G2/47 dated 19/12/1947.

Sub: Education-Tinnevelly Dt. Board-Board Sanskrit Elementary School, Tirukurangudi-proposals for closure.  
Read:From the Special Officer, Dt. Board, Tinnevelly A2-14608/47 dated 5/10/1947.

Sanction is hereby accorded for the closure of Board Sanskrit Elementary School, Tirukurangudi from the school year 1948-49.

The recognition granted to the Board Sanskrit School, Tirukurangudi is also withdrawn with effect from the school year 1948-49.

/ True copy /

*Thiruvananthapuram*

For Director of Public Instruction.

kn.8/2/-

8/2.

E + PH (100)

The 20 & memo quoted on p1 ante  
have been called for from M.R.O. Chittoor &  
C.R.B. This file may be over till 18/2/49.

14/2/49  
14.2.49

15/2/49

G. no. 10498 B1/49

10/3

10/3

Establishment - District Board, Tinnevely -  
Board Sanskrit School, Thirukkurungudi -  
Sri T.P. Sankara Sasthigal - Head Tamil Pandit -  
Vacation Salary for 1947-8 - Payment - Ordered.

From the Director of Public Instruction, R.C. no.  
2269-B1/48 dated the 5<sup>th</sup> February 1949.

Order/Ms. no. 664 Ety dated 10.3.1949.

The Government direct, that, as a  
special case, the vacation salary for the school year  
1947-8, be paid to Sri T.P. Sankara Sasthigal, Head  
Tamil Pandit, of the <sup>defunct</sup> Board Sanskrit School at  
Thirukkurungudi.

to  
The Secy, Dist. Tinnevely.  
The D.P.S.  
The Exr of P.A.

28/4/49  
2/3/49

E + PH (100) Dept.

10/3

C.No.10498-B1/49.

EDUCATION AND PUBLIC HEALTH DEPARTMENT.  
(BI)

ESTABLISHMENT - District Board, Tinnevely - Board  
Sanskrit School, Thirukkurungudy - Sri T.P. Sankara  
Sastrigal - Head Tamil Pandit - Payment of vacation salary  
for 1947-48.

From the Director of Public Instruction, R.C.No.2269-G1/48  
dated the 5th February 1949.

Sri T.P. Sankara Sastrigal was the Head Tamil  
Pandit of the Board Sanskrit School at Thirukkurungudy.  
According to the proceedings <sup>(of the D.P.)</sup> No.2331-G2/47 dated the 19th  
December 1947, the school was ~~ordered to be~~ closed from  
the beginning of the school year 1948-49. Consequent on  
this closure, the services of the pandit was terminated  
from the date of closure of the school for summer vacation,  
namely 21- 4--48, and the pandit was given notice on  
11--1--1948 that his services would not be required from  
~~the~~ <sup>that</sup> date of closure of the school for the summer vacation.  
The pandit has now represented to the Special Officer,  
District Board, Tinnevely, that he had put in a service  
of more than six years under the board, that he had not  
taken any leave on loss of pay during that period and  
that he should therefore be granted the vacation salary  
for 1947-48.

2. The Special Officer has reported that <sup>as</sup> the  
Government have ordered in a similar case (Vide Government  
Memo No.57154-B1/47-1 Edn. dated 29--7--1947) that no  
vacation salary need be paid, the petitioner's request  
also need not be complied with and the Examiner of Local  
Fund Accounts has also agreed with the Special Officer.  
~~It may, however, be noted here~~ <sup>The DP has pointed out</sup> that there is a difference  
between the two cases referred to above, ~~namely,~~ The  
Board School at Alwarthirunagari was closed from the end  
of the school year 1945-46 while the Board Sanskrit School  
Thirukkurungudy was abolished from the beginning of the  
school year 1948-49 <sup>and that there is also a difference in</sup>  
~~the letter from the Director of~~  
service put in by the two teachers.

ppl-3cy

p3cy

p3cy

Vide copy of  
petition p3cy

(T)/5

Vide basent  
on  
p3cy

(T)/1

p1cy + p3cy

CR

-2-

PG

10428 12/1/49

Public Instruction on pages 1-2 c.f. explains the position in detail and in the circumstances stated in para 3 of that letter, the Director requests that the case of the pandit may be considered favourably. In the circumstances, it is submitted for orders whether the payment of the vacation salary for 1947-48 may be ordered to be paid to the pandit, or whether it may be negatived, as in the case disposed of in 171.

The Director's recommendation may, perhaps, be supported. (W)

19/4/49

W.S.

20-2-49

W

21-2-49

S

W.S. 1/11/49

18/1/49

20/1

TSF

27-2-49

A draft order is submitted below for approval. Finance may see before issue.

20 FEB 1949

20/4/49

W.S.

21/3/49

W

31/3/49

Finance

Finance (CSR)

In the special circumstances explained on H-1-2 c.f., the draft order below may be accepted in Finance and the case returned to H.P.H.



For H.V.O. no 10248 12/1/49. Edm 4/3/49

Dis.

7.3.49

W.S.

11/3/49

T. 349.

D.S.

W.S. 27/3/49

H.P.H.

Stone

W

21/3/49

214014209 CSR-T

8-3-49

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11 MAR 1949