Sectt. II-27—104,006—4-11-49.

①

Edn (1950) Department.

Closed B

Ms SERIES.

G.O. NO. 2295 Edn

Dated 16. 8. 50

42

[Despatch Abstract.]

A

நகதாமலும், சாதாரணத் தொழிலாளியாகி நான் [illegible] ரா வேலைத் தொடர்ந்து வருகிறேன். இக்காலத்தில் உ[illegible]ள சூழ்நிலையில் என்கஷ்டத்தை தங்களைப்போன்ற அநுபவம் தெரிந்த அரசியல்வாதிகள் நன்கு உணரக்கூடும். ஒரு வருஷ சர்வீசுக்கு 15 நாள் சம்பளம் கொடுக்கும், சம்பளத்துடன் 22 நாள் பண்டிகைநாள் லீவு களும், 15 நாள் சம்பளத்துடன் சாதாரண லீவும் அநுபவிச்சேர்ந்து கொண்டு பத்து நாள் பாக்டரி சட்டப்படி லீவும் (LRRECUBERATIVLIVE) 1946ல் இருந்து கொடுக்கப்பட்டு வருகிறது. இந்த லீவும் P.W.D. ஒர்க்ஷாப்பில் கொடுக்கிறார்கள். இதர சர்க்கார் ஸ்தாபனங்களிலும் இதே சலுகைகள் கொடுக்கிறார்கள். எங்கள் காலேஜ் ஒர்க்ஷாப்பில் P.W.D தொழிற்சாலைமுறையையே ஆரம்பத்திலிருந்து கடைப்பற்றி வருகிறார்கள். அப்படிச் செய்வதாகவே எங்களுக்கு வாக்குறுதியும் கொடுக்கப்பட்டுள்ளது.

தொழிலாளர் கவலையும் நெருக்கடியான நிலைமையும் முன்னிட்டு நான் தங்களை பேட்டிக்கண்டேன். காலேஜ் பிரின்சிபால் எனக்கும் தங்களிடம் வந்த மற்ற மூன்று தொழிலாளர்களுக்கும் இப்போது கொடுத்துள்ள எச்சரிக்கை நோட்டீஸும் நாங்கள் கொடுத்துள்ள பதிலாக்கையும் இத்துடன் அனுப்பியுள்ளேன். அவைகளிலிருந்து தாங்கள் பிரின்சிபாலின் மனப்பான்மையும் எங்கள் நிலைமையும் தாங்கள் ஒருவாறு உணர்ந்துக்கொள்ளக்கூடும். நாங்கள் நியாயத்தைக் கேட்டதற்கும் எங்களை பயமுறுத்தி இருக்கிறார்களாகையால் தாங்கள் எங்கள் குறைகளை நீக்கவும் ஜீவாதாரமான உரிமைகளை பாதுகாக்கவும் துரிதமாய் நடவடிக்கைகள் எடுக்கக்கொள்ளும் படி கேட்டுக் கொள்கிறேன்.

இப்படிக்கு
தங்கள் தாழ்மையுள்ள
P தங்கவேலு [illegible]
காரியதரிசி
கிண்டி இஞ்சினியரிங் காலேஜ்
தொழிலாளர் சங்கம்
9-5-1949 கிண்டி
மதராஸ்

40092
Dev.
E&P.H. u.o.-
24-5-49
Dev. u.o. 53570. PI/49-1
24-5-49

Grievances of the Govt. Engineering College Workers Union regarding daily wages monthly wages and leave. etc.,

ASST. SECRETARY
EDUCATION AND PUBLIC

(TRUE COPY)

College of Engineering, Guindy.
Madras 15: Dated 4.5.1949

③

Memo

It is brought to the notice of the undersigned that you along with 3 other workmen of the College workshop approached the premier on 24.4.49 to represent some alleged grievences for which you have not taken permission of Principal. As a daily paid workmen of the College you are under orders of the Senior Workshop Instructor who is acting according to direction of the Principal as the administrative head of the institutions. Whatever grievence there may be, you should have first represented the same to the Principal for investigation. But without proper sanction. You are hereby required to show cause why disciplinary action should not be taken against you for your gross neglect of duty and indifference behaviour towards superiors. The reply should be submitted before 10.5.49 through the Senior Workshop Instructor.

You have seen this? PV

(Sd) P. Dorai Babu.
for. Principal

Copy: To
Mr. P. Thangavelu. Welder.
Mr. Ellappan, Fitter.
" . Arkrisswamy. Carty
" . Sabapathy Naicker."

ஒர்க்ஷாப் துரை அவர்களின் ஸமூகம்
[illegible] பால் அவர்களுக்கு

④

தங்களுடைய 4/5/49 மெமோவிற்கு. கீழ்கண்ட சமாதானம் கொடுக்க வேண்டியிருக்கிறது.

நான் காலேஜ் ஒர்க்ஷாப்பில் ஒரு தொழிலாளி. சட்டப்படி பதிவு செய்யப்பட்டு சர்க்காரோடும், இதர உத்தியோகஸ்தர்களோடும், சென்ற 15வது வருஷத்திற்கு மேலாய் விவகாரங்களை ஒழுங்காக நடத்திவரும் சங்கத்தின் அங்கத்தினன். சங்க நிர்வாகம் தொழிலாளர்களின் குறைகள் தீர்க்கப்படுவதற்கான சலுகைகள் ஆலோசனையில் இருப்பதாயும் சங்கத்திற்கு சர்க்கார் தெரிவித்திருக்கிறார்கள். கஷ்டங்கள் எதுவாகிலும் அவசியமான போது சங்கத்தின் சார்பாக கல்வி மந்திரியையும் பிரதமரையும் டைரக்டரையும் சங்கத்திலிருந்து பிரதிநிதிகளாயும் பேட்டிகாண்பது வழக்கம். எக்காலத்திலும் யாரும் எந்தவித ஆட்சேபணையும் இதற்கு எடுப்பது கிடையாது. தங்களுக்கும் இவ்விஷயம் ஏற்கனவே தெரிந்தது. நாங்கள் பிரதிநிதிகளாக பத்து பேரும் சர்க்காரோடும் சங்கத்திற்கும் இடையில் கஷ்டம் போக்க வழிதேடி நடந்து இருக்கிறது. சர்க்கார், சங்கத்திற்கு எதுவித கஷ்டங்கள் வந்தால் தங்களுக்கும் தெரியப்படுத்திக் கொடுக்கும்படி அனுப்பவைத்திருக்கிறார்கள் என்று நான் சங்கநிர்வாகியாய் அல்லாமல் வேறு நான் ஒரு தொழிலாளி தங்க அங்கத்தினன் என்ற முறையில் சங்கத்தின் சார்பாக சில வேலைகள், என் தொழிலுக்கு பாதகம் ஏற்படாமலிருக்க செய்வதற்கு எனக்கு சட்டப்படியும் ஒழுங்காகவும் வழக்கத்தின்படியும் உரிமையுண்டு. நான் சங்கத்தின் சார்பாக ஒருவராகத்தான் பிரதமர் சங்க காரியதரிசியுடன் தொழிலாளர் ஒருவருடன் பத்திரிகையாளருடன் சென்றது உண்மை. நிர்வகிக்கப்படாததால் தொழிலாளர்களின் நியாயமான குறைகளை அரசாங்கத்துக்கு எடுத்துக்கூறவே பிரதமர் அனுதாபத்துடன் குறைகளைக் கேட்டு அவைகளை விரைவாக ஏதும் சங்கத்தின் சார்பாகக் கொடுக்கப்படும் என்றார். அப்படியே சங்கத்தின் சார்பாக [illegible] கொடுத்து சட்டப்படி பத்திரிகைக்கும் அனுப்பப்பட்டிருக்கிறது. அவர் அனுதாபத்துடன் [illegible] நிர்வகிப்பதாயும் பத்திரிகைக்கு அவசியம் இருக்காதென்றும் அறிவித்தார். இதுதான் நடந்தது. நீங்கள் கேட்டுக்கொண்டது இதுதான். நான் என் வேலைக்கு ~~[illegible]~~ [illegible] தவறினதாகவும் ஒழுங்கீனமாய் நடந்துகொண்டதாயும் நினைத்து தாங்கள் மெமோ எனக்கு அனுப்பியதால் என்னை சொல்லி இருப்பது சட்டத்திற்கும் சர்க்கார் கொள்கைக்கும், தொழிலாளர் அமைப்பை தொழிற்சங்கமாக்கவும் நிர்வாகத்துக்கும் விரோதம் என்பதை பணிவுடன் தெரிவித்துக்கொள்கிறேன். நான் எந்த ஒழுங்கீனமும், கடமைத் தவறுதலும் செய்யவில்லை. எந்தவித தண்டனைக்கும் உட்படவேண்டியதில்லை. இவ்விஷயம் சம்பந்தமாக தாங்கள் மெமோவின் நகலையும் இந்த சமாதானத்தையும் எங்கள் சங்கத் தலைவர் P.R.K. சர்மா, B.A. M.L.C அவர்கள் ஆலோசனைக்கு அனுப்பிவைத்திருக்கிறேன்.

இப்படிக்கு
[illegible]
ஆர். எல்லப்பன் [illegible]
R. Ellappan.

To

The Principal,
College of Engineering,
Guindy.

p3 ante

Sir,

Your memo dated 4-5-49 has come up-on me with a shock and as a great surprise. I have not committed any act of indiscipline. I am not guilty of any neglect of duty or misbehaviour towards my superiors as alleged in your memo. The charges are astounding, baseless and misleading. I respectfully protest against the substance, spirit and form of the memo and hope you will see your way to have the same withdrawn in the interests of truth, justice and the policy of the Government towards workers' organisations and workers who are their members and officers.

I am the elected Secretary of the Government Engineering College Workers' Union. The Union is about 15 years old and registered under the Indian Trade Union Act. The Union has been dealing with the Government, the Ministers in charge of the Department, the Director of Public Instruction and your predecessors all along in regard to matters connected with the workers of the College. Besides correspondence, interviews and deputations have taken place on important matters. So far no one thought it proper nor necessary to raise the amazing issues raised in your memo. As is customary myself and four other members of the Union met the Hon. Premier on behalf of the Union and represented to him some of the workers' grievances after felicitating him and assuring him of the whole-hearted support and cooperation of the workers. He gave us a sympathetic hearing and wanted us to give him a memorandum on the points. Accordingly I have submitted to him in person a memorandum on 24-4-49. He was good enough to say that his Government would look into the grievances and try to help the workers who need not worry themselves with adjudications and such other statutory proceedings. This is all what happened and it is surprising that you should characterise exercise of legitimate and constitutional rights recognised by the Government as misbehaviour, indiscipline and neglect of duty and threaten me and the other workers with diciplinary action.

P

In view of the seriousness of the matter and your similar attitude previeusly, we have consulted Sri P.R.K.Sarma, M.L.C., President of the Union and furnished him with copies of your memo and also this explanation. We are industrial workers of skilled categories and members of a registered Trade Union affiliated to the Indian National Trade Union Congress recognised by the Government of India and the Provincial Government.

K

Guindy,
9-5-1949.

Yours obediently,
P. Thangavelu
Secretary
Govt Engineering college workers
Union Guindy

Copy to P.R.K.Sarma esq.,
President,
Govt.Engineering College Workers Union,
Guindy.

College of Engineering. Guindy.
Madras 15: Dated. 19.1.1949.

Memo

⑥ p11 infra

Ref:. His letter dated 15.1.1949.

Thangavelu, Secretary, Worker's Union of the College workshop must stop writing such letters.

2. He is warned that if he interferes with the proper conduct and maintenance of discipline, his services will be dispensed with.

3 Thangavelu is see the Principal with the Senior Workshop Instructor.

(Sd) P. Dorai Babu
For Principal

To
Thangavelu through S.W.I.

(TRUE COPY)

(True Copy)

15th January 1949

From

The Secretary,
Government Engineering College Worker's union,
Guindy, Saidapet. P.O.,
Madras.

To

The Principal,
College of Engineering
Guindy.

Sir, I, the secretary, Engineering College Worker's Unions humbly supplicate to you on behalf of the workmen to bring to your notice by the following incidences that proper justice is not maintained in penalising the workmen in the Workshop.

On 14.7.47, we informed S.W.9. about the theft of pipes in the workshop, and in May 1948 the news regarding the loss of small lathechucks was brought to the notice of S.W.9. No action was taken about the former incidence and in the latter case, though the culprit was caught red handed and handed over to S.W.9 proper action was not taken against him. As such, it is not amply justifiable to suspend a fitter - Ramanujam - merely because his voice was bit more audible, nor is it ~~responsible~~ reasonable to amerce a fitter - Ellappan for discussing with a student regarding an exhibition model, causing a permanent 'Blackmark' to be present in his service book. Hence I appeal to your honour earnestly, on behalf of these workmen, and request you to kindly sanction the wages to Ramanujam which was due to him on 4.10.48, which he was debarred from the privilege of getting due to the suspension, and also to cancel the fine of 0.8-0 which was unduly imposed on Ellappan.

Awaiting a favourable consideration.

I beg to remain,
Sir,
yours faithfully
P. Thangavelu
Secretary

Govt Engineering College Worker's Union.

13

(8)

E.PH(A)

Endorsement No. 40092-1/49A Edn dated 30-5-49.

A

(K) Referred to the Director of Public Instruction for remarks.

(By Order)

DIRECTOR OF PUBLIC INSTRUCTION
1 JUN 1949
MADRAS

Re
26.5.49

J. B. Allen
Asst. Secy. to Govt.

To the Director of Public Instruction. M 29/5/49.
(with pp 1-13 c.f. in orgl.
to be returned with reply)

A/

Rc. No. 603 A4/49 OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION
Madras. dated 20--6-49

Read:- Endorsement No. 400921/49-A Edn. dated 30--5--49. p13 ante

****

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC

Resubmitted.

2. The case is one of reconciling the petitioner's representative capacity as the Secretary of the Union with his duties and obligations to the Principal whose subordinate he is.

48258

3. I consider that as the subject of Sri. Thangavelu's representation pertains to the position of workmen in the college, he should have submitted the memorial through the proper channel. Much hangs on the question whether the Workmen are considered as Government servants or not. I consider that even if the provisions of Government Servants' Conduct Rules do not apply to them, they are nevertheless, bound as Government servants to be amenable to discipline. Government cannot allow Sri. Thangavelu's capacity as Secretary of the Union to override his obligations as a servant of theirs.

4. If Government agree with my view as stated in para 3 above, the question of further action may be decided on the lines of para 3 of the Principal's letter which is enclosed. I am of the view that disciplinary action is called for in this case.

p15 ante

5. The question of replacing the daily wages system by monthly pay system is under correspondence with the Principal. On receipt of full particulars, the proposal will be examined and submitted to Government.

for DIRECTOR OF PUBLIC INSTRUCTION

To

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

K.M.R' 21--6--

A 19 ⑪ 19 A

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

EDUCATION DEPARTMENT.

From	To
The Director of Public Instruction, M A D R A S.	The Secretary to Government, Education and Public Health Department.

62176

R.C.No.603-A4/49 dated 11th August 1949.

Sir,

Sub:- College of Engineering, Guindy-Daily paid workmen-Maintenance of discipline.

Ref:- Endorsement No.400921/49-A Edn. dated 30-5-49.

***

Kindly let me know whether Government have passed any orders on my reference quoted above.

Yours faithfully,

For Director of Public Instruction.

KVS/12/8

Am 12/8 9/8/8

40092/49

Edn and P. H. Dept

38/22/8

Telephone Message by Post

From

The Asst Secy to Govt, Edn & P. H. Dept

[illegible] 22/8

To The Joint D. P. I.

Discipline - Eng. college, Guindy -
Workshop - Daily paid workmen
Ref D. P. I's Endt No: 603 A4/49
dt 20-6-49.

Please say whether the Eng college workers union has been recognised by Govt. If so the number and date of the Go

22

in which such recognition was given may be quoted.

17/8/49.

19/8/49.

GO No 1263 Edn
25.4.49 [illegible] on 17/10/49.
AS

A 23

(13)

ASST. SECRETARY TO GOVERNMENT
9 OCT 1949
EDUCATION AND PUBLIC HEALTH DEPT.

Post Copy of Telephonic Message No.603 A4/49 dated 6,10.1949.

From the Director of Public Instruction, Madras.

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

Sub: Discipline - Engineering College, Guindy Workshop - Daily paid workers.

Ref: Your Post Copy of T.M. dated 19-8-1949.

77872

The Engineering College Workers' Union is registered under the Indian Trade Union Act 1926; its registration number being 442. The Union Office is located at No.3, Thanikachala Chetty Road, Tyagarayanagar.

for Director of Public Instruction.

KHR.7 10.

7/10

24

C.F. 304.

~~25~~

OFFICE OF THE

Date 194 . 8 - OCT 1949

Hours Minutes

77363

TELEPHONIC MESSAGE.

⑭

From	To
The D. P. I.	The Asst. Secy. to Govt.

~~[illegible]~~ T. M. No. 603 A4/49 dt. 6.10.49.

Discipline engineering college Guindy Workshop - Daily paid workmen.

Ref. Your P.C. g T.M dt. 19.8.49.

The Engineering College workers union is registered under the Indian Trade Union Act 1926 and it's registeration no. being 442. The union office is deputed ~~[illegible]~~ at No. 8 Thanikachala chetti road, Thyagaraja Nagar.

[Please write on both sides.

24/7/10

2/c

2 C.F. 304a.

---

(15) 27 E.P.H.(A)

✓

17/11.

RK

22/11

T.M. by Govt. No. 40092-2/49A Edn. dated 16-11-49.

To
The D.P.I.

Sub: Engg. college Workshop employees' union, Guindy – Disciplinary action against
Ref: Your No. 603 A4/49 d. 20.6.49.

The Secy., Engg. college Workshop employees' union, Guindy, ~~states~~ has stated in his letter d. 9.5.49 to the Principal that they were only exercising their legitimate and constitutional rights recognised by the Govt. in representing their grievances to the H.P.V. Please say whether this statement is correct

P.T.O.

28

and, if not, please explain ~~how it is not~~ the correct position ~~correct~~.

14-11-49

14/11/49.

15/11/49

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(16) 29 E.P.H.(A)

Memo. No. 40092-3/49 A Edn. dated 28-12-49.

Sub:: Engg. College workshop employees' union Disciplinary action against

Ref: T.M. by post. No. 40092-2/49 A Edn. d. 16-11-49

27-28c.

2/29/12

The D.P.I. is requested to expedite its reply to the T.M. cited.

28.12.49.

28/12/49

To the D.P.I.

30

E.P.H. (A)

~~T.M. Voy Post No. dated 12-49.~~

~~To~~

~~The D.P.I.~~

~~Sub: Presidency college, Madras - Rajah Sir Annamalai Chettiar Endowment fund.~~

p/c. ~~~~from the D.P.I.~~ Forgn. No. 2797-E3/49 d. 9.12.49.~~

~~Please quote the number and date ~~of the~~ with which ~~noti~~ and the numbers of the pages of the F.S.G. Gazette on which the II notification issued with G.O. No. 323 Edn. dated 25-2-42 was published.~~

(J)/15-16

~~28.12.49.~~

31

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(17)

C.F. 32 (a).

EDUCATION Department

From (Name)

Designation The Director of Public Instruction,

Station Madras.

Received .... Registered ....

To

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

Enclosures :

Rc.No. 603-A4/49 dated 9--1--1950.

GOVT. SECRETARIAT
11 JAN 1950
EDUCATION
2584/p29

Sir,

Sub: Discipline - Engineering College, Guindy - Workshop Employees' Union - Action against.
Ref: Govt. Memo. 40092-3/49 A. Edn., dated 28-12-49.

A report from the Principal, Engineering College, Guindy in the matter is still awaited and as soon as it is received a reply will be submitted. The Principal has also been reminded in the matter.

E.P.H. (A)
N.R. on 16.2.50.

11-1-50.

12/1/50

Yours faithfully,

For Director of Public Instruction.

vs. 9.1.
9.1.

A.

Rc 603 A4/49

Office of the
Director of Public Instruction
Madras. 25-1-1950

(18)

E.P.H.-(A)

N.R. on 2.3.50.

From

The Director of Public Instruction,
Madras.

6
31-1-50.

1/2/50

09 JAN 1950

To

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

AST

Sir,

6910

Sub:- Discipline - Engineering College, Guindy - Workshop Employee's Union - Action against -

Ref:- Government Memo.40092-3/49 A Education dated 28-12-1949.

p 29 ante

p 35 infra

I have the honour to submit herewith a copy of the letter Rc 101 SK/49 dated 10-1-50 from the Principal, College of Engineering, Guindy and to report that the correct position will be intimated to Government on receipt of a final reply from the Principal.

Yours faithfully,

For Director of Public Instruction

MSR 25/1

28/1/50

2.8.1

Copy of letter from the Principal, College of Engineering Guindy addressed to the Director of Public Instruction, Madras Rc 101 SK/49 dated ~~10-1-49.~~ 10-1-'50

(19)

Sir,

Ref:- Reminder dated 5-1-50 on proceedings
Rc 603 A4/49 dated 27-11-49.

The Commissioner of Labour was requested in this office letter Rc No. 101 SK/49 dated 20-12-49 to furnish an extract ~~thxx~~ of the Indian Trade Union Act containing the legitimate and constitutional right of the Union as recognised by the Government, as the same is not available in the college. I have reminded him and on its receipt I shall submit my reply.

~~Record in file.~~

/True Copy/

For Director of Public Instruction

26/1/50.

38

An extract of the above recommendation [illegible]
placed in the ~~c.f.~~ file for ~~further action~~ communication to the D.P.I. and for his further remarks. After a decision is taken in the ~~c.f.~~ file, the Govt. of India may perhaps be addressed for grants as suggested at ¶ above.

For orders.

9/3

18/3/50

PTO

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39

(81)

Education Department.

Edn. (G)

From

The Director of Public Instruction,
Madras.

N.R. on 25.4.50.

To

The Secretary to the Government of Madras,
Education Department, Fort St.George,Madras.

24.3.50

25.3.50

ASSISTANT SECRETARY
24 MAR 1950
4269
EDUCATION DEPARTMENT

R.C.No.603-A4/49 dated 22nd March 1950.

Sir,

Engineering College,Guindy - workshop employees -
Disciplinary action against.
Reference:-Government Memo.No.40092-4/49 G dated 23.3.50.

p 37 ante

The Principal, Engineering College, Guindy has informed that he has referred the matter to the Commissioner of Labour, Madras for clarification of certain points. As soon as the report is submitted by the Principal, I will inform Government of the correct position.

Yours faithfully,

For Director of Public Instruction.

Copy to the Principal, Engineering College, Guindy for furnishing the final report promised in his telephonic message dated 27.2.1950.

ks.22.3.

22.3

36

(20) 37 Edn. (G).

Memo. No. 40092-4/49 G dated 13-3-50.

Sub: Engg. college, Guindy - Workshop employees Disciplinary action against.

Ref: From the D.P.I. No. 603 Ay/49 d. 25-1-50

The D.P.I. is requested to expedite the further report promised in his letter cited.

11.3.50.

13/3/50

6 / 14 / ½ 3.33 c.g.

15/3/50

To The D.P.I.

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G 41

22

EDUCATION DEPARTMENT.

From
The Director of Public Instruction,

Madras.

To
The Secretary to Government,
Education Department,
Madras.

Rc.603-A4/49, dated 17-4-50.

Sir,

SUB: ENGINEERING COLLEGE, GUINDY - Workshop Employee's Union - Disciplinary action Against.

REF: Your T.M.No.40092-2/49-A, Education, dated 16-11-49.

p27-28 ante

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ASSISTANT SECRETARY
20 APR 1950
EDUCATION DEPT.

7880

p43-47 infra

p49-57 infra

I submit herewith a copy of the letter Roc.No.101-SK/49, dated 2-4-50 from the Principal, College of Engineering, Guindy together with its enclosures explaining in detail how the contention of the Secretary of the College Workshop Employees' Union that he exercised the legitimate and constitutional rights recognised by Government is untenable. I strongly recommend for approval by Government the suggestions contained in paras 4, 5 and 6 of the Principal's letter.

p45-47 infra

p17 ante

A correct decision depends on whether Government are willing to accept the position as outlined in para 3 of my endorsement Rc.No.603-A4/49, dated 20-6-49. If the Government are not agreeable to considering these persons as Government employees in any sense of the term, then of course in appealing to the Hon'ble Chief Minister direct they were "exercising their legitimate and constitutional rights".

Yours faithfully,

For Director of Public Instruction.

18/4

Edn. (G)

Some G.O.s. required for this file have been called for from the M.R.O. This may lie over till 5.5.50.

28.4.50.

29.4.50

1/5/50

sn.17.4.

18/4.

Show in selection list

Shown.

Copy of letter Roc.No.101-SK/49, dated 2-4-50 from the Principal, College of Engineering, Guindy to the Director of Public Instruction, Madras.

Ref: Your post copy of T.M.Rc.No.603-A4/49, dated 27-11-49 and Your letter dated 22-3-50.

Sub: Disciplinary action against workshop employees- College Workshop.

---oOo---

p49 infra The Commissioner of Labour, Madras has informed me in his letter B-2-6133/50, dated 6-3-50 (copy enclosed) (enclosure I) that there is no provision in the Indian Trade Unions Act 1926 and the Regulations therein now in force, regarding the rights and obligations of recognised trade unions. He (W) has also sent me copies of G.Os Nos. 1820, dated 20-8-1934 and Ms.No.1160, Public (General Services) dated 30-6-1938 relating to rules framed by Government 11-5-46 for the recognition of associations of their employees - industrial as well as others. p51-55 infra Copies of these G.Os are also enclosed for ready reference (Enclosure II and III). Thus the contention of the Secretary of the College Workshop employees Union that he exercised the legitimate and constitutional rights recognised by the Government seems to be without any foundation.

2.In this connection, the following points are worth consideration:-

(i) The Commissioner of Labour, Madras intimated in his letter No.B.2.21252/49, p55 infra dated 9.9.49 (copy enclosed - enclosure IV) that the College Workers' Union was registered under the Indian Trade Union Act 1926 on 5.8.46 with its Office at No.3., Thanikachala Chetty Road, T.Nagar. As per para 3 (iv) of (W) G.O.No.1820, Law, dated 20-8-34 and instruction No.7 of part A of G.O.No. p53 infra Ms.1160, Public (General Services) dated 30-6-38 the association of industrial 11-5-46 employees and association of Government employees should submit to Government copy at p51-55 infra copies of their rules, their annual accounts and the list of members. It is not known if the College Workmen Employees Union is doing this. There is nothing in the Office records to show that such an association was registered and that it is functioning. No report to this effect has been sent to this office. The association does not seem to be working on proper lines, if at all it is functioning. At the time of enquiry held in the College on 20.4.49 in the presence of the Senior Workshop Instructor, Mr.Thangavelu, the so-called Secretary of the Union was asked to produce the resolution asking him to wait on Hon'ble the Premier and also give a copy of the bye-laws of the Union and its purpose (copy enclosed-enclosure V). p55-57 infra He has not furnished them so far. He stated that a meeting of the workmen was held in the shade of a Tamarind tree and that he was authorised to wait on deputation. This cannot be credited with truth in the absence of recorded evidence, which he has not produced so far.

(ii)Mr.Thangavelu, the so-called secretary of the College Workers' Union seems to be under the impression that in his capacity as Secretary, he can even interfere with the administration and discipline in the Laboratories and Workshops, ignoring his position and status as an employee in this College. Otherwise, there is no meaning in his asking the Principal of this College to cancel the orders imposing a fine on a worker in the College - p57 infra (please see copy of his letter dated 15-1-49 enclosed - enclosure VI) As most of the workmen are not literate, his idea seems to be to create an impression on them that he is all in all here in his capacity as Secretary and that he can even dictate to the Head of the College, who is his employer. He is thus creating ill-discipline among other employees. As the Commissioner of Labour, Madras has rightly pointed out in his letter B.2-45289/49, dated p59 infra 10.1.50 (copy enclosed - enclosure VII), the registration of an Union under the Indian Trade Unions Act, 1926, imposes no legal obligation on the part of the employer to recognise the Union. So, the Principal is not bound to recognise the College Workmen's Union and exonerate its Secretary for his insubordination and defiance of authority of his employer.

(24) CC3

(W)

(iii) Para 3 (vi) of G.O.No.1820, Law, dated 20-8-1934 relating to recognition of association of industrial employees lays down that Government may specify the channel through which representations from recognised associations shall be submitted and the authority by whom deputations may be received. G.O.Ms. 1160 (Public Services) General, dated 30-6-38 relating to association of Government employees furnished by the Commissioner of Labour (copy enclosed) does not also throw any light on this point. It is not known if any rules regarding procedure to be followed in sending memorials etc., have since been issued. Nevertheless, I think that official etiquette and discipline require that though the memorial was not sent through the proper channel, at least the employer and the immediate superior should be given a copy of memorial presented to Government or Minister and they be appraised of what took place at their interview with the higher authority concerned. Mr.Thangavelu the so-called Secretary of the College Workers Association had not cared to inform the Senior Workshop Instructor, his immediate superior and his employer - the Principal - about his deputation to Hon'ble the Prime Minister soon after nor has he given a copy of the memorandum so far. Evidently he was afraid to give a copy of the memorandum to the Principal and much less to submit it through the proper channel as the penultimate paragraph of the memorandum (copy furnished to me for remarks by the Director of Public Instruction) castes aspersions against the Principal in making appointments and promotions among workmen. These aspersions are false and baseless as may kindly be seen from my reply thereto (para 7 of my letter Roc.No.101-Sk/49, dated 22.8.49.)

11-5-ccb
p51-55 infra

not recd

(iv) Mr.Thangavelu states that the Honorary President of the College Workmen's Association is Sri P.R.K.Sarma, B.A., M.L.C to whom a copy of his explanation to my memo dated 4.5.49 was sent. He has not furnished me with a copy of the list of members of the association, its Office bearers and its bye-laws, though asked for as already pointed out in item (i) above. Item 4 of Part (A) of Annexure to G.O.No.Ms.1160, Public Service General, dated 30.6.38 relating to recognition of associations of Government employees stipulates that persons who are not in the active service of Government shall not be office bearers of the association. Again item 9, of the same G.O. states that the association shall not seek the assistance of any political party or organisation to represent the grievances of its members. Such being the case, it may kindly be considered how far it is in order to have, as the Honorary President of the College Workmens' association a gentleman belonging to a political party and who is not a member of the association.

p43 ante
11-5-ccb
p51-55 infra
p53 infra

(v) As there was no record in the Office to show that the College Workers' association was registered under the Indian Trade Unions' Act, Mr.Thangavelu was asked to explain his action in having waited on the Hon'ble the Premier along some other workmen without the knowledge of the Principal. He gave explanation couched in a highly objectionable and defiant language, ignoring his position as an employee in this College. His explanation in original was already submitted to the Director of Public Instruction, Madras. Such a defiant attitude cannot be tolerated in the interests of discipline and efficient working of the Institution. He could have explained the position in a polite language.

p7 ante

3. It may kindly be seen from the foregoing facts that (i) Mr.Thangavelu is bound by the rules of discipline in the College, though he is a Secretary of the Workers' Association; (ii) that he cannot ignore his immediate superior, Senior Workshop Instructor, who is a gazetted officer, and require his employer, Principal, to cancel his orders of punishment imposed on a workman in the interests of discipline and thus interfere with the administration of this College; (iii) that the Principal is not legally bound to recognise the association simply because it was registered under the Indian Trade Unions Act, 1926.

4. For the above reasons, Mr.Thangavelu, the so-called Secretary of the Workers' Association for the objectionable and defiant attitude towards his employer and his intereference in the administration of the workshops and Laboratories, deserves dismissal from service. But I do not propose to recommend

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such a severe punishment for him, as he might have done it due to ignorance of rules and lack of sufficient knowledge in English to understand the seriousness of the language used in his explanation. For the present, he may be required to give a written apology to the Principal for his objectionable explanation dated 30 4.5.49 sent to the Principal and also to give an undertaking to behave better in future. His conduct will be watched for six months and if repetition of any such performance is noticed on his part, severe disciplinary action will be recommended.

The other workers must have been misled by the Secretary and prompted to give such explanations. They should regret for their action and given an undertaking to behave better in future. They may be let off with severe warning, if they give undertaking for their good future behaviour as noted above in the interests of discipline and efficient working of the workshops and several Laboratories in the College.

5. For future guidance, the procedure, the workers' association has to follow in making deputation to Government and Ministers about redressal of their grievances may kindly be intimated, as no rules are available on the subject. I am of opinion that representations to Government may be sent through proper channel or at least a copy of the same may be furnished to the employer for information soon after deputation, if any on the Government or Ministers as per the resolution of the association.

6. In order to regularise the working of the Union, the Secretary may be asked to give true copies of the following for record in this Office:--

1. Letters relating to the Registration of the Union and recognition.
2. Complete record of the members.
3. True copy of the accounts up-to-date.
4. Complete record of the Proceedings of the Union and the recorded minutes.
5. Rules and Bye-laws relating to the Union.

- /TRUE COPY./

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For Director of Public Instruction.

sn.17.4.

E N C L O S U R E S.

I.

B.2.6133/50

Office of the Commissioner of
Labour, Chepauk, Madras, d/
6th March, 1950.

From
Sri C.G.Reddi,
Commissioner of Labour,
Madras.

To
The Principal,
College of Engineering,
Guindy, Madras 15.

Sir,

Sub: TRADE UNIONS ACT, 1926 - The Engineering College Workers' Union - Recognition - Clarification of.

Ref: Your letter Rc.101-SK/49, dated 30-1-50.

There is no provision in the Indian Trade Unions Act, 1926 and the Regulations therein now in force regarding the rights and obligations or recognised trade Unions.

Certain rules have been framed by the Government for the recognition of associations of their employees both industrial and others. Copies of these rules are enclosed.

Sd/ ***
For Commissioner of Labour.

Same as at [illegible]

II.

Copy of Government Order No.1820 L.Public Works and Labour Department, dated 20th August, 1934.

Labour - Associations of industrial employees - Recognition by Government - Rules - Published.

ORDER No.1820 L. dated 20th August, 1934.

The Government are pleased to issue the rules appended to this order for the recognition of associations of industrial employees in this Presidency under the Local Government.

2.The ban placed in G.Os No.202, Public, dated 1st March, 1928 and N.417, Public, dated 5th May, 1928 on associations of Government employees from seeking registration under the Indian Trade Unions Act, 1926 will not operate so far as associations of industrial employees of Government are concerned.

APPENDIX.

Rules for the recognition of associations of industrial employees of the Government.

1.Government are prepared to accord official recognition to associations of their industrial employees. The grant and continuance of recognition rest in the discretion of Government but recognition when granted will not be withdrawn without due cause and without giving an opportunity to the association to show cause against such withdrawal.

2. Notwithstanding anything contained in the rules relating to the submission of petitions and memorials by Government servants, representations from recognised associations whether made orally by deputation, or presented in writing, may be received by Government Officers, subject to the observance of rule 6 and to such further restrictions as may be imposed by a department of Government in respect of representations which raise no question of common interest to the class represented by the association.

3. Recognition will not ordinarily be granted or continued to any association unless it complies with the following conditions:

(i) it must consist of a distinct class of Government employees;

(ii) all Government employees of the same class must be eligible for membership;

(iii) it must be registered under the Indian Trade Unions Act;

(iv) Government may require the regular submission of copies of the rules of any recognised association, of its annual accounts and of its list of members.

(v) No recognised association shall maintain a political fund except with the general or special sanction of Government and subject to such conditions as Government may impose.

(vi) Government may specify the channel through which representations from recognised associations shall be submitted and the authority by whom deputations may be received.

(vii) The Officer who is empowered to grant leave to a Government employee will, so far as is possible, grant casual leave to an employee who is a representative of a recognised association to attend duly constituted meetings of the association. The grant of such leave will be subject to the exigencies of the service, of which the Officer in question shall be the sole judge.

(viii) Government may delegate any of its powers under the proceedings rules to any authority subordinate to it.

(ix) These rules supersede all previous rules in respect of all associations to which they are applicable.

/TRUE COPY/

III.

GOVERNMENT OF MADRAS

Abstract.

Service Associations - Recognition by Government - Revised instructions issued.

Public (General B) Department

G.O.Ms.No.1160 Dated 11th May, 1946

Read the following:-

G.O.No.1116, Public (Services), dated 30-6-1938.

ORDER: In supersession of the orders issued in the G.O. read above, the Government of Madras hereby issue revised instructions regarding the recognition of associations of Government employees other than industrial employees. The instructions are annexed to this order and will come into ~~face~~ force immediately.

(BY ORDER OF HIS EXCELLENCY THE GOVERNOR)

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Enclosure 3 (Contd.)

ANNEXURE.

INSTRUCTIONS REGARDING THE RECOGNITION BY THE GOVERNMENT OF MADRAS OF ASSOCIATIONS OF THEIR EMPLOYEES OTHER THAN ASSOCIATIONS OF INDUSTRIAL EMPLOYEES.

Definition: In these instructions, "Government" means the Government of Madras.

Part (a) Associations of Government employees serving in the departments of Government other than those in the Police and Jail department.

1. Government are prepared to accord official recognition to associations of their employees which comply with the conditions set out below:

2. The association must ordinarily consist of a distinct class of Government employees.

3. Every Government employee of the same class must be eligible for membership of the association.

4. Persons who are not in the active service of Government shall not be office bearers of the Association.

5. Representations from such associations whether made orally, be deputation, or presented in writing, may be received by Government officers notwithstanding anything contained in the rules relating to the submission of petitions and memorials by Government servants.

Provided that

(a) no representations or deputations will be received except in connection with a matter which is or raises questions which are, of common interest to the class represented by the association; and

(b) nothing in these instructions affects the discretion of the Governor, the head of a department, or any other officer of Government to receive or not to receive a deputation from any association.

6. Recognition is accorded for the purpose of enabling the employees of Government to communicate their needs and grievances to Government or to Government officers and it may be withdrawn by Government, if the members adopt other methods of ventilating those needs and grievances.

NOTE: For the purpose of this instruction, 'other methods' shall include seditious propaganda, expression of disloyal, sentiments, publication in the press, engaging or inviting the assistance of political and other parties for the representation of grievances and threat of strike.

7. Government may require the regular submission for their information of copies of the rules of the association and the annual statement of its accounts and of lists of its members.

8. Government may specify the channel through which representations from association shall be submitted and the authority by whom deputations may be received.

9. The association shall not seek the assistance of any political party or organisation to represent the grievances of its members.

10. The association shall not without the previous sanction of the Government permit its proceedings to be open to the Press.

11. The association shall have the following rule incorporated among its rules.

" A strike or the threat of a strike against the Government shall never be used as a means of achieving any of the purposes of the Association".

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PART (B) - Associations of employees in the Police and Jail Departments.

The instructions in Part (A) shall be applicable to associations of employees in the Police and Jail Departments with the following modifications:--

Instruction 2 to this instruction the following sentence shall be added at the end, namely:

"The association shall also consist of such distinct rank or ranks of employees as Government may prescribe, provided that Government may accord recognition to particular associations of specified ranks of employees in the Police Department of which specified ranks of employees in the Excise Department are also members."

Instructions 5 for proviso (a) to this instruction, the following proviso shall be substituted namely:--

(a) No representation or deputation will be received on questions of discipline or of promotion affecting individuals; but representations or deputations may be received in connection with any other matter which is or raises questions which are, of common interest to the class represented by the associations."

Instructions 7. To this instruction, the following sentence shall be added at the end, namely:--

No rule of the association shall be valid until it has received the approval of Government and Government may from time to time require the modification of a rule or proposed rule in a particular manner".

/TRUE COPY/

IV.

B.21252/49

Office of the Commissioner of Labour,
Chepauk, Madras, Dated 9-9-1949.

From
Sri C.G.Reddi,
Commissioner of Labour, Madras

To
The Principal,
College of Engineering, Guindy, Madras-15.

Sir,

Sub: Trade Unions Act - Registration - Registration of the Engineering College Workers' Union.
Ref: Your letter dated 31-8-49.

The Government Engineering College Workers' Union having its Office at No.3. Thanikachala Chetty Road, T.Nagar has been registered under the Indian Trade Unions Act, 1926 on 5-8-46. ~~Its registration under the Indian Trade Unions Act, 1926 on 5.8.46.~~ Its registration Number is 442.

Sd/ K.Srinivasan,
For Commissioner of Labour.
/TRUE COPY/

V.

Details of the Enquiry held on 25.4.49 in the Mech.Lab. by Lt.Co.S Paul, Principal, Engineering College, Guindy and P.Rajagopala Menon, S.W.I.

to investigate a rumour that the workmen went on a deputation on Sunday 24.4.49 to the Hon'ble Minister.

Metal Turner Parthasarathy: Said there was a talk about going to H.Minister some 2 weeks back says he knew nothing about their having gone on last Sunday.

Fitter Sadasivam: said there was a talk about going to H.Minister's house last Sunday but he himself did not go.

CARPENTER Murugesan: said he was asked by Thangavelue to accompany him to H. Minister's house sometime back. He did not go last Sunday as he was not feeling well.

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Fitter Ellappan: says on his way home from a barbershop on Sunday Tangavelu along with Arogyaswami and Sabapathi stopped him and took him also along to the H.Minister's house ~~by~~ and presented a petition.

Cooly Arogyaswami says he was asked to accompany Tangavelu, Ellappan and Sabapathy on Sunday to the H.Minister's house by them and so went along with them.

Fitter Rajabadar says he was asked to go along with the party to the H.Minister's house on Sunday by carpenter Murugesan, but he did not go.

Cooly Sabapathy: says he went along with Tangavelu, Ellappan and Arogyaswami to H.Minister's house on Monday.

Welder Tangavelu: said a meeting was held 2 or 3 weeks back in the Engineering College compound under a tamarind tree which about 15 persons attended says he was authorised to go and see the H.Minister with their grievances. He says he was elected Secretary of the Union some time back and has been asked to produce the resolution and also give a copy of the bye-laws of the Union and its purpose.

Carpenter Anander says no meeting was called and that he knows nothing about the whole thing.

Fitter Mainstry Johannes says he did not know anything about all this. He said he used to write out petitions for Tangavelu upto a year back but has since then given up the practice.

The workmen have gone on this deputation without consulting me or asking for permission. They have not put forward any grievances except that of conversion to monthly conversion for which proposals are being worked out. I request that disciplinary action may be taken against persons concerned.

Sd/ P.Rajagopala Menon
S.W.I. 26.4.49

VI.

From
The Secretary, Government Engineering College Workers' Union,
Guindy, Saidapet, Post, Madras.

To
The Principal,
College of Engineering,
Guindy.

Sir,

I, the Secretary, Engineering College Workers' Union, humbly supplicate to you on behalf of the workmen to bring to your notice by the following incidences that proper justice is not maintained in penalising the workmen in the workshop.

On 14.7.47, we informed S.W.I. about the theft of pipes in the workshop and in May,1948 the news regarding the loss of small lathechucks was brought to the notice of S.W.I. No action was taken about the former incidence and in the latter case, though the culprit was caught red-handed and handed over to S.W.I proper action was not taken against him. As such, it is not amply justifiable to suspend a fitter Ramanujam, merely because his voice was a bit more audible, nor is it reasonable to amerce a fitter Ellappan for discussing with a student regarding an exhibition model, cuasing a permanent 'Blackmark' to be present in his service-book. Hence I appeal to your honour earnestly on behalf of these workmen and request you to kindly sanction the wages to Ramanjuam which was due to him on 4-10-48, which he was debarred from the privilege of getting due to the suspension and also to cancel the fine of /8/- which was unduly imposed on Ellappan.

Awaiting a favourable consideration

15th January,1949

I beg to remain
Sir,
Yours faithfully,
Sd P.Thangavelu.

VII 31 59

B.2.42589/49.

Office of the Commissioner of Labour,
Chepauk, Madras. Dated 10-1-50

From
Sri C.G.Reddi,
Commissioner of Labour,
Madras

To
The Principal,
College of Engineering,
Guindy.

Sir,

Sub: Trade Unions Act, 1926 - The Engineering College Workers' Union - Recognition of.

Ref: Your Rc.No.101-SK/49, dated 19-12-49.

The registration of a union under the Indian Trade Unions Act, 1926, imposes no legal obligation on the part of the employer to recognise the union. A copy of G.O.2960, dated 1-~~4~~6--49 containing the Trade Unions Recognitions (Madras) Regulations, 1949 is enclosed herewith for your information. The regulations have not yet been enforced by the Government.

C.G.Reddi,
Commissioner of Labour.

True copy

3/3

FOR DIRECTOR OF PUBLIC INSTRUCTION.

sn.17.4.

18/19/4.

60

Urgent

Dsd p.c.
Ans 5.6.50

p43

T.M. ~~[illegible]~~. ㉜ 61 Edn. Dept
4

From the Asst. Secretary to Govt.
Edn. Dept

To The Principal, College of Engineering
Guindy.

Subject:- Disciplinary action against
workshop employees - College
workshop - Ref. your

letter no. 101 - SK/49 dated
2.4.50 addressed
to the D.P.I.

Please say very urgently
whether Sri P. Thangavelu, a workman
in the College workshop and Secretary of the

~~College Workers'~~ union, is a daily paid workman in the college. A reply in the course of the day will be much appreciated.

Rd 5/6/50

5/6/50.

Post copy of reply Telephonic message dated 6.6.50.

From
Lt.Col.S.Paul, B.E.,
Principal,
College of Engineering,
Guindy, Madras 15.

To
The Assistant Secretary to Government,
Education Department,
Fort St.George,
Madras.

ASSISTANT SECRETARY EDUCATION DEPARTMENT 8 JUN 1950 14822

Sir,

Ref: Your Telephonic Message dated 5.6.50.

Sri P.Thangavelu is a daily paid worker in this College Workshop.

(Sd) 7/6/50
for PRINCIPAL.

SV/-7.6

My previous letter 101SK/49 d 22.4.50. 1343-47 ante.

64

A

M

(34) 65

EDUCATION DEPARTMENT.

From
The Director of Public Instruction,
MADRAS.

To
The Secretary to Government,
Education Department, MADRAS.

R.C.No.603-A4/49 dated 22nd June 1950.

***

ASSISTANT SECRETARY
28 JUN 1950
17317
EDUCATION DEPARTMENT

Sub:- Engineering College, Guindy - Workshop Employee's Union - Disciplinary action against.

p 41 ante

Ref:- My letter Rc.No.603-A4/49 dated 17-4-1950 and reminder thereon dated 30-5-1950.

***

I request you to kindly let me know when the orders of the Government in the matter may be expected.

Yours faithfully,

For Director of Public Instruction.

KVS/23/6.

23/6

Edn. (G)

Memo. No. 40092 C1/49-6 dated 8-7-'50.

Sub: Colleges - Engg. College, Guindy - Workshop employees - Disciplinary action against.

From the D.P.I. No. 603 A4/49 d. 17-4-50.

~~From the D.P.I., Rc of T.M~~

The D.P.I. is requested to report urgently whether the workshop employees in the Engg. College, Guindy, are paid from contingencies. and whether the position of the workshop employees is analogous to that of persons paid from contingencies

8/7/50

1/10/7.

p41 c.f.

11/7.

To the D.P.I.

30.6.50.

R/3.7.50.

68

A

36

69

EDUCATION DEPARTMENT.

ASSIST
20 JUL 1950
EDUCATION DEPARTMENT

From

The Director of Public Instruction,

MADRAS.

To

The Secretary to Government,
Education Department,
Fort St. George, MADRAS.

-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-

R.C. No.603-A.4/49 Dated 18th July 1950.

Sir,

Sub: COLLEGES - Engineering College, Guindy - Workshop employees - Disciplinary action against.

20362

Ref: Government Memorandum No.40092-G/49-6 Education Dated 8-7-1950.

p 67 ante

* * *

The workshop employees of the College are paid from contingencies. Their position is not analagous to that of other persons paid from contingencies as they are paid extra-interim relief and house rent allowance.

Yours faithfully,

for Director of Public Instruction.

k.v.s./18-7.

68

A

(36)

9 EDUCATION DEPARTMENT. 69

ASSIST... 20 JUL 1950 EDUCATION DEPARTMENT

From

The Director of Public Instruction,

MADRAS.

To

The Secretary to Government,
Education Department,
Fort St. George, MADRAS.

-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-

R.C. No.603-A.4/49 Dated 18th July 1950.

Sir,

Sub: COLLEGES - Engineering College, Guindy - Workshop employees - Disciplinary action against.

(20362)

Ref: Government Memorandum No.40092-G/49-6 Education Dated 8-7-1950.

p 67 ante

* * *

The workshop employees of the College are paid from contingencies. Their position is not analagous to that of other persons paid from contingencies as they are paid extra-interim relief and house rent allowance.

Yours faithfully,

for Director of Public Instruction.

k.v.s./18-7.

Draft 2 (35) Edn / G

21/8 / 19/8

Colleges - Engg College, Guindy - Union of the workshop employees - Regularisation of the working of - Orders passed.

From the D.P.I ~~[illegible]~~ - ~~do.~~ No. 603 A4/49 d. 17.4.50 & 18.7.50

p41 cf
p69 cf

Order Ms 2295 dated 16/8/50.

The Govt direct that in future the Secy of the ~~workers' union~~ Govt Engg College Workers' Union, Guindy, should send any representation to the Govt through the Principal of the College and the D.P.I and that if any representation is submitted to the Govt or to any of the Hon'ble Ministers by a deputation, in pursuance of any resolution passed by the Union, the Prl of the College should be furnished with a copy of such representation before or soon after the deputation.

2. They also direct that the Secy of the Union should furnish the Principal with true copies of the following for record in his office

p47 cf.

1. Letters relating to the registration of the Union and ~~to~~ its recognition
2. Rules and Bye-laws of the Union
3. Complete record of the members.
4. Complete record of the proceedings of the Union and the recorded minutes;

and 5. ~~A~~ Copy of the annual accounts.

To
~~the~~ DPI
✓ Prl. Engg College, Guindy.
✓ Secy of the Union, thro' the Prl.

[illegible] 22/8

2 8/49.

103 / 8.8.50

8.8.50

11/8/50 S.

P.T.O

2 Draft 17

Edn / G

Memo No 40092 G/49-7 Edn dated 23 8 50

Colleges. Engg College, Guindy. Workshop employees. Disciplinary action.

Read again: Go No 2295 Edn dated 16 8 50 10/28/8

The workmen employed in the ~~G~~ workshops of the Engg College, Guindy are paid from Contingencies. The G.S.C. Rules and similar rules (relating to discipline) will not therefore apply to them. They are also members of a registered Trade Union and the Trade Unions Act makes no distinction between Govt servants or others or enables the employer to restrict the Unions' freedom to make representations of their grievances. The workers therefore cannot be forced to express regret or to tender apology for their action in making personal representations to H.M. without the knowledge of the Principal of the College.

p.6 c.f

A on p5 N.f

B on p6 N.f

103/8 8 50

Rd/8.8.50

11/8/50

S.

To

The DPI

✓ Pl. College of Engg. Guindy

26/8.

28/9.

E.& P.H.(A).

Sub:- Colleges - Engineering College, Guindy - Workshop employees - Disciplinary action against.

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(38)

Ref:- From the D.P.I., No.603-A4/49 dated 20-6-49.

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p17 c.f

p15 c.f

p17 c.f

vide p3 c.f

para 3 on p15 c.f

vide 'K' on p7 c.f

x 'P' on p7 c.f

X

para 3 on p17 c.f

para 4 on p17 c.f

x [illegible]

The letter dated 31-5-49 from the Principal, Engineering College, Guindy, to the D.P.I. and the Director's letter dated 20-6-49 may be perused.

Four workmen of the Engg. College workshop, Guindy, saw the H.Pr. on 24-4-49 and made representations about their grievances. The Principal, Engineering College, Guindy, contends that as subordinates, they ought to have first represented their case to him, as the administrative head of the College and that, in any case, they should not have seen the H.Pr. without obtaining his permission. Sri P. Thangavelu, Secretary of the Workers' Union, represents that they are industrial workers of skilled categories and members of a registered Trade Union, affiliated to the All India National Trade Union Congress recognised by the Govt. of India and the Provl. Govt., and that they were only exercising their legitimate and constitutional rights recognised by the Govt. in representing their grievances to the H.Pr. The D.P.I. however, agrees with the views of the Principal and considers that disciplinary action is called for in this case. The Director suggests that further action may be taken against the workers concerned as at 'M' on p.15 c.f. It seems enough if the persons concerned are warned to be more careful in future, without ~~precipitating any trouble~~ having any trouble precipitated by Govt. taking a stronger line of action. The file may be circulated to H.M.(P.W.) for orders.

11-11-49

12/11/49

H.M.(P.W.)

11/11/49

Is X correct. If not it should be pointed out to the workmen concerned and to the Union

14/11

A draft T.M. is subd. for approval.

14-11-49

15/11/49

16/11/49

[Issued as T.M. No. 40092-2/49A Edn. d. 16-11-49.]

p27-28 c.f

From the D.P.I. No. 60304/49 d. 17-4-50. p 41

The D.P.I.'s letter and the enclosures thereto on p 41-59 c.f. may be perused. The Director recommends that the following suggestions of the Principal, Engg. College, Guindy, may be approved. – vide p 41 c.f. – vide paras 4 & 6 on p 45-47 c.f.

(1) that the Secy., Engg. College Workshop Employees' Union, Guindy, may be required to give a written apology to the Principal for his objectionable explanation dt. 9-5-49 ~~sent to the Principal~~ and also to give an undertaking to behave better in future, – vide p 47 c.f. – p 7 c.f. – Accd.

(2) that the other workers should express regret for their action and give an undertaking to behave better in future, – p 47 c.f.

(3) that in future the assn. should send its representations to the Govt. thro the proper channel or at least a copy of the representation should be ~~furnished~~ to the Principal for information soon after deputation, if any, ~~to~~ on the Govt. or Minister as per the resolution of the assn. and – Accd. – p 47 c.f.

(4) that in order to regularise the working of the Union, its Secy. may be asked to give true copies of the following for record in the Principal's office – Accd. – p 47 c.f.

1. Letters relating to the Registration of the Union and recognition.
2. Complete record of the members,
3. True copy of the accounts up to date.
4. Complete record of the proceedings of the Union and the recorded minutes, and
~~4~~5. Rules & bylaws relating to the union.

para 2 on p 41 c.f.

~~2. The Director observes that a correct decision depends on the question whether the Engg. College workshop employees Union, Guindy, can~~

P.T.O.

---

2. The Director observes that a correct decision depends on the question whether the Engg. College workshop employees can be considered Govt. employees or Govt. Servants subject to disicplinary regulations. The workshop employees in question are daily paid workers. Proposals for introducing the monthly salary system for these workers are separately under consideration. The Engg. college workshop Employees Union, Guindy is reported to have been registered under the Indian Trade Unions Act, 1926 but it has not been recognised by the Govt. The rules for the recognition of Associations of industrial employees and other than Industrial employees issued in G.O.No. 1820 P.W.D.L. d/- 20-8-34 and G.O.No. 1160 Publ. (Genl) d/- 11-5-46 provide for the specification of channel through which representations from recognised associations shd. be subd. and the authority by whom deputations shd. be received. As the Engg. College workshop employees Union has not been recognised, the workmen who saw H.C.M. on 24-4-49 as officer bearer or member of the Union without the permission or knowledge of the Principal would not have been aware of the rules. ~~It does not appear that disciplinary action against them is feasible. Under instructions issued in Memo No. 1682 Pub.(Ser) d/-20-8-48 communications received from unrecognised assns. shd. be declined consideration irrespective of their propriety. With reference to these instructions it is open to the Principal and the Govt. not to take cognisance of the representations if any made by the Union in question.~~ The question now arised whether the union may be accorded official recognition and the rules for the recognition of the assns. communicated to the Union for due observance. The G.of.I. have recently introduced in Parliament two bills entitled "Labour Relations Bill" to replace the Industrial Disputes Act of 1948 and the Industrial Employment (Standing Orders) Act and to amend the Indian Trades Union Act. This legislation (Trade Unions Bill) will be of a comprehensive measure and will incorporate the provisions necessary to enable a distinction to be drawn between "Civil Servants" proper

para 2 p 41 c.f.

distinct

vide linked file (p 23 LF.) (cov. 98905/49)

para 2 p 43 c.f.

copy at (W)

copy on pp 51-55 c.f.

vide (P) The Trade Unions Bill

Industrial Govt. employees and will also incorporate provisions setting ~~reight~~ right the other undesirable features in the existing labour legislation. for e.g. the right of "Civil Servants" to go on strike etc. Pending enactment of this legislation, the Govt. have decided that the recognition of hospital workers should be deferred vide G.O.No. 1755 Health d/- 16-5-50. The recognition ~~be~~ of the Engg. College workshop Union may also be similarly deferred. However to regularise the working of the Union, the Secretary of the Union may be asked to furnish to the Principal true copies of the following records:-

1. Papers relating to the Registration of the Union.
2. A complete list of members.
3. True copy of the accounts upto date.
4. A complete record of the proceedings of the Union and the recorded minutes.
5. Rules and bye-laws relating to the Union.

The file may be sent to Development and Public for remarks whether these workshop employees can be treated as Govt servants subject to disciplinary regulations and whether the course suggested by the Principal as mentioned on page 2 and is feasible.

Yes
19/6

A

25.5.50

The whole matter started because the Secy of the Eng. college workers Union interviewed H.C.M. without the permission and knowledge of the Principal of the college. This happened about a year ago. It does not seem necessary to examine all the points raised above in this connection. In these democratic days anybody can interview the H.C.M. if he is willing to grant the interview. It seems that no further action need be taken in the matter. For orders.

M

27/5/50

Deptt | Pub.

A P II

Is the proposal

10 JUN 1950

5108
10.6.50

Edn. u.o. 40092-G/49-9
dated 8-6-50

Devt. (PII) Dept.

(20)

A.S.

A few workmen of the Engineering College, Guindy, met H.C.M. on 24-4-1949 and represented their grievances, without obtaining the permission of the Principal of the College. The question raised in the file is whether any, and if so, what action should be taken against the workmen for this. The notes of Edn. on pages 1-4 above may be perused. This department may agree with the view at 'M' on page 4 above that it is not worth while pursuing the matter. The workmen are members of a registered trade union and the Trade Unions Act makes no distinction between government servants and others, or enable the employer to restrict the unions' freedom to make representation of their grievances. (The new Trade Unions Bill has not become law).

A

The case may be passed on to ~~the~~ Public.

15/6/50
15.6.50

17/6/50

20.6.50

Public.

Devt. u.o. No
5108/P II/50-1
17.6.50

2286
20 JUN 1950
20/6/50

PUBLIC (SERVICES) DEPARTMENT.

'A' on p. 4 above. Education may be requested to say whether the workers referred to are paid from contingencies.

M

Pub (Serv) no
2286/50-1
23.6.50

22.6.50

21.6.50

23.6.50

Edn. (G)

W.r.t. 'M' above, a draft memo to the D.P.I. is subd. for approval.

30.6.50

3.7.50

8/7/50

24 JUN 1950
17096

p 67 cf [Memo No. 40092 G/49-6 d 8.7.50]
p 69 cf from the D.P.I No. 603. A.4/9 d 18.7.50

The D.P.I states that the workshop

6

employees of the College are paid from Contingencies but that their position is not analogous to that of other persons paid from Contingencies as they are paid extra-interim relief and house rent allowance

p 69 Cf.
(The question of converting them into regular establishment is under consideration)

The file may be returned to Pub(Ser) for remarks w.r.t. their query at 'M' in p 5 ante

Public (Ser) C

25/7/50

Edn. no. 40092 G/-7 / 49

25.7.50

ASSISTANT SECRETARY TO GOVERNMENT
2832
27 ~~JUL 1950~~ 27.7.50
CHIEF SECRETARIAT

Public (Services-C) Dept.

Four workmen of the Engineering college Workshop, Guindy, saw the H.C.M on 24-4-49 without obtaining the permission of the Principal of the College and made certain representations. The Principal suggests that action as indicated on p.2 above should be taken against the workers. The notes from p.2 above may be perused. The D.P.I has stated that the workers referred to are paid from contingencies. The G.S.c.# Rules and other similar rules (relating to discipline) will not therefore apply to them. In view of what is stated at A on p.5 above, the workers cannot be forced to ~~impress~~ express regret ~~to~~ or to give an apology for their action, (Suggestions (1) and (2) on p.2 ante). There can, ~~XXXXX~~ however, be no objection to accepting the Principal's suggestions Nos. (3) & (4) @

The file may be returned to Education through Development.

p 3 cf

~~235~~ p 69 cf

# Sub-rule 1 under G.S.C. Rule 2 (Book [illegible] 145)

-C2 5852 / 2.8.50

@ p2 above

29.7.50 29.7.50

31.7.50

CS 8/8

Devt

75219 / 2.8.50

ASSISTANT SECRETARY TO GOVERNMENT
2 AUG 1950

Public Services Dn. no. 2832/50-1 / 1.8.50

Dept [illegible]

(Previous notes of this dept. in p5 above)

A.S.

Notes from page 5 above may be perused. This dept. need have no objection to the suggestions 3 and 4 of the Principal, Engineering College, Guindy on p2 above.

8/8/50.

3/8/50 3/8/50

ASSISTANT SECRETARY
4 AUG 1950
22467
EDUCATION DEPARTMENT

Devt. no. 75219 P II/50-1 / 3.8.50

Edn

Edn

In April 1949, some employees of the workshops of the Engg College, Guindy, waited in deputation on the H.C.M and made certain representations without the knowledge of the Principal of the College. The Principal has taken objection to the action of the workers and has suggested that they should be asked to apologise for their irregular action. He has also suggested, with a view to regularise the working of the Union, that the Secy of the Union may be asked to furnish him with copies of the representations that the Unions may make to the Govt or the Hon'ble Ministers and copies of letters relating to its registration and recognitions, Rules & Bye-laws, proceedings of meetings etc. The D.P.I agrees with the Principal.

2 The matter was examined in consultation with the Devt and Pub (Ser) Depts. The workers are paid from Contingencies and are also members of a registered# Trade Union under the Trades Unions Act. The G.S.C. Rules do not apply to them ~~and~~ [they cannot be forced to express regret or apologise. But there is no objection to asking the Secy of the Union to furnish the Principal with copies of the records ~~etc~~ of the Union. It is

vide p 34

pp 41-42 cf

p 42 cf

p 41 cf

pp 5-7 ante

p 69 & para 2 # p 43

~~A on~~ p 6 ante

B on p 6 ante

No. 40028/49-C

12/8

Proposed to issue orders accordingly. A draft order and a draft memo are submitted for approval. For orders as to circulation to H.M. (P.W.)

11/8/50

S. HM (PW).

It is desirable that all representations should be canalised through the Principal and DPI and in the case of deputations a copy of the representation should also be furnished to the Principal & DPI. The draft, which provides for this, may be approved.

12.8.50

SECRETARY
14 AUG 1950
EDUCATION DEPARTMENT

HM (PW)

M.B. 14.8.

62