

Edm. (1950) Department.

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G.O. NO.

~~231~~ ~~Edm.~~

2599 Ed.

Dated

16.9.50

[Despatch Abstract.]

Back Papers.

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

Further Papers.

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

From

S. Thangavelu Pillai,
Senior Tamil Pandit,
B.H. School, Tirukkoyilur.

To

The Director of Public Instruction,
M a d r a s.

Through

The Proper Channel

Sir,

Sub: Appeal to recognise the claims of seniority of
the appellant in preference to his junior.

I am a fully qualified Vidwan with Oriental Training
entertained in the service of the South Arcot District Board
so back as October 1943. Since then, I have continuously -
been in service without any flaw.

In 1948, I happened to be the seniormost amongst the
Tamil Pandits eligible for promotion to Grade I scale from
Grade II. Recognising the same the Special Officer, Dis-
trict Board, S. Arcot in his order No.A-6-33039 DB/47 dated
6--7--48, I was posted from Grade II Pandit to Grade I Pandit
in the scale of Rs.60--4--100 in the Board High School, ..
Valavanur, which was then only an incomplete High School -
with the higher forms of IV & V only. A few days after my
appointment in the said school, a Grade I Pandit's vacancy
arose in the full blown High School at Tirukkoyilur on -
15--7--48 to which a junior of mine Sri R. Murugesam Pillai
was appointed. The Management was not then perhaps aware
that Grade I Pandit/s do not exist in incomplete High Schools.

I joined duty at the Board High School, Valavanur on
9--7--48 and was working there drawing the Grade I Pandit's
scale since January 1949 when G.O. No.Ms.3150 Edn. dated -
10-12-48 clarifying the position of Grade I Pandits in in-
complete High Schools came into being and in pursuance there-
of, the Special Officer, District Board, S. Arcot in his -
proceedings No.ROC A6-5205/49 dated 6--3--49 reverted me to
the junior scale of Rs.45--2--85 allowing me to draw the

minimum of Rs.45/- and further ordered the recovery of the difference of Rs.116/2 between the Grade I & Grade II Pandits' - that scale ~~but~~ I actually drew from the date of my appointment to Velavamur High School and ^{to} the date of reversion. It is against this order of reversion to Grade II that I am preferring this appeal.

The grounds of appeal are:--

(1) that the recovery and reversion from Grade I to Grade

II scale ordered by the Special Officer in his proceedings quoted above is unjust as the G.O. No. Ms. 3150 Edn. dated 10-12-48

under which I was reverted could not have retrospective effect

in as much as the date from which it is to have effect has not

been specified in the G.O. especially when my junior Murugesam

Pillai was continued in Grade I in Board High School, Tirukkoyilur. It is only by mere chance that the appellant was post-

ed to an incomplete High School while his junior (who was promoted after 8 months) was posted to a complete High School.

(2) The Management should immediately on receipt of the

G.O. have transferred me as Grade I Pandit of the Board High

School, Tirukkoyilur reverting my junior Sri R. Murugesam

Pillai who was then acting as Grade I Pandit and addressed the

Government for waiving the recovery.

(3) To avoid this kind of contingency, the Management

should even at the outset have posted me to Board High School,

Tirukkoyilur in Grade I in preference to my junior Sri R. Murugesam Pillai.

(4) The appellant cannot pay the penalty for the fault

of another.

(5) Sri R. Murugesam Pillai who is junior to the appellant

has been allowed to continue in Grade I from 15-7-48

while the appellant was reverted as Junior Pandit.

(6) The representations made to the Management on 30-3-49

and again on 18-8-49 to reconsider the orders of reversion

were of no avail.

The appellant therefore most humbly prays:

the recovery of
(1) that the sum of Rs.116/2 ordered in No. R. G. M. 8208 of 19-3-48 by the Special Officer, District Board, South Arcot, be cancelled and the amount recovered from the appellant be refunded.

(ii) that the appellant be considered to have acted as senior Pandit from 6-7-48 without break for purposes of pay and increment.



Yours faithful servant,

S. R. Murugesam Pillai

Ag. Senior Tamil Pandit.

Dated 4th November 49

Advance copy submitted to the Director of Public Instruction, Madras.

N.Dis.661/49 - Dated 5th Nov. 49.

Submitted to the President;

Dt. Board, S. Arcot.

A. A. Pathin
Headmaster.
Board High School, Tirukkoilur.

Local Administration Department

From
Sri P.R.Srinivasa Padayachi M.L.A.,
President, District Board,
South Arcot, Cuddalore N.T.
To
The Secretary to Government,
Education Department,
Fort St. George, Madras.
THROUGH The Director of Public Instruction, MADRAS.
Roc.A6-30026-DB-49 dated 18-7-1950.



Sub:- Education - Secondary - Sri S.Thangavelu Pillai
Tamil Pandit - South Arcot District Board - excess
salary waiving of.

Sri S.Thangavelu Pillai, Tamil Pandit, was posted as
Grade I Pandit in the Board High School, Valavanur on 9-7-48 on
the scale of Rs 60-4-100. Subsequently since the Government in
their order No.3150 Education dated 10-12-48 stated that the
pandits employed in the incomplete secondary schools should
not be allowed Grade I scale, the excess over Rs 45/- drawn by
him from 9-7-48 was recovered from him.

The Pandit put in a petition stating that the order 3150
Education dated 10-12-48 could not be deemed to have retros-
pective effect and that recovery from the date of appointment
does not arise. The petition was forwarded to the Director of
Public Instruction, Madras who has recorded the petition in his
proceedings Roc.502-G-I-50 dated 1-7-50 and suggested that the
Government may be addressed separately to waive the recovery.

In these circumstances I request you to kindly issue
necessary orders to waive the recovery of excess payment made
prior to the issue of G.O.No.3150 Education dated 10-12-48
and direct refund of the excess amount collected from the
Pandit for the period from 9-7-48 (the date of appointment
pto

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-2-
in I grade and 9-12-48 the date previous to the date
of G.O. 3150 Education.

psr.19.7.Exd:14.

P. R. Murugesam Pillai
President, Dt. Board.

22/7/50

From
The President, Dt. Board,
South Arcot, Cuddalore.

To
The Director of Public Instruction,
M a d r a s.

Roc.A6-30026-49., dated 12-2-1950.

Sir,



Sub:- Education - Secondary - Sri S. Thangavelu Pillai -
Tamil Pandit - appeal - forwarded -

Ref:- Appeal of Sri S. Thangavelu Pillai, Tamil Pandit
dated 4th November 1949.

-:0:-

I forward herewith the appeal of Sri S. Thangavelu Pillai,
Tamil Pandit, with the following remarks.

The appellant, Sri S. Thangavelu Pillai, Tamil Pandit
(Vidwan and Pandits training) was posted as I Grade Tamil
Pandit of Board High School, Valavanur a school with V Form
as the highest class from 9-7-48 and allowed to draw Rs. 60/-
in the scale of Rs. 60--4--100. He was subsequently placed
as Grade II pandit of the same school and allowed Rs. 45/- from
9-7-1948 in pursuance of G.O.No. 3150-Education dated 10-12-48
laying down that Grade I pandit should not be employed in in-
complete High Schools. The excess amount of Rs. 116-2-0 at the
rate of Rs. 15/- per mensem paid to him till 28-2-1949 was
recovered. The appeal now preferred is to order for the refund
of the above sum and to consider the appellant as I grade pandit
from the date of his appointment without any break for the pur-
poses of pay and increment for the following reasons.

1. that when the petitioner happened to work in an incomplete
High school his junior one Sri R. Murugesam Pillai was
working as a I grade Pandit in a complete high school
and that he (the appellant) ought to have been posted
to the complete school instead of allowing the said
Sri R. Murugesam Pillai to continue there,
2. that the Government order 3150-Education dated 10-12-48
should not be deemed to have retrospective effect and
that recovery from the date of appointment viz., 9-7-48
does not arise.

It is true that Sri R. Murugesam Pillai, a junior to the
petitioner happened to work in a complete high school viz.,
Tirukoilur when the petitioner was in an incomplete school as
G.O. 526 Education dated 15-3-48 referred only to high school
and made no distinction between a complete and incomplete high
school.

In G.O. 3150-Education, dated 10-12-48, the Government
state that they have decided that that Pandits in complete
High Schools should not be allowed the scale of pay fixed
for I Grade Pandit's. As the G.O. embodies a fresh decision
arrived at later on and is not a clarification of the original
G.O. there seems to be some weight in the contention of the
appellant. If the above is accepted the refund of excess at
Rs. 15/- collected for the period from 9-7-48 (the date of
appointment) to 9-12-48 (the day previous to the date of
issue of G.O. 3150-Education dated 10-12-48) may be ordered.

PP.13.2.Exd:14.

M. S. Prabhakar
For President, Dt. Board.

B a ⑤
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
R.C.NO.2156-G.1/50 Dated 22--8--1950.

District Board - South Arcot - Sri S. Thangavelu Pillai, Tamil
Pandit - Waiver of excess salary

Ref: From the President, District Board, South Arcot ROC.A.6-
30026-DB-49 dated 18-7-50. pSant

Submitted with a copy of the petition of Sri Thangavelu
Pillai and the President, District Board's letter ROC.No.A.6-
30026-49 dated 12-2-1950. - pSant

In the circumstances explained by the President, District
Board the recovery already ordered does not seem to be reasonable
and the request is recommended for favourable consideration.

D. O. Panchanabhi
for Director of Public Instruction

To
The Secretary to Government,
Education Department,
Madras.

RVR 22/8/-



24814/50

Establishment - District Board South Arcot.

Thangavelu Pillai Sri S. Tamil pandit - Petition against reversion to Grade II + recovery of excess salary - Orders passed.

MP-30f

MP-70f

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Petition from Sri S. Thangavelu Pillai, Tamil Pandit

Board High School Tirumkoyilur & 4.11.49

From the P.D.B South Arcot Rec. A. b 30026/49 & 18.7.50 + 12.12.50

From the DP I Rc no 2/56 & 1/50 & 2-8-50

Order no 2599 Education dated 16.9.50.

The Govt have considered the petition of Sri S. Thangavelu Pillai, Tamil Pandit, Board High School, Tirumkoyilur, against the orders of the Special Officer, District Board, South Arcot reverting him as Grade II Pandit while he was working in the incomplete high school at Valuram and ordering the ^{recovery of} excess salary paid to him till 28-2-49. As the orders in para 1 of G.O. no 3/50 Dnd & 10.12.48, that Pandits in incomplete high schools should not be allowed the scale of pay fixed for Pandits in Grade I in complete high schools unless their work is completely in the higher forms have no retrospective effect, they direct that the excess salary recovered from the petitioner for the period from 9.7.48 to 9.12.48 both days inclusive should now be refunded to him.

2. The petitioner's request that he may be deemed to have acted as Grade I Pandit continuously from the date of his first appointment cannot be complied with. As he should have been posted as Grade I Pandit in the Complete high school at Tirumkoyilur from 15.7.48 in preference to his junior Sri R. Murugesam Pillai, the Govt direct

Amp 2nf

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that as a special case, his pay as Grade I Pandit should now be fixed with reference to the pay he would have been drawing had he been continuously working as Grade I Pandit from 15.7.48 without any claim for arrears of pay for the period prior to the date of this order.

3. The petitioner is referred to the P.D.B. South Arcot for orders.

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To
The P.D.B. South Arcot
DPD
petitioner through
the P.D.B. South
Arcot - para 3
only.
S/C

24814/50 Establishment - District Board - South Arcot
Thangavelu Pillai Sri. S. Tamil Pandit - Petitioner
against reversion as Grade II Pandit & recovery of
excess salary.

pp 1-3 of Petition from Sri. S. Thangavelu Pillai, Tamil
Pandit B.H. School, Tirumalloyalur, 4.11.49
pp 5-7 of From the P.D.B. South Arcot Rec. A-6 30026/49 dated
18.7.50 & 12.12.50

p 9 of From the DPB A.C. No 2156 G-1/50 dated 32.8.50

Low p. 7 of

(K)

The petitioner Sri. S. Thangavelu Pillai, Tamil Pandit Board High School, Tirumalloyalur, was first appointed as Grade I Pandit in the Board incomplete high school at Valavanur from 9.7.48 and allowed to draw Rs 60 pm - the minimum in the scale of Rs 40 to 120. In G.O. No 3/50 Education dated 10.12.48, the govt decided that fully qualified pandits working in secondary schools having Form IV or V as the highest form (incomplete high schools) should not be allowed the Grade I scale of pay fixed for Pandits in Grade I in complete high schools, but where the number of sections in Form IV & Form V + V is such that the Pandit will have complete work in the higher forms, he should be allowed the scale of pay fixed for Grade I. With reference to this order the petitioner was reverted as Grade II Pandit and the excess salary of Rs 116-2-0 paid to him till 28-2-49 was ordered to be recovered. The petitioner has now appealed against the orders of the Special Officer reverting him as Grade II Pandit & ordering recovery of excess salary. The petitioner's contention is that G.O. No 3/50 Education dated 10.12.48 has no retrospective effect and the excess salary recovered from 9.7.48 to 9.12.48 both days inclusive should be

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refunded to him. The P.D.B. South Arcot & the D.P.D. support the claim as the orders issued in G.O. no 3150 Edn of 10.12.48 ~~are~~ are based on a fresh decision of govt & have no retrospective effect. In the circumstances sanction may be accorded to the refund of the excess salary paid for the period from 9.7.48 to 9.12.48.

2. In this connection, the petitioner has pointed out that a pandit. Sri R. Murugesam Pillai who was junior to him was appointed as Grade I pandit in the complete high school at Tenkottai from 15.7.48 while he was retained in the incomplete high school, and but for this irregular posting he would have continued as Grade I pandit from 9.7.48 (the date of taking charge in the Board High School Palour) without any break. He therefore requests that he may be deemed to have acted as Grade I pandit from 9.7.48 without break for purposes of pay & increments. The P.D.B. South Arcot, admits that the petitioner was senior to Sri R. Murugesam Pillai but he was ~~not~~ ^{not} posted to the ~~complete~~ ^{complete} high school at Tenkottai when a vacancy arose in the post of Grade I pandit because no distinction was made between incomplete & complete high schools in G.O. no 526 of 15.8.48. He was ~~posted~~ ^{not} to the complete high school at Tenkottai only with reference to the later orders in G.O. 3150 Edn of 10.12.48. Neither the P.D.B. South Arcot nor the D.P.D. ^{has} made any specific recommendation on the petitioner's request. As the petitioner has not actually worked as a Grade I pandit from 10.12.48 up to the date on which he joined the Board High School Tenkottai as Grade I pandit, it does not seem appropriate to declare that he may be deemed to have acted as Grade I pandit continuously from the date of his ^{first} appointment. The best course seems to be to refer his pay in Grade I post with reference to the pay he would ~~be~~ ^{he} now be drawing had he been continuously working as Grade I pandit without any claim for arrears of pay.

Mr D.P.D.
view may
be accepted
26.8.50

This may
be approved
26.8.50.
I agree

3 The remarks of Finance may be invited

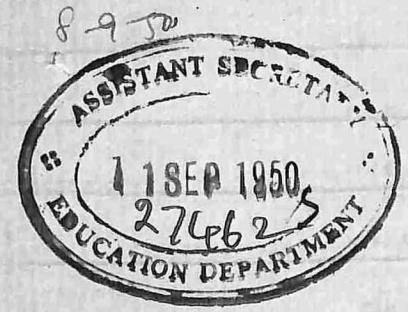
25.8.50.

28.8.50



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Notes from P1 above may
be perused. In the circumstances
explained. Finance Dept agree to the
proposals at 'A' and 'B' on p2 above

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Finance have agreed to the proposals at A & B on page 2 ante.

A draft order is submitted below for approval.

11.9.50.

13.9.50.

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