

EDH (1945) Department.

Ms SERIES.

1/6

G.O. NO.

1386 - 10

Dated

29/4/50

[Despatch Abstract.]

M. E. S. - Li V. Gopalen Nair
Lecturer in English -
Break in service -
Condoned for pension.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	3162						
	14.10.49						
	846						
	26.2.49						
	666	2551					
	21.2.49	7.10.48					
	3035						
	1.12.48						

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1627						
	20.5.50						

EDUCATION DEPARTMENT

FROM

THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS

To

The Secretary to Government,
Education & Public Health Dept.,
Madras.

Rc.No.2756 C.1/48 dated 20th February 1950

Sir,

Sub:--MADRAS EDUCATIONAL SERVICE--Sri V.Gopalan Nair,
Officiating Lecturer in English--Break in service--
Treating the period as joining time--Requesting.

Ref:--G.O.No.Ms.3162 Edn., dated 14-10-1949.

I have the honour to state that Sri V.Gopalan Nair, Officiating Lecturer in English, was recruited direct to the post of Lecturer in English and he joined duty in the Government Victoria College, Palghat on 22-8-1947. With reference to para 1 of G.O.Ms.No.466 Education dated 21-2-1949 he was discharged from service from 8th March 1949. He was re-appointed to the Madras Educational Service as Lecturer in English, Government College, Kumbakonam and he took charge on 4-4-1949. On a representation from Sri Gopalan Nair to treat the period of the break in service from 8-3-49 to 3-4-49 as either notice period or joining time the Government in their order Ms.No.3162 Education dated 14-10-49 relaxed the relevant rules in favour of Sri Gopalan Nair so as to enable him to count for increment the service rendered by him prior to 8-3-1949. This has given him only partial relief from the hardship caused to him.

2. In this connection I may submit that Sri V. Gopalan Nair was recruited against a substantive vacancy and his discharge from service was ordered without any notice. I may point out that during the period of the break in service Dr. I.S. Peter and Sri N.R. Kedari Rao were continuing in service, having been re-employed in the Madras Educational Service after their retirement and one of them should have been replaced by Sri V.Gopalan Nair but for the fact that such a course would have caused some dislocation of work in the College. The period of break is less than a month. In view of the fact that the Lecturer will be adversely affected in regard to his confirmation in that it will have to take effect only from 4-4-1949 instead of from 22-8-47, I request that the Government may be pleased to modify their orders referred to above and treat the period of the break in service from 8-3-49 to 4-4-49 as 'joining time'

3. Subject to the approval of Government I am submitting separately proposals for satisfactory completion of his probation in the Madras Educational Service treating the period from 8-3-49 to 4-4-49 as transit and counting it towards his probation.

Yours faithfully,

[Signature]

For Director of Public Instruction

C1b.22-2-50

[Handwritten notes]



144/5
I/7

2/6
I/1
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M

846
26.2.49
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1.12.48

C. 14415-8/50

37/2/4

below

(G)

To the DPI.
" A.G. (thro' Fin.).
Copy to Manu a (ben)

1/5

2
M.E.S. - Sri V. Gopalan Nair, Lecturer in English - Break in service - Condoned for pension.
Read:- ~~xx~~ From the DPI, No. 2756-C1/48, d/- 20-2-50.
G.O. (Ms.) No. 1386 Edn., d/- 28-4-50

3
Under article 422, read with art. 371, of the C.S.Rs., the Govt. direct that the period of the break from 8-3-49 to ~~44~~ 3-4-49 in the service of Govt. College, Sri V. Gopalan Nair, Lecturer in English, ~~in the~~ Kumbakonam, ~~xxxxxx~~ be condoned and that the service rendered by him prior to 8-3-49 be counted for purposes of pension.

2. The D.P.I. is informed that the Govt. have considered it ^{not} necy. to treat the period of the break in the officer's service as a period of 'joining time'.

28.4.50 1/5 22/4/50

Art.

G

3

371

An officer without a subst. appt. offg. in an office which is vacant or the permanent incumbent of which does not draw any part of the pay or count service, may, if he is confirmed without interruption in his service, count his offg. service.

422. Upon such conditions as it may think fit to impose, the authority competent to fill the appt. held by an officer at the time condonation is applied for, were he to vacate that appt. may condone all interruptions in his service.

From the D.P.I., No. 2756-Cl/48, dated 20--2--1950.

Sri V. Gopalan Nair, Lecturer - Break in service - Condonation.

Sri V. Gopalan Nair, a direct recruit to the category of Lecturers in English in the M.E.S., was discharged from service on 8-3-49 consequent on the abolition of some posts. He was however re-entered on 4-4-49 within a month after the discharge. In February 1949, he represented to Govt. that he had not been given one month's notice of discharge and that the period of his break from 8-3-49 to 4-4-49 might be treated as a period of notice or as joining time, so that he might not lose the 19 months of service he had put in prior to 8-3-49 but could count it for increment, etc. Finance Dept. expressed themselves against the Lecturer's request and suggested that compensation alone for the period of the break might be given to him. In circulation it was ordered that no compensation need be paid but that, as requested by the officer, the break might be condoned. Accordingly, in relaxation of the rules, the break was condoned for purposes of increment - i.e., he was made eligible to count for increment his service before 8-3-49.

2. The D.P.I., on behalf of Sri Gopalan Nair, has now written to say that the Govt.'s order has afforded the officer only partial relief and that he is still put to hardship in the matter of confirmation in that he can be confirmed only from 4-4-49. He recommends that the period of break may be treated as joining time. The Dir.'s view that the officer still suffers hardship may be concurred in, and some relief should be given to the officer. But if, as proposed by him, the period of the break is treated as joining time, the Lecturer will not only count the duration of

2/6

SS J CF 1 1/49

I CF 1

I RF 3

I RF 6

B

I CF 6

Letter below

M in Letter below

the break itself for increment and confirmation, but will be eligible for pay during the period. This will not be in accordance with the orders at B above. Instead, the service rendered by the Lecturer before the break may, in relaxation of the rules, be treated as qualifying for pension also, his actual confirmation being made possible however only from the date of his re-appointment (4.4.49).

3. Finance may see for remarks.



Edn. v.o.
14415-A-1
10/8/50

para 2 object

under RA 371 CCR
Funo 17226 Pen
15.3.50

8/3/50
9/3/50
10/3/50
10.3.50
Fin.

Finance (Pen)

The note on pp 1-2 above may be perused.

2/. As Sri. Gopalau rai was recruited against a substantive vacancy and as his discharge from service was ordered without any notice, This dept. may agree to the break in service viz from 8.3.49 to 4.4.49 being condoned under Art 422 C.S.R. This will entitle him to count the service rendered by him from 22.8.47 to 8.3.49 for purpose of Pension.

DR 15350/15350

CA

15350

Edn

Edn. Dept.

It is presumed that, even without any relaxation in his favour of the rule re: probation, Sri V. Gopalau rai can count his service prior to the break towards his probation: the probationary period prescribed is a total period of two years on

22.8.47
8.3.49

M.B.S. Srin
Rule 7(b)

only within a continuous period of three years.

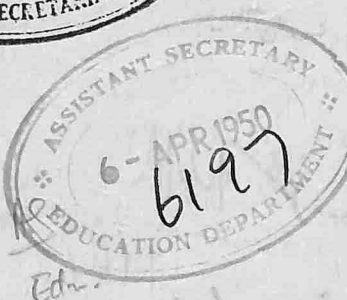
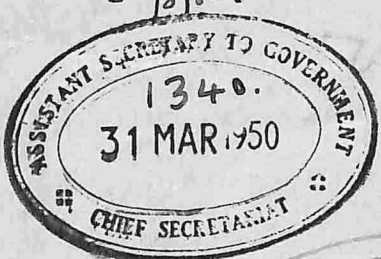
Pub. (Ser.) may kindly confirm the presumption before on.

27.3/50
29/3/50

30/3/50

Public (Ser) Dept.

Edn. v.o.
14415-A-2
20/8/50



Pub. (Ser. A)
v.o. 1340/50-1
5.4.50

I/NFL
cf 1

Please see the note of Edn. and Fin. from p. 1 ante. The presumption expressed above is correct.

The file may be returned to Edn.

5.4.50

Ed? Dept.

Consequent on the abolition of some posts, Sri V. Gopalau rai, Lecturer in English, who had rendered about 18 months of service, was discharged on 8.3.49. He was, however, re-entertained in service within a month. Considering the fact that he had not been given prior notice of discharge, the Govt. condoned the period of the break in service for purposes of increment.

The question of condoning the break for purposes of pension also is considered in this file. The S.O. 1's recommendation is that the period of the break may be treated as 'joining time' so that the Lecturer can be confirmed from the date of his first appt. in service. This dept.'s proposal, as agreed to by Finance, is that the officer may be confirmed only from the date of his re-entertainment but

22.8.47
pp. 1-2 ante

6.2 ante

4.4.49

that

that his service prior to the break
may be counted for pension, the break
being condoned under the C.S.R.S.

from 22/8/47
to 8.3.49

The file may be cd to
H.M.(E. & L.) and H.M.(Fin.) for orders. whether
the proposal of ~~this dept.~~, ~~as agreed to by~~
~~Finance~~, will be accepted.

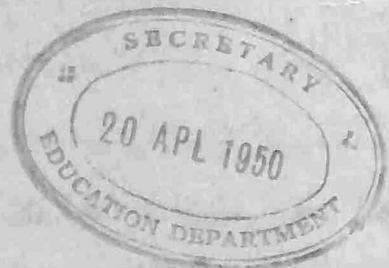
P.T.
21.50
14/4/50

RM
15/4/50

maybe accepted
17.4.50

H.M.(E. & L.) 19/4

H.M.(Fin.) 19.4



A draft order is subd.

Fin. may see.

P.T.
21.50
22/4/50

RM
22/4/50

Finance (Pen)

(Previous Finance note on p. 2 above)

the orders in circulation above and the
draft order may be perused and the case
returned to Education.

of
20/4/50

Issue
20/4/50

U.S.
14/4/50 - 3
24.4.50



29305 Pen.
25.4.50