

Edn (1950) Department.

MS SERIES.

Closed
18th
Supt

G.O. NO. 2538 Edn

Dated

11-9 570

9 (Bottle)

[Despatch Abstract.]

doing my work in the said High school. While so, I have also been appointed on a higher salary in the vacancy caused by the leave taken by Punugu Sattanathan. I therefore beg to submit that my claims to seniority over Govindaraja Pillai could not be denied to me. As I was in service on 1-1-1948 absence of pandit training qualification should not stand in my way of getting my legitimate claims. As per the relevant G.Os, I should have been given the seniority over Govindaraja Pillai and I therefore pray that your honour may be pleased to consider my case and pass favourable orders.

This apart even if I am not made ^{senior} ~~senior~~ to Govindaraja Pillai, I submit that I should be given a higher scale of pay as per the Government orders on the subject. As already submitted, I was appointed in the scale of Rs. 30-2/2-50 and I was drawing the salary in that scale and doing work in the High school and handling the High school classes forms V and VI when G.O. 975 dated 10th May, 1947 was passed. I was an existing incumbent in a High school as per that G.O. and I should have been appointed in the scale of Rs. 40-1-60 as per that G.O. I was not so appointed soon after the G.O. was passed. In this connection, I beg to submit that all the relevant G.Os make a distinction between pandits employed in the High Schools and middle schools and do not make any distinction between pandits handling higher forms and pandits handling lower forms in the same high school. This sort of distinction cannot be made at all as per the true and proper construction of the Government orders or as per the intentions of the Government. I also submit that even if this distinction is to be made, I cannot be assigned a lower grade as I have been given work in the higher forms of the school.

No effect at all was given

so far as I am concerned and then the Government passed dated 15-3-48 clearing all doubts and difficulties in the fixing of scales of pay to the Tamil pandits employed in High schools and Middle schools. As per this G.O.No. 526 d/15-3-48, I should have been placed in the scale of Rs. 60-4-120. I beg to submit that this Government order while providing for future service provides for the existing incumbents also. Existing incumbents in the high school and those in middle schools are separately dealt with. It does not make any distinction between the pandits handling higher forms and lower forms in the high schools. Pandits who were in service on 1-1-1948 in high school are given certain rights while those who came later are not given those rights. Existing incumbents in middle schools who were on service on 1-1-1948 are not given any special rights. Even a pandit who were on service on 1-1-48 in high schools, people with more than 15 years of service are placed on a higher scale than those with shorter experience. As already submitted, I am fied with oriental title only, I was in service in the high school. I was handling high school classes, I was in service on 1-1-48 and I had put in less than 15 years experience. I should have been placed on Rs. 40-1-60 scale already as per the provisions. Hence I was entitled to be placed on Rs. 60-4-120 scale. Appendix to G.O.No. 526 dated 15-3-48 (Grade I:- for existing incumbents - existing incumbents who do not possess the qualifications - oriental title with less than 15 years 1-1-48 - Rs. 60-4-120). To place me in any other scale would be contrary to the spirit, intentions and construction of the Government Order. I should not be assigned any scale to middle schools and am not drawing salary in the scale of Rs. 40-1-60 on 15-3-48 to which I was already entitled. This should not stand in the way of my getting my proper scale. I am as per G.O. No. 17-6-48 for giving me the proper scale.

order on it. The Municipality did not give effect either to the earlier G.O. or to the later G.O. till 23-3-48 when the Commissioner in his B2 No. 3562 of 47 dated 23-3-48 gave me a salary of Rs. 41/- from 1-1-1947. I submit that the said order was passed in a proceeding dated 29-2-1948 i.e. a proceeding started prior to the passing of the later G.O. The Commissioner has not considered the effect of the later G.O. No. 526 dated 15-3-48 when he passed the order dated 23-3-48. The Commissioner over-looked to consider the same. The effect of the said order is to give me the scale of Rs. 40-1-60 as per G.O. 975 dated 10-5-47 and nothing more. The learned Commissioner on 23-3-48 after placing me on the scale of Rs. 40-1-60 as per G.O. 975 dated 10-5-47, should further have given effect to the later G.O. 526 dated 15-3-48 and given me the scale of Rs. 60-4-120.

Now the Municipality has placed me only in the scale of Rs. 45-2-85. Even this I was not intimated. I learnt about this only when I was given the increment in B1-Pd1-TC/49 d/23-5-49. I once again wrote to the Commissioner on 11-6-49 praying for the grant of the scale of Rs. 60-4-120. In this connection, I submit that G.O. 526 dated 15-3-48 still stands unsuperceded and G.O. 355 dated 11-2-1949 does not apply to my case. This G.O. only applies to new entrants and people who have to be promoted. I do not claim a promotion. The 2nd sentence of paragraph 3 of the G.O. clearly states that it does not apply to pandits who were working in high schools prior to 1-1-1948 and that such pandits will be entitled to Rs. 60-4-120 if they are appointed in high schools. Hence even if this is applied to my case I should be given the scale of Rs. 60-4-120. Paragraph 4 of the G.O. will not apply to my case as I was already in service on 1-1-1948 in the high school and handling higher forms and not employed.

pandits with similar qualifications and similar experience have been assigned higher scales while I have been denied my rights. The default of the Municipality in not giving me Rs. 40-1-60 as per G.O. 975 dated 10-5-47 soon after it was passed will not stand in the way of my getting the higher scale of salary as per G.O. 526 dated 15-3-48. I may also be permitted to state that Tamil pandits employed in the District Board of South Arcot whose qualifications and service were similar to mine have been granted to Rs. 60-4-120.

In conclusion I beg to state that I have been denied my rights given to me as per the Government orders above referred to. My junior has been given a higher scale while I have not been given that.

I therefore pray that the Honourable Minister may be pleased to consider my case and do justice to me by granting me Rs. 60-4-120 scale from 1-1-1948.

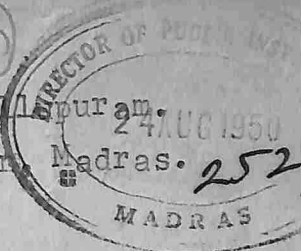
I remain,
Sir,
Your obedient servant,

Ar K. Belangumam Pillai
4.2.50

To
The Secretary to
Education Department,
Fort St. George,
Madras--9.

C2-5764/50 dated 14--8--50:

Thro'
The Chairman, Municipal Council, Villupuram.
The Director of Public Instruction, Madras.



Sir,

Education - secondary - Municipal High School -
Villupuram - Velayudham Pillai (Sri) M.K. - Tamil
pandit grade II - claims seniority to Grade I
pandit - memorial.

In submitting herewith the memorial of Sri.
M.K. Velayudham Pillai, Tamil Pandit, Grade II, Municipal
High School, Villupuram for consideration of his claims
for the post of Grade I pandit, I have to state that he
preferred an appeal and also a review petition to the
Director of Public Instruction for consideration of his
claims for Grade I pandit. The Director in proceedings
No. L.Dis.1541-G1/49 dated 8--8--50 has rejected his appeal
and in proceedings R.C.1392/G2/50 dated 5--6--50 the
Director has issued orders stating that the review petition
of Sri. M.K. Velayudham Pillai, tamil pandit has been
carefully considered and the Director regrets that the
request of the appellant is inadmissible.

Forwarded.

M. S. S. S. S.
23-8.

M. S. S. S. S.
Commissioner.

21.8.50.

Calling for the original of the memorial.

Office of the Director of Public Instruction
Re.1392 G1/50 dated 30/8/1950.

MUNICIPAL COUNCIL-Villupuram-Sri M.K. Velayudham P.
Tamil Pandit, Municipal High School-Claim for Grade I

Ref: From Sri M.K.Velayudham Pillai petition dated 4/7/50.
From the Commissioner, Villupuram Municipality C2-
5764/50 dated 14/8/1950.



Submitted.

The appeal of Sri M.K.Velayudham pillai was considered and rejected for the following reasons.

1 The appellant did not actually commence probation in Grade I pandit's cadre in August 1947 as the posting was cancelled consequent to the incumbent's not going on leave and hence he has no claim on the posting made at that time. The number of periods handled by him, as reported by the Commissioner, in the higher forms is 5 in 1944-45; 10 in 1945-46 and 1946-47 and 5 in 1947-48. As he did not handle at least half the total number of periods of work in the higher forms prior to 1-1-47 and as he did not also discharge full time work in higher forms after that date, he cannot be deemed as an existing incumbent with reference to G.O.526 Education dated 15/3/48.

2 The appellant is a mere oriental title holder eligible only for the scale of 45-2-85 after 1/1/48.

3 The choice of the appointment committee in appointing Sri K. Govindaraja pillai as Grade I pandit in the scale of Rs.60-4-100 was made in June 1949 by the Municipal council with reference to clause 5 of G.O.Ms.355 Edn dated 11/2/49 as he possesses oriental title with pandit Training. This appointment cannot be interfered with. Even the higher salary drawn at Rs.60/- by him in 1948 was objected to the Local Fund Audit Department.

In the circumstances the contention of the Pandit is untenable and the petition does not seem to deserve any special consideration.

S. O. Panchanathan
1.9.50

KPN:31/8

For DIRECTOR OF PUBLIC INSTRUCTION

To

The Secretary to Government,

Education Department,

Fort St. George,

Madras.

2/1/50

(7)

26331/50 Establishment - Municipal Council Villupuram - Velayudham
Pillai Sri M.K. - Tamil Pandit Municipal High School.
Claim for Grade I scale of pay - Memorial. Rejected

14-50f - Petition from Sri M.K. Velayudham Pillai - Tamil Pandit
Municipal High School Villupuram Rs 47.50
From the Commr Villupuram City C2 5764/50 Rs 14.8.50
From the D.P.D. 1392 G-1/50 Rs 30.8.50.

Order no 2538 Education dated 11.9.50
Ho. The memorial is rejected. The Commissioner
Villupuram Municipality is requested to inform the
memorialist accordingly

1876
7.9.50

1876
8.9.50

To The Commissioner
Villupuram City through
the C.O.
D.P.D.
SIC

Establishment - Municipal Council Villupuram -
Velayudham Pillai Sri M.K. Tamil Pandit - Municipal
High School - claim for Grade I Scale of pay

CNO 26331/50
11/1/50
17 of
p 9 of

Petition from Sri M.K. Velayudham Pillai Rs 4-7-50
From the Commissioner Villupuram Mty C2 5264/
Rs 14-8-50
From the DPJ RC 1392 G. 1/50 Rs 30-8-50.

Sri M.K. Velayudham Pillai, a Tamil Pandit
in Grade II in the Municipal High School, Villupuram
has submitted a memorial to govt against the orders
of the DPJ rejecting his appeal & subsequent revision
petition for the grant of the Grade I Scale of pay
of Rs 60-4-120 with effect from 1-1-48 and
seniority over K. Govindarajan Pillai who was
appointed as Grade I Pandit in June 1949.

2. The memorialist is a mere Oriental title
holder who was drawing pay in the scale of Rs 30-2-50
~~fixed~~ intended for junior pandits prior to 1-1-47. Even though
he was handling higher forms in the high school, he
was not allowed the scale of Rs 45-2-75 admissible
to Senior pandits as at least half of his work was not
in the higher forms. With reference to G.O. No 975
Edu dated 10-5-47, his pay was correctly fixed by
the Commissioner in the scale of pay of Rs 40-1-60
admissible to those who were in the old scale of Rs
30-2-50. With reference to the further revision
sanctioned in G.O. No 526 Edu Rs 15-3-48, he was
treated as a Grade I Pandit and allowed the fur-
ther revised scale of pay of Rs 45-2-85. His appeal
revision petition to the DPJ against the grant of a
Grade I Scale of pay was rejected by the Director
for the reasons given in his letter on p 9 of.

3. The memorialist's contention that because
he was employed in a high school on 1-1-48 and

11-1-50

(K)

2 of 3 of (K)

(A)

