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Government of Madras

Education Deptt

G.O. 2489.
Mis.

Dated. 6/9/1950.

18

[Establishment - Office of the Inspector of Oriental Schools - Sri. P.R. Venkateswaran, Typist - Regularisation of Services with retrospective effect - Orders passed]

Back papers

G.O 2018 Edn
D/ 16/9/1947.
" 1261 pub(Ser)
D/ F 20/5/1948
" 1662 pub(Ser)
D/ 28/5/1947.
" 1942 pub(C.D)
D/ 24/6/44.

(2)

Dated: 5.8.50.

From

P.R.Venkateswaran,
Typist, Office of the Inspector of Oriental schools,
Madras(6).

To

The Secretary to Government,
Education and Public Health Department,
Fort. St. George, M a d r a s.

Thro'

The Proper Channel,

Sir,

Sub: P.R. Venkateswaran - War Service Personnel allotted to War Reserved vacancy - Regularisation of services - Request - Submitted.

Read: G.O.No.1942(Public Civil Defence) Department dated 24.6.44.

H 13-14 cf (A)

I beg to bring the following few lines for consideration and favourable orders:-

I was first appointed as a Telephone Operator in the A.R.P. Communication Service from 4.12.42. I was working as Telephone Operator till 13.1.44 when I was appointed as Typist in the Office of the A.R.P. Controller, Madras. Consequent on the closure of the A.R.P. Organisation, I was deputed by the Director of Civil Defence, Madras to accept an appointment as Typist on 1.6.45 in the Office of the Inspector of Oriental schools, Madras, the then Superintendent of Sanskrit schools, Madras in a temporary capacity for permanent retention in Government Service in accordance with the procedure laid down in G.O. referred to above. This appointment was also accepted by the Commission in Para 2 of letter No.2135-E4/45-1 dated 6.9.45 communicated by Superintendent of Sanskrit schools,Madras, in his Rop.No.5/45-46 dated 29.9.45 (Vide copy enclosed as Enclosure -1). On 17.7.45, I submitted a petition to the Secretary, Madras Public Service Commission through the Proper Channel asking for clarification whether I will be protected by the War Services Personnel Recrutiment Rules for selection or Whether I should sit in for competitive Examination. The Commission exempted me from sitting for the competitive examination and directed me to submit application through the Resettlement Officer to compete on equal terms with other discharged war service Personnel (Vide Endt. X.N. Dis. dated 8.8.45 of the Assistant Secretary, Madras Public Service Commission communicated to me in Rc.No.70/45 dated 8.9.45 of the Superintendent of Sanskrit schools, Madras (Copy enclosed as Enclsoure 2.) Had it not been for this order, I would have sat for the competitive examination and got regular selection sufficiently early in 1946 owing to the dearth of qualified typists in Government offices. I submitted my petition through the Resettlement Officer and was interviewed by the Commission on 6.9.46. Though I was expecting a favourable order, my regular selection was being held up for the following reasons:-

1. I am a subject of native state(Pudukkottai) and the Government have declined to issue a declaration of eligibility in my favour under section 262(2) of the Government of

P.t.o.

↑5 infra

↑5 infra

India Act 1935 until demobilisation is completed when only it will be known whether a sufficient number of British subject domiciled in India are or are not available to fill all the reserved vacancies. In view of G.O.No. 2074 Public Service Dated 25.8.48 no such declaration is necessary in my case (Vide copy enclosed as Enclsoure -3).

2. The existence of the war reserved vacandy in this office was not let known to the Commission; perhaps it was omitted in the consolidation list submitted by the department to the Commission.

After 31.3.48 i.e. after complete demobilisation when a reference was made to the Commission by the Inspector about my selection to his office, he was informed that eventually if I am selected, I will not be allotted to his office in which a reserved vacancy has not been reported to exist. He was also instructed early in April 1948 by the Commission to address the head of the department regarding the reservation of vacancy in his office for war service candidate. No action was taken in this direction since I was selected and allotted to the unit of the Surgeon-General with the Government of Madras in Memorandum No.160 dated 6.11.48 of the Secretary, Madras Public Services Commission.

Since I am continuously working in this vacancy from 1.6.45 without break from war Service which has been reported by the Inspector of Oriental schools, Madras to the Director of Public Instruction, Madras, as a war reserved one, I submitted a petition to the Secretary, Madras Public Service Commission through the Proper Channel requesting the commission to re-allot me to this office to this vacancy so that my service conditions may not be affected(Vide copy of the petition enclosed as enclosure -4). The Inspector strongly recommended compliance of my request for the reasons that his office not only will have an experienced Typist who is doing both clerical and Typing work entrusted to him satisfactorily but also but also he may be benefitted by the service conditions as his past services in his office will earn increments and also a permanent place in his Office from 1.6.45. I was favoured with re-allotment and the same was communicated to me by the Commission in Memorandum No.160/G46 dated 16.2.49 (Vide copy enclosed as Enclosure-5).

Then the question as to the date from which I should be deemed to have commenced my probation came up for decision (i.e.) whether it should be from 1.6.45 or the dateof my regular selection. For this purpose , the Inspector addressed the commission who in turn invited his attention to Rule 20(a) of the General rules for Provincial and subordinate services according to which I may be considered to have commenced my probation from a date earlier than the date of my regular selection i.e.5.11.48 which the appointing authority(the Inspector of Oriental schools, Madras) may determine if I hold the post of typist in his office under 9a(i) of the General rules for the Provincial and Subordinate services . From this I was led to believe that the commission would have made this recommendation knowing fully well the different directions given by them to the Inspector the services rendered by me from 1.6.45 to the date of regular selection according to the circumstances and time then prevailing. No where the commission stated that I will be on a fixed pay during all these periods except when the Inspector addressed the commission whether I am eligible for granting increment in 1946 , he was informed that I am entitled to the minimum pay in the time scale and not to any fixed rate of pay at that time I was holding temporary appointment and had not been selected for such regular appointment on probation (Vide copy enclosed as enclosure -6). This was the same view expressed by the Director of Public Instruction, Madras when the matter was referred to him in 1948. The order of the Director of Public Instruction, Madras was not communicated to me.

Without fixing the date of my probation as recommended by the commission, though the Inspector in all his correspondence with the commission and the Director reported that I was discharging my duties to his entire satisfaction, he approached the head of the department to decide this issue on the ground that he has been suggested by the commission to do so, and informed the Director that he was not justified in commencing my probation at a date earlier than 5.11.48 since the commission selected me to the category after the merger of the Pudukottah state. In reply to this, the Director asked the Inspector whether he has got any other objections except the question of merger in considering the commencement of my probation from 1.6.45 and invited his attention in this connection to G.O.No.1942 dated 24.6.44(Public Civil Defence) department.

The objections raised by the Inspector of Oriental schools, Madras were as follows:-

1. Different directions given by the commission and the Director of Public Instruction, Madras with regard to grant of increment are contrary to take the services for granting increment etc.

2. The Commission and the Director have passed orders that I was entitled to minimum in the time scale in 1946 and 1948.

3. According to the discretion vested in Rule 20(a) of the General rules , the Inspector thought fit to advance my probation from 16.2.49 the date on which the commission re-allotted me to his office to 5.11.48 the date of regular selection .

4. The G.O.No.1942(Public Civil Defence) Department dated 24.6.44 referred to by the Director of Public Instruction, Madras in deciding this has been superseded by the subsequent rules and G.Os. concerning war service candidates.

On 18.1.50, I was informed by the Inspector of Oriental schools, Madras, that my services from 1.6.45 to 4.11.48 should have to be considered as purely temporary on a fixed pay(Vide copy enclosed as Enclosure.7). Since I am continuously working in this office with the concurrence of the commission in the same post which has been reserved for a war service candidate and got selection to the same post after competing on equal terms with other war service candidates , I have to be made permanent according to the G.O. referred to above. The Madras Public Service commission has stated that I am entitled to the minimum pay in the time scale at that time. The post of typist held by me was not on fixed pay. In this connection, I beg to submit that the services of candidates who are urgently recruited under Rule 9(a)(i) of the general rules for Provincial and subordinate services may be regularised by the appointing authority under Rule 20(a) im consultation with the commission.

In the above circumstances, I request that having regard to the fact that I was continuously employed as Typist in the Office of the Inspector of Oriental schools, Madras, from 1.6.45,

and was subsequently regularly selected by the Commission for appointment as typist to the same post , I may be treated as a probationer in the Category of typist in the Office of the Inspector of Oriental schools with effect from 1.6.45 so that my service from that date may count for probation and increment.

I request the favour of early orders.

I beg to remain,
Sir,
Your most obedient servant,

P.R. Venkateswaran

Advance copy submitted to the Secretary to Government
Education and Public Health Department
Fort St. George, Madras to save delay.
" to the Director of Public Instruction,
Madras to save delay.
Copy submitted to the Secretary, Madras Public Service Commission.

ENCLOSURE 1.

Copy of letter No.2135-E4/45-5 dated 6.9.45 of the Secretary, Madras Public Service Commission, Madras, to the Superintendent of Sanskrit schools, Madras.

Sub: War Discharged war service personnel - Venkateswaran Sri P.R.- Temporary employment. Your letter Roc.No.5/45-46 dated 10.8.45

With reference to your letter cited , I am to invite attention to G.O.No.3321, Public(Services) dated 17.11.44 and to say that according to the orders contained therein, Sri P.R. Venkateswaran can only be employed in your office in a temporary capacity and he will have to compete on equal terms with other discharged war service personnel and take his chance for employment in vacancies which have been reserved for war service men under the Madras Civil service(War service Personnel) Recruitment rules. He cannot therefore be treated as a regular probationer in the Madras Ministerial service.

2. I am to add that Sri P.R. Venkateswaran may however deemed to have been allotted by the commission for temporary appointment as typist in your office in pursuance of the G.O. referred to above.

Sd.C. Krishnaswamy chetty.
Secretary.

Rop.No.5/45-46 dated 29.9.45 .
Communicated to Sri P.R. Venkateswaran , temporary typist.

Sd. T.S. Balasubrahmanya Ayyar.
Superintendent of Sanskrit schools,Madras.

Enclosure 2.

Copy of letter No.70/45 dated 3.9.45 of the Superintendent of sanskrit schools communicating Endt. X.N.Dis. dated 8.8.45 of the Asst. Secretary, Madras Public service commission .

Copy of Endt. X.No.Dis. dated 8.8.45 of the Assistant Secretary Madras Public Services commission to Sri P.R. Venkateswaran, Typist Office of the Superintendent of schools, Madras through the Director of Public Instruction, Madras.

Returned.

The candidate need not appear for the competitive examination held by the commission under G.O.No.3321 Public (Service) dated 17.11.44, he will be provided with a civil employment only in a temporary capacity until the termination of the war. After the war is over he will have to compete on equal terms with other discharged war service personnel for regular appointment in the vacancies which are reserved to be filled by such men after the termination of the war.

Enclsoure 3.

Copy of G.O.No.2074 , Public service dated 25.8.48.

Public Services - Madras Ministerial service and Madras Judicial Ministerial service - Recruitment of War service candidates - Inclusion of names of certain subjects of Indian states in list of approved candidates - sanctioned.

--- Ref:-

From the Madras Public service commission, letter No.6973-A1/46-3 dated 23.6.48.

Order:-

In exercise of the powers conferred by sub-section(2) of section 262of the Government of India Act, 1935, His Excellency the Government of Madras declares that the persons specified below who are subjects of Indian states shall be eligible to hold any civil office in connection with the affairs of the Province of Madras:-

Name of candidates	Indian state.
1.Sri P.T. Sankarasubramanian	Travancore.
2. Sri P. Thomas	-do-
3. Sri Acheyamma Idiculla	-do-
4. Miss Mariamma Verghese	Cochin.
5. Mr. Catherine Mckertich	Trvancore
6. Miss Lizzy Thomas	Travancore
7. Mr. T.K. Catherine	Cochin.
8. Mr. V.C. Mathews.	Trvancore.

2. H.E. the Governor is satisfied that a sufficient number of qualified and suitable war service candidates who are subject of the Indian Union is not available for appointment to vacancies reserved for such candidates the posts of clerks and typists in the Madras Ministerial service and in the Madras Judicidial service. He therefore sanctions under rule 10(c) of the General rules for the Madras and Provincial and Subordinate services and Rule 13(b) of the Special Rules for the Madras Judicial Ministerial services the inclusion of names of persons specified in paragraph 1 of this order the approved lists of candidates drawn up by the Madras Public Service commission.

3. Since the Pudukottai state now forms part of the Indian union territory no declaration of eligibility is necessary in favour of Sri P.R. Venkateswaran.

4. The applications of the candidates sent with the Commissioner's letter cited are returned herewith.

(by order of His Excellency the Governor).

Enclosure 4.

Copy of my petition dated 26.11.48 addressed to the Secretary, Madras Public Service Commission thro' the Proper Channel.

Sub:War - War Service Personnel - P.R.Venkateswaran , Typist Office of the Inspector of Oriental schools, Madras- Recruitment to reserved vacancy - Ministerial service -1948.
Ref: Memorandum No.160-G/46 dated 6.11.48 of Secretary, Madras Public service commission, Madras.

In the Memorandum cited above, the Madras Public service commission has allotted me for appointment as Typist to the Office of the Surgeon-General with the Government of Madras. All along I was awaiting for the regularisation of my appointment in the Office of the Inspector of Oriental schools, Madras, where I have been working for the last 3 years, 4 months and 20 days (.i.e.) from 1.6.45 with a continuous service of 2years, 4 months and 20 days in the Defence service. During all these period of 3 years, I understand that my appointment as Typist of this office had been continued with the concurrence of the Madras Public service commission all along. As I have not been allotted to the vacancy in which I am now working in the Office of the Inspector of Oriental schools, Madras, I infer that this vacancy has apparently been de-reserved, as no hardship is caused by considering the vacancy as a reserved one as I am the only person affected and I am a war service candidate who could be appointed in a war reserved vacancy. The nature of vacancy in which I am now acting being a permanent one, it would be in my interest and in due recognition of my hard and faithful service of all these years, if my allotment is made to this

vacancy so that my service conditions may not be affected.

In the circumstances of my case and in view of my long experience for about 3 years, 4months and 20 days in this office, I request that the Madras Public Service commission may kindly be moved to allot me to the office of the Inspector of Oriental schools, and for that purpose the vacancy of this office may kindly be tfeated as war reserved vacancy. I beg to add that I have been doing practically both the clerical and typing work in this office and my allotment to any other office now will not be in the public interest as I will be new in any other office where my experience in this office will prove a waste. I request this may be specially considered in passing orders on my request.

Enclosure 5.

Copy of Memorandum No.160 /G46 dated 16.2.49 of the Secretary, Madras Public Service commission.addressed to me.

War- War Service Personnel - Recruitment - Reserved vacancies - Madras Ministerial service - Typist - Approved candidate 1948- Sri P.R.Venkateswaran - Re-allotment - Petition dated 26.11.48.

The candidate is informed that he has been reallotted for appointment as typist in the office of the Inspector of Oriental schools, Madras.

Sd. C. Krishnaswamy Chetty.
Secretary.

Enclosure 6.

Copy of X.L.Dis. dated 19.6.46 of the Secretary , Madras Public service commission communicated in Rc.No.70/45 dated 28th June 1946.

War-Discharged war service personnel - Venkateswaran Sri P.R.- Your letter Rc.No.70/45 dated 5.6.46.

With reference to your letter cited , I am to say that Sri P.R. Venkateswaran has not commenced his probation and that he cannot commence his probation until he is selected by the commission for regular appointment on probation in accordance with the procedure prescribed in G.O.No.2677(Public services) dated 7.11.45. He has not yet been selected by the commission for such regular appointment on probation. He is at present holding only a temporary appointment under General rule 9(a)(i).

I am in this connection to invite attention to general rule 9(b) under which a person appointed temporarily under General rule 9(a) is entitled only to the minimum pay in the time scale.

Sd. Gyanasundara Mudaliar,
Secretary.

Enclosure 7.

Copy of Pros. RcDis.No.12/50 dated 18.1.50 of the Inspector of Oriental schools, Madras.

Sub: Sri P.R. Venkateswaran - Typist of the Office - appointed in a war-reserved vacancy - Date of commencement of probation and admissibility of higher initial pay on such a date- Orders passed.
Read:Orders contained in Pros. Roc.No.1601-C5/49 dated 28.12.49 and 12.1.50 of the Director of Public Instruction, Madras.

INSPECTOR OF ORIENTAL SCHOOLS
C NO 60/50
13 JAN 1950
MADRAS

Sri P.R. Venkateswaran is informed as follows:-

1. His services as Temporary typist of this office from 1.6.45 to 4.11.48 should have to be considered as purely temporary on a fixed pay.

2. His probation in the category of Typists will commence from 5.11.48 only, the date of his selection for appointment by the Commission.

3. He is not entitled to the grant of any initial Higher salary on 5.11.48. His pay will be raised to Rs.48/- with effect from 5.11.49, consequent to the sanction of an increment of Rs.3/-p.m. with effect from that date.

Sd. T.S. Balasubrahmanya Ayyar,
Inspector of Oriental schools, Madras.

To

Sri P.R. Venkateswaran Officiating typist of this office.
Copy submitted to the Secretary, Madras Public service commission with ref. to his letter No.7575 E5/49-1 dated 23.12.49 .

EDUCATION DEPARTMENT.

From
The Director of Public Instruction,
Madras.

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

Roc. No. 350 C5/50 dated 21/4/50.

Sir,

Sub:- Madras Ministerial service - Sri P.R.Venkateswaran Typist, office of the Inspector of Oriental Schools, Madras - a candidate appointed against a War reserved vacancy- regularisation of services with retrospective effect - appeal to Government.

Ref:- Petition dated 5/3/50 from Sri P.R.Venkateswaran, Typist, office of the Inspector of Oriental Schools Madras.

Submitted.

2. The Inspector of Oriental schools, Madras being the appointing authority is not in favour of regularising the appointment of the Typist with retrospective effect from 1/6/1945 under Rule 20 (a) of the General Rules for the Madras Provincial and Subordinate services.

ASSISTANT SECRETARY
27 APR 1950
EDUCATION DEPARTMENT

Yours faithfully,

For Director of Public Instruction

Tsn. 24/4/

Edn(-D)

G.O. No. 1942 of 44 has been called for from M.R.O. Chittoor and the same has not been received. This may be over till 15/5/50.

8/11-5-50.

Ms 13.5.50: Please also furnish a copy of Govt. 26:77 Pub(Ser) dated 7.11.45 & Go. 3321 Pub(Ser) Dy. 17.11.44

Ms 13.5.50

SS Typist Office Asst. Secy. Edn.

F 1 4

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Dated: 5.3.50.

(Same as at 41-8 ante)

From

P.R.Venkateswaran,
Typist, Office of the Inspector of Oriental schools,
Madras(6).

To

The Secretary to Government,
Education and Public Health Department,
Fort. St. George, M a d r a s.

ASSISTANT SECRETARY EDUCATION DEPARTMENT 7-MAR 1950

Thro'

The Proper Channel,

1042

Sir,

Sub: P.R. Venkateswaran - War Service Personnel allotted to War Reserved vacancy - Regularisation of services - Request - Submitted.
Read: G.O.No.1942(Public Civil Defence) Department dated 24.6.44.

I beg to bring the following few lines for consideration and favourable orders:-

I was first appointed as a Telephone Operator in the A.R.P. Communication Service from 4.12.42. I was working as Telephone Operator till 13.1.44 when I was appointed as Typist in the Office of the A.R.P. Controller, Madras. Consequent on the closure of the A.R.P. Organisation, I was deputed by the Director of Civil Defence, Madras to accept an appointment as Typist on 1.6.45 in the Office of the Inspector of Oriental schools, Madras, the then Superintendent of Sanskrit schools, Madras in a temporary capacity for permanent retention in Government Service in accordance with the procedure laid down in G.O. referred to above. This appointment was also accepted by the Commission in Para 2 of letter No.2135-B4/45-1 dated 6.9.45 communicated by Superintendent of Sanskrit schools, Madras, in his Rop.No.5/45-46 dated 29.9.45 (Vide copy enclosed as Enclosure -1). On 17.7.45, I submitted a petition to the Secretary, Madras Public Service Commission through the Proper Channel asking for clarification whether I will be protected by the War Services Personnel Recrutiment Rules for selection or Whether I should sit in for competitive Examination. The Commission exempted me from sitting for the competitive examination and directed me to submit application through the Resettlement Officer to compete on equal terms with other discharged war service Personnel (Vide Endt. I.N. Dis. dated 8.8.45 of the Assistant Secretary, Madras Public Service Commission communicated to me in Rc.No.70/45 dated 3.9.45 of the Superintendent of Sanskrit schools, Madras (Copy enclosed as Enclsoure 2.) Had it not been for this order, I would have sat for the competitive examination and got regular selection sufficiently early in 1946 owing to the dearth of qualified typists in Government offices. I submitted my petition through the Resettlement Officer and was interviewed by the Commission on 6.9.46. Though I was expecting a favourable order, my regular selection was being held up for the following reasons:-

1. I am a subject of native state(Pudukkottai) and the Government have declined to issue a declaration of eligibility in my favour under section 262(2) of the Government of

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India Act 1935 until demobilisation is completed when only it will be known whether a sufficient number of British subject domiciled in India are or are not available to fill all the reserved vacancies. In view of G.O.No. 2074 Public Service Dated 25.8.48 no such declaration is necessary in my case (Vide copy enclosed as Enclsoure -3).

2. The existence of the war reserved vacancy in this office was not let known to the Commission; perhaps it was omitted in the consolidation list submitted by the department to the Commission.

After 31.3.48 i.e. after complete demobilisation when a reference was made to the Commission by the Inspector about my selection to his office, he was informed that eventually if I am selected, I will not be allotted to his office in which a reserved vacancy has not been reported to exist. He was also instructed early in April 1948 by the Commission to address the head of the department regarding the reservation of vacancy in his office for war service candidate. No action was taken in this direction since I was selected and allotted to the unit of the Surgeon-General with the Government of Madras in Memorandum No.160 dated 6.11.48 of the Secretary, Madras Public Services Commission.

Since I am continuously working in this vacancy from 1.6.45 without break from war Service which has been reported by the Inspector of Oriental schools, Madras to the Director of Public Instruction, Madras as a war reserved one, I submitted a petition to the Secretary, Madras Public Service Commission through the Proper Channel requesting the commission to re-allot me to this office to this vacancy so that my service conditions may not be affected(Vide copy of the petition enclosed as enclssure -4). The Inspector strongly recommended compliance of my request for the reasons that his office not only will have an experienced Typist who is doing both clerical and Typing work entrusted to him satisfactorily but also ~~but also~~ he may be benefitted by the service conditions as his past services in his office will earn increments and also a permanent place in his Office from 1.6.45. I was favoured with re-allotment and the same was communicated to me by the Commission in Memorandum No.160/G46 dated 16.2.49 (Vide copy enclosed as Enclosures5).

Then the question as to the date from which I should be deemed to have commenced my probation came up for decision (i.e.) whether it should be from 1.6.45 or the dateof my regular selection. For this purpose , the Inspector addressed the commission who in turn invited his attention to Rule 20(a) of the General rules for Provincial and subordinate services according to which I may be considered to have commenced my probation from a date earlier than the date of my regular selection i.e.5.11.48 which the appointing authority(the Inspector of Oriental schools, Madras) may determine if I hold the post of typist in his office under 9a(i) of the General rules for the Provincial and Subordinate services . From this I was led to believe that the commission would have made this recommendation knowing fully well the different directions given by them to the Inspector the services rendered by me from 1.6.45 to the date of regular selection according to the circumstances and time then prevailing. No where the commission stated that I will be on a fixed pay during all these periods except when the Inspector addressed the commission whether I am elgigible for granting increment in 1946 , he was informed that I am entitled to the minimum pay in the time scale and not to any fixed rate of pay at that time I was holding temporary appointment and had not been selected for such regular appointment on probation (Vide copy enclosed as enclosure -6). This was the same view expressed by the Director of Public Instruction, Madras when the matter was referred to him in 1948. The order of the Director of Public Instruction, Madras was not communicated to me.

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-4-

Without fixing the date of my probation as recommended by the commission, though the Inspector in all his correspondence with the commission and the Director reported that I was discharging my duties to his entire satisfaction, he approached the head of the department to decide this issue on the ground that he has been suggested by the commission to do so, and informed the Director that he was not justified in commencing my probation at a date earlier than 5.11.48 since the commission selected me to the category after the merger of the Pudukottah state. In reply to this, the Director asked the Inspector whether he has got any other objections except the question of merger in considering the commencement of my probation from 1.6.45 and invited his attention in this connection to G.O.No.1942 dated 24.6.44(Public Civil Defence) department.

The objections raised by the Inspector of Oriental schools, Madras were as follows:-

1. Different directions given by the commission and the Director of Public Instruction, Madras with regard to grant of increment are contrary to take the services for granting increment etc.

2. The Commission and the Director have passed orders that I was entitled to minimum in the time scale in 1946 and 1948.

3. According to the discreation vested in Rule 20(a) of the General rules , the Inspector thought fit to advance my probation from 16.2.49 the date on which the commission re-allotted me to his office to 5.11.48 the date of regular selection .

4. The G.O.No.1942(Public Civil Defence) Department dated 24.6.44 referred to by the Director of Public Instruction, Madras in deciding this has been superseded by the subsequent rules and G.Os. concerning war service candidates.

On 18.1.50, I was informed by the Inspector of Oriental schools, Madras, that my services from 1.6.45 to 4.11.48 should have to be considered as purely temporary on a fixed pay(Vide copy enclosed as Enclosure.7). Since I am continuously working in this office with the concurrence of the commission in the same post which has been reserved for a war service candidate and got selection to the same post after competing on equal terms with other war service candidates , I have to be made permanent according to the G.O. referred to above. The Madras Public Service commission has stated that I am entitled to the minimum pay in the time scale at that time. The post of typist held by me was not on fixed pay. In this connection, I beg to submit that the services of candidates who are urgently recruited under Rule 9(a)(i) of the general rules for Provincial and subordinate services may be regularised by the appointing authority under Rule 20(a) in consultation with the commission.

In the above circumstances, I request that having regard to the fact thatI was continuously employed as Typist in the Office of the Inspector of Oriental schools, Madras, from 1.6.45,

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-2-

and was subsequently regularly selected by the Commission for appointment as typist to the same post , I may be treated as a probationer in the Category of typist in the Office of the Inspector of Oriental schools with effect from 1.6.45 so that my service from that date may count for probation and increment.

I request the favour of early orders.

I beg to remain,
Sir,
Your most obedient servant,

P R Venkateswaran

Advance copy submitted to the Secretary to Government Education and Public Health Department Fort St. George, Madras to save delay.
" to the Director of Public Instruction, Madras to save delay.
Copy submitted to the Secretary, Madras Public Service Commission.

-3-

15

ENCLOSURE 1.

Copy of letter No.2135-E4/45-5 dated 6.9.45 of the Secretary, Madras Public Service Commission, Madras, to the Superintendent of Sanskrit schools, Madras.

Sub: War Discharged war service personnel - Venkateswaran Sri P.R.- Temporary employment. Your letter Roc.No.5/45-46 dated 10.8.45

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2. I am to add that Sri P.R. Venkateswaran may however deemed to have been allotted by the commission for tumporary appointment as typist in your office in pursuance of the G.O. referred to above.

Sd.C. Krishnaswamy chetty.
Secretary.

Roc.No.5/45-46 dated 29.9.45 .
Communicated to Sri P.R. Venkateswaran , temporary typist.

Sd. T.S. Balasubrahmanya Ayyar.
Superintendent of Sanskrit schools,Madras.

Enclosure 2.

Copy of letter No.70/45 dated 3.9.45 of the Superintendent of sanskrit schools communicating Endt. X.M.Dis. dated 8.8.45 of the Asst. Secretary, Madras Public service commission .

Copy of Endt. X.No.Dis. dated 8.8.45 of the Assistant Secretary Madras Public Services commission to Sri P.R. Venkateswaran, Typist Office of the Superintendent of schools, Madras through the Director of Public Instruction, Madras.

Returned.

The candidate need not appear for the competitive examination held by the commission under G.O.No.3321 Public (Service) dated 17.11.44, he will be provided with a civil employment only in a temporary capacity until the termination of the war. After the war is over he will have to compete on equal terms with other discharged war service personnel for regular appointment in the vacancies which are reserved to be filled by such men after the termination of the war.

Enclsoure 3.

Copy of G.O.No.2074 , Public service dated 25.9.48.

Public Services - Madras Ministerial service and Madras Judicial Ministerial service - Recruitment of War service candidates - Inclusion of names of certain subjects of Indian states in list of approved candidates - sanctioned.

Ref:-
From the Madras Public service commission, letter No.6973-D1/46-3 dated 23.6.48.

-8-

(8)

Sri P.R. Venkateswaran is informed as follows:-

1. His services as Temporary typist of this office from 1.6.45 to 4.11.48 should have to be considered as purely temporary on a fixed pay.

2. His probation in the category of Typists will commence from 5.11.4 only, the date of his selection for appointment by the Commission.

3. He is not entitled to the grant of any initial Higher salary on 5.11.48. His pay will be raised to Rs.48/- with effect from 5.11.49, consequent to the sanction of an increment of Rs.3/-p.m. with effect from that date.

Sd. T.S. Balasubrahmanya Ayyar,
Inspector of Oriental schools, Madras.

To

Sri P.R. Venkateswaran Officiating typist of this office.
Copy submitted to the Secretary, Madras Public service commission with ref. to his letter No.7575 E5/49-1 dated 28.12.49.

Edn (F)

The original petition sent through the proper channel may be awaited till 16-4-50.

Re 11.3.50 / 11.3.50 — 18/3/50

This may be kept again till 10.5.50.

21.4.50. — 24.4.50.

19

(11)

Edn Deptt (F)

27/3/50 Ref.

IDh 267

From the DPI, Roc No. 3502-5/50 dated 21.4.50.
Madras Ministerial service - Sri P.R. Venkateswaran, Typist, office of the Inspector of Oriental schools, Madras - Regularisation of services with retrospective effect.
Memo No 1042-F/50-1 Edn Dated 27/3/50.

51

Copy of the Public Ref. 50 should be putup

The D.P.I is requested to ~~report~~ the reasons for which the Inspector of Oriental Schools, Madras is not in favour of regularising the appointment of Sri P.R. Venkateswaran typist in his office with retrospective effect from 1.6.1945 under rule 20(a) of the General Rules for the

P.T.O

2

Madras Provincial and Subordinate Services.

To
The D.P.I.

F 21

(12)

R.O.C.No. 350-C5/50.

Office of the
Director of Public Instruction,
Madras, Dt. 3-6-50.

From
The Director of Public Instruction,
MADRAS.

To
The Secretary to Government,
Education Department,
MADRAS.

ASSISTANT SECRETARY
7 JUN 1950
EDUCATION DEPARTMENT

Sir,

Sub: Madras Ministerial Service - Sri P.R.Venkateswaran, Typist, Office of the Inspector of Oriental Schools, Madras - regularisation of services with retrospective effect.

Ref: Government Memorandum No. 1042.F/50-1 Edn., dated 27th May 1950.

With reference to the Government Memorandum quoted above, I have the honour to submit herewith a copy of letter Rc.No. 226/47, dated 31st October 1949 from the Inspector of Oriental Schools, Madras in which the full facts of the case have been explained in detail. He considers that Sri P.R. Venkateswaran commenced his probation in the category of typists from 5-11-48 only - i.e. the date of his selection by the Commission for appointment.

Yours faithfully,

For Director of Public Instruction.

PRK/3-6.

Edn (P)

GOVERNMENT TELEPHONE TRAFFIC
1 JUN 1950

From
Sri T.S. Balasubrahmanya Ayyar, M.A.,L.T.,
Inspector of Oriental Schools, Madras (6)

To
The Director of Public Instruction,
Madras.

Sir,

R.C.No.226/47, dated 31-10-1949.

Sub: Public Service - Sri P.R.Venkateswaran, Typist, appointed in a War-Reserved vacancy - Date of commencement of probation etc., - Reviewed.

Ref: 1. Pros. Rc.No. 1601-C5/49 dated 2-8-49 of the Director of Public Instruction, Madras;

and 2. Endt. N.R.C.No. 1601-C5/49 dated 1-10-49 of the Director of Public Instruction, Madras furnishing a copy of G.O.No. 1942 Public (Civil Defence) dated 24-6-1944.

In reply to the above Proceedings of the Director, quoted as reference (i) supra, I am submitting below the full facts of the case of Sri P.R. Venkateswaran, Typist of this Office, duly reviewed with reference to the rules and G.O.'s on the subject. I request that final orders may kindly be passed as early as possible;

(i) Sri P.R. Venkateswaran is an outsider when he joined the A.R.P. on 4-12-1942 as Telephone operator and then posted as Typist in the Office of the Director of Civil Defence from 13-1-1944 afternoon. He continued in this appointment till 31-5-1945 afternoon, when he joined duty on 1-6-45 forenoon, as temporary typist of this Office on a pay of Rs. 30/- plm. plus Presidency Allowance of Rs. 6/8/0, though in the Office of the Director of Civil Defence he was getting a pay of Rs. 37/- p.m. His temporary appointment from 1-6-45 in this Office was under 9(a)(i) of the General Rules subject to the concurrence of the Madras Public Services Commission at frequent intervals. On a reference to the Secretary, Public Services Commission, Madras, in this office letter Rc.No.70/45 dated 4-3-46, I was informed by the Secretary, Madras Public Services Commission in his letter No. 2135-G1/45-24 dated 25-8-1946 as follows:--

"I am to invite attention to the instructions issued in G.O.No. 2677 Public (Services) dated 7-11-1945 regarding the recruitment of candidates who have rendered War Service for appointment in permanent vacancies which have been reserved to be filled by such candidates and to say that if Sri P.R. Venkateswaran wishes to be selected for appointment as Typist in the Madras Ministerial Service on the ground of his war service, he will have to apply in the prescribed form to the Resettlement Officer of this district. The facts that he has been allotted by the commission in pursuance of G.O. No. 3321 Public Service dated 17-11-1944 for temporary appointment as typist of your Office, do not dispense with the need for his selection by the commission if he wishes to be appointed in a reserved circumstances, he cannot be allotted for regular appointment in your office unless there is a permanent vacancy in your Office which has been reserved to be filled by a war service candidate and unless he submits an application through the Resettlement Officer of the District and is selected by the commission for regular appointment on probation in accordance with G.O.No. 2677 Public Service dated 7-11-45.

I was also informed in reply to para 3 of my same letter, if I can sanction him increment under the rules though he has not been declared a probationer, that the matter was outside the Commission's purview and to suggest that the Accountant-General may, if necessary, be addressed on it. A copy of this letter was communicated to Sri P.R. Venkateswaran by this Office and the Secretary, Madras Public Services Commission has also sent a copy of his letter direct to the Director of Public Instruction, Madras.

(ii) When the Accountant-General, Madras was addressed by this Office as suggested by the Commission, regarding eligibility for sanctioning increment, he wanted information from what date he was placed on probation and whether the same has been accepted by the Commission. When I addressed the commission on this question, I was informed in his letter X.L.Dis. dated 19-6-1946 "that Sri P.R. Venkateswaran has not commenced his probation and that he cannot commence probation until he is selected by the commission for regular appointment on robation in accordance with the procedure prescribed in G.O.No. 2677 Public (Service) dated 7-11-45. He has not yet been selected for such regular appointment on probation. He is at present holding only a temporary appointment under General Rule 9(a)(i); as such under general rule 9(b), he is entitled only to the minimum pay in the time scale". A copy of this letter was also sent direct to the Accountant-General, Madras, by the Secretary, Madras Public Services Commission. I have also communicated a copy of this letter to Sri P.R. Venkateswaran.

(iii) Again the Secretary, Madras Public Services Commission in his letter No. XL.Dis. dated 13-2-49 informed this Office in reply to this Office Rc.No. 70/45 dated 30-1-47, that "Sri P.R. Venkateswaran is a subject of an Indian state and that he cannot be considered for selection for appointment as typist in a reserved vacancy at present, as the Government have declined 262(2) of the Government of India Act 1935 until demobilisation is complete when only it will be known whether a sufficient number of British subjects domiciled in India are or are not available to fill all the reserved vacancies". In the same letter, I was also informed in reply to my query if increment may be drawn then in the face of Government Memo No. 1556 Public(Service) dated 14-12-46, that the question may be referred to the Accountant-General or the Head of the Department as already intimated. This communication was also got noted by Sri P.R. Venkateswaran and consequently his pay was fixed at Rs.45/- (minimum) in the New scales with a special pay of Rs.10/- p.m. for the qualification of Higher Grade typewriting. However, the Director was addressed, as suggested by the commission regarding his eligibility for increment on his temporary services in this Office, for which I was informed by the Director of Public Instruction, Madras, in his Proceedings L.Dis.No.1031-K1/48 dated 8-6-48 that "since the appointment of Sri P.R.Venkateswaran as typist in his office, is not as a regular probationer, he cannot be granted any increment".

(iv) The next stage in the matter is that Sri P.R. Venkateswaran was selected with effect from 5-11-48 by the Madras Public Service Commission as a War-reserved candidate in the Madras Ministerial Service and allotted to the unit of the Surgeon-General to the Government of Madras. Then the commission was addressed through the D.P.I., Madras, for alloting him in the Reserved and permanent vacancy of typist of this Office as he is working in this Office on a Temporary basis from 1-6-45 with a view to get him absorbed in the permanent vacancy after the completion of this probation. The Secretary, Madras Public Services Commission, was pleased to reallot Sri P.R Venkateswaran, as typist in the reserved vacancy of this Office in his letter No. 160-G/46 dated 16-2-49. Though he was declared to have been allotted in the reserved vacancy of this Office from 16-2-49, under the discretion vested in Rule 20(a) of the General Rules, I thought it fit to advance his date of probation from 5-11-48, the date on which the commission selected him for the Regular service under the Madras Ministerial service.

Now the point at issue is, if I can advance the date of his probation from 1-6-45 and refix his salary from that date, overlooking the different directions given by the Madras Public Services Commission and the Director to the effect that the services rendered by Sri P.R. Venkateswaran from 1-6-45 to the date of his selection to the regular category as purely temporary and during which period he is eligible only for the minimum in the time-scale. I am also reviewing his case for purposes of probation, benefit of weightage due to constructive war service, seniority, fixation of pay and sanction of increment etc. To add to this difficulty he is also a subject of the merged state of Pudukottah. No clear

orders are available in this office whether his nativity as a state subject does not stand in the way of his regular selection under the service rules from getting the declaration of the Governor, as the state of Pudukottah stands now merged with this Province. Even if no such declaration is necessary, the date from which the nativity after merger will have effect for purposes of a pointment in Madras Government service requires to be ascertained and communicated.

2. Recruitment of War service candidates in reserved vacancies:

The procedure for selection of war service candidates to Reserved and Non-Reserved vacancies (Permanent and temporary) have been indicated in several G.Os. of which the following are important ones:-

(i) G.O.No. 2761 Public (Resettlement) Department dated 20-11-45 and G.O.Ms.No. 2677 Public (Service) dt. 7-11-45.

(ii) Government Memos. No.2013/46-4 dated 14-8-46 and No.2013/46-5 Public (Service) dated 21-9-46 ordering to suspend until further orders the selection of war service candidates for reserved vacancies.

(iii) Press Note No. 210 Public (Service) dated 21-11-46 instructions for filling in reserved vacancies by war service candidates.

Probation: There is nothing in the Madras Civil Services (War Service Personnel) Recruitment rules 1941, as corrected upto 1-12-45, to direct that the temporary service put in by a War service candidate in a Reserved vacancy to be reckoned for purposes of probation or advance the date of probation unless he was already a regular member of a service and deputed for military duty. In para 4 of G.O.No. 839 Public(Service) dated 5-4-46 (communicated in Director's Pros. Rc.No. 2637-C/44 dated 29-4-46) it is stated that all war service candidates should be placed on probation on their appointment to the reserved posts. It is no-where stated that the rules for probation of all full-members to appointments enunciated under rules 22 to 27 in the General rules or the Madras Ministerial service rules are to be exempted in the case of War service candidates appointed in War-reserved vacancies.

War Service candidates of states subjects: In Government Memo No.806/46-1 (Public Service) dated 4-4-46, it is stated that subjects of Indian states are not debarred from applying to war-reserved vacancies. But in selecting candidates for appointment preference will be given to British subjects domiciled in India. Rule (10(c) of the General Rules and under Rule 75(c) of the Fundamental rules, the orders of the Local Government seems necessary for regularising the appointment. It is presumed that the commission might have obtained necessary approval before selecting him for the category with effect from 5-11-48.

Seniority:- Government Memo. 769/47-1 dated 13-5-46 (Vide Director's Pros. Rc.No. 6608-C6/46 dated 7-6-46) states that "it is not the intention of Government that War services candidates should be promoted overlooking the claims of seniors. Explanation (3) under rule 34 of the General rules states that temporary services mentioned in A.R.P. service rules 1941, who is not already a member of the regular service, will not count his service in such post towards leave, increments or pension. In my unit there is an approved probationer with more than 7 years of service waiting for confirmation though qualified for promotion to upper division, for want of a permanent vacancy. Now Sri P.R.Venkateswaran will get his confirmation in the reserved vacancy after the completion of his probation and if his temporary services before 5-11-48 are regularised, it would create a hardship, as under rule 9 of the Madras Ministerial service exchangeability between the categories of typists and clerks is permissible after completion of probation, and both are eligible for promotion to the category of Upper division Clerks.

Fixation of salary and weightage of constructive war service:-

In G.O.No. 1662 (Public service) dated 28-5-1947 (vide Director's Pros. Rc.No. 1380.C6/46 dated 20-10-47) it is stated that war service candidates appointed to reserved vacancies can be allowed to draw higher initial pay under rules 6A of the Madras civil services (War services personnel) Recruitment Rule 1941, only with effect from the date of their regular appointment to the reserved vacancies. Arrears of pay may be allowed with effect from the date of issue of order of regular appointment". Hence on 5-11-48, the pay of Sri P.R. Venkateswaran may be fixed at Rs.48/-, allowing one increment for ~~xx~~ constructive war service. The date of birth of Sri P.R. Venkateswaran being 8-7-21, he attains his 23rd year only on 8-7-1944 (i.e.) after he entered civil service. As his war service commences from 4-12-42, his total war service works out to 2 years, 5 months and 27 days and therefore he is eligible for one extra increment of Rs.3/- only with reference to G.O.No. 1261 Public services) dated 20-5-48 communicated with Pros. Rc.No. 1316 K1/48 dated 23-1-49 of the Director of Public Instruction, Madras. This may also be kindly reviewed and orders passed.

(3) The copy of G.O.No. 1942 Public (Civil Defence) Department dated 24-6-44, communicated by the Director, may be seen to be superseded by the subsequent rules and G.Os concerning war service candidates; even in this G.O. it is only stated that such A.R.P. candidates who become to be allotted to war reserved permanent vacancies, as in the case of this office he will be entitled to be continued without being replaced by a person of Higher order of War-service. As there is only one reserved war service permanent vacancy in this Office and that allotted to an A.R.P. personnel, he is eligible to be confirmed in the post after the satisfactory completion of his period of probation.

I request that the case may kindly be reviewed with reference to the points referred to above and orders passed for my guidance.

Yours faithfully,

sd/ x x x x x x
Inspector of Oriental Schools, Madras.

/TRUE COPY /

For DIRECTOR OF PUBLIC INSTRUCTION.

PRK/3-6.

Edn.Deptt.(F)

From Sri P.R. Venkateswaran, Typist, Office of the Inspector of Oriental Schools dated 5-3-1950.

Endorsement of the D.P.I.Roc.350-C5/50 d/21-4-50 and 3-6-1950.

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Sub: Estt--Office of the Inspector of Oriental Schools, Sri P.R.Venkateswaran, Typist-Regularisation of services with retrospective effect - Orders passed.

***

O R D E R/Ms. 2489 Edn. d/ 6.9.50.

The D.P.I. is informed that the orders and rules referred to by the Inspector of Oriental Schools in his letter Rc.No.226/47 dated 31-10-49 addressed to him are not relevant for considering the request of Sri P.R.Venkateswaran in his petition cited above. No declaration of eligibility was necessary in favour of the petitioner in view of the merger of the Pudukkottai State ~~with~~ in the Indian Union. ~~territory~~. As regards his eligibility for higher initial pay, only war service rendered after 8-7-44 on which date he attained the age of 23 years ~~only~~ can be taken into account for fixing higher initial pay. The period of his constructive war service viz., ten months and 23 days being less than one year he is not eligible for any higher initial pay with reference to para 3 of G.O.1261 Pub. (Services) dated 20-5-1948.

2.Regularisation of service under the emergency provisions by invoking Rule 20(a) of the General Rules for the Madras State and Subordinate Services is ordinarily made at the discretion of the appointing authority, when it will not affect adversely any person already appointed regularly. ~~The approved probationer referred to by the Inspector of Oriental Schools is reported to have put in more than 2 years of service. Though~~ The regularisation of the petitioner's service ~~of the petitioner~~ with retrospective effect from 1-6-1945 ~~may not affect his seniority or prospects for promotion, it~~ may affect the prospects for promotion of certain members of the Education Deptt.

22

view of the fact that the posts of U.D. clerks in the Education Deptt. (except in the Director's office) are non-selection posts and the unit for purposes of promotion to the U.D.clerk's post is the entire Edn deptt. The Govt do not therefore consider that there is sufficient justification for regularising the services of the petitioner from 1-6-45.

3. The petitioner is referred to the Inspector of Oriental Schools for orders on his petition.

DS 31/5/50

9/9

To

The D.P.I.
Copy to the petitioner (para 3 only)
S/c.

2950

(16)

Edn Deptt (F)

From Sri P.R. Venkateswaran, Typist, Office of the Inspector of Oriental schools, Madras d 5.3.50
Endt of the D.P.I, Roc No 3350 C5/50 d 21.4.50 & 3.6.50.

Establishment - Office of the Inspector of Oriental schools - Sri P.R. Venkateswaran, Typist - Regularisation of services with retrospective effect. —

Sri P.R. Venkateswaran, prior to his appointment as typist in the office of the Inspector of Oriental schools, Madras worked as Telephone Operator in the A.R.P. communication service from 4.12.1942 to 13.1.1944 and as typist in the office of the Director of Civil Defence from 13.1.1944 to 31.5.1945. Consequent of the retrenchment in the A.R.P. organisation, he was appointed as a typist in the office of the Inspector of Oriental schools temporarily from 1.6.1945 ~~with reference~~ in accordance with the procedure laid down in G.O.No. 1942-Public (C.D) d 24.6.1944. He was regularly selected by the Madras Public Service Commission with effect from 5.11.1948 and allotted to the office of the Surgeon-General. On a representation from Sri Venkateswaran, the Commission in its proceedings d 16.2.1949 reallotted him to the office of the Inspector of Oriental schools. Under the discretion vested in him under rule 20 (a) of the General Rules for Provincial and Subordinate Services Rules, the Inspector of Oriental schools advanced the date of probation of the typist from 16.2.1949, the date of reallotment by the Commission to 5.11.1948 the date of regular selection. Sri Venkateswaran now requests that he may be treated as a probationer in the category of typists in

office of the Inspector of Oriental schools with effect from 1.6.1945.

Attention is invited to the report of the D.P.I. of the Inspector of Oriental Schools on Pp 23-25 c/f and the remarks of the Director on Pp 9 & 21 c/f. The Inspector of Oriental Schools considers that the typist commenced his probation only on 5.11.1948 and he is not in favour of regularising his appointment with effect from 1.6.1945 apparently for the reasons detailed at X on p 25 c/f. Sri Venkateswaran being a war service candidate, had to compete on equal terms with other discharged war service personnel for regular appointments in vacancies reserved for such persons. His being a subject of the Pudukkottai state was also responsible for the belated selection by the Commission. As the petitioner has, however, been working temporarily in a post reserved for war service candidates and as he has been appointed regularly to the post subsequently, it is for consideration whether he should not be deemed to have commenced probation with effect from 1-6-1945. Public (Ser) may see for remarks.

Pub (Ser)

Public (Services-C) Department.

Please see the letter from the Inspector of Oriental Schools on pp.23-26 c.f. and the notes of Education on pp.1-2 above.

2. 'Y' on page 25 c.f. Reference is invited to paragraph 3 of G.O.No. 2074, Public (Services), dated 25th August 1948.

3. 'X' on page 25 c.f. The approved probationer referred to by the Inspector of Oriental Schools is stated

p.t.o.

to have put in more than seven years of service. Obviously he joined service before 1945 and the regularisation of the petitioner's services with retrospective effect from 1-6-45 cannot affect his seniority or prospects for promotion. The orders and rules referred to by the Inspector do not seem to be relevant for considering the petitioner's request. Regularisation of service under the Emergency Provisions by invoking General Rule 20 (a) is ordinarily made at the discretion of the appointing authority when it will not affect adversely any person already appointed regularly. The above position may be explained to the D.P.I.

4. 'Z' on page 26 c.f. Sri Venkateswaran was born on 8-7-1921 and attained the age of 23 years on 8-7-44. War service rendered after that date only can be taken into account for fixing higher initial pay. The period of his constructive war service therefore works out to ten months and 23 days and as this period is less than one year he is not eligible for any higher initial pay -- see paragraph 3 of G.O. No. 1261, Public (Services), dated 20-5-48.

5. The file may be returned to Education.

Public (Services-D) Department.

Paragraph 3 of the Public (Services-C) Department's note above proceeds on the presumption that the Inspector of Oriental Schools, Madras is the appointing authority in respect of Ministerial staff in his office, and that the Ministerial staff under his jurisdiction constitute a separate unit for purposes of promotion and seniority with reference to rule 37(c) and (d) of the M.M.S. Rules. The D.P.I. has also stated that the Inspector of Oriental Schools Madras is the appointing authority. But from the entries under "Education Department" in Annexure II to the M.M.S. Rules the Inspector of Oriental Schools does not seem to be the appointing authority. It is not clear whether Education have issued any orders on this point. That department may be requested to clarify the position in this regard.

Edn(F)

Please see the notes from page 1 ante. With reference to 'X' in the note of the Public(Services) Deptt. on page 3 ante, it is submitted that from the entries under "Education Department" in Annexure II to the Madras Ministerial Service Rules, it is seen that the " Superintendent of Sanskrit Schools " is the appointing authority in respect of the ministerial staff in his office. The designation of the post of "Superintendent of Sanskrit Schools" has been changed into "Inspector of Oriental Schools", with reference to G.O.No.2018 Education dated 16-9-1947 as amended by memo No.94068 D3/47-2 Edn. dated 29-4-48. Thus the Inspector of Oriental Schools is the appointing authority in respect of the ministerial staff in his office.

2. A draft memo to the D.P.I. is submitted for approval.

Pub(Ser) may see with ref. to their previous notes.

Pub(Ser)

Public (Services) Department.

(Previous note on pp.2-3 ante)

Education note above and the draft memo. below may be perused.

2. With reference to the change in designation of the post of 'Superintendent of Sanskrit Schools' referred to at 'A' above, the special rules for the Madras Ministerial Service and the Madras Inferior Service and the Madras Civil Services (C.C. &A.) Rules will have to be amended. Relevant extracts from this file may be taken in this department for issuing the necessary amendments to the said rules.

3. The appointing authority in respect of L.D. clerks, typists etc., in the Office of the Inspector of Oriental Schools is the Inspector, and the appointing authority in respect of U.D. clerks etc., in that office is the Deputy D.P.I. (Personnel). The posts of U.D. clerks in the Education Department (except in the Director's office) are non-selection posts, and the unit for purposes of promotion to the U.D. clerks' posts is the entire Education department. So the regularisation of the services of the typist in question from

Edn. U.O. 10412F/50-3 8/8/50.

ASSISTANT SECRETARY TO GOVERNMENT 4089 8 AUG 1950 PUBLIC DEPARTMENT

H. 209 and 133 of BK. 114, and H. 38 and 44-45 of BK. 112.

entries under 'Edn Dept' on p. 209, BK. 114 read with 'A' above.

p. 205, BK. 114.

rule 37 (c) read with Ann. II of MMS Rules H. 203 and 209 BK. 114

209 of Service Manual Vol III

A 8 cfd (R) H 11-12 cfd "

X on p. 3 ante

X on p. 25 ante

22/8/50

Thro' section. (para 2) 17/8/50 No. 3172 17/8/50

Thro' Services-C. (W.S. candidate) 18.8.50. 18.8.50.

Pub(Ser) U.O. No. 4089/50-1 22.8.50.

ASSISTANT SECRETARY 24865 8 AUG 1950 EDUCATION DEPARTMENT

(18)

from 1-6-1945 may affect the prospects for promotion of certain members in the department. In the circumstances there does not seem to be a strong case for regularising the services of the petitioner from 1-6-45. As already stated, the regularisation of his services from 1-6-45 cannot however affect the seniority or prospects for promotion of the approved probationer referred to by the Inspector of Oriental Schools. —— Education may be requested to amend paragraph 2 of the draft memo. suitably in the light of the above remarks.

4. The file may be returned to Education.

16.8.50 17.8.50

21.8.50

22/8/50 ASIV / Edn

Edn Deptt (F)

Please see the Public (Ser) Deptt's note on pp 4-5 ante. With reference to para 3 of their note, a revised draft Order is submitted for approval.

31/8/50

2/9/50 5.9.50