

Prasanna
12/24/49

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

Epst (1949) Department.

Ms SERIES.

G.O. NO.

926 Edh

Ms

Dated

31. 3. 49

15

[Despatch Abstract.]

ESL. — Messrs A. Padmanabha Naidu, P. K. Varadan
of P. R. Subramanian Physical Director - fixation
gpay — Order passed

Back Papers.

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

Further Papers.

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

F. 93.

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

Education DEPARTMENT.

Received _____ Registered _____

From (Name) DIRECTOR OF PUBLIC INSTRUCTION MADRAS.
(Designation)

Post Box _____, (STATION) _____,

Telegraphic Address _____

To

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

Rc. No. 1006 K1/48, dated 21-2-1949. 19

Sir,

Sub: Public Services - Messrs. A. Padmanabha Naidu
E.K. Varadan and P.R. Subrahmanian - Physical
Directors - Fixation of Pay in the Revised
scales of pay - Orders - Requested.

ENCLOSURES _____

SPARE COPIES _____

(1) I submit below the cases of Sri A. Padmanabha Naidu, Physical Director, Government Muslim College, Madras, Sri E.K. Varadan, Physical Director, Government Victoria College, Palghat and Sri P.R. Subrahmanian, Physical Director Presidency College, Madras for favour of Government Orders with regard to the fixation of their pay in the revised scales of pay 1947.

(2) 1. Messrs. A. Padmanabha Naidu and E.K. Varadan:

(a) These Physical Directors were first appointed on 3-7-30 and 1-7-30 and reached the maximum of Rs. 150/- p.m. in their scale of Rs. 75-5-100-10-150 on 10-7-40 and 1-7-40 respectively. With effect from 1-7-42 they were promoted to the I Grade of the Physical Directors in the scale of Rs. 130-15/2-190 which was later changed to Rs. 140-15/2-200 consequent on the restoration of the 1933 scales of pay. Their pay on the date of such promotion was fixed as shown below by the Accountant-General, Madras.

Sri A. Padmanabha Naidu. Rs. 145 plus 5 p.m. from 1-7-42 to 9-7-42
and Rs. 160/- p.m. from 10-7-42.
Sri E.K. Varadan. Rs. 160/- p.m. from 1-7-42.

(b) The Accountant-General ordered the above fixation of pay under F.R. 22(a) (ii) on the presumption that their service from 10-7-1940 to 30-6-42 and from 1-7-40 to 30-6-42 respectively at the stage of Rs. 150/- p.m. in their Grade II could be counted for purposes of increment at that stage in the scale of their I Grade on the date of their promotion. On this basis they were each drawing a pay of Rs. 200/- P.M. on 31-12-1946. This presumption was not, however, correct, as the stage of Rs. 150/- in their II Grade Scale of pay represented the maximum and the service put in by them after the date of their reaching that stage was not incremental. Their pay should therefore have been fixed as shown below:

Sri A. Padmanabha Naidu Rs. 145 plus 5 p.m. on 1-7-42 and Rs. 160 p.m. from 1-7-44.

Sri E.K. Varadan. do.

p 13- BK-154

M

2
(2)(c) On this basis they would have been drawing Rs.185/- only per mensem on 31-12-1946. But this mistake was not detected until recently when their pay in the Revised Scales of pay 1947 came up for fixation.

(d) Under the operation of Rule 9(g) of the Madras Revised scales of Pay Rules, 1947, the pay of Sri A.Padmanabha Naidu had to be fixed at Rs.184/- p.m. and that of Sri E.K.Varadan at Rs.198/- p.m. on 1-1-47. Unless the rates of pay at present drawn by them are regularised they have each to draw pay in the Revised scale of Rs.120--5--170--7--240 at the rates given below.

Sri A.Padmanabha Naidu. Rs.184 plus 1 p.m. on 1-1-47
and Rs.191/- p.m. for 10-7-1947.

Sri E.K.Varadan. Rs.198/- p.m. from 1-1-1947.

(e) These rates of pay being lower than what they were already drawing cause real hardship to the parties concerned. The drawal of a higher rate of pay on 31-12-1946 by them is due to a bonafide mistake committed by the Accountant-General. I therefore recommend that the pay of these two Physical Directors may kindly be ordered as a special case, to be fixed in the Revised Scales of Pay on the basis of what they were actually drawing on 31-12-1946 applying Rule 9(h) of the Madras Revised Scales of Pay Rules, 1947.

(3) Sri P.R.Subrahmanian: He was drawing the maximum of Rs.150/- in the scale of Rs.75-5-100-10-150 from 7-7-40 and he was promoted to the I Grade with effect from 7-9-45. His pay was similarly fixed at the next higher stage (viz) Rs.155/- p.m. on the date of his promotion instead of Rs.140+10 only per mensem. The Principal, Presidency College, Madras has further fixed his Pay in the revised scale of Rs.120-5-170-7-240 at Rs.184/- p.m. on 1-1-47, but this is also not correct. His pay on 1-1-47 in the Revised Scale would be only Rs.165/- p.m. as Physical Director Grade I. But in Grade II his presumptive pay on that date was Rs.175/- p.m. I, therefore, recommend that on the analogy of the cases of certain school Assistants promoted from II Grade to I Grade disposed of in the Government Memos No.37488 A.5 Edn., dated 5-12-47 and No.9455 A.2 Edn., dated 17-3-48 the pay of Sri P.R.Subrahmanian might be ordered to be fixed at Rs.177/- p.m. on 1-1-47.

(4)(2) In both the above cases the excess pay drawn by them so far will also have to be waived. I, therefore, recommend that the excess pay drawn by them upto 1-1-47 might also be treated as waived.

(5)(3) The Service Books of the three Physical Directors are herewith submitted for perusal. Copies of the letters of the Accountant-General, Madras No.T9-II-484 dated 24-12-42 and No.T9.VI Edn.-572 dated 8-2-1949 are also enclosed.

(6)(4) The favour of early orders is solicited.

Yours faithfully,

Joint Director of Public Instruction

KHR.23-2.

23.2.49.

Copy of letter No.T.9.11.484 dated 24th December 1942 from the Accountant-General, Madras.

1. The pay of the two Physical Directors referred to in your letter Rc.No.1721-C/42 dated 28th October 1942 will have to be regulated under Fundamental Rules 22(a)(ii).

2. Their pay should on 1st July 1942, be fixed at Rs.150/- (Rs.145/- the stage in the new scale plus Rs.5/- personal pay) and they will continue to draw this pay for a period of two years including the period prior to 1st July 1942 during which they were drawing Rs.150/- and then pass on to the stage of Rs.160/- in the new time scale. Since Sri E.K. Varadan, Physical Director, Government Brennen College, Tellicherry has been drawing Rs.150/- from 1st July 1940, his pay may be fixed at Rs.160/- from 1st July 1942, in the new time scale. As Sri A.Padmanabha Naidu Physical Director, Government Muhammadan College, Madras has been drawing Rs.150/- only from 10th July 1940, his pay may be fixed in the new time scale at Rs.150/- (Rs.145/- the stage in the new scale plus Rs.5/- personal pay) from 1st July 1942 and at Rs.160/- from 10th July 1942.

3. The two service books of the Physical Directors are returned separately by registered post and their receipt may kindly be acknowledged.

Copy of No.T9.VI Edn. 572 dated 8th February 1949 of the Accountant-General, Madras.

1. Your presumption that the duty rendered at the stage of Rs.150/- in the scale of Rs.75-5-100-10-150 could not be reckoned for purposes of increment in the scale of Rs.130-15/2-190 is correct. As no increment was due to be earned in that scale after the stage at Rs.150/-, his pay should have been regulated as follows: On 1-7-42 on his promotion to Grade I his pay would be Rs.145 plus Rs.5/- and on the restoration of 1933 scale of pay, he would be entitled to have his pay fixed at Rs.155/- on 1-9-1943 in the scale of Rs.140--15/2-200 and at Rs.170/- from 1-7-44 and Rs.185/- from 1-7-46.

2. Pay may be refixed accordingly and a revised initial pay statement with reference to G.O.No.78 Fin. dated 6-2-47 may kindly be furnished on the basis of the above revision.

3. The service book is herewith enclosed.

(True Copies)

Joint Director of Public Instruction.

5 (4)

1001-206

101-256

$$\frac{53}{2512}$$

Low p2 N.B.

'N' or p3NA

Sp. with a
P. 1000 to 1000
1000
214

MM 9
29.2.49

$$\frac{2m \times 12}{120}$$

(A) Sept. 1949

Subj: ESTABLISHMENT - Messrs. A. Padmanabha Naidu, H.K. Varadan and P.H. Subramanian - Physical Directors - Fixation of pay - Orders passed.

Read: From the D.P.I., No. 1006-KI/48, dated 21-2-49

Order (No.) No. 228, dated 21-2-49

The Govt. direct that the pay of Sri A. Padmanabha Naidu and Sri H.K. Varadan, Physical Directors, be fixed on a strict application of the rules. The Director's proposal to fix their pay in the revised scales on the basis of what they were actually drawing on 31-12-1946 applying Rule 2(h) of the Madras Revised Scales of pay Rules, 1947 cannot be accepted. 3. In the circumstances stated by the D.P.I., the Govt. direct that the pay of Sri P.H. Subramanian, Physical Director, Presidency College, be fixed at Rs. 177/- p.m. on 1-1-1947. 3. The Govt. direct that the excess pay drawn by the Physical Directors on account of the incorrect fixation of their pay be waived as a special case.

Handwritten notes and signatures in the left margin.

The D.P.I. has stated that the A.G. thro' the



Handwritten note: EPHW 15059 April 4 2nd 9.8.49

Handwritten note: para 2 on p 1 cf

Handwritten note: 11/11/46 p 2 out of 2

Handwritten note: para 2(c) out of ref

Handwritten note: para 2d, did

E & P. H. Sept 1949
A

ertain Physical Directors.
fixation of pay.
Letter from the D.P.I.; No. 1006 KI
- 48 d. 21-2-49

The proposals of the D.P.I. al 'A', 'B' & 'C' on page 2 CF may be supported in this sept. The file may be sent to Fin. for remarks.

Handwritten signature and date: 8/10/49

Finance (E.III) Department

The reference from the Director of Public Instruction on pp. 2 1-2 c.f. and E & P. H. note above may be perused.

2. 'A' on p. 2 c.f.:- Messrs. A. Padmanabha Naidu and E.K. Varadan, Physical Directors were first appointed on 3-7-1930 and 1-7-1930 and reached the maximum of Rs. 150 per mensem, in the scale of Rs. 75-5-100-10-150 on 10-7-1940 and 1-7-1940 respectively. With effect from 1-7-1942 they were promoted to the I Grade of Physical Directors. On a wrong fixation of pay by the Accountant-General they were each drawing a pay of Rs. 200 on 31-12-46 in the scale of Rs. 140-15/2-200. This scale has been revised in G.O. 78, Fin., dated 6-2-47 to Rs. 120-5-170-7-240. The D.P.I. has stated that the mistake of the A.G. was detected when their pay in the Revised Scale came up for fixation and that according to the rules, their pay will have to be fixed in the Revised Scale of Rs. 120-5-170-7-240 at the rates given below, unless the rates of pay at present drawn by them

are regularised.

Sri A. Padmanabha Naidu. Rs.184 plus 1 p.m. on 1-1-47
and Rs.191/- p.m. for 10-7-1947.

Sri E.K. Varadan. Rs.198/- p.m. from 1-1-1947.

The D.P.I. has stated that the above rates of pay being lower than what they ~~were~~ were already drawing (viz., Rs.200), cause real hardship to the parties concerned ^{and} that the drawal of higher rate of pay on 31-12-46 by them is due to a bonafide mistake ~~committed~~ committed by the A.G. and has recommended that the pay of the two Physical Directors may be ordered as a special case, to be fixed in the Revised Scales of Pay on the basis of what they were actually drawing on 31-12-46, applying rule 9(h) of the Madras Revised Scales of Pay Rules, 1947. E.& P.H. Department have supported the proposal of the D.P.I.

Submitted that the mistake, whether it is committed by the A.G. or anyone else, is a mistake and has to be rectified when ~~once~~ it has come to notice. There will ^{be} a real hardship only when the pay is arbitrarily reduced and not when it is regulated according to rules as in the case of all other Government servants. The fact that the Physical Directors were drawing a higher rate of pay and that the rates of pay to be fixed according to rules will be lower than the former, is not a sufficient justification for perpetuating a mistake. This is highly objectionable and will not be admitted in audit. In the above circumstances, this Department may suggest that the pay of the two Physical Directors may be fixed on a strict application of the rules and that the proposal of the D.P.I. at 'A' on p.2 c.f. may be negatived.

3. 'E' on p.2 c.f.: The remarks of the D.P.I. in para 3 on p.2 c.f. may be perused. Here the pay of Sri P.R. Subrahmanian, Physical Director, Presidency College, Madras, has been fixed wrongly both by the A.G. and the Principal, Presidency College. The D.P.I. has suggested that his pay may be fixed at Rs.177/- per mensem on 1-1-47

on the analogy of the cases of certain School Assistants promoted from II Grade to I Grade disposed of in the Government Memo No.37488 A-5 Edn., dated 5-12-47 and ^{Memo} No.9455 A-2 Edn., dated 17-3-48. ^{E.&P.H. have supported the proposal.} The principles accepted in the above memoranda, are as follows:

- (1) Where posts are divided into Grades I and II, the pay of an officer promoted to Grade I may be fixed in the Revised Scale of Gr.I at that stage which he would have got had he remained in Grade II, in other words, he should not be allowed in Grade I, a pay higher than what he would have got had he remained in Grade II.
- (2) An officer whose pay has been fixed as stated above, may be allowed the benefit of rule 9(e) of the Madras Revised Scales of Pay Rules, 1947 viz., the benefit to count service in the selection grade (Grade I) for increments in the revised scales of pay upto a maximum of one year.

The D.P.I. has stated that according to the orders issued in G.O.78, Finance, dated 6-2-47 the pay of the Physical Director would be only Rs.165/- per mensem in Grade I but that in Grade II his presumptive pay on 1-1-47 was Rs.175.

On the analogy of the orders issued in the memoranda cited above, this Department may agree to the proposal of the D.P.I. at 'B' on p.2 c.f.

4. 'C' on p.2 c.f.: The D.P.I. has recommended that the excess pay drawn by the Physical Directors under consideration may be waived. E.& P.H. have supported the proposal.

In the ordinary course, excess pay drawn, which is strictly not admissible under the rules, should be recovered from the persons concerned. If it is considered that it will be difficult for the Physical Directors to repay the amount ^{in a short period}, this Department

may suggest that the amounts may be recovered in easy instalments. If, however, E. & P.H. press that the excess pay drawn should be waived, they may obtain information relating to the total amount involved and obtain orders in circulation including H.M(Fin). ~~whether the excess pay drawn may be waived.~~

11.3.49

What would be the approximate excess pay drawn by each officer?

11/3/49

A. S. M.

The approximate excess pay drawn by each officer would be as follows:-

Sri A. Padmanabha Naidu
" E. K. Varadan
" P. R. Subrahmanian

Approximate excess pay drawn.
1,000
750
250

The actual amount involved will have to be verified in consultation with the A.G. with reference to the pay bills.

16.3.49

This irregularity has arisen from a wrong fixation of pay by the A.G. in 1942 (in the case of Messrs Naidu & Varadan) & 1945 (Mr. Subrahmanian). While the mistake should naturally be corrected and the present pay re-fixed accordingly it would be too much of a hard-ship to order recovery of the excess pay drawn. In considering that there is a case for waiving recovery, Mr. H.M. (Fin) should see

11/3/49

B. H. H.

A

The proposals of Finance at 'L', 'M' and 'N' on pp 2-4 above may be accepted for orders as to circulation.

18/3/49

23.3.49



27.3.49

Please see the orders in circulation on the previous page. A draft order is submitted below for approval.

29/3/49

31/3/49

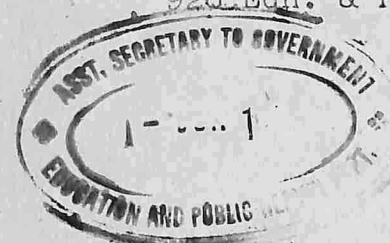
R.C. No. 1006 K1/48

Office of the
Director of Public Instruction,
Madras, dated 28th May 1949.

Sub:-- Public services--Sri A. Padmanabha~~m~~ Naidu--Physical
Director--Petition regarding the fixation of his
pay.

Read:-- From Sri A. Padmanabha~~m~~ Naidu RC No. 230/49 dated 18-5-49.

Submitted for favour of orders with reference to the G.O. No. Ms.
926 Edn. & P.H. dated 31-3-1949.



To

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

for DIRECTOR OF PUBLIC INSTRUCTION.

ARB : 30-5

Re. No. 230/49:

3
Madras,
Dated 18th May 1949. (9)

From

Sri A. Padmanabham Nayudu, B.A.,
Chief Inspector of Phy. Education,
Madras.

To

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

Thro'

The Director of Public Instruction,
Madras.

Thro'

The Principal,
Government Muslim College,
Madras.

Sir,

In submitting this appeal for granting exemption from the operation of Rule 9 (g) of the Madras Revised Scales of Pay Rules 1947 in fixing my pay, I have the honour to submit that the Madras Revised Scales of Pay Rules 1947 has not given me any immediate benefit as may be seen from the statement in the annexure to this appeal and that the application of Rule 9 (g) has adversely affected my pay. Whereas my colleague Sri E.K. Varadan who joined his first appointment 3 days earlier to me is benefited by two increments, I am not entitled to any increment inspite of my 16 years' of service on 1.1.1947. In this connection I may submit that myself, Sri E.K. Varadan and others were selected in June 1929 to undergo training in Physical Education for a period of one year on a monthly stipend of Rs.50/-. After completing the course, I was appointed as Physical Director, Government Muslim College, Madras - a first grade college which was reopened on 3.7.1930 after the summer recess. Sri E.K. Varadan was posted to a second grade college on 1.7.1930 as it is usual for the second grade colleges to be opened earlier than the First Grade colleges. When late Mr. M.A. Candeth, the then Deputy Director of Public Instruction, Madras, was requested to clarify whether the joining duty on different dates on account of the reopening of the colleges after the summer recess, at different times, would affect the seniority of the incumbents, he assured that the difference in these dates i.e. 3-7-30 in my case and 1-7-30 in the case of Mr. E.K. Varadan and varying dates in the case of others, would not affect the seniority. Because my colleague Mr. E.K. Varadan happened to join 3 days earlier and the

81

12-

the date of promotion to the selection grade was fixed on 1-7-42 by a mere accident, he is benefitted by getting two increments over mine. As the application of rule 9(g) has adversely affected my emoluments and as I am not immediately benefitted by the Revised Scales of Pay, 1947, I request that Government may be pleased to reconsider their orders issued in G.O.Ms.No.926 Edn. & Public Health Depart., dated 31st March 1949, taking into account my services as Assistant Physical Director to Government from 24-5-31 to 11-9-34 to which I was selected by the Madras Public Service Commission from among a number of candidates of which Mr. E.K.Varadan was one. I also drew 3 increments in that post. Hence I request that the operation of rule 9 (g) in my case may be waived, so that I may draw pay at Rs.198/- with effect from 1.1.1947 in the revised scales of pay 1947.

Yours faithfully,

P. Ramaswami Sastri

CHIEF INSPECTOR OF PHYSICAL EDUCATION,
Madras.

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

The Director of Public Instruction,
Madras.

The Principal,
Government Medical College,
Madras.

In submitting this request for granting exemption from the operation of Rule 9 (g) of the Madras Revised Scales of Pay Rules 1947 in fixing my pay, I have the honour to submit that the Madras Revised Scales of Pay Rules 1947 has not given me any immediate benefit as my pay has been fixed at Rs. 198/- in the revised scales of pay 1947. The application of Rule 9 (g) has adversely affected my pay. Whereas my colleague Mr. E.K. Varadan who joined the Government Medical College, Madras in 1931, was selected by the Madras Public Service Commission from among a number of candidates of which Mr. E.K. Varadan was one. I also drew 3 increments in that post. Hence I request that the operation of rule 9 (g) in my case may be waived, so that I may draw pay at Rs. 198/- with effect from 1.1.1947 in the revised scales of pay 1947.

- 3 -

STATEMENT SHOWING THE FIXATION OF PAY OF SRI A. PADMANABHAM NAYUDU AND SRI E.K. VARADAN:

Details of appointment etc.	Sri A. Padmanabham Nayudu.	Sri E.K. Varadan.
Date of first appointment:	3.7.30	1.7.30.
Scale of pay:	75-5-100-10---150	75-5-100-10--150
Date of reaching the maximum in the above scale:	10.7.40	1.7.40
Date of promotion to the First Grade:	1.7.42	1.7.42
First Grade scale of pay:	140-15/2-200	140-15/2-200
Pay on the date of promotion to the Selection Grade:	Rs.145+5 Personal pay.	Rs.145+5 Personal pay.
Permanent pay on 31-12-46:	Rs.185/-	Rs.185/-
Pay on 1-1-47 applying Rule 9 (a) & (c) of the Madras Revised Scales of pay Rules 1947:	Rs.198/-	Rs.198/-
Pay on 1-1-47 applying Rule 9 (g) of the Madras Revised Scales of Pay Rules 1947:-- (i.e.) 85-5-125-10-175 120-5-170-7-240	Rs.184+1 personal pay. Applying the revised scales of pay 85-5-125-10-175 and 120-5-170-7-240 from the beginning of the service.	Rs.198/-
Pay on the date of First appointment: (3-7-30):	Rs.85/-	(1-7-30) Rs.85/-
Pay on the date prior to promotion to the First Grade:	(30-6-42) - Rs.155/-	(30-6-42) - Rs.155/-
Pay on 1.7.1942:	Rs.155/- (Because only 11 years, 11 months & 27 days' service have been put in on 1-7-42.)	(1-7-42) Rs.165/- (Completed 12 years' of service).
Pay on 1.7.1943:	Rs.160/- (Scale 120-5-170-7-240)	Rs.170/- (Scale 120-5-170-7-240)
" " 1.7.1944:	Rs.165/-	Rs.177/-
" " 1.7.1945:	Rs.170/-	Rs.184/-
" " 1.7.1946:	Rs.177/-	Rs.191/-
" " 1.7.1947:	Rs.184/-	Rs.198/-

N O T E: The scale 140-15/2-200 is a pre 1933 scale restored. The original scale at the time of my promotion to Grade I was 130-15/2-190. The Accountant-General then fixed my salary on 1.7.1942 at Rs.145+5 personal pay and from 10.7.1942 at Rs.160/-. It was subsequently found to be incorrect and Government were pleased to waive the recovery of the excess amount drawn.

A. Padmanabham Nayudu

Em 1006 K/18 C.No. 41732 A/W; From the D.P.J. No. 1006 K/18 28/5/49

Estt. Sri A. Padmanathan
Naidu Physical Director
Fixation of pay - petition

Please see the petition
from Sri A. Padmanathan Naidu for fixation
of his pay reconsidering the orders issued in
G.O. 926 Edn D 31.3.47, on pp 3-5 CF and
the D.P.J.'s order on p 1 CF. The file may
be sent to Finance for their remarks on
A on p 5 CF



SPH No. 41732 A/W 1 Edn
6.47

MUS
16/6/49
26/6/49

4/6/49

Fin (Estt) Dept.

The reference from the D.P.J. at
pp 1-7 CF, and E.P.W. note above may
be perused.

The petitioner Sri A. Padmanathan
Naidu, Chief Inspector of Physical
Education, Madras, requests that the
operation of rule 9 (g) of G.O. No. 78 Finance,
d/6.2.47, may be relaxed in his
case, so that his pay may be fixed
at Rs 198/- in the scale of Rs 120-5-170-
7-240 in the revised scales of pay of
the post of physical Director, as it is
a hardship for him in that his
senior by 3 days, Sri K. Vardan, gets
the benefit of two more increments
under rules 9 (a) and (c) of G.O. 78 Fin
8.6.2.47.

W 37 CF

GA on p 5 CF

VX on p 3-5 CF

V4 II on p 7 CF

In G.O. No 926 Edn. of 31.3.49, orders were issued regularising a mistake committed by the A.G. while fixing the pay of the petitioner in a previous scale of pay before the revision. The Govt were also pleased, in the above order, to waive recovery of a large sum of about Rs 1000/- drawn in excess by Sri Padmanabha Naidu owing to the mistake referred to above.

The present request of the petitioner is that the ^{operable rule 9(7)} ~~the difference of 3 days in the services of his senior, Sri K. Vardan, and himself~~ which has resulted in his losing two increments in the revised scales may be ^{waived} ~~considered~~, as a special case, and that his pay may be re-fixed at the same stage as that of Sri K. Vardan.

3. It is submitted that, while the arguments adduced by the petitioner are quite clear, it is a matter of opinion whether Sri K. Vardan is not the petitioner's senior, in view of the fact that actually he joined duty three days earlier than the petitioner and that under the service rules seniority is counted only on the basis of the date of first appointment. E.P.H. may be requested ^{to consult} Pub (Sec) on this

pay of Govt pay (H)

para 3 imp of 9 (H)

(H)
Pm 3 p 50P
+ B mp 4 NF

of S. p 7 of

A mp 50P

Reu 17 - p 300

11/6/49

M

point.

4/Passing on to the matter of pay, it would appear that Sri. Padmanabha Naidu can have no legitimate grievance because ~~his~~ Sri Vardan is not ~~his~~ his junior in service. Such anomalies are bound to arise in the application of a new scale of pay to existing employees. There are likely to be even so many cases like the present one - In this case it is a matter of 3 days only while in some other cases it might be a matter of 2 days, or even one day - and it does not seem desirable that Govt should make an exception in this case and ^{in favour of Sri Padmanabha Naidu} ~~rule~~ the rules. ~~and~~ The Govt have already been very generous towards the petitioner in that they waived the recovery of about Rs 1000/- paid to him in excess.

5/Fin. may, in the circumstances, advise against the proposal. If E.P.H., however, ^{with} press their proposal they may be requested to take orders in circulation, including H. M (Fin).



11/6/49
A mp. 50P

(H)
Pm 3 p 50P
+ B mp 4 NF

D. 11/6/49

Fin. O.O. 37250/E.112.1



44778

EPH No 41732 MW-2 on 17 6 49

10.6.49
10.6.49

11/6/49

E.P.H. (A)

Please see the note of Finance Dept from p.1 ante. The file may be sent to Public (Sec), W.R. the Finance Dept's note at 17 on p.2 ante, for their remarks.

16/6/49

17/6/49

Pub (Sec)

4.

(5)

Public (Ser.) Dept.

'M' on p. 2 ante:-

The position as stated by Fin.
is correct. - See General rule 29(a).

The file may be returned to E & P.H.

aff
21/6/49

h
26.6.49

E+PH
A

Please see the notes of Finance
+ Power (Ser.) from p 1 ante. In
the circumstances made by Fin
their view at D on p 3 ante may
be agreed to in this dept.
The draft memo below
is for approval.

NKS
28/6/49

28/6/49

MM
29/6/49

* p. 154 of M.C. 112

Pub (Ser. A) no. no.
2289/49.1

