EDUCATION 1950 DEPARTMENT

653

M.S. SERIES.

(27)

G.O. No. 1448. Edn.

DATED. 8. 5. 50.

Sub: Appeal: Sri. G. S. Nagaraja-Rao. Graduate Teacher. Reinstatement as Junior Dy. Inspector Rejected.

From
Sri G. S. Nagaraja Rao,
Junior Deputy Inspector of Schools,
(Under Revision as)
Secondary Grade Assistant,
Govt. Secondary & Training School.,
Mettur Dam.

RECEIVED
21 JUL 1948
No. ~~2-60~~/48
SALEM

To
The Secretary to the Government for Education,
Fort St. George, Madras.

Thro'
The Proper Channel.

Sir,

Sub: Sri G. S. Nagaraja Rao, Junior Deputy Inspector of Schools, Reversion as Secondary grade teacher - appeal against the orders of the Director of Public Instruction, Dis. 1119/47 dated 21-3-'47 and the Divisional Inspector of Schools, Coimbatore - R. .C. 35/A/47 dated 4-9-'47 and R.C.559/A/48 dd. 15-5-48 of the Divl. Inspector of Schools, Coimbatore.

not received

Enc. 6. p 13 infra

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The humble petitioner, Sri G. S. Nagaraja Rao, permanent Secondary Grade Teacher, Government Training School, Mettur Dam, who was officiating as Junior Deputy Inspector of Schools, in the regular cadre as a probationer and reverted as Secondary Grade Teacher in R.O.C. 35-A/47 dated 4-9-'47 of the Divisional Inspector of Schools, Coimbatore begs to submit the following facts for kind consideration and favourable orders.

p 13 infra
Enc. 1.

The humble petitioner entered service as a Secondary Grade Teacher on 21-10-'26. He has studied upto B.A., though not lucky enough to have secured the degree. Besides the Secondary Grade Training for Teachers, he has also undergone the following training courses:

1. Basic Education - In the Government Wardha Training School, Coimbatore in 39-40.
2. Scout Masters Training - in the Kukkalar Training Camp- Periyakulam Taluk - Madura District in December 1930.
3. Cub-Masters' Training - September 1939 while in the Government Wardha Training School, Coimbatore.
4. Rover Scout Training in 1939-40 while in the Government Wardha Training School, Coimbatore.
5. A.R.P.Training in 1942-43, was a group Warden for a period of one year and a half at Negapatam.

Also passed

6. Statistics with Accounts in April 1930.
7. Dy. Inspector's Test in December 1945 &
8. Account Test for Subordinate Officers Part I in December 1947.

In April 1930, the petitioner appeared for the Deputy Inspector's Test. In those days the tests were conducted by the Secretary to the Commissioner for Government Examinations. The Deputy Inspector's Test included the portions of the Account Test of the Present day, Statistics with Accounts formed the Group II of the Deputy Inspector's Test.

3

In that examination the petitioner passed the group II viz. Statistics with accounts. Vide page 96 of the Fort. St. George Gazette dated 8-7-30 under register No.89. The test was not obligatory then. He appeared voluntarily after remitting the usual examination fees. Subsequently he did not appear for the remaining portion of the Deputy Inspector's Test and completed the group I as it was not obligatory for him to pass the Test then.

4 The petitioner was selected as a Junior Deputy Inspector of Schools in the regular cadre in September 1943 and was acting as such from 29-9-'43 to 19-9-47 the date of his reversion as Secondary Grade Assistant. At the time of his appointment the petitioner was informed that he should pass the Account Test for Subordinate Officers Part I and the Deputy Inspector's Test if he had not already passed them. In as much as he had already passed the Statistics with Accounts of the Deputy Inspector's test under the Old scheme he appeared for papers I and II of the present Deputy Inspector's Test in 1945 and passed them by the 4th Dec.1945. By this time he had completed the two years' period of probation but on 7-2-'46 an order of the Director of Public Instruction directing the petitioner to pass the Deputy Inspectors' test and the Account Test for subordinate officers Part I was issued in his Pros. 396-c/46 dated 26-1-46.

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5 In February, 1946, the petitioner submitted a petition to the District Educational Officer, North Arcot, as he was then the Junior Deputy Inspector of Schools, Walajapet, to complete his probation. The District Educational Officer, North Arcot in his R.C. 229-A/46 dated 9-6-46 had recommended the completion of his probation. In reply to the recommendations of the District Educational Officer, the Divisional Inspector of Schools, Coimbatore in his R.C.363 A/45 dated 20-6-46 informed the District Educational Officer, North Arcot that the Director of Public Instructions, was aware of the fact that Sri G. S. Nagaraja Rao, had passed the statistics with Accounts of the old Deputy Inspector's Test when he(The D.P.I) passed the orders in Pros. 396c/46 dated 26-1-46.

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Ex.II infra Exhe 2.

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6 On receipt of the copy of the above order of the Divisional Inspector of Schools, Coimbatore, the petitioner preferred a petition to the Director of Public Instruction, Madras on 14-7-46, setting forth his claims for the completion of his probation. In this petition he had submitted that Sri S. Punnakvanam Pillai, a Junior Deputy Inspector of Schools in the Madura Division, who was selected as a probationer along with the petitioner has passed the similar tests which is a parallel case to that of the petitioner, had been allowed to complete his probation. Hence the petitioner prayed that he should also be similarly allowed to complete his probation. Further there are no orders of the Government so far as the knowledge of the petitioner is concerned, that the passing of the statistics with Accounts of the Old Deputy Inspectors' Test are inadequate for the purpose of the completion of probation of a Junior Deputy Inspector of Schools. Before the final orders of the Director of Public Instruction on the appeal of the petitioner ~~was~~ were issued, the Divisional Inspector of Schools, Coimbatore in his Pros. R.C.363-A/45 dated 13-11-46, terminated the probation of the petitioner but promoted him and allowed him to continue as Junior Deputy Inspector of Schools, Walajapet under Rule 31 (a) of the General Rules. Subsequently in view of ~~the~~ G.O. 2049 Ms. Education dated 23-11-46 communicated in Director's proceedings Dis. 3153/46 dated 9-12-'46 granting time for passing the prescribed tests to Junior Deputy Inspectors, the Divisional Inspector of schools, Coimbatore in his R.C. 363/45 dated 2-2-'47 extended his probation upto 28-9-'47 and also ordered that the petitioner should pass the Account Test for Subordinate Officers, Part I within the Extended period of probation. Orders on the appeal petition of Sri G.S.Nagaraja Rao, ~~was~~ were still pending with the Director of Public Instruction,. Meanwhile the Director of Public Instruction called an interim report from the District Educational Officer, North Arcot, as to whether the petitioner passed the Group I of the Old Deputy Inspector's Test. In reply to this communication, the District Educational,

not recd

Ex.II infra Exhe. 3.

D/22 cf

Ex.II infra Exhe. 4

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[illegible] G.O. [illegible] to 4 years.

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Officer, North Arcot in his R.C. 351-A/46 dated 22-2-47 wrote in following terms:-

7 "Sri G.S. Nagaraja Rao, Junior Inspector of Schools, Walakapet passed Statistics with Accounts which fomed the group II of the Old Deputy Inspectors' Test in April 1930. (Vide page 96 of the Fort St. George Gazette dated 8-7-30 under register No.89).

8 He passed papers I and II of the present Deputy Inspector's Test in December 1945 (Vide page 7 of the Fort St. George Gazette dd. 5-2-'46 under register No.6751). Papers I and II of the present Dy. Inspector's Test form the Group I of the old Deputy Inspector's Test. He entered on probation on 29-9-'43. Hence no revised orders are needed". Thus it can be seen that the two District Educational officers of North Arcot had in their R.C. 229 A/46 dated 9-6-46 and R.C. 351 A/46 dated 22-2-47 respectively felt that there was a clear case for the completion of the probation of the petitioner and that neither of them had entertained the idea about the need for passing again the Account Test for subordinate officers, Part I.

not seen

9 The final orders on his appeal petition ~~was~~ were received only on 13-4-47. The Director's proceedings Dis. No.1119/47 dated 21-3-47 ~~was~~ were communicated in R.C. 363 A/45 dated 29-3-47 of the Divisional ~~Engineer~~ Inspector of Schools, Coimbatore. This was in turn communicated to the petitioner by the Dy. Inspector of Schools, Walakapet, in his R.C. 355 S/45 dated 3-4-47 signed on 9-4-47 but actually communicated on 13-4-47. Thus it can be seen the final decision of the Director of Public Instruction directing the petitioner to appear and pass the Accountant Test for the subordinate officers Part I was communicated only in April 1947 and the next chance of passing the Accounts Test for the petitioner is the December 1947 Examination and as such he should have been continued as Junior Deputy Inspector of Schools at least until the Publication of the result of the Account Test Examination held in December 1947 for which he ~~has~~ appeared and passed. But the petitioner was reverted as Secondary Grade Teacher even before the expiry of the period of probation i.e., on 19-9-47. The reversion order is a wrongful reversion, unjust and not in accordance with the rules. This can be seen from the following points:-

Exp p13 infra

10 As per rule 22(11) of the Madras and Provincial services- General Rules, communicated in G.O.No.3672 Public (services) of 18-12-43 "the appointing authority at its discretion by order terminate the probation of a probationer from the service after giving him a reasonable opportunity of showing the cause against the action proposed to be taken in regard to him." Further G.O. No.487 dd. 1-3-48 which takes effect from 25-3-47 lays down "that the discharge from service of any such person who has rendered less than two years' service shall not be regarded as a penalty for the purpose of the said rules. Such a person should however be given a reasonable opportunity of showing cause against the action proposed to be taken in ~~a service~~ regard to him." In the case of the petitioner he has put in a service of more than four years as a Junior Deputy Inspector. There is no order as required by the rules terminating his probation nor any reasons assigned for his reversion overlooking his seniority in pay and service over many who are still continued as Junior Deputy Inspectors. Further as per Rule 22b(1) of the rules a probationer could be discharged only 'if he fails to acquire the special qualifications or to pass the special tests or to acquire such other qualifications as may be declared to be equivalent to the said special qualifications. It has not been established so far that the passing of the old Dy. Inspectors' Test with Accounts is not equivalent to the present Deputy Inspector's test Plus Account test for subordinate officers Part I. The order of the Director of Public Instruction Pros. Dis.1119A/47 dd. 21-3-47 on his appeal, directing the petitioner to pass the Account Test for Subordinate officers was communicated to him only in April 1947 and as such the next examination to which he should apply and pass is the December 1947 Examination,

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In obedience to that order the petitioner appeared in December 1947 and passed the Account Test for Subordinate Officers. As per Rule 22(b)(ii) of the Madras ~~and~~ Provincial Services-General Rules, 'If within the period of probation prescribed for the service a proba- tioner has a-ppeared for any such tests or for any examination in connection with the acquisition of any such qualifications and the results of the tests or examinations for which he has so appeared are not known before the expiry of such period, he shall continue to be on probation until the publication of the results of the tests or examinations for which he has appeared." Kind attention is invited to the use of the word 'Shall' in the above rule. The rule does not give the option for the appointing authority to discharge the probationer. Hence the petitioner is a probationer till 23-2-48 and full member of the cadre of the service of the Junior Deputy inspector from 24-2-48 on which date the results declaring him to have passed the Account Test was published in the Fort St. George Gazette. Rule 22(iv) shall not be applicable in the present case. 'Any delay' no doubt, in the issue of an order discharging a proba- tioner shall not entitle him to be deemed to have satisfactorily completed his probation. But it does not altogether dispense with the need for an issue of an order indefinitely. Now that the peti- tioner has passed all the tests before he was discharged ~~and~~ has a right to be declared an approved probationer. But strangely enough, the petitioner found that he was ~~xixx~~appointed under IX(a)(i) of the General Rules when he was appointed as Junior Deputy Inspector of Schools, Karur. The petitioner believed that it was ~~first~~ an error and that it would be rectified at an early date.

He appeared afr

11 It may be argued that the petitioner was directed to pass the Account Test in the Pros. R.363 A/45 dd. 2-2-47 of the Divisional Inspector of Schools, Coimbatore. The petitioner did obey the order. He appeared for June'47 examination, but he did not pass the test. This was due to sudden and unexpected transfer of the petitioner four days prior to the June'47 examination. The petitioner was relieved on the reliever reporting himself to duty with a copy of the order signed by the Head Clerk of the District Educational Officer, North Arcot on 11-6-47 evening at 7 P.M. when the formal orders regarding his transfer were not received from the Divisional Inspector of Schools, Coimbatore. The examination was on 16-6-47. The petitioner applied for leave for 1 month. The leave was refused. He wired for a week's leave. Even that was refused. The petitioner had neither time to prepare for his journey nor had he any time to prepare for the examination. He was much worried . He had to return the books from those he had borrowed. Under such circumstances it was no wonder that he did not pass the test in June 1947. But in as much as the order of the Director of Public Instruction which alone was the decid- ing factor as to whether there was any need to pass the Account Test again, the December'47 Examination alone should be viewed as the first chance for the petitioner and in that chance itself he has passed the test. As per rules every probationer is ordinarily now given 8 chances in the course of four years' probation period. In the case of the petitioner, even, if June'47 examination is counted as a chance, he has passed the test within the first two chances.

fill info

12 Again the petitioner begs to submit that the question of time limit prescribed under Rule 24 does not arise in the absence of issue of any order terminating his probation. Hence the appeal cannot be considered time barred.

13 Further the pay of the petitioner has been definitely fixed at Rs.72/- on 1-1-47 in the scale of Rs.60-4-100-5-130 in R.C. 111A/47 dated 12-5-47 of the District Educational Officer, North Arcot. As such the petitioner cannot now be placed in a lower cadre unless his pay was reduced under item (iv) of Rule ~~of~~ 8 of Civil Services (classi fication and appeal) Rules as a penalty. If it were a penalty the procedure laid down under rule 15 of the above rules have not been followed. Hence under the circumstances explained above the order of reversion is wrong, unjust, and not in accordance with the rules and as such the order of reversion should be set aside and the petition is

restored as a full member of the service in the cadre of the Junior Deputy Inspectors fixing his pay and granting his increments as per rules. In as much as there was not even a single instance so far where the petitioner was asked to explain even on a trivial charge, and in as much as he had not even received a warning during his service as Junior Deputy Inspector of Schools, the order of reversion is quite unjust and deserves to be set aside. "

14 In this connection the petitioner is forced to bring to the notice of Government that Sri N. Sadasivan, Deputy Inspector of Schools, Walajapet had a late developed a spirit of prejudicial attitude against the petitioner and that it is quite possible that the Deputy Inspector of Schools might have written~~t~~ prejudicially against the applicant to the District Educational Officer, North Arcot taking advantage of the fact, that the then District Educational Officer, was a classmate of the Deputy Inspector and a friend. The Deputy Inspector (Sri Sadasivan) Sadasivan was trying to spoil the petitioner, for all his acts of omissions and commissions and for no falut of the petitioner.

Enc. 7

15 The only channel of promotion opened for the Secondary Grade Teachers employed in the Education Department is the chance of being promoted as Junior Deputy Inspector of Schools and if even that is denied to him after having been a Junior Deputy Inspector for about 4 years and after having served under the Department for about 22 years, greater injustice is hard to imagine and it is hoped that the Government will consider every point raised by the petitioner and direct the authorities concerned to restore him as a full member of the Service in the cadre of Junior Deputy Inspectors and refix his pay as an approved probationer from 5-12-'45. With regard to the fixation of the pay the petitioner desires to bring the following facts. His pay on 29-9-'43 at the time of appointment was fixed at Rs.60/- as per F.B. 22(a) (1) - On passing the Deputy Inspector's test on 5-12-45 and declaring him an approved probationer as set forth above his pay should have been raised to Rs.65/- in the scale of 50-5-2-70 from 5-12-45 and on 31-12-46 his pay should have been Rs.65 + 4 interim relief. According to G.O. 78 his pay should have been refixed at Rs. 76/- from 1-1-47 and at Rs.80/- from 1-1-48.

16 Hence it is requested that the orders fixing the petitioner's pay as pointed abovemay be ordered to be issued and that the arrears of pay consequent thereon may be caused to be ordered to be paid to the petitioner.

17 The petitioner is a native of Tanjore District. He has served in this Department for over 21 years. He has just ~~of~~ 9 years of service before he retires. In view of the recent orders of the Government, as ~~less~~ a low paid Government servant, the petitioner may be posted as Junior Deputy Inspector~~s~~ of Schools in Tanjore District which is his native district.

19 To sum up the following prayers of the pettioner may be favourably considered and ordered.

1. He may be declared a full member of the service of the Junior Deputy Inspector of Schools from 5-12-45 and restored as Junior Deputy Inspector of Schools.

2. His pay, may therefore be fixed at Rs.65/- from 5-12-45 Rs.76/- from 1-1-47 and Rs.80/- from 1-1-48 and the arrears of back pay be ordered to be paid.

3. To direct the authorities to give the petitioner a posting as Junior Deputy Inspector of Schools, in Tanjore District.

Mettur Dam R.S.
~~June 29~~, 1948.
July 12,

G.S. Nagarajarao
PETITIONER.

p.t.o.

Copy submitted to the Secretary to Government Education, Ft.
St. George, Madras.

" ~~Hon'ble Minister for Education,~~
~~Government of Madras~~.

" The Director of Public Instruction, Madras.

" The Divisional Inspector of Schools, Coimbatore.

Copy of the Proceedings of the Divisional Inspector of Schools,
Coimbatore Division:- R.C.363-A/45 dated 20-6-46

Read:- From the District Educational Officer, North Arcot R.C.229/A 46 dated 9-6-46 regarding completion of probation, Sri G.S. Nagaraja Rao, Junior Deputy Inspector of Schools, Walajappet Range.

Ex 2.

The District Educational Officer is informed that Director was aware that Sri G.S. Nagaraja Rao had passed the "Statistics and Accounts" of the Old Deputy Inspector's Test Part I when he passed orders in Proceedings 396 C/46 dated 26-1-46.

The Service book is returned herewith.

Sd. V.R.Ranganathan
Divisional Inspector of Schools,
Coimbatore Division.

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Ex 3.

Proceedings of the Divisional Inspector of Schools, Coimbatore
R.C.363-A/45 dated 13-11_1946.

Sub: Sri G.S. Nagaraja Rao, Unior Deputy Inspector of Schools, Wallajapet - termination of probation - discharge and re-appointment under 31 (a)
Read:- Divisional Inspector's Pros. R.C.No.363-A/45 dated 5-2-46.

The Junior Deputy Inspector, Sri G.S. Nagaraja Rao having failed to complete the tests within the extended period of probation the Divisional Inspector of Schools, Coimbatore hereby terminates his probation and reverts him to his permanent appointment as Secondary Grade teacher, Government Training School, Tanjore with effect from 19-10-46.

Sri G.S. Nagaraja Rao, Permanent Secondary Grade Teacher to act as Junior Deputy Inspector of Schools, Walajapet.

Sd. V.R. Ranganathan
Divisional Inspector of Schools,Coimbatore

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Ex 4.

Copy of the Proceedings of the Divisional Inspector of Schools,
Coimbatore Division:- R.C.363-A/45 dated 2-2-47.

Read again:- This office R.O.C.363-A/45 dated 13-11-45.
Read:- G.O.2249 Ms. Edn. dated 23-11-46 communicated in Director's Pros. Dis.3153/46 dated 9-12-46 granting extension of time for passing the prescribed tests to Junior Deputy Inspectors

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Sri G.S. Nagaraja Rao, officiating Junior Deputy Inspector Walaja, is informed that his period of probation has been extended upto 28-9-47 and that he should pass the Account Test for subordinate Officers part I within the extended period of probation.

Sd. V.R. Ranganathan,
Divisional Inspector of Schools,
Coimbatore.

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Office of the Divisional Inspector of Schools, Coimbatore Division,
R.C.No.363-A/45 dated 29-3-47.

Read:- Director's Pros. Dis.1119/47 dated 21-3-47.

Sub:- Appointment - Sri G.S.Nagaraja Rao, Officiating Junior Deputy Inspector of Schools, Walajapet - Extension of probation - appeal.

Enc-5.

Read:- From the Divisional Inspector of Schools, Coimbatore - R.C.363-A/46 dated 7-3-47.

The Divisional Inspector of Schools, Coimbatore is requested to inform Sri G.S. Nagaraja Rao that he should pass the Account Test for Subordinate officers, Part I within the extended period of probation.

Sd. D.S. Reddy
for Director of Public Instruction.

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Copy communicated to the District Education Officer, North Arcot with reference to his R.C.351-A/46 dated 22-2-47. The Junior Deputy Inspector of Schools may be informed accordingly. The service book in volumes two, of the Junior Deputy Inspector are herewith returned.
R.C.355/S/45 dated 3-4-47.

Copy communicated to Sri G.S. Nagaraja Rao for favour of information and guidance.

Sd. N.Sadasivan. 9-4-47
Walajapet Range.

Received by the petitioner on 13-4-47.

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Enc-1.

Proceedings of the Divisional Inspector of Schools, Coimbatore Division - R.C. No.35 A/46 dated 4-9-47.

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Read:- Director's Pros. R.C.1504-C/46 dated 1-9-47.

Sri A. Sankaram Pillai, Secondary Grade teacher, Government Training School, Egmore, to officiate as Junior Deputy of Schools, Darapuram vice Sri G.S. Nagaraja Rao reverted.

2. Orders of posting on behalf of Sri G.S. Nagaraja Rao will issue separately.

3. xx xx xx

Sd. C. Ragunathan,
Divisional Inspector of Schools,
Coimbatore.

/TRUE COPIES/

Copy of Proceedings of the Divisional Inspector of Schools, Coimbatore R.C.559-A/48 dated 15-5-48.

Read:- Proceedings R.O.C. No.11399/K.3/46 dated 22-4-48 of the Director of Public Instruction, Madras.

Enc-6.

Consequent on the redistribution of Ranges ordered in the above proceedings of the Director of Public Instruction, Madras, there will be no posts of Junior Deputy Inspectors at Namakkal, Karur and Ariyalur with effect from 15-5-48 FN.

The following reversions are therefore ordered with effect from 15-5-48 FN.

1. xx xx xx

2. Sri G.S. Nagaraja Rao, officiating Junior Deputy Inspector, Karur to revert to his permanent appointment as Secondary Grade Assistant, Government Training School, Mettur.

Sd. V. Natarajan
Divisional Inspector of Schools,
Coimbatore.

To The District Education Officers, Trichy and Salem.

கனம் ஐயா

காரை ஸ்கூல் ஆசிரியர் T. துரைசாமி முதலியார் எழுதிக் கொடுத்த ஸ்டேட்மெண்டு. சென்ற 1946 வருஷம் ஜூலை மாதம் 2 அல்லது 3 தேதியன்று என்னை கனம், டெப்டி Right வரும்படி சொன்னதாக ஆபீஸ் பியூன் திருவேங்கடம் கூப்பிட்டான். அதுசமயம் ஸ்கூலில் இருந்தேன். எப்பொழுது வரும்படி சொன்னதாகக் கேட்டதற்கு 7 அல்லது 8 மணிக்கு வந்தால் போதுமென்று சொன்னார். அதுபிரகாரம் ஆபீஸில் போய் பார்த்ததற்கு கிளார்க்கு சேதுராமன், ஜூனியர். Right, திருவேங்கடம் இவர்கள் இருந்தார்கள். திருவேங்கடம் எதற்கு தாங்கள் அழைத்ததாக சொன்னான் என்று கேட்டதற்கு "என்வீட்டில் சாமான் 25 சாமான்கள் இருக்கின்றது நான் மதுராஸிக்கு இன்று ராத்திரி மெயிலுக்குப் போக வேண்டியிருப்பதால் மேற்படி சாமான்களை நேரில் வந்து பார்த்து என்னிடம் எண்ணி வாங்கிக் கொள்" என்று சொல்ல, அன்று இரவே வாலாஜாவிற்கு வரும்படி சொன்னார். அது சமயம். ஆபீஸ் பெட்டியை திருவேங்கடத்தைத் திறக்கச்செய்து அதனுள் இருந்த பத்து சொயர் காகிதங்களை தன்வீட்டிற்கு ஜூனியர் கொண்டுபோக வண்டியில் வைக்க என்னிடம் சொன்னார். பியூன் திருவேங்கடம் Right. சாமான்களை சைக்கிளில் கட்டிக்கொண்டு அவன் வாலாஜாவிற்கு போய்விட்டான். நானும், Right, ஜூனியர் மூவரும் ஜட்காவண்டி ஸ்டாண்டுக்குப் போய் இரண்டு டெப்டிகளும் பேப்பர் கட்டுடன் ஏறினார் நான் சைக்கிளில் பின்னால் போனேன். பேப்பர், ஜூனியர் வீட்டண்டை ஜட்கா நிறுத்தி வீட்டிற்கு வண்டிக்காரன் சேர்த்தான். நானும் வண்டியின் பின்னாலே Right வீட்டிற்குப் போனேன். சாமான்களை எண்ணி வாங்கிக் கொண்டு, சாவியை எடுத்துக்கொண்டு நானே பேக் செய்து பண்டிட்டுக்கு அனுப்பி உங்கள் விலாசத்திற்கு பார்ஸல் அனுப்புகிறேன் என்று சொல்லிவந்து விட்டேன். ஜூனியர் தன் சொந்த உபயோகத்திற்கோ அல்லது ஆபீஸ் உபயோகத்திற்கோ பேப்பர் போனது எனக்கு ஒன்றும் தெரியாது.

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(Sd) T. Doraiswami
Assitant
29-3-47

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Memorandum of the District Educational Officer, North Arcot

R.O.C.No.400-A/46 Vellore 6--5--46.

Sub:-Missing articles of stationery etc. Office of the Deputy Inspector of Schools ~~of~~ Walajapet

Read:- Letter R.O.C.258/S.46/dated 26-3-48 of the Deputy Inspector of Schools, Walajapet.

Copy of last para and enclosure communicated to Sri G.S. Nagaraja Rao, Junior Deputy Inspector of Schools, Walajapet Range, through the Deputy Inspector of Schools, Walajapet for submitting his remarks.

Sd. S.Krishnaswami
Dt. Educational Officer, N.A.Dt.

Copy of last para in R.O.C.258 S/46 dated 26-3-47 of the Deputy Inspector of Schools, Walajapet Range.

" I submit herewith the statement from T. Doraiswami Mudaliar, Asst. Karai Board Higher Elementary Schoo, who volunteered to give the statement and happen to be in the know of the events leading to the loss of Stationery which go to prove the bonafide of my remarks that the stock in respect of each of the aforesaid articles does not tally as per stock book of articles and have also submitted true copy of my remarks made in respect of the statement of Doraiswamy Mudaliar is clear that there was liberal distribution of stationery on 2nd or 3rd July, 1946 at 7 P.M.

Sd. N. Sadasivan 29-3-47.
Deputy Inspector of Schools, Walaja.

Ex 7.

Resubmitted:-

I beg to submit that the Statement of Sri T.Doraiswami Mudaliar and the remarks of the Deputy Inspector of Schools, Sri Sadasivan are totally untrue and that they form an attempt of the ~~previ~~ previous Deputy Inspector of Schools, to concoct a plan to entrap another Government servant. The Stationery articles were in charge of the clerk, Mr. Kader Saig, who stopped away on leave without handing proper charge of his office in the middle of June 1946. Mr. J.A. Right who was then the Deputy Inspector of Schools, had made a report to the District Educational Officer, North Arcot on this subject. The key of the stationery box was with Mr. Gnanamuthu the second clerk of this office. Mr. Right had instructed this clerk to check the stationery articles and make a report if there was any shortage. I did not take charge of the stationery articles nor did I hand over the same to Mr. N. Sadasivan. Sri Sadasivan took charge of the stationery articles from Mr. Gnanamuthu and it was Sri Sadasivan that had submitted the quarterly verification return for the period ending 30-6-46. Hence it is clear that there was no shortage at the time of the submission of the verification return. Further, I submit that Sri Sadasivan joined duty on the afternoon of 2-8-46. Mr. J.A. Right was herefrom 2-8-46 to 4-8-46. The T.A. acquittance will show that Mr. Right had received his T.A. on 3-8-46. The District Educational Officer, North Arcot was at Ranipet on 3-8-46 and 4-8-46. Sri Sadasivan, Mr. Right and I, ~~we~~ all met the Officer both on 3-8-46 and 4-8-46. If there was really any difficulty in the matter of stationery or other articles Sri Sadasivan could have reported the fact to the District Educational Officer then and there and could have satisfied himself in any matter. He did not do so. Further while verifying the stationery articles if the Deputy Inspector had any suspicion about the stationery he could have verified the stock in my presence and also taken my signature at that time. He has not done this either. After a lapse of nearly 8 months, he gets a statement from one of the teachers employed under him and bases his allegations against an officer of his own status and another officer who is a subordinate under him.

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The statement of Sri T. Doraiswami Mudaliar is a false story concocted at the instigation of Sri N. Sadasivan. This is ~~proved~~ proved from the fact the clerk, Sethuraman who was reported to be with us on 2nd or 3rd July, 1946, was not then a clerk of this office. He had been transferred to Vellore Muslim Range as early as April 1946, and was actually at Vellore on the dates specified by Sri T. Doraiswamy. From this it is clear that T. Doraiswami has no knowledge of the things as they stood on 2-7-46 or 3-7-46 and his presence at the office was doubtful. Further, I have my own suspicion that Sri T. Doraiswami Mudaliar has his own grievance against me for the simple reason that I did not help him in the matter of securing Military concession to his son D.Kannan, (a pupil of the Arcot High School) when he was not eligible for the same under the rules.

Sri Sadasivan is prejudiced against me for his acts of ommissions and commissions ~~x~~ for which I am in no way responsible. Most of his reports are due to misunderstanding of real facts and in that connection I beg to submit the following facts:-

Mr. Sadasivan was moving with me as a brother and was messing with me from the date of his joining to Jan.19th 1947 with the exception of one month when my people were away. There was complete and hearty co-operation between us till Jan.1947. I used to attend office even Sundays. I used to sit up with him till late in the night to attend to office work. The office copy of the final teaching grant statement for 1946 was prepared by me. But of late probably since Nov. 46, he seems to have developed a spirit of hostile and prejudicial attitude. I was able to discover that only in Jan.1947.

Sri Sadasivan seems to have misunderstood me on the following points:-

Sri Sadasivan is under the impression that the former District Educational Officer visited the Thopkana Board School at Aroct on 29-11-46 ~~xxx~~ on my instigation. The officer alone knows the circumstances under which he visited the school. I simply followed the officer under his orders. I was on casual leave on that date. I had been to meet the officer by previous appointment as per his D.O. dated 27-11-46.

2. The Divisional Inspector of Schools was camping at ~~Shxxx~~ Shollinghur between 14th and 16th Jan.47. I was also at Sholinghur between 13th and 15th of January, 1947. On 14-1-47 in the Traveller's Bungalow at Sholinghur the Divisional Inspector of Schools told Mr. Sadasivan that he need not go to Travellers Bunglow in the evening and it was enough if the Junior Deputy Inspector met him for an hour after 5 P.M. Sri Sadasivan has misunderstood me and he is of opinion that I had told the Divisional ~~x~~ Inspector something prejudicial against him. The Personal Assistant to the District Educational Officer ~~knew full well that all the talk I had with the Divisional Educational Officer~~ Mr. A.G. Vilva Roy and the present District Educational Officer ~~of Schools was on the morning of 15th instant in the presence of the Di~~ know full well that all the talk I had with the Divisional Inspector of Schools was on the morning of 15th instant in the presence of the District Educational Officer.

3. Sri Sadasivan is of openion that Sri Ratna Mudaliar, the owner of the Thepkana Board ~~Ele~~.School, building at Arcot, met the Divisional Inspector of Schools at Sholinghur only on my direction. I know nothing about his meeting.

4. I am enclosing a separate cover, a copy of the letter dated 11-1-47 from E.R. Narayana Sarma, Assistant, the Board School at Thepkana. It is clear from that letter that Sri Sadasivan was being guided and supported by E.R. Narayana Sarma in all his acts of ommission and commissions. Both these people seem to conspire against me to spoil me.

From 20-1-47 onwards Sri Sadasivan has been trying to find fault with me by every possible means. I ~~x~~ put up with all his

12 21

teasings and tyranny for the simple reason that it was not proper on the part of a subordinate to hasten to complain against his superior but when it has come to a stage of making serious allegations against his own subordinate who has been all sincere and brotherly towards him, the subordinate is forced to bring the true facts to the notice of the authorites. Sri Sadasivan ~~xxxxxxx~~xx quotes a statment, from one of the teachers employed under him to make allegations against the Junior Deputy Inspector of Schools, but another letter from one of the teachers employed in his own jurisdiction goes to prove the bonafide ~~xx~~ nature and conduct of Sri N. Sadasivan about whom I am sorry and so much regret that I was forced to write. Hence it is no wonder that under the circumstances pointed above Sri Sadasivan has written such a bad and averse remarks against me in the confidential report for the period ending 31-3-47. The alleagations are baseless, incorrect and untrue and are based on personal prejudice. Hence I request that the above adverse remarks are caused to be expunged from the file.

Sd. G.S. Nagaraja Rao, 12-5-47.
Junior Deputy Inspector of
Schools, Walajapet.

Returned [illegible] – Sri –
G.S. Nagaraja Rao
Secondary Grade Assistant
requesting [illegible]
of higher [illegible]
[illegible]
[illegible] Junior Deputy Inspector
– [illegible] 12-7-46 [illegible]
[illegible]
[illegible] – Madras

Submitted to the
District Educational
Officer [illegible] for favour
of consideration

10.7.47

GOVERNMENT SECONDARY AND TRAINING SCHOOL
METTUR DAM
Not 18/48

RECEIVED
21 JUL 1948
No. 135/47

Not 18/48 17-7-48

Appeal Petition - Sri - G. S. Nagaraja Rao - Secondary Grade Assistant regarding the fixation of higher initial pay and to post him as a Junior Deputy Inspector — dated 12-7-48 to the Secretary to the Government for Education - Madras.

Submitted to the District Educational Officer Salem for favour of consideration

J. K. Venkataraman
19.7.48
Headmaster,
Government Secondary and Training
School, Mettur Dam.

3/17/7/48

Education Department.

From
Sri. V. Natarajan,
Divisional Inspector of Schools,
Coimbatore Division,
Coimbatore.

To
The Director of Public
Instruction,
MADRAS.

R.C. 801 A/48 Dated 26-5-49.

DIRECTOR OF PUBLIC INSTRUCTION
Roc 1128 C4/49
30 MAY 1949
MADRAS

Sub: Sri. G. S. Nagaraja Rao- appeal for reinstatement as Junior Deputy Inspector - Fixation of pay etc.

pp1-9 ante

Ref: 1. Director's procs. R.C.No.1585 E1/48 Dated 26/7/48
2. Director's Procs. Rc.No. 1128 C4/49 Dated 7/5/49

nd recd

C4

pp1-9 ante

The original petition of Sri. G.S. Nagaraja Rao dated 12-7-48 is submitted herewith with the following remarks.

para 11 p7 ante

The petitioner himself admits that he was informed at the time of appointment that that he should pass the Account test for subordinate officers part I and Deputy Inspectors Test part I. When particulars for the completion of his probation were received the District Educational Officer, North Arcot reported that the appellent passed statistics with accounts in 1930. and that he had appeared for Deputy Inspectors Test Part I. Since he had passed only a part of the old Deputy Inspectors Test the matter was referred to the Director of Public Instruction in this office Rc. 363 A/45 dated 18/1/46. The Director of Public Instruction in his C.No. 396 C/46 dated 26/1/46 ordered that the appellent should pass the Accountant Test for Subordinate Officers.Part I. The Director's orders were communicated in this office Rc.363 A/45 dated 5/2/46. Sri. G.S. Nagaraja Rao made another representation that he had passed Statistics with Accounts and he was informed that when orders were passed in Director's Procs. C.No. 396 C/46 dated 26/1/46, the Director was quite aware of the fact. The appellent made another representation and it was submitted to Director. The Director in his Dis.1119/47 dated 21-3-47 ordered once again that the appellent should pass the account test within the extended period of probation. Since the appellent did not pass the test his probation was terminated with effect from 19/10/46 in this office Rs.363 A/45 Dated 13-11-46. but his probation was extended upto 28/9/47 with reference to G.O.No. 2249 Ms. dated 21-11-46. When he did not pass the test even within the time of extension, he was reverted as Senior Grade teacher.

p11 ante

nd recd

nd recd

nd recd

nd recd

nd recd

p11 supra

(D)

It will thus be seen from the above facts that the appellent was aware of the fact that he should pass the test but he was simply postponing the matter by repeated representations. His obstinate contention ~~astute connection~~ that his having passed the Old Deputy Inspector's test only in part should be considered equivalent to the present Account Test for Subordinate Officers, is untenable in the face of the Director's definite orders.

As regards the fixation of pay, the Dt.Edl. Officer has fixed the pay of the appellent of Rs. 72/- only as Junior Deputy Inspector. He is not a permanent Junior Deputy

P.T.O.

Inspector. It is not as a penalty that he was reverted to his permanent post but is for failure to pass the tests within his probation. The appellent must be aware of this simple fact.

The petitioner has ~~not~~ been selected for appointment as Attendance Officer and he is officiating as such from 13-12-48. The regularisation of this applicant in that category will be made by this office shortly with reference to Director's proceedings R.C. 1812 C4/48 Dated 26/4/49. But this will be a separate question and his probation as Attendance Officer will commence only from the date of his appointment as Attendance Officer.

(Not put up)

V. Natarajan
26 5 49
DIVISIONAL INSPECTOR OF SCHOOLS
COIMBATORE DIVISION.

VVR.26.5

V 26/5

From
Sri. G.S. Nagaraja Rao
Attendance Officer,
Gudiyatham ~~[illegible]~~
North Arcot Dt.

To
The Secretary to the Government
for Education,
Fort Saint George, Madras

ASST. SECRETARY TO GOVERNMENT
18 APR 1949
EDUCATION

Through
The Deputy Inspector of Schools, Gudiyatham.

Sir,

Ref:- (1) Appeal of 12.7-1948 for being restored as Junior Deputy Inspector of Schools.

pp 1-10 ante

(2) Copy of my letter to the Headmaster, Government Secondary and Training School, Mettur Dam submitted to the Secretary to the Government on 21-7-1948 regarding fixation of my pay and grant of increments.

29187

(3) Copy of my letter to the Divisional Inspector of Schools, Coimbatore submitted in Feb. 1948 regarding the recovery of a portion of the cost of Stationery and other articles lost in the office of the Deputy Inspector of Schools, Walajapet Range and

(4) Copy of my letter of 9.11.1948 to the Divisional Inspector of Schools, Coimbatore

I submitted the above references on the dates specified above, when I was Secondary Grade Assistant, Government Secondary and Training School, Mettur Dam.

I have not drawn my increments either for 1948 or 1949 so far. No orders have been received by me so far on any one of the above references. As I have been put to very great inconvenience in these hard days because I have not drawn my increments for these years I beg to request that orders on my appeal and other references quoted above may be caused to be issued at an early date restoring me as a permanent member in the Cadre of Junior Deputy Inspector of Schools, and granting my increments and arrears of pay for the periods specified in my appeal.

Yours faithfully
G.S. Nagaraja Rao.

(1) Copy submitted to the Secretary to the Government for Education, Fort Saint George, Madras.
(2) " " to the Director of Public Instruction, Madras
(3) " " to the Divisional Inspector of Schools, Coimbatore, ~~[illegible]~~

UB Edn A 29
16

~~38/8~~

Memo No 29187 A/49-2 Edn Dt 30/7/49

Sri G. S. Nagaraja Rao, Attendance Officer, Gudiyatham petition for reinstatement as Jr. Dy. Ins. for Girls Schools & fix also pay.

Ref: Govt memo No 29187 A/49-1 Edn Dt 19.4.49

The attention of the D.P.I. is invited to the reference cited and he is requested to state the present stage of the matter and when his reply to it may be expected.

30/7/49

To the D.P.I.

Mk 3
29/7

31 C-1

R.O.C.No.1128-C4/49

Office of the
Director of Public Instruction
Madras, dated, 15th August 1949.

17

From
Joint
The/Director of Public Instruction
Madras.

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

ASST. SECRETARY TO GOVERNMENT
20 AUG 1949
65292
EDUCATION AND PUBLIC HEALTH DEPT.

Sir,

Subject:- Appeal -- Sri G.S.Nagaraja Rao, Attendance Officer, Gudiyattam -- for reinstatement as ~~of~~ a Junior Deputy Inspector.

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p 27 ante

Reference:- Govt. Memo No.29187-A/49-1 Edn., dated 19-4-1949.

In submitting herewith the appeal from Sri G.S.Nagaraja Rao, Attendance Officer, Gudiyattam, I have the honour to state the following:-

2. The appellant is a permanent Secondary Grade Teacher who entered Government service on 21-10-1926 and was promoted to the category of Junior Deputy Inspectors with effect from 29-9-1943. At the time of his promotion, the appellant was informed that he should pass the two tests i.e. Account Test for Subordinate Officers, Part I and the Dy. Inspector's Test Part I before the expiry of the period of his probation, if he had not passed them previously. He appeared for the D.I.T. in 1930 and passed the Group II - Statistics portion with Accounts-that year. Prior to 1934 if one passed the Deputy Inspector's Test Part I, he need not pass the Account Test for Subordinate Officers separately. But Sri Nagaraja Rao did not pass the Deputy Inspector's Test in full, but only Group II. He appeared for the remaining portion of the Deputy Inspector's Test in December 1945 and passed the same. When his papers regarding the completion of probation were sent, the Divisional Inspector of Schools, Coimbatore informed the appellant that he should pass the Account Test for Subordinate Officers, Part I. The appellant's claim to treat him as having passed the Account Test as was done in the case of Sri S. Punnavanam Pillai could not be granted, as Sri Punnavanam Pillai completed the Deputy Inspector's Test with Accounts by passing Group I of the Test in 1928, Group II of the test having been successfully completed before 1928.

para 6, p 3 ante A

3. The appellant had ample opportunities of appearing for the Account Test and passing it. As the period of probation for the Junior Deputy Inspectors and School Assistants was extended from three to four years in G.O.No.2049 Edn., dated 23-11-46, the appellant might have passed the Test before the close of four years since he commenced probation as a Junior Deputy Inspector. His plea that as the final orders of the Director direc-

(D)

ting that he should pass the Account Test were communicated to him only on 13th April 1947 the next examination for him was in December 1947 and that he should have been continued till then, does not hold good, as he appeared for the Examination held in June 1947 and did not come out successful. The appellant could not have been continued beyond the four years' period i.e. beyond 28-9-1947. He passed the Test only after his probation in the category of Junior Deputy Inspectors was discharged.

p 5 ante

4. The rules and G.Os referred to in paragraph 10 of his appeal are irrelevant to his case.

5. Since the appellant was reverted from the Junior Deputy Inspector's post in September 1947, the appeal dated 12-7-48 actually after a lapse of 9 months is time-barred.

The Divisional Inspector of Schools, Coimbatore, reports that the probation of the appellant was terminated in his Proceedings R.C.No.363-A/47 dated 12-11-1946. With reference to G.O.No.2049 Edn., dated 23-11-46 it was extended upto 28-9-47. When the appellant was reverted as a Secondary Grade Teacher he should have known the cause of his reversion and cannot now say that he had no knowledge of it at all. In the circumstances stated above I recommend that the appeal from Sri G.S.Nagaraja Rao may be rejected.

Yours faithfully

1/2 Joint Director of Public Instruction.

SJ/22/8.

9/8/18

Aw 23/8

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35 19

EPH / E2

TM (by post)

From

The Secy, EPH

To

The Jt DPI

Ref. your letter No 1128-C4/49 d 15·8·49 re: the appeal of Sri G. S. Nagaraja Rao, Attendance Officer, Gudiyattam.

Please state what are the subjects comprising Group I and Group II of the old Dy Inspr's Test passed by the appellant and how that Test differs from the two tests prescribed later on, viz. Dy Inspr's Test Part I and Acct Test for Subordinate Officers, Part I;

5

p 31 Cf

36

and whether passing of the old ~~Test~~ Dy Inspr's Test with Accounts is equivalent to ~~the~~ passing the present Dy Inspr's Test plus Acct Test for Subordinate Officers, Part I?

Please also point out the authority for your statement that prior to 1934 if one passed the Dy Inspr's Test, Part I, he need not pass the Acct Test for Subordinate Officers separately.

LWB
4.11.49

BM
4/11/49

p 31 CF

37/20

EPH
E2

TM

From
The Secy, EPH
To
The Jt DPI

Ref TM (Reg post) of 5.11.49 regarding the appeal of Sri G.S. Nagaraja Rao (your letter No. 1128-C4/49 of 15.8.49).

Please expedite your reply.

BM
25/11/49

LWB
24.11.49

92
28/11

pc to go p 35 CF

30/11

Issued.
28/11

38

Post Copy of the Telephonic Message No.1128 C4/49 dated 1.12.1949.

21 32

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From

The Director of Public Instruction, Madras.

To

The Secretafty to Government, Education and Public Health Dept.

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3 DEC 1949

Sub: Appeal - Sri G.S.Nagaraja Rao, Attendance Officer, Gudiyattam.

Ref: Government Telephonic Message dated 28th Nov. 1949.

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A reply to the Government Telephonic Message dated 4-11-49 will be submitted to Government shortly.

94482

MB 2.12.

for Director of Public Instruction.

2/12/49.

7/12

EPIA A

The D.P.I.'s reply may be awaited till 25/12/49.

8/12

8/12/49

9/12/49

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POST COPY OF THE TELEPHONIC MESSAGE. B I 41/22

T.M.No.1128 C4/49

Office of the Director of
Public Instruction, Madras.
Dated. 22-12-49

From
The Director of Public Instruction, Madras.

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

SECRETARY TO GOVERNMENT
2[illegible] DEC 1949
EDUCATION AND PUBLIC HEALTH DEPT.

Sub:--Sri G.S. Nagaraja Rao--Attendance Officer, Gudiyattam
Appeal
Ref:--Govt. T.M. dated 4-11-49 [illegible]

100638

The old Deputy Inspector's test held by the Commissioner for Government Examination before 1931 comprised of the Account portion also whereas the Deputy Inspector's Test held by the Commission with reference to G.O.No.1972 Education dated 16-11-31 does not contain the Account portion. Regarding the query raised in para 2 of the Telephonic Message it may be reported that candidates who passed the ~~D.I.T.~~ Deputy Inspector's Test before 1931 (and not 1934) need not pass the Account Test.

[illegible] l/p not available W.H.R.

Edn. deptt (B)

The G.O. referred to above is not available. This may l.o. till the G.O. becomes available.

For Director of Public Instruction

16/1/50

16/1/50

Clb. 22-12-49

22/12

42

Education Deptt A

Appeal - Sri G. S. Nagaraja Rao, Secy. Grade Teacher ~~against~~ ~~for~~ Reinstatement as Jr Dy. Inspector ~~of Schools~~ - Rejected

23

Pp 1-9 CF
Pp 31-35 CF, Pp 41 CF

Ref: From Sri G. S. Nagaraja Rao 12.7.49
Letters from the D.P.I. No 1128 C4/49 d/15.8.49 & 22.12.49

G.O. Ms. No 1448 Edn 8 - 5 - 50.

66
8/5

~~The D.P.I. is requested to inform~~ Sri ~~G. S. Nagaraja Rao that~~ ~~The~~ Govt decline to interfere on ~~in~~ behalf of Sri G. S. Nagaraja Rao. ~~And that~~ ~~the~~ appeal is rejected.

9/5

To the DPI
L.e

5/5

5/5/50

8/5/50

Appeal - Sri G. S. Nagaraja Rao - Attendance Officer, Gudiyattam, for re-instatement as Junior Dy Inspr

pp 1-9 c.f. from Sri G.S. Nagaraja Rao of 12.7.48
pp 31-33 c.f. from the D.P.I Rc. 1128-C4/47 of 15.8.'49.

This is an appeal from Sri G.S. Nagaraja Rao, Attendance Officer, Gudiyattam against his reversion from the post of Officiating Junior Dy Inspr of Schools to his permanent post of Secondary Grade Teacher. He was reverted in Sep '47. The appeal is submitted in July '48, i.e., after 9 months. The appeal is therefore time-barred. (p 9 c.f.) The appellant however contends that the appeal cannot be considered as time-barred as the question of time limit does not arise in the absence of any orders terminating his probation. (para 12, p 7 c.f.) Apparently no definite orders terminating his probation were issued. His probation was first terminated with effect from 19.8.46 in the Divisional Inspr's orders of 13.11.46 (encl 3, p 11 c.f.) but it was subsequently extended to 28.9.47 after the passing of the orders in G.O. 2249 Edn of 23.11.46 under which the time limit for passing special tests was extended to 4 yrs. (D/22-23 c.f.) As he did not pass the test even within the extended period, he was reverted. It is not clear whether definite orders were not then passed terminating his probation. However, as reversion in this case amounts to termination of probation, the appellant should have counted the date of his actual reversion for submitting his appeal. His argument that the question of time-limit does not arise seems to have no force.

2. The appeal is however examined below. The appellant's requests are :

(1) He may be declared as full member of the service of the Junior Dy Inspr of Schools from 5-12-'45 and restored as Junior Dy Inspr of Schools.

(2) His pay may be re-fixed from that date and arrears of back pay ordered to be paid; and — p 9 cf

(3) He may be posted as Junior Dy Inspr of Schools in Tanjore Dt.

Items (2) & (3) need consideration only if item (1) is decided in favour of the appellant.

3. Attention is invited to the remarks of the Div. Inspr of Schools at p 23 cf and the remarks of the D.P.I at pp 31-33 cf. wherein the appellant's contentions are discussed fully.

The appellant is a permanent Secondary Grade Teacher and was promoted to the category of Junior Dy Inspr of Schools with effect from 29.9.'43. At the time of his promotion he was informed that he should pass the two tests, viz, Account Test for Subordinate Officers Part I and Dy Inspectors Test Part I before the expiry of the period of his probation, if he had not passed them previously. In 1930, he had passed a portion of the Dy Inspr's Test, Part I, viz Group II (Statistics with Accts). Prior to 1934, if one passed the Dy Inspr's Test, Part I, he need not pass the Account Test for Subordinate Officers separately. But the appellant did not pass the Dy Inspr's Test fully; he had passed only a portion, viz. Group II. He passed the remaining portion only in 1945 by which time it was necessary to pass the Account Test for Subordinate Officers separately. — p 31 cf

Early in 1946, his papers relating to his completion of probation were sent up to the D.P.I who ordered that he should pass the Acct Test for Subordinate Officers, Part I. The

appellant submitted a representation that he had already passed Statistics with Accounts but he was informed that the D.P.I was aware of that fact when he ordered that he should pass the Account Test separately. The appellant, however, submitted a second representation and the D.P.I again ordered that he should pass the Account Test. As he did not pass the Test by 28.9.47 upto which his probation had been extended, he was reverted as Secondary Grade Teacher.

The appellant contends that the 2nd order of the D.P.I was communicated to him on 13.4.'47, that the next Account Test to which he should apply and pass was the Test in Dec '47, that he appeared for it and passed, that the results of the ~~exam~~ Test were announced on 24.2.'48 and that therefore he should have been continued to be treated as on probation until that date. As stated above the appellant had been informed that when the D.P.I passed his first orders he was aware that he had passed Statistics with Accts. There was therefore no point in submitting a 2nd representation and waiting for the orders of the D.P.I before appearing for the Test. However, according to the Div Inspr's Orders of 2.2.47, the appellant appeared for the June '47 Test but failed. This Test took place before the expiry of the period of his probation and after receiving the D.P.I's ~~for~~ 2nd Orders. As he failed in this Test he was reverted when the 4 yr period of probation expired. — pp 5-7 cf; para 11, p 7 cf

For orders whether the appeal may be rejected. Pathi (Senior) may see

29.10.49

31/10/49

1/11/49 S

What is the difference between the test passed by the appellant and the one he failed to pass — ② How was the ~~exception~~ exemption made to Punnavanam Pillai justified, if his qualifications were similar ③ Any objection to his being allowed further opportunities to pass, in view of the fact that he had only two chances, as against eight ordinarily available

3/XI

[T.M to the D.P.I d. 5.11.49.]

pp 35-36 cf

C.No. 100638-A. From the D.P.I. No. 1128 C4/49 d. 22.12.49

p 41 cf

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Please see the previous Secretary's queries above.

(1) Prior to 1931 the Deputy Inspector's Test Part I consisted of two Groups: Group I comprising ~~the~~ Madras Inspection Code, Madras Educational Rules, Grant-in-aid Code &c and Group II Educational Statistics and Accounts. In 1931, a general Accounts Test was prescribed for Subordinate officers and it was therefore thought that an examination in Accounts as part of the Deputy Inspector's Test was unnecessary. Accordingly the portion relating to 'Accounts' was deleted from the Test. Hence a person passing the Deputy Inspector's Test Part I fully before 1931 need not pass the Account Test for Subordinate Officers separately and a person passing that Test after 1931 has to pass the Account Test also. The appellant had passed Group II (Statistics and Accounts) of the Test in 1930. Group I he did not pass then. In 1943 when he was promoted to the category of Junior Dy Inspector he was informed that he should pass the two Tests viz Account Test for Subordinate officers and Deputy Inspector's Test, Part I before the expiry of the period of probation if he had not already passed them. Instead of passing the two Tests the appellant passed the remaining subjects in the Dy. Inspector's Test viz the subjects which formed the old Group I. Thus the appellant's contention is that by passing the old Dy Inspector's Test, Part I (Group II in 1930 and Group I in 1945) he should be deemed to have passed the present Dy Inspector's Test and the Account Test for Subordinate officers.

p 3 cf

p 31 cf

From a practical point of view his contention would seem reasonable. But from a strictly technical point of view which the D.P.I apparently took, his contention cannot be upheld as he did not pass the old Dy Inspector's Test Part I fully before 1931. He afterwards appeared for the June 1947 Account Test but failed. He again appeared for the Test in Dec. 1947 and passed it but by that time the extended period of probation was over and he was reverted.

p 7 cf

Query 2.

A on p 31 cf

Sri Punnavanam Pillai passed the old Deputy Inspector's Test, Part I fully in 1928 and therefore there was no need for him to pass the Account ~~ant~~ Test separately. His case is not therefore parallel to the ~~first~~ appellant's case.

Query 3. — As stated above the appellant subsequently passed the Accounts Test for Subordinate Officers in the Dec. 1947 examination. It would seem that he is now employed as an Attendance Officer (same as Junior Deputy Inspector)

For orders whether the appeal may be rejected

ASSISTANT SECRETARY TO GOVERNMENT
1692
25 APR 1950
CHIEF SECRETARIAT

M/ Public (Services) may see.

21/4/50

22/4/50

22/4/50

Pub (Ser)

6. A 145

[C.NO.1692/50.]

Public (Ser) Department.

The Edn. Department's note from p. 1 ante may be perused.

'M' on p. 5 ante:- This dept. may agree.

The file may be returned to Edn.

28.4.50

26/4/50

Edn.

A.

This file deals with an appeal from one Sri. G. S. Nagaraja Rao against his reversion from the post of Junior Deputy Inspector of Schools to his permanent post of Secondary Grade teacher in 1947, for not passing the Account Test within the period of probation. The facts of the case are explained in the note from page 4 ante. This dept recommends that the appeal be rejected. Public (Services) agree. The file may be circulated to H. M. (E & L) for orders.

Public (Ser. A)
U.O. 1692/50.1
28.4.50.

ASSISTANT SECRETARY
9162
29 APL 1950
EDUCATION DEPARTMENT

1/5

29/4/50.

30/4/50

1.5.50.

H. M. (E & L).

4/5

A draft order is submitted for approval.

5/5

8/5/50

5/5/50