

Education (1950) Department.

M/S. SERIES.

closed

G.O. NO.

2123

(Edu)

*By
Supt*

Dated

28/7/50.

p. 61 cf

34

[Despatch Abstract.]

Establisshment. Dist. Bd - Malthurai - Dist. T. V.
Gounder rajulu Naidu, Science Asst. Bd.
High School, Sholavandam - Petition for the
revision of Seniority in the D.T. Assistants'
Cadre - Orders issued.

Back Papers.

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

Further Papers.

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

From

T.V. Govindarajulu Naidu, B.A., L.T.,
Science Assistant,
Board High School,
Sholavandan (Mathurai District)



To

The Secretary to the Government of Madras,
Department of Education & Public Health,
Secretariate Buildings, Chempauk,
M a d r a s.

Through

The Headmaster, Board High School, Sholavandan.
The President, Mathurai District Board, Tallakulam.
The Director of Public Instruction, Cathedral Post.

Sir,

Subject:- Mathurai District Board - Secondary Schools-
panel of candidates for appointment as
Headmasters of High Schools - Seniority
in the L.T. Grade - revision and reconsider-
ation of orders passed already - requested.

Reference:- (1) N.Dis.13483/49 dated 24--9--49 of the
Collector and Special Officer, Mathurai
District Board, Mathurai and (2) Dis.
No.2772/44 dated 25--5--49 of the D.P.I.,
Madras.

I was a permanent L.T. Assistant in the Tanjore
District Board from 16--1--30 to 14--7--'44 inclusive. I was
transferred to the Madura District Board with effect from
15--7--'44. This was approved by the D.P.I. in his proceedings
D.Dis.No.2890/44 dated 18--8--'44 sent to the Mathurai District
Board. (Vide Copy attached-Annexure 1). Thus I have put in
about 15 years' service in the Tanjore District and more than
5 years' service in the Madura District.

The D.P.I.'s order cited above (Dis.No.2772/44
dated 25--5--49) declares that I am to be considered junior to
Sri. S.S. Sadasiva Thevar (whose permanent service in the L.T.
Grade in the Madura District Board Service is only from -
20--7--'36) as my transfer was approved only by the Director
and not by the Local Government (vide Copy attached - #

pg info (H) Annexure 2). It also lays down the condition that the -
directions issued in G.O.No.988, Education dated 7--4--'41
govern only cases of transfer of Officers or servants of Local
Boards or Municipal Councils made by the Government themselves
in Public Interest as per the latest decision of the Govern-
ment. May I submit that my transfer was effected so early as ~~in~~
July, '44 and it is only reasonable and just that transfers -
effected only recently may be made to be ~~given~~ governed by it.
Moreover, my transfer to Madura was not brought about by my
request^{or} at my instance. The Local Government wanted to send
Sri. S. Krishnaswamy Iyer to Tiruvarur in the Tanjore District
to give help to the family of Captain S.R.Sarma^{ma} of the I.M.S.
who was then on Active Service in Italy. It may be pointed
out here that Sri. S. Krishnaswamy Iyer was a Science Assistant
working at Melur High School in the Madura District Board -
Service and a close relative of Captain Sarma. The Madura
District Board seems to have asked for a Mathematics or -
Science hand in place of Sri. S. Krishnaswamy Iyer leaving
their service. I was asked by the Tanjore District Board
to state if I was willing to get transferred to Madura District
under the usual conditions of service. (vide copy enclosed -

p-9 info (H) Annexure 3). I gave my formal consent as it was clearly known
and understood by me that my services in the Tanjore District
Board would be taken into account in arriving at my seniority
in the Madura District Board Service. According to para 4

W19 (H) of this G.O.No.988, Education dated 7--4--'41 my service in
the Madura District Board has to be reckoned from the date of
my confirmation in the L.T.Grade in the Tanjore District Board
viz. 16--1--'30 (vide ^{LA} extract of Para 4 of G.O.No.988, Education
dated 7--4--'41 attached - Annexure 4). Sri. S.S.Sadasiva

118 (H) Thevar holds permanent service in the L.T.Grade in the Madura
District Board, only from 20--7--'36. The Director approved
the transfer without laying down any condition as to my -

seniority vis-a-vis the L.T.Assistants in this Board.
pg info (H) (vide Annexure 1). Thus it would be ~~seen~~ seen that my
transfer to the Madura District Board was ⁱⁿ ~~on~~ public interest,
having been desired by the Government of Madras. Therefore
I strongly urge that my service in the Tanjore District Board
i.e. from 16--1--1930 should count for reckoning the length
of my service and computing seniority within the meaning of
Para 4 of G.O.No.988 and as intepre^{ted} by the latest -
decision of the Government for purposes of promotion as Head-
master in this District Board.

pg info (H) The proceedings of the Director cited above
(Dis.No.2772/44) merely states: "Read the letter from the
Divisional Inspector of Schools, Madura (Viz.Rc.No.254 B/49
dated 13--5--49) only and does not mention any communication
from either Board. The Two Boards are vitally concerned in
this matter and it seems as if that neither had been consulted.
Had they been written to and asked to state their views they
would have unhesitatingly and unequivocally declared my -
seniority over Sri. S.S.Sadasiva^{the}var as they have both -
virtually recognised the same by their actions.

I detail below the several actions of the
two Boards which clearly show that they did count my service in
the / Tanjore District Board for computing seniority in the
Madura District Board Service.

(1) The Tanjore District Board sought my
consent for the transfer by offering to observe the directions
laid down in the G.O.No.988, Education dated 7--4--'41. What
is more, all the conditions and preliminaries detailed in the
above G.O. relating to the amount of leave, payment of leave
salary and leave account etc., of Officers and servants who are

transferred from the service of one local body to another have been faithfully carried out and implemented by them and duly recorded in my service Register. This the D.P.I. has doubtless seen and verified as is evident by a perusal of his proceedings quoted in Annexure 2).

(2) The Madura District Board has given me as pay Rs.100/- plus Rs.10/- as personal pay from 15-7-'44, the date of my entry into their service, whereas I was paid only Rs.100/- as pay and Rs.5/- as personal pay in Tanjore. This was in accordance with the conditions of service obtaining then in Madura where no cut in personal pay was in operation. In Tanjore District Board a cut of Rs. 50 % in the personal pay was in force then. If my former service were left out of ~~account~~ account, I should have been given only Rs.65/- per mensem, the initial pay of an L.T. Assistant.

(3) I have been invariably permitted to do the Headmaster's duties both at Melur and Sholavandan, the only two places in this District Board, where I have served so far, during the absence of the permanent incumbents on leave. It is also significant to note that at ~~Sholavandan~~ Sholavandan, where Sri. S.S.Sadasiva Thevar and I were working as Assistants in 1947, I being the seniormost Assistant, was allowed to do the duties of the Headmaster between 24-6-'47 and 7-8-'47 inclusive, in addition to my own duties as Science Assistant and granted both the In-charge allowance of 1/5 of my substantive pay and the Headmaster's allowance by a specific order of the Collector and Special Officer, Madura (Vide Annexure No.5). Thus my seniority over the junior was virtually recognised by this action.

Moreover, I have been granted all the privileges and emoluments that are generally accorded to senior

Assistants in all matters such as drawal of higher pay, grant of advance increment, sanction of leave etc., by the Madura District Board. This I am now drawing the maximum pay of an L.T. in that Grade whereas the junior who is now regarded as my senior is drawing only Rs.115/- per mensem. I am governed by the Fundamental Rules for my leave etc., whereas he is governed by the 1933 leave rules. It seems inconceivable how I am junior to him as regards promotion alone and not in any other particulars. This is the effect of the decision of the D.P.I. which has been communicated to me ^{only} on 8-11-'49. Again, this interpretation of seniority has come at a most critical time viz. when a vacancy for a Headmastership was about to occur on 15th. September, '49 caused by the retirement of the Headmaster at Periakulam. It is really very unfortunate that this question was not taken up and mooted before, or at, or during my transfer, or after my transfer all these five years and more. It may be recalled here that the decision of the D.P.I. was sought only on 13th May, '49. And if all these things are considered in addition to the fact that I went over to the Madura District Board to oblige a Military Employee of the Government of India and through him the Government of Madras, my position becomes all the more highly deplorable and unenviable. It may be asked why I did not seek the advice of the Educational authorities for a clarification of the point. My contention is that it was never a live ^v issue at all, since my entry into the service of this Board and till my junior was actually posted as the Headmaster of the newly opened Devanaga Board Middle School at Chinnalapatti in June, '49. I had to protect against this appointment as my seniority was overlooked and the result of this correspondence was I was furnished with a copy of the D.P.I.'s proceedings referred to above (annexure 2) only on 8-11-'49. So I have taken the earliest opportunity to bring this to the notice of the D.P.I. and the Local Government

for their sympathetic consideration and favourable orders.

I am sure the D.P.I. would have done the right thing by me had he been given a clear, full and detailed account of the especial nature of the circumstances attending my transfer.

Sri. S.S.Sadasiva Thevar has since been appointed as Headmaster in the Board High School at Sholavandan with immediate effect and has ~~assumed~~ assumed charge from the forenoon on 15--11--1949.

Let me with the leave of the D.P.I. and the Local Government set forth in detail some of the effects of the D.P.I.'s decision on me and my future prospects, as they are its inevitable and inescapable consequences.

(I) A Junior with only 13 years' service is declared senior to me with about 20 years' service, for no fault of mine. And as if this were not enough he is posted right over me in the very school where I now serve.

(II) I have lost the immediate chance of becoming a headmaster and hence stand to lose Rs.36/- a month from now onwards. My present pay is Rs.145/- plus Rs.33/- D.A. per month and the pay of a headmaster is Rs.214/- all told.

(III) Again the Madura District Board loses financially an amount of Rs.35/- per month or Rs.420/- per year, being the difference in pay between mine and that of the junior. My present pay is Rs.178/- and his is Rs.143/- inclusive of D.A. Besides being an obvious injustice to me, this is an avoidable waste of public funds.

I fervently appeal to the Director that, in view of the special circumstances in which my transfer was made, he might be pleased to reconsider and revise the order

of seniority already passed by him, and declare me senior to Sri. S.S.Sadasiva Thevar and thus enable the President District Board, Madura to post me as Headmaster in the vacancy that has just been filled and also to fulfil the obligation to which the present President District Board, Madura and his predecessors in Office have already stand committed themselves. If, for any reason or consideration, he thinks that the local Government ~~alone~~ alone should go to my assistance, he might at least be sympathetic enough to strongly recommended my case as a fit one for kind and generous treatment at their hands. I hope that my generous action in going to the succour of Captain Sarma and through him to the Government of Madras would not lead to my victimisation. I earnestly plead that equity demand that I should not be penalised for the simple fault of giving my consent to the transfer.

Board High School,
Sholavandan.
17--11--1949.

Yours faithfully,

T.V. Govindarajulu Naicker

Enclosures: 2

1. Advance copy sent to the Director of Public Instruction, Cathedral Post, Madras.
2. Advance copy sent direct to the Secretary, Government of Madras, Department of Education and Public Health, Chepauk, Madras.
3. Copy sent to the Inspector of Local Boards and Municipalities with reference to para 4 of G.O.988 Education, dated 7-4-41. It is earnestly requested that he be pleased to offer his remarks and recommended the case for kind and sympathetic consideration by the Government of Madras, having regard to the fact that the transfer was effected under exceptional circumstances.
4. Advance copy sent to the President, District Board, Mathurai.

of the original representation,
Stated to have been sent also the proper
Channel may be awaited till 15/11/49

9/11/49
19.11.49

23/11/49

15724

I. Copy of Proceedings of the Director of Public Instruction, Madras, P.Dis.No.2890/44 dated the 18th August, 1944 to the President, Dt.Board, Madura.

Sub: Tanjore and Madura District Boards - Secondary Schools - Sri S.Krishnaswamy Ayyar and Sri T.V.Govindarajulu Naidu, L.T.Assistants - Mutual Transfers - Approved.
Read: Endorsement of the President, District Board, Tanjore No.A-13-9925/44 dated 18th July, 1944. Letter from the President, District Board, Madura, No.A.2.7645/44 dated the 1st August, 1944.

The Director of Public Instruction approved the proposal of the Tanjore District Board to transfer the services of Sri T.V.Govindarajulu Naidu, L.T.Assistant to the Madura District Board and that of the Madura District Board to transfer the services of Sri S.Krishnaswamy Ayyar L.T.Assistant to the Tanjore District Board.

2. The proposal of the District Board, Madura to fix the pay of Sri T.V.Govindarajulu Naidu at Rs.100 plus Rs.10/- personal allowance in the scale of Rs.65-5/2-100 is also approved.

Sd. T. SURANARAYANA,
FOR DIRECTOR OF PUBLIC INSTRUCTION.

/ true copy /

ANNEXURE 2.

Copy of the letter No.Dis.2772/44 dated 25--5--1949 of the Director of Public Instruction, Madras.

Sub: Local Boards Institutions - Mathurai District Board - Secondary Schools - Panel of candidates for appointment as Headmasters of High Schools - Seniority in the L.T.Grade - Orders passed.

Read: Letter from the Divisional Inspector of Schools, Mathurai Rc.No.254-B/49 dated 13-5-1949.

As per the latest decision of the Government, the directions issued in G.O.No.988, Education, dated 7-4-1941 govern only cases of transfer of Officers or servants of local boards or Municipal councils made by the Government themselves (in Public Interest) in exercise of the power vested in them by section 70-A of the Local Boards Act or section 73-A of the Madras District Municipalities Act or the case may be. Since approval for the transfer of services of Sri T.K.Govindarajulu Naidu from the Tanjore District Board to the Madura District Board was accorded only by the Director, Sri. T.K.Govindarajulu Naidu cannot count his service under the Tanjore District Board for purpose of seniority etc. in the Mathurai District Board. Hence Sri Sadasiva Thevar should be considered senior to Sri T.K.Govindarajulu Naidu in the L.T.Grade.

2. The service Books of the two teachers are herewith returned.

Sd.V.K.Krishna Menon.
/ True Copy /for Director of Public Instruction.

Annexure 3.

R-C.No. 9925 A.13 of 44.

Tanjore District Board's Office
Dated 13th June, '44.

To
Sri T.V. Govindarajulu Naidu, B.A.L.T., Assistant,
Board High School, Tirutturaipoondi.

Please report by return post if you are willing to get a transfer as an L.T.Assistant in the Board High School, Melur, Madura District under the usual conditions of service. This is urgent.

(Sd.) A.Alagappan,
for President.

Annexure 4.

Copy of extract from G.O.No.988 L.A.,dated 7th April 1941 - Para 4.

The seniority of an Officer or servant in a category of the establishment of the local body to the service of which he is transferred shall be determined by the date of his confirmation in a post in that category in the establishment of the local body from the service of which he is transferred. Cases of doubt shall be referred to the Inspector of Municipal Councils and Local Boards whose decision shall be final.

Annexure 5.

Proceedings of the Collector and Special Officer, Madura District Board.
Present: Sri Rama Varma Raja, B.A., 7F.16426/47, Dated 7/10/47.

Sub: Establishment - Education - Secondary-combination of Appointments - Board High School, Sholavandan - Charge allowance for the Headmaster ship under F.R.49- Sri T.V.Govindarajulu Naidu, Science L.T. - Sanctioned.

Read:- C.No.289/47 dated 28-8-47 of the Headmaster, Board High School, Sholavandan forwarding the petition dated 28-8-47 of Sri T.V.Govindarajulu Naidu, L.T. Assistant, Board High School, Sholavandan and recommending the charge allowance.

Order:

Sri T.V.Govindarajulu Naidu, who has been discharging the duties (in full) of the Headmaster in addition to his own as Science Assistant is deemed to have held full additional charge of the post of Headmaster from 24-6-47 to 7-8-47, the period of leave of absence on Medical certificate of Sri S.Ramasami Iyer, Headmaster.

He is allowed to draw the charge allowance at the rate of one fifth of his pay permissible for the combination of appointments under F.R.49.

Sd. T.S.Kalyanasundaram,
For Collector & Special Officer,
District Board, Madura.

/ True Copy /

Annexure 6.

Copy of the endorsement made by the President, District Board, Tanjore in the service Register of Sri T.V.Govindarajulu Naidu, consequent on his transfer from the Tanjore District Board to the Madura District Board with effect from 15-7-44.

TANJORE DISTRICT BOARD RESOLUTION No.215 Dated 13-7-44.

" Liability to bear the leave allowance at the rate of Rs.100/- plus Rs.5/- per mensem for the amount of leave at the teacher's credit i.e. one month and nine days as per column 16 and one year, three months and twenty five days as per column 17 of the leave account is accepted.

Sd. V. Nadimuthu Pillai,
President, Tanjore District Board.

/ True Copy /

Establishment - Secondary Education

Appeal - Madurai Dist. Board - Sri T.V. Govindarajulu
Naidu, Asst. Board High School, Sholavandan -
~~Panel of Candidates for appointment as~~
~~Headmaster of High Schools - panel of~~
request for revision of seniority.

From Sri T. V. Govindarajulu Naidu, B.A.L.T., Sholavandan
Dated 17.11.49.

Memo. No. 90221/gz/49-1 Edu. d. 23/12/49

The attention of the President, St. Bd, Maithurai is invited to the petition from Sri T.V. Govindarajulu Naidu, B.A.L.T., Assistant, Board High School, Sholavandan, on the above subject, which is stated to have been sent through the proper channel. He is requested to forward ~~the same~~ it with his remarks.

The President
Dist. Board
Maunaloa.

Copy to me
D.P. 9
22.12.49
22.12.49
22.12.49
22.12.49

Mr. Sris 22776/49 En Ptn

720

Forwarded to the Director of
Public Instruction Madras.

I invite your kind attention to
your Dis no 2772/44 of 25.5.49

wherein it was decided that
Sri S S Sadashiva Thevar B A L T is
senior to Sri T V Govindarajayalai.

N. R. Srinivasan
President of the
M. T. S. S. C.
here
19/12
19.12.49

18

[Faint handwritten text, likely bleed-through from the reverse side of the page]



19
District Board, Mathurai.
Dated 28-1-50

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

Sir,

8079
Sub: Education - Secondary - Mathurai District
Board - Sri ~~T~~ T. V. Govindarajalu Naidu,
assistant, Board High School, Sholavandan
panel of candidates for appointment as
Headmasters - request for revision of seniority
Ref: Government memorandum No. 90221/G.2/49-1
Education dated 23-12-49. *p 13 ante*
...

p 12 ante
The appeal petition of the teacher has been
forwarded to the Director of Public Instruction Madras in this
office N.Dis. 22776/49 dated 31-12-49 as final orders were
passed by him on his previous representation.

R.S. 1/2.

N. R. ... 2/2/50
For President,
District Board, Mathurai.

Copy to Director of Public Instruction, Madras in continua-
tion of this office N.Dis. No. 22776/49 dated 31-12-49 for
favour of transmitting the appeal petition of the teacher
with his remarks.

From

T.V. Govindarajalu Naidu, B.A., L.T.,

Headmaster, The Devangar Board Middle School,
Chinnalapatti. (Dindigul Taluk).

The Secretary to the Government of Madras,
Department Of Education, and Public Health,
Secretariat Buildings, Madras.

Through: (1) The President, District Board, Mathurai.

(2) The Director Of Public Instruction, Cathedral Post,
Madras.

Sir,

Subject: Mathurai District Board- secondary schools- panel of
candidates for appointment as Headmasters of High
schools- seniority in the L.T. cadre- revision and
reconsideration of orders already passed by the D.P.I.
and appointment of appellant as headmaster at Shola-
vandan High School - requested.

Reference: (i) N.Dis 13463/49 dated 24-9-49 of the Collector and
Special Officer, Mathurai District Board, Mathurai.,
(ii) Dis.No. 2772/44 dated 25-5-49 of the D.P.I.
Madras, and (iii) G.O. No. 3419 Education. Dated 8-11-49.

In continuation of my appeal sent up to the Govt. of Madras
in the Education and Public Health Department on 17-11-49, I wish to
draw the kind attention of the President, District Board, Mathurai, the
Director and the Government to the G.O. No. 3419 Education, dated
8-11-49 and communicated to me by the District Educational Officer,
Mathurai only a few days back. The said G.O. can be very appropriately
applied to my case as it has been passed just to govern cases similar
to mine.

The recent appointment to the Headmastership of Sholavandan,
namely the postings of Sri S.S. Sadasiva Thevar, a junior to me by 6½
years ~~in service~~ and one whose present L.T. salary would be Rs110/-
only, were he not promoted as Headmaster, as has been clearly pointed out
in my appeal submitted on 17-11-49 to the Govt. from Sholavandan,
was made only on 13-11-49, a few days after the above G.O. was passed.
I am deeply thankful and grateful to the President, District Board,
Mathurai for having added a rider to the above order of appointment
viz. 'without probationary rights'. The above order was passed in
pursuance of the decision of the D.P.I. regarding seniority of L.T.

Assistants in this Board and admitted in his Dis.No. 2772/44 dated

Dated 25-5-49.. Since the above G.O. No. 3419/49 dated 8-11-49 has been communicated to the Local Boards for adoption and implementation, I request the President, District Board, Mathurai to be pleased to promote me as Headmaster of the High School at Sholavandan immediately, giving me the benefit of adding my Tanjore District Board Service as a permanent L.T. from 16-1-30 to 14-7-44 to my Mathurai District Board service from 15-7-44 up to date and declaring me senior to Sri.S.S. Sadasiva Thevar, for his service as a permanent L.T. in this Board is only from 20-7-36. ~~What~~ ^{Whatever} justification the promotion of a junior L.T. to the Headmastership of Sholavandan there might have been at the time of the above appointment i.e., in Nov.'49. that no longer exists, in view of the G.O. No.3419 which affirms in Para 2, that the rank in seniority of a mutually transferred L.T. in the new Board may not be higher than that of the teacher whose place he takes. ^(Vide copy of G.O. 3419 Revenue attached) My predecessor's service in the Mathurai District Board dates from the month of April, 1928, the time when the Mathurai District Board took over the management of the Periyakulam High School along with the services of a few L.T. Assistants including those of Sri.S.Krishnaswami Iyer, my predecessor in this Board. Applying the provisions of the above G.O. to my case I should be allowed to count my entire Tanjore service from 16-1-30, since my predecessor's service in this Board is from April 1928. Thus I become ipso facto senior to Sri. S.S.S.. Thevar and become eligible for immediate promotion as Headmaster of a High School, caused by the retirement of Sri. T.S. Ramanatha Iyer, Headmaster, Periyakulam with effect from 15-9-49. The President may now safely and without any hesitation whatsoever make the appointment, even as he made the appointment in the case of Sri. Thevar on the strength of the D.P.I.'s decision in Nov.'49, adding a rider to the order if at all necessary-"without probationary rights" on the authority of the G.O. 3419 of 8-11-49, pending the final disposal of my appeal now with the Government. I venture to suggest to the President that this is the most logical and only course for him to adopt if he were anxious to observe the spirit of the new G.O. and render justice to a senior L.T. Assistant of the Board who has been deprived of the chance of promotion as Headmaster of a High School for no fault of his. Again, this procedure would save the Mathurai District Board a loss of more than Rs 40/- a month (the difference between my present pay of Rs 145 plus 35-D.A. and that of the Junior-Rs 110 plus 27 as an L.T. Assistant now promoted as Headmaster of a high School.

I fervently appeal to the Director Of Public Instruction and the local Government to expedite the disposal of my appeal sent to them through the proper channel so early as 17-11-49. May I be permitted to point out that the delay caused in giving a decision causes me much mental worry besides making me lose financially about Rs ~~25/-~~ 25/- per month.. Already I have lost about Rs 75/-, for a period of more than three months since the submission of my appeal on 17-11-49.

Yours faithfully,

Chinnalapatti (Dindigul Taluk),
4.3.1950.

T.V. Govindarajulu Naidu,
4.3.1950.

1. Advance copy sent direct to the Secretary, Department of Education, Government of Madras to avoid delay in transmitting through the proper channel and for favour of early disposal of the appeal petition sent on 17-11-49 and for kindly issuing immediate instructions to the President, District Board, Mathurai to order my promotion as Headmaster of the High School at Sholavandan as per the directions contained in G.O. 3419 dated 8-11-49, pending the receipt of final orders from the Government on my appeal which is now under their active consideration.

2. Advance copy sent to the Director of Public Instruction to save delay in transmission through the proper channel and for favour of strongly recommending my case to the Local Government as a fit case for sympathetic consideration at their hands, having regard to the G.O. 3419 dated 8-11-49.

Copy of G.O. No. 3419, dated 8-11-49.

Subject: Establishment-schools under Local Bodies-transfer of teachers from one local body to another-fixation of pay, seniority and increment-orders passed.

ORDER.

Para 2. Local Bodies are informed that teachers mutually transferred should not be treated as new entrants under the Local Body to which they are transferred and that their past service under the old Local body should be counted for purposes of pay and increments under the new Local Body. As regards fixation of seniority under the new Local Body, the teacher may be allowed a rank not higher than the teacher whose place he takes.

(True copy).

Handwritten notes in Tamil script, including "சென்னை" (Chennai) and "பி.பி.டி" (P.P.D.).

971

90221/82/49

27
E & P. H
E2
Establishment - Secondary Education - Katturam Dt. Bd. -
Sri. T. V. Govindarajulu Naidu, Asst. Bd. High School,
Sholavandan - Panel of Candidates for appointment
as Headmasters of High Schools - request for
revision of Seniority.

p17cf

From Sri. T. V. Govindarajulu Naidu, B.A.L.T. Sholavandan
dated 17-11-49.

p13cf

Memo. No. 90221/82/49-1 Edu d 23-12-49
From the D. P. I. Re. 48 82/50 d 11-1-50.

p15cf

~~Handwritten text, possibly "D.P.I. is invited"~~

Memo. No. Edu. d.
The attention of the D. P. I. is invited
to the references cited and he is requested to
offer his specific remarks on the petition
from Sri. T. V. Govindarajulu Naidu, Asst. Bd. High
School, Sholavandan.

To the D. P. I.
(Copy of petition)
kept below
Additional copy

19-1-50
19.1.50

A copy of the D.P.I.'s order dated
25/1/50 reported by the D.P.I. on
page 17 of 1 is at page 9 of 1.

28 The appeal is against his order of the D.T.D.
My recollection is that the order was dated
18/8/44 extracted on 19/4/50 was come
in pursuance of a direction come from
the Secretariat. The index of 1944 may be
looked into.

20/1/50

Go No 590 Encl 18/4/44 is not the correct go.

M. have A teacher by name Sri Krishnaswami Iyer (if I remember right)
the collections transferred from the Madam Dt Bd to the District Dt Bd
& the petition Sri Govindarajulu Naidu was sent from the
District Dt Bd to the Madam Dt Bd. My recollection is
that the papers were received in 1944. That go
should be traced & put up. This case appears to be
parallel to that of the headmaster of the Chinnai
High School transferred to the Guntur Dt Bd. Service. Near
Mg.

27/1/50

90221/F/49

Edu CF)

U6
6/0

Establishment - Secondary Education - Malthurai Dt Bd
Sri T.V. Govindarajulu Naidu, Asst. Bd. High School,
Sholavandan, panel of Candidates for
appointment as Headmasters - request for revision
of Seniority.

p 17 cl From Sri T.V. Govindarajulu Naidu, B.A.L.T., Sholavandan letter d 17.11.49

p 17 cl From the P.D.B. Malthurai No. 2276/49 d. 31.12.49.

p 15 cl - From the D.P.L. Re. 48 eg. 50. d 11.1.50.

p 21-25 cl. From Sri T.V. Govindarajulu Naidu, B.A.L.T., Sholavandan d 4/3/50

DP
5/4

Memo. No. 90221/F/49-2

Edu d. 6/4/50.

p 21-25 cl The attention of the D.P.L. is invited
to the further petition from Sri T.V. Govindarajulu
Naidu, Asst. Board High School, Sholavandan cited
dated 4th March 1950
last on the above subject, which is stated to
have been sent also the proper channel. He

P.T.O.

30
 is requested to forward it, if he has received it from the P.D.B. Mathurai. He is requested to offer specific remarks on the requests of the petitioner. A copy of the petitioner's representation dated 17-11-49 is forwarded to the Director for reference and return.
 Note: After receipt of the reply from the P.D.B. the file will be noted in.
 5-4-50
 3/4/50

No

T.V. Govindarajalu Naidu, B.A., L.T.,
 Headmaster, The Devangar Board Middle School,
 Palapatti. (Dindigul Taluk).



The Secretary to the Government of Madras,
 Department Of Education, ~~Public Health~~,
 Secretariat Buildings, Madras.

(Same as at H-21-25 ante)

Through: (1) The President, District Board, Mathurai.
 (2) The Director Of Public Instruction, Cathedral Post, Madras.

Sir,

Subject: Mathurai District Board- secondary schools- panel of candidates for appointment as Headmasters of High Schools- seniority in the L.T. cadre- revision and reconsideration of orders already passed by the D.P.I. and - appointment of appellant as headmaster at Sholavandan High School - requested.
 Reference: (i) N.Dis 13468/49 dated 24-9-49 of the Collector and Special Officer, Mathurai District Board, Mathurai., (ii) Dis. No. 2772/44 dated 25-5-49 of the D.P.I. Madras, and (iii) G.O. No. 3419 Education Dated 8-11-49

873
 293/50

In continuation of my appeal sent up to the Govt. of Madras in the Education and Public Health Department on 17-11-49 I wish to draw the kind attention of the President District Board, Mathurai, the Director and the Government to the G.O. No. 3419 Education, dated 8-11-49 and communicated to me by the District Educational Officer, Mathurai only a few days back. The said G.O. can be very appropriately applied to my case as it has been passed just to govern cases similar to mine.

The recent appointment to the Headmastership of Sholavandan namely the postings of Sri, S.S. Sadasiva Thevar, a junior to me by 61 years ~~in service~~ and one whose present L.T. salary would be Rs110/- only, were he not promoted as Headmaster, as has been clearly pointed in my appeal submitted on 17-11-49 to the Govt. from Sholavandan, was made only on 13-11-49 a few days after the above G.O. was passed. I am deeply thankful and grateful to the President, District Board, Mathurai for having added a rider to the above order of appointment viz. 'without probationary rights'. The above order was passed in pursuance of the decision of the D.P.I. regarding seniority of L.T. Assistants in this Board and adumbrated in his Dis. No. 2772/44 dated

Dated 25-5-49.. Since the above G.O. No. 3419/49 dated 8-11-49 has been communicated to the Local Boards for adoption and implementation, I request the President District Board, Mathurai to be pleased to promote me as Headmaster of the High School at Sholavandan immediately giving me the benefit of adding my Tanjore District Board Service as a permanent L.T. from 16-1-30 to 14-7-44 to my Mathurai District Board service from 15-7-44 up to date and declaring me senior to Sri.S.S. Sadasiva Thevar for his service as a permanent L.T. in this Board is only from 20-7-36. Whatever justification the promotion of a junior L.T. to the Headmastership of Sholavandan there might have been at the time of the above appointment i.e., in Nov. '49, that no longer exists in view of the G.O. No.3419, which affirms in Para 2 that the rank in seniority of a mutually transferred L.T. in the new Board may not be higher than that of the teacher whose place he takes. (Vide copy of G.O. 3419 herewith attached) My predecessor's service in the Mathurai District Board dates from the month of April, 1928, the time when the Mathurai District Board took over the management of the Periyakulam High School along with the services of a few L.T. Assistants including those of Sri.S.Krishnaswami Iyer, my predecessor in this Board. Applying the provisions of the above G.O. to my case I should be allowed to count my entire Tanjore service from 16-1-30, since my predecessor's service in this Board is from April, 1928. Thus I become ipso facto senior to Sri. S.S.S.. Thevar and become eligible for immediate promotion as Headmaster of a High School, caused by the retirement of Sri. T.S. Ramanatha Iyer, Headmaster, Periyakulam with effect from 15-2-49. The President may now safely and without any hesitation whatsoever make the appointment even as he made the appointment in the case of Sri Thevar on the strength of the D.P.I's decision in Nov. '49, adding a rider to the order if at all necessary-"without probationary rights" on the authority of the G.O. 3419 of 8-11-49, pending the final disposal of my appeal now with the Government. I venture to suggest to the President that this is the most logical and only course for him to adopt if he were anxious to observe the spirit of the new G.O. and render justice to a senior L.T. Assistant of the Board who has been deprived of the chance of promotion as Headmaster of a High School for no fault of his. Again, this procedure would save the Mathurai District Board a loss of more than Rs 40/- a month (the difference between my present pay of Rs 145 plus 35-D.A. and that of the Junior-M110 plus 27 as an L.T. Assistant now promoted as Headmaster of a high School.

I fervently appeal to the Director Of Public Instruction and the Local Government to expedite the disposal of my appeal sent to them through the proper channel so early as 17-11-49. May I be permitted to point out that the delay caused in giving a decision causes me much mental worry besides making me lose financially about Rs 25/- 25/- per month.. Already I have lost about Rs 75/-, for a period of more than three months since the submission of my appeal on 17-11-49.

Chinnalappatt (Arid, qil Taluk),
H. 3-1957.

Yours faithfully,
P.V. Samidavigala Naidu.

1. Advance copy sent direct to the Secretary, Department of Education, Government of Madras to avoid delay in transmitting through the proper channel and for favour of early disposal of the appeal petition sent on 17-11-49 and for kindly issuing immediate instructions to the President, District Board, Mathurai to order my promotion as Headmaster of the High School at Sholavandan as per the directions contained in G.O. 3419 dated 8-11-49, pending the receipt of final orders from the Government on my appeal which is now under their active consideration.

2. Advance copy sent to the Director of Public Instruction to save delay in transmission through the proper channel and for favour of strongly recommending my case to the Local Government as a fit case for sympathetic consideration at their hands, having regard to the G.O. 3419 dated 8-11-49.

Copy of G.O. No. 3419, dated 8-11-49.

Subject: Establishment-schools under Local Bodies-transfer of teachers from one local body to another-fixation of pay, seniority and increment-orders passed.

ORDER.

Para 2. Local Bodies are informed that teachers mutually transferred should not be treated as new entrants under the Local Body to which they are transferred and that their past service under the old Local body should be counted for purposes of pay and increments under the new Local Body. As regards fixation of seniority under the new Local Body, the teacher may be allowed a rank not higher than the teacher whose place he takes.

(True copy)

**The Devangar Board Middle School,
CHENNALAPATTI**

Submitted to the President, District Board, Mathurai for favour of necessary action and for kindly forwarding the appeal to the Director of Public Instruction, Madras and the Govt. of Madras early for with a request for a speedy disposal of the original appeal submitted on 17.11.49 from Sholavandan High School.

**T.V. Govindarajulu Nathan,
HEADMASTER. 5.3.50**

Roc.No.E.16.293/50

Mathurai District Board Office,
Dated 14/4/1950.

Forwarded to the Secretary to the Government, Education Department, Madras in continuation of the original appeal forwarded to the Director of Public Instruction, Madras in this office N.Dis.No.22776/49 dated 31-12-1949.

2. In deciding the seniority between Sri T.V. Govindarajulu Naidu and Sri S.S. Sadasiva Thevar there was difference of opinion between the Divisional Inspector of schools and the Special Officer, Mathurai District Board. Kind reference is solicited to the D.O. letter of the Divisional Inspector of schools, dated 6-5-49 and the reply D.O. letter dated 8-5-49 of the Personal Assistant to the Special Officer, Mathurai District Board. (Copies enclosed). It was established in the above reference that the appellant was decidedly senior to Sri S.S. Sadasiva Thevar. Thereupon the Divisional Inspector referred the matter to the Director of Public Instruction as required by rules and in his proceedings Dis. No.2772/44 dated 25-5-49, the Director decided that Sri S.S. Sadasiva Thevar was senior. (Copy enclosed). Accordingly, Sri S.S. Sadasiva Thevar has been appointed as Headmaster on a temporary basis, consequent on the retirement vacancy in V.M. Board High school, Periakulam.

3. Moreover, the latest decision of the Government issued in G.O.No.3419, Education, dated 8-11-49 regarding fixation of seniority is also favourable to the appellant. He was transferred in the place of Sri S. Krishnaswamy Iyer who entered service in Mathurai District Board on 1-10-1929, whereas Sri S.S. Sadasiva Thevar started his service on a temporary basis only on 1-9-1930.

4. I request the favour of early orders of the Government on the appeal.

N. Ramanathan
President,
District Board, Mathurai.

g.v.s. 11/4/

Copy to the Director of Public Instruction, Madras.

Edm (F)

The further remarks of the P.D.B., Mathurai above may be perused. A copy of it has also been sent to the P.P.I. Presumably the P.P.I. will take these remarks also into consideration before submitting a reply to Govt. memo on pages 29-30 ante. The P.P.I.'s reply may be awaited. till 1.5.50.

21/4/50
24/4/50

Copy of Confidential D.O. dated 6-5-49 from Sri P.N.Chamu Nair, Divisional Inspector of schools, Mathurai Division, Mathurai to the Personal Assistant to the Collector and Special Officer, Mathurai District Board, Mathurai.

Sub: PANEL OF NAMES FOR POSTS OF HEADMASTERS UNDER DISTRICT BOARD, Mathurai for 1949-50.
Ref: Your D.O. dated 5-5-49 to the Dt. Edl. Officer, Mathurai.

In deciding the seniority between Sri T.V. Govindarajalu Naidu and Sri S.S. Sadasiva Thevar, I request you to let me know whether you have considered the fact that Mr. Naidu joined the Dt. Board, Mathurai much later than Mr. Sadasiva Thevar by transfer from the Dt. Board, Tanjore. A copy of Govt. Memorandum No. 38698-A-3- Education, dated 4-1-39 containing the decision of Govt. in such cases is enclosed for your information. You may now state as to who is senior.

(True Copy)

Proceedings of the Director of Public Instruction, Madras.
Dis.No. 1272/39 dated 11-3-1939.
Subject.

Elementary Education - Transfer of teachers from one local body to another - Reference from the Commissioner, Municipal Council, Ellore regarding their rank - Orders passed.

READ--the following:

Govt. Memorandum No. 38698-A-3, Edn., dated 4th January 1939.

Read--the following:

Letter from the Commissioner, Ellore Municipality, Rc.No. 1211/37 dated the 2nd September 1938.
Endt. of the Examiner of Local Fund Accounts, L.F.No. 6381, dated the 17th December 1938.

The Commissioner, Ellore Municipality is informed that the presumption in paragraph 2 of his letter read above is correct.
C.H. Masterman,
Secretary to Government.

(True Copy)

Copy of letter from the Commissioner, Ellore Municipality, Rc.No. 1211-G-1-37 dated 2nd September 1938.

Establishment - Elementary Education - Ellore Municipality - Mutual transfers - G.Panakala Rao and D.Sivaramayya.

I beg to submit that in this Municipality, there are cases where teachers in the Municipal elementary schools have sought transfers to District Board Elementary schools, by the mutual transfer of teachers in the same cadre from the latter schools, and such mutual transfers are given effect to Rule 13 of the Establishment Rules published in the G.O.No.L.S.G., dated 2nd June 1936 speaks that the amount of leave and leave allowances for which the transferring local body - accepts, liability should be fixed before-hand and nothing is mentioned about the credit of the previous service put in by the servant under the former local body. There is no rule permitting such a procedure and it does not appear to be permissible, except when the transfer is one made by the Government under section 73-A(i) of the Municipal Act.

2. It appears in all such cases that the rank of such a servant taken into the service of the Municipal council from the service of another local body will be that of a permanent servant or probationary servant according as he was a permanent or a probationary servant under the local body. He would not be entitled to take credit of his previous service under the former local body, as such a procedure is not contemplated in any rules. PTO

Also such a procedure is likely to affect adversely the rank of the remaining persons in the cadre. His service counts only from the date of joining duty under the Municipal Council and he will be subject to all the vicissitudes of Rule 17 of the ~~Establishment rules~~ ~~probationary rules~~ Establishment rules. If he was a probationer at the time of his transfer, he would be a probationer here. But he will have to complete the period of probation contemplated in rule 7 of the Establishment rules commencing from the date of entertainment. If he was a permanent servant, he might just be treated as a permanent servant, but he will be the junior-most of all the permanent servants in the cadre. If per-chance he is discharged under Rule 17 of the rules he will have to take his chance with other servants discharged prior to him and awaiting appointment, when the question of re-appointment under Rule 21 comes up.

3. I request for a kind ruling whether my presumption in paragraph 2 above is correct.

=====

Communicated with a copy of letter of the Commissioner read in the Memorandum.

D.S.Reddi,
for Director of Public Instruction.

(True Copy)

Copy of Confidential D.O. dated 8th May 1949 from the Personal Assistant to the Special Officer, District Board, Mathurai to Sri P.N. Chamu Nair, B.A.L.T., Divisional Inspector of schools, Mathurai.

Sub: Panel of names for posts of Headmasters under the Mathurai District Board for 1949-50.

Ref: Your D.O. dated 6-5-49.

=====

Sri T.V. Govindarajulu Naidu did not come from the Tanjore District Board to serve this District Board on his own seeking. His transfer to this District Board was brought about after obtaining his consent in order to facilitate the transfer of one S. Krishna-samy Ayyar, an L.T. Assistant under this District Board whom the Government wanted to be sent to Tiruvarur in the Tanjore District so as to be of help to the family of an I.M.S. Officer who was then on active service in Italy. The Director of Public Instruction approved of the transfer without laying down any condition with regard to the seniority of Sri T.V. Govindarajulu Naidu, vis-a-vis the L.T. Assistant in the service of this District Board.

Equity therefore demands that he should not be mulcted on account of his transfer to this District to which he only expressed his willingness.

Besides, Government Memo No. 38698-A-3, Education, dated 4-1-39 is only an expression of opinion on a specific reference made to the Government by the Municipal Commissioner, Ellore. This memo does not appear to have been communicated to all local bodies. On the other hand para 4 of G.O. No. 988, L.A., dated 7-4-41 clearly states that "The Seniority of an officer or servant in a category of the Establishment of the local body to the Service of which he is transferred shall be determined by the date of his confirmation in a post in that Category in the Establishment of the local body from the service of which he is transferred." Applying this principle it will be seen that Sri T.V. Govindarajulu Naidu who was appointed in a "Substantive and permanent" capacity with effect from 16-1-30 by the Tanjore District Board is decidedly senior to Sri S.S. Sadasiva Thegar who started his service under this District Board on a temporary basis only on 1-9-30.

Further more, under paragraph 5 of G.O. No. 5062, L & M., dated 23-11-34 also, extract of which was already sent to the District Educational Officer, Sri T.V. Govindarajulu Naidu is senior to Sri S.S. Sadasiva Thegar.

This office file R. No. 7265/44 dated 20-8-44 relating to the transfer of the service of Sri T.V. Govindarajulu Naidu to this District Board and the service books of both the L.T. Assistants are sent herewith for perusal and return.

(TRUE COPY)

Copy of Dis.No.2772/44 dated 25-5-49 from the Director of Public Instruction, Madras.

Sub: Local Boards Institutions - Mathurai District Board - Secondary schools - Panel of candidates for appointment as Headmasters of High schools - Seniority in the L.T. Grade - Orders passed.
Read: Letter from the Divisional Inspector of schools, Mathurai Re.254-B-49 dated 13-5-1949.

=====
As per the latest decision of the Government, the directions issued in G.O.No.988, Education, dated 7-4-1941 govern only cases of transfer of officers or servants of local boards or Municipal Councils made by the Government themselves (in Public Interest) in exercise of the powers vested in them by section 70-A of the Local Boards Act or Section 73-A of the Madras District Municipalities Act or the case may be. Since approval for the transfer of services of Sri T.K.Govindarajulu Naidu from the Tanjore District Board to the ~~Madra~~ Madura District Board was accorded only by the Director, Sri T.K. Govindarajulu Naidu cannot count his service under the Tanjore District Board for purpose of seniority etc. in the Mathurai District Board. Hence Sri Sadasiva Thevar should be considered senior to Sri T.K. Govindarajulu Naidu in the L.T. Grade.

2. The service books of the two teachers are herewith returned.

V.K. Krishna Menon,
for Director of Public Instruction
(TRUE COPY)

From

T.V. Govindararajulu Naidu, B.A.
Headmaster, The Devangar Board ^{Middle} High School,
Chinnalapatti. (Dindigul Taluk)

To

The Secretary To the Government of Madras,
Department Of Education,
Secretariat Buildings, Fort St. George,
M A D R A S.

Through

- i The President,
Madurai District Board, Tallakulam, P.O.
& The Director of Public Instruction, Madras.

Sir,

Subject: Sec. Education = Madurai Dist. Board = panel of candidates =
for appointment as Headmasters of High Schools - request
for revision of seniority on orders passed by the D.P.I.
Madras - appointment of appellant as Headmaster of High School - requested.

Reference: i D.P.I.'s Dis No. 2772 of '44 dated 25-5-'49.
ii. N. Dis 13483/49 dated 24-9-49 of the Collector and
Special Officer, Madurai District Board.
iii. G.O. No. 988 L.A. Dated 7-4-41.
iv. G.O. No. 3419/49 dated 8-11-49.
v. My appeal dated 17-11-'49 and reminder sent on 5-3-'50

I beg leave to draw the kind and immediate attention of the Govt.

of Madras in the Education Department and the D.P.I. Madras to my appeal
dated 17-11-'49 sent through the President, District Board, Madura. It
was for deciding the question of my seniority in the L.T. Cadre in the
Madura District Board service vis-à-vis the L.T. Assts. in the Board.
Consequent on the decision of the D.P.I. namely Dis 2772/44 dated 25-5-
'49, I have been declared junior to Sri. S.S. Sadasiva Thevar and hence
not promoted as Headmaster of the High School at Sholavandan in Sept. '49.
I therefore preferred an appeal to the Govt. of Madras in the Education
Department against the above decision of the D.P.I. Thus far, I have
not received any reply, either from the Government or from the D.P.I.,
Madras.

The present position is this: A junior to me ^{with} only 13 years' service is promoted as Headmaster of a High School from 11-11-'49 and allowed to draw the Headmaster's scale of pay ie. Rs 150 plus 35 D.A. plus 28 H.M.'s allowance in preference to me with 20 years' experience for no fault of mine. I am posted as Headmaster of ^a Middle School on ^{the} L.T.'s pay of Rs 145 plus 35 plus 10 only. The promotion of the Junior was made only on 11-11-'49, three days after the passing of the G.O. No. 3419 dated 8-11-'49 and in contravention of its specific provisions.

If the existing arrangements were to continue, the following would be the inevitable results: i. I would be continuing to lose Rs 24/- per mensem. - ~~the~~ difference between my present pay of Rs 190/- all told and that of the headmaster of a High School namely Rs 214/-, inclusive of all emoluments.

ii. The District Board would be losing Rs 47/- the difference between my present pay of Rs 190/- all told and that of the junior as an L.T. with a pay of Rs 115 plus 20 plus 8 i.e. Rs 143/-. This amount the District would be saving by promoting me now as Headmaster of a High School.

iii. It is only advantageous to the Junior for he draws Rs 14/- instead of Rs 143/- a difference of Rs 71/- p.m. i.e. about 1¹/₂ times his present pay.

And all this against Para 4 of G.O. No. 988 dated 7-4-'41 and also contradictory to the spirit of G.O. No. 3419 dated 8-11-'49. Equity, fairness and Justice demand that I should be declared senior to Sri.S.S.Sadasiva Thevar and posted to the permanent vacancy at Sholavandan immediately.

Above all, I wish to draw the especial and kind attention of the Local Govt. and the D.P.I. to an important event. A vacancy for a Headmaster's post in the Madura Dis. Board service is to occur in July or August, '50 on Sri.V.Jambunatha Iyer, Headmaster, Board High School, Uthamapalayam in the Madura Board Service attaining the age of superannuation. Should the delay in passing an order in my favour be allowed to drag on till that time, I will have no advantage over the junior, for he too would get posted as Headmaster of a High School even after being declared junior to me, and the whole trouble taken by me all these months would be in vain. Thus it would be seen that an emergent order on my original petition, is urgently called for.

I, therefore, pray that the Govt. be pleased to ^{come to} reach a decision quickly and cause the order reach the Madura District Board early for its immediate implementation and thus avoid the contingency pointed out above.

Yours faithfully,

J.V. Govindarajulu Nayudu

10.5.50.

✓ Advance copy sent to the Secretary, Govt. Of Madras, Dept. of Education to save delay in transmission through the proper channel and to expedite early disposal.
Copy submitted direct to the Director Of Public Instruction for favour of information and necessary action at an early date.

Edu (CP)

49

28

90221/F/49

Establishment - Secondary Education - Kallurai
Dist. Board - Sri T.V. Govindarajulu Naidu, Asst. Bd
High School, Sholavandan, panel of Candidates for
appointment as Headmasters - request for revision
Semicrody.

15/7/50

4/5/50

90221/F/49

The D.P.I.

Memo. No. 90221/F/49-2. Edu.d. 6.4.50.

Memo. No. 90221/F/49-3. Edu.d. 15/5/50.

The D.P.I. is requested to
expedite his reply to the memo
Cited on the above subject.

11/5/50
11/5/50

13530

Re. No. 48-G/50.

Office of the
Director of Public Instruction,
Madras, Dt. 24-5-1950.

From
The Director of Public Instruction,
MADRAS.

To
The Secretary to Government,
Education Department,
MADRAS.



District Board, Mathurai - Secondary
Schools - Petition of Sri T.V. Govindarajulu
Naidu, L.T., Assistant for revision of
seniority in the L.T. Assistant's Cadre.

Ref: Government Memorandum No. 90221/G/49-2,
Edn., dated 6th April 1950.

The points raised in the petitions of Sri T.V. Govinda
Rajulu Naidu dated 17-11-1949 and 4-3-50 have been exami-
ned and the following remarks are submitted.

The teacher's transfer from District Board, Tanjore
to District Board, Mathurai took place in the year 1944
and his contention that the decision of Government in
another case in Memorandum No. 98433/G3/48-2 Edn., dated
23rd February 1949 that the provisions of G.O. No. 988
Edn., dated 7-4-1941, which will confer upon the teachers
the right of counting their services in the previous local
body for purposes of seniority in the new local body,
govern only cases of transfers made by Government them-
selves in exercise of the powers vested in them by the
Municipal and Local Board Act and not in other cases,
should not be applied in his case seems to be correct as
it does not seem to be the intention of Government that
the parties transferred should lose their rights and
privileges.

This apart, a reference to the correspondence leading
to the issue of D.O. No. 22935B/44-4 Edn., dt. 19-7-44
also goes to show that the transfer of the petitioner from
District Board, Tanjore to District Board, Madurai was
consequent to the transfer of Sri S. Krishnaswami Ayer
from Madurai to Tanjore District Board brought about as
a result of the representation of Capt. S.R. Sarma, I.A.M.C.
then in active service in the Middle East. Thus there
seems to be no objection to the transfers in question being
deemed to have been ordered by Government themselves in the
public interest and allowing the appeal of Sri T.V.G.
Naidu for seniority over Sri S.S.S. Thevar.

With reference to the point raised by the appellant
in his subsequent petition dated 4-3-50, it is submitted
that even otherwise with the issue of G.O. No. 3419 Edn.,
dated 8-11-1949 the previous decision of Government
referred to should be treated as cancelled.

The enclosures are herewith returned.

Yours faithfully,

S. S. Pantanah
27/5
For DIRECTOR OF PUBLIC INSTRU-
TION

30/5/50
L.O. order
obtained
till 14.6.50
Subd-166/50
Retd-226/50
1-17
only

19-20/5/50
J
H

page 53
[copy enclosed]

21-25/5/50
D

27/5/50
20/5

Government of Madras.
Education & P.H. Department

D.O.No. 22935-B.
44-4-Edn.

Fort St. George,
Dated the 19th July 1944.

Dear Captain Sarma,

Your letter of the 23rd April 1944 addressed to
Mr. Austin.

I am to say that it has been arranged to transfer
Sri S. Krishnaswami Ayyar, Assistant teacher, Board High
School, Melur, Madura District, to a Board High School in
the Tanjore District.

Yours sincerely,
M.V. Subramanian,
Secretary to Government.

To
Captain S.R. Sarma, I.M.S., No.2, Ind. Mob. C.C.S., C.M.F.

Copy to the Director of Public Instruction,
Inspector of Municipal Councils and Local Boards,
with reference to Government Memo. No. 22935/B-1,
dated the 18th May 1944.

Forwarded/By order

sd/ x x x x x
Superintendent.

/ TRUE COPY /

S. O. Paulsen
For Director of Public Instruction

53
7

55

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS
R.C.NO.48-G.1/50 Dated 6--6--1950.
RCE

S u b j e c t:

Establishment - Secondary Education -Mathurai District Board -
Sri T.V. Govindararajulu Naidu, Assistant, Board High School,
Sholavandan - Request for revision of seniority.

REMA:-



From Sri T.V.Govindararajulu Naidu, Headmaster, The Devan-
gar Board Middle School, Chinnalapatti letter dated 10-5-50

h 51
and

SUBMITTED to the Secretary to Government, Education
Department, Madras in continuation of this Office letter No.R.C.
48-G.1/50 dated 24-5-1950.

D. O. P. S. S. S. S. S.
for DIRECTOR OF PUBLIC INSTRUCTION.

To
The Secretary to Government,
Education Department,
Madras.

RVR 7/6/50
7/6 9/6

From

T.V. Govindarajulu Naidu, B.A., L.T.,
Headmaster, The Devangar Board High School,
Chinnalapatti. (Dindigul Taluk).

To

The Secretary To the Government of Madras,
Department Of Education,
Secretariat Buildings, Fort St. George,
M A D R A S.

Through

i The President,
Madurai District Board, Tallakulam, O. MADRAS
& ii The Director of Public Instruction, Madras.

Sir,

Subject: Sec. Education = Madurai Dist. Board = panel of candidates*
for appointment as Headmasters of High Schools - request
for revision of seniority on orders passed by the D.P.I.
Madras - appointment of appellant as Headmaster of High School - requested.

Reference: i D.P.I.'s Dis No. 2772 of '44 dated 25-5-'49.
ii. N. Dis 13463/49 dated 24-9-'49 of the Collector and
Special Officer, Madurai District Board.
iii. G.O. No. 988 L.A. Dated 7-4-'41.
iv. G.O. No. 3419/49 dated 8-11-'49.
v. My appeal dated 17-11-'49 and reminder sent on 5-3-'50

I beg leave to draw the kind and immediate attention of the Govt.
of Madras in the Education Department and the D.P.I., Madras to my appeal
dated 17-11-'49 sent through the President, District Board, Madura. It
was for deciding the question of my seniority in the L.T. Cadre in the
Madura District Board service vis-à-vis the L.T. Assts. in the Board.
Consequent on the decision of the D.P.I. namely Dis. 2772/49 dated 25-5-
'49, I have been declared junior to Sri S.S. Sadasiva Thevar and hence
not promoted as Headmaster of the High School at Sholavandan in Sept. '49.
I therefore preferred an appeal to the Govt. of Madras in the Education
Department against the above decision of the D.P.I. Thus far, I have
not received any reply, either from the Government or from the D.P.I.,
Madras.

The present position is this: A junior to me with only 13 years' service is promoted as Headmaster of a High School from 11-11-'49 and allowed to draw the Headmaster's scale of pay i.e. Rs 150 plus 35 D.A. plus 29 H.M.'s allowance, in preference to me with 20 years' experience, for no fault of mine. I am posted as Headmaster of Middle School on an L.T.'s pay of Rs 145 plus 35 plus 10 only. The promotion of the Junior was made only on 11-11-'49, three days after the passing of the G.O. No. 3419 dated 8-11-'49, and in contravention of its specific provisions.

The Devangar Board High School,

Chinnalapatti 10.5.50

12994



If the existing arrangements were to continue, the following would be the inevitable results: i. I would be continuing to lose Rs 24/- per mensem. - ^{the} ~~the~~ difference between my present pay of Rs 190/- all told and that of the headmaster of a High School namely Rs 214/-, inclusive of all emoluments.

ii. The District Board would be losing Rs 47/-, the difference between my present pay of Rs 190/- all told and that of the junior as an L.T. with a pay of Rs 115 plus 20 plus 8 i.e. Rs 143/-. This amount the District would be saving by promoting me ~~now~~ as Headmaster of a High School.

iii. It is only advantageous to the Junior for he draws Rs 214/- instead of Rs 143/-- a difference of Rs 71 /- p.m.i.e. about ^{1 1/2} times his present pay.

And all this against Para 4 of G.O. No. 988 dated 7-4-'41 and also contradictory to the spirit of G.O. No. 3419 dated 8-11-'49. Equity, fairness and Justice demand that I should be declared senior to Sri.S.S.Sadasiva Thevar and posted to the permanent vacancy at Sholavandan immediately.

Above all, I wish to draw the especial and kind attention of the Local Govt. and the D.P.I. to an important event. A vacancy for a Headmaster's post in the Madura Dis^t Board service is to occur in July or August, '50 on Sri.V.Jambunatha Iyer, Headmaster, Board High School, Uthamapalayam ^{now} in the Madura Board Service attaining the age of superannuation. Should the delay in passing an order in my favour be allowed to drag on till that time, I will have no advantage over the junior, for he too would get posted as Headmaster of a High School, even after being declared junior to me and the whole trouble taken by me all these months would be in vain. Thus it would be seen that an emergent order on my original petition is urgently called for.

I, therefore, pray that the Govt. be pleased to ^{come to} ~~reach~~ a decision quickly and cause the order reach the Madura District Board early for its immediate implementation and thus avoid the contingency pointed out above.

Yours faithfully,

P.V. Govindanajulu Naidu
10-5-'50

Advance copy sent to the Secretary, Govt. Of Madras, Dept. of Education to save delay in transmission through the proper channel and to expedite early disposal.
Copy submitted direct to the Director Of Public Instruction for favour of information and necessary action at an early date.

60
C. 1636 G1/50
~~1066 G1/50~~

E.16.No. 293/50 & 22.5.50

Forwarded to the Secretary
to the Government, Education
Department, Madras through
the Director of Public Instruction
Madras in continuation of this
office endorsement R.O.C. No.

E.16.293/50 dated 14.4.50.

N. K. M. N. N.
President 22/5/50
District Board, Mathurai

413
22.5.50.
22/5/50

Submitted to the President,
District Board, Madhurai for
immediate transmission to the
Govt. of Madras through the D.P.I.,
Madras with a request for its
speedy disposal.

The President is further
requested to make out a strong
recommendation for favorable
orders at the hands of the Govt.
of Madras and strong recom-
mendation by the D.P.I., Madras,
having regard to the recent G.O.
No 3419/49 dated 8.11.49 which
is entirely in favour of the
appellant and for its early
transmission to the President
for its immediate implementation
by the latter.

M. Govindarajulu Naidu
Secretary
The Devanar Board Middle School,
CHINNAPATTI
C. N. di'gale Taluk

Edn. Deptt. (F) 61

Establishment - Dt. Board, Mathurai - Sri T.V.
Govindarajulu Naidu, Science Assistant, Board
High School, Sholavandan - Petition for the
revision of seniority in the L.T. Assistants'
Cadre - Orders passed.

Ref: From Sri T.V. Govindarajulu Naidu, Science
Assistant, Board High School, Sholavandan,
Mathurai Dt. dated 17-11-1949, 4-3-50 and
10-5-1950.

From the P.D.B. Mathurai, No. 22776/49 d/
31-12-49, Roc.No. E.16-293/50 dated 14-4-50
and E 16-No.293/50 dated 22-5-1950

From the D.P.I. Rc. 48 G1/50 dated 11.1-50,
24-5-1950 and 6-6-50.

ORDER: No. 2123 Edn. d/ 28/5/50.

The attention of the President District
Board, Mathurai is invited to G.O.No. 3419 Edn. dated
8-11-49. In view of the orders, Sri T.V. Govindaraju
Naidu, Science Assistant, Board High School, Sholavan-
dan should be declared as senior to Sri S.S.Sadasiva

2. The petitioner is referred to the
P.D.B. Mathurai for orders on his petition.

To
The P.D.B. Mathurai,
The D.P.I.
The Examiner of L.F.Accts.Thevar.
The Petitioner (para 2
only)

(Sc)

24
26/5

26.7.50.

From Sri T.V. Govindarajulu Naidu, Science Assistant,
Board High School, Sholavandan, Mathurai Dt. d/17-11-49,
4-3-1950 and 10-5-50.

From the P.D.B. Mathurai N.Dis.22776/49 d-31-12-1949,
Roc.No.E.16-293/50 d/14-4-50 and E.16-No.293/50
dated 22-5-1950.

From the D.P.I. Rc.48.G1/50 dated 11-1-1950, 24-5-50
and 6-6-1950.

**

ESTT.- Dt.Board, Mathurai - Sri T.V. Govindarajulu
Naidu, Science Assist. Board High School, Sholavanda
Petition for the revision of seniority in the L.T.
Assistants' Cadre.

The papers in the C.F. relate to the representa-
tion of Sri T.V. Govindarajulu Naidu, Science Assistant,
Bd. High School, Sholavandan against the orders of the
D.P.I. N.Dis.2772/44 d/ 25-5-1949 declaring him as junior
to Sri S.S. Sadasiva Thevar, another L.T. Assistant under
the Dt. Board, Mathurai. Sri Naidu, permanent L.T. Assistant
in the service of the Dt. Board, ^{Tanjore was transferred to the Mathurai} with effect from 15-7-1949.
He put in a total service of about 15 years under the
Tanjore Dt. Board before his transfer to the Dt. Board,
Mathurai. In his proceedings referred to above, the D.I.
declared the petitioner as junior to Sri S.S. Sadasiva
Thevar on the ground that the previous service of the
petitioner could not be taken into account for pur-
poses of seniority with reference to G.O. No. 988 L.A. d/
7-4-1941. The petitioner now represents that his trans-
fer to the Dt. Board, Mathurai was effected not at his request
but in the interests of public service by the Govt. and
he therefore requests that he should be declared as senior
to Sri Thevar. Attention is invited to the remarks of
the P.D.B. Mathurai and the D.P.I. on pp 37 and 51 of
respectively.

G.O. No. 988 L.A. d/ 7-4-1941 lays down that in
cases of transfer of officers or servants of local boards
or M.C. Councils made by the Govt. themselves in the
interests of public service, the seniority of an officer
or servant in a category of the establishment of the

H1-7, 21-25 & H
45-47 cf.

H1-7, 37 & 60 cf.

H15, 51 & 55 cf.

17 on 19 cf.

11 cf.

19 cf.

11 of (H)

M1-7 cf.

11 of (H)

Para 4 on 11 of

(H)

local body to the service of which he is transferred shall be determined by the date of his confirmation in a post in that category in the establishment of the local body from the service of which he is transferred. The transfer of the petitioner to the Dt. Board, Mathurai was effected consequent on the transfer of one, Sri S. Krishnaswamy Iyer from the Mathurai Dt. Board to the Dt. Board, Tanjore as a result of the representation of Captain S.R. Sarma I.A.M.C. then in active service in the Middle East. Attention is invited to the copy of the D.O. dated 19-7-1944 from Govt. to Captain Sarma on page 53 cf. The transfer of Sri T.V. Govindarajulu Naidu to the Dt. Board, Mathurai can therefore be construed as having been made in the interests of public service. It is also submitted that the question of seniority in cases of mutual transfers of teachers working in schools under local bodies was examined recently and that orders were issued in G.O. 3419 Edn. dated 8-11-1949 directing that teachers mutually transferred should not be treated as new entrants under the local body to which they are transferred and that the teacher should be allowed a rank not higher than the teacher whose place he takes. It is seen that Sri Krishnaswamy Iyer whose place the petitioner has taken was confirmed in April 1928 whereas the date of confirmation of the petitioner and Sri Thevar were 16-1-1930 and 20-7-1936 respectively, ~~the above~~ Even applying the above orders to the case under reference, the petitioner's claim for seniority seems justified as Sri Thevar is Junior to Krishnaswamy Ayyar. In the circumstances, it is for orders whether the petitioner may be declared senior to Sri S.S. Sadasiva Thevar.

L.A. may see for remarks in the first instance



28/6/50
L.A. no. 26510-50-1-1
4-7-50

The proposal referred to at 'x' above may be agreed to and the file returned to Edn. no.

37.50 Edn.

The petitioner, who is an Assistant in a D.B. High School in the Madras has preferred a claim for Seniority over another Assistant in the D.B. Service who has been declared to be Senior to the petitioner under a mistaken impression. He was formerly in the Service of the Tanjore District Board & was transferred to the Service of the Madras D.B. Under the orders in G.O. 3419 Edn. dated 8-11-49, Teachers mutually transferred as in this case, should be allowed to count their past Service for pay & increments and should be allowed a rank in their Seniority list equal to that of the Teacher whose place is taken by either. The draft order below is intended to ~~transfer~~ put the position with regard to the petitioner's Seniority in the Madras D.B. Service on a correct basis.

The draft is for aff.
26.7.50
28.7.50

