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(1950) Department.

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G.O. NO. 676 Edn

Dated 2 . 3 . 50

(9)

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[Despatch Abstract.]

Translators' sept — Sri . k . k . Achuthan, Malayalam  
Translator — Request for advance increment —  
Not complied with.

# Back Papers.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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# Further Papers.

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947



Office of the  
Malayalam Translator to Government,  
Madras, 19th October 1949.

From

Sri K.K. Achyuthan, B.A.,  
Malayalam Translator to Government,  
Madras.



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

Through The Senior Translator to Government  
and  
The Accountant-General, Madras.

Sir,

I beg to bring the following few facts for your sympathetic  
consideration and favourable orders.

I was first appointed as Malayalam Translator to Government  
with effect from the 14th December 1936 in the scale of Rs. 200-40/2-  
400 vice Sri P. Sankaran Nambiar, the then permanent Malayalam Trans-  
lator to Government on other duty as District Munsif. I held the  
post, drawing one increment in December 1938, till February 1939.  
Had it not been for the reversion in February 1939, of Sri P. Sankaran  
Nambiar from the post of the District Munsif, I would have continued  
in that post and drawn the maximum pay of Rs. 400/- from 14-12-1946  
onwards in the above scale.

After my forced reversion in February 1939, I was appointed  
as Assistant Malayalam Translator on the minimum pay of Rs. 120 (in  
the scale of Rs. 120-12 1/2/2-145-15/2-190) which is just half of what  
I drew as Malayalam Translator to Government. Subsequently, I was  
getting acting chances as Malayalam Translator to Government during  
leave vacancies and was about to complete a further period of two  
years to earn the second increment in that post.

In 1947, the Government issued G.O. No. 78 Fin. dated 6-2-47,  
revising the scales of pay of the General Subordinate Services. In  
this G.O., the initial pay of Translators to Government has been  
fixed at Rs. 240. The Accountant-General, in pursuance of this G.O.  
issued an increment certificate to me raising my pay ~~from~~ Rs. 280/-  
with effect from 1-1-1947 without taking into consideration my fur-  
ther acting periods as Malayalam Translator to Government since  
February 1939 to 1-1-1947 which counted for increment under the  
Fundamental Rules. Thus I was forced to draw Rs. 280/- while, at  
the same time, a promotee drawing less than Rs. 200/- also drew  
Rs. 280/-, thus giving room for an anomalous position in my case.

Later, I was confirmed as Malayalam Translator to Government  
with effect from the date on which Sri P. Sankaran Nambiar retired  
from service i.e. from 13-6-1947. The Accountant-General issued an  
increment certificate permitting me to draw the next increment with  
effect from 12-3-1949, ~~without~~ again without taking into consideration  
my acting service as Malayalam Translator since February 1939 up to  
1-1-1947.

In the circumstances mentioned above and in view of the fact  
that I would have drawn the maximum pay of Rs. 400/- as Malayalam  
Translator to Government, had I continued in the post without  
interruption in the usual course and that I am to retire from service  
in November this year, I respectfully request that the Government may  
be graciously pleased to consider my case sympathetically and pass  
orders sanctioning to me at least one advance increment with effect  
from 13-6-1947, the date of my confirmation as Malayalam Translator  
to Government or at least with effect from 12-3-1949, from which date  
I was allowed to draw another increment by the Accountant-General  
raising my pay to Rs. 320.

I submit I am prepared to forego, if the Government so direct

the arrears of increment, provided the full benefit of the advance increment, though not fully drawn, is given for the purpose of my pension, relaxing the pension rules to the extent necessary, in my case.

Yours faithfully,

*M. Achuthan.*  
19.10.49

Malayalam Translator to Government.

Office of the Senior Translator  
to Government, Madras.

Endorsement No. 3316/49-1 dated the 19th October 1949.

Forwarded to the Secretary to Government, Education and Public Health Department, through the Accountant-General, Madras, for favourable consideration.

*H. Srinivasan*  
19/10/49  
Senior Translator to Government.

To the Secretary to Government, Education and Public Health Department, Madras,  
through the Accountant-General, Madras. ✓

|                            | Total Service         | Service as Asst. Translator | Pay at the time of promotion as Translator                              | Pay on promotion                                        |
|----------------------------|-----------------------|-----------------------------|-------------------------------------------------------------------------|---------------------------------------------------------|
| (1) M. Keshava Bhat.       | Y. M. D.<br>6. 2. 22. | Y. M. D.<br>4. 10. 9.       | R. 160/- from 13-11-47.                                                 | R. 280/- (13-11-47 to 17-12-47).                        |
| (2) T. Abdul Gaffar Sahib. | 9. 9. 21              | 7. 3. 12                    | R. 170/- " 21-12-48.<br>R. 180/- " 17. 8. 49.<br>R. 180/- from 26-1-48. | R. 280/- (26-1-48 to 25-3-48).<br>R. 240 from 27-11-49. |
| (3) K. N. Krishnan Nayar.  | 16. 6. 22             | 5. 4. 24                    | 180/- from 27-11-49                                                     |                                                         |

4 3  
K. K. Achyuthan, B.A. Born, 27th November 1894.

District in which the officer owns lands—Nil.

| Station.                                                                  | Substantive appointment.                         | Date. | Officiating appointment.            | Date.      |
|---------------------------------------------------------------------------|--------------------------------------------------|-------|-------------------------------------|------------|
| <i>Test passed—</i><br>Translation Test.                                  |                                                  |       |                                     |            |
| <i>Held non-gazetted appointments.</i>                                    |                                                  |       |                                     |            |
| Madras .. ..                                                              | Junior Assistant, Malayalam Translator's office. | ..    | Malayalam Translator to Government. | 14 Dec. 36 |
| <i>Ceased to act with effect from 23rd February 1939.</i>                 |                                                  |       |                                     |            |
| Madras .. ..                                                              | ..                                               | ..    | Malayalam Translator to Government. | 17 Sep. 41 |
| <i>Ceased to act from 24th December 1941.</i>                             |                                                  |       |                                     |            |
| Madras .. ..                                                              | Assistant Malayalam Translator.                  | ..    | Malayalam Translator to Government. | 28 Nov. 42 |
| <i>Ceased to act from 25th March 1943.</i>                                |                                                  |       |                                     |            |
| <i>Completed probation as Malayalam Translator on 12th December 1942.</i> |                                                  |       |                                     |            |
| Madras .. ..                                                              | Assistant Malayalam Translator                   | ..    | Malayalam Translator to Government. | 1 Nov. 45  |
| <i>Ceased to act from 28th February 1946.</i>                             |                                                  |       |                                     |            |
| Madras .. ..                                                              | Assistant Malayalam Translator                   | ..    | Malayalam Translator to Government. | 1 Dec. 46  |
| <i>Ceased to act from 3rd March 1947.</i>                                 |                                                  |       |                                     |            |
| Madras .. ..                                                              | ..                                               | ..    | Malayalam Translator to Government. | 12 May 47  |
| <i>To be Malayalam Translator to Government from 13th June 1947.</i>      |                                                  |       |                                     |            |

**Office of the Accountant-General, Madras.**

G.O. No. 378 Dt. 17th Novr. 1949

Forwarded.

9/636

2. Sri K.V. Achuthan, Malayalam Translator to Government was holding that post during the periods from 14-12-36 to 22-2-39, 17-9-41 to 23-12-41, 28-11-42 to 24-3-43, 1-11-45 to 27-2-46, 1-12-46 to 2-3-47 and 12-5-47 to 12-6-47 in an officiating capacity and was confirmed therein with effect from 13-6-47. It may thus be seen that the Officer was holding (or would hold) the post of Malayalam Translator for a total period of less than six years since the date of his first appointment till the date of his Superannuation on 27-11-'49. It would, therefore, appear that even if the revised pay scales introduced in G.O. 78 Fin. dated 6-2-47 were in force since the date of his first appointment in 1936, and if his pay has been fixed at Rs. 240/- on his first appointment, the Officer would not have earned an increment raising his pay to the stage of Rs. 360/- p.m. before the date of his superannuation.

His pay was fixed at Rs. 280/- p.m. on 1-1-47 in the revised scale of Rs. 240-40/2-400 under the proviso to rule 8 of G.O. 78 Fin. dated 6-2-47. Prior to 1-1-47, he was drawing pay only at Rs. 240/- and hence he was allowed his increment raising his pay to Rs. 320/- in the revised scale on 12-3-49, on completion of a period of 2 years of duty at the stage of Rs. 280. Hence the question of taking into account the acting periods from February '39 to January '47 as stated by him for purposes of increment at the stage of Rs. 280/- does not arise.

W. S. S. S.  
Assistant Accounts Officer.  
asv.  
To -  
The Secretary to Government,  
Education & Public Health  
Department, Fort St. George,  
MADRAS-9.

ETP. II (82)

W/S

Translators' Dept - Sri K. K. Achuthan, Malayalam Translator -

PM

Request for advance increment -  
not complied with

Pages 1-2 of

from Sri K. K. Achuthan, Malayalam Translator to Govt. -

Page 2 of

from the S.T.S. No. 3316 - 49-1 D/19-10-49

Pages 5-6 of

from the A.G. No. 9-6-Rev-Ins - 978 - D/17-11-49.

Order  
Ms.

676

Exn 2-3-50.

20

The Petitioner  
" Thro' the S.T.S.  
" A.G.

The Govt. decline to comply with the petitioner's Request.  
28-2-50 1/8/50

From Sri K.K. Achyuthan, Malayalam Translator to Govt.,  
Petrn., dt.19-10-49.

From the S.T.G., Endt. No. 3316-49-1 dated 19-10-49.

From the A.G., No. G.6-Rev. Mis.978 dt.17-11-49.

**Subject:-** TRANSLATORS' DEPT. - Sri K.K. Achuthan,  
Malayalam Translator - Fixation of pay.

The request of Sri K.K. Achyuthan, Malayalam Translator to Govt., in his petition in the c.f. is that even though he was first appointed as Malayalam Translator to Govt. in the scale of Rs. 200-40/2-400 in Decr. 1936 and continued to act as such till February 1939, and also officiated subsequently ~~in~~ in the post for some periods, his pay had been fixed at Rs.280, only in the revised scale of Rs.240-40/2-400, from 1-1-1947. His plea is that <sup>entire</sup> ~~entire~~ officiating service <sup>counting</sup> ~~counting~~ for increment in the post has not been taken into account in the fixation of his pay as above. He requests <sup>one</sup> ~~an~~ advance increment from 13-6-1947, the date of his confirmation or at least from 12-3-1949 the date of his next increment (Rs.320/-) in the scale. He also requests that the benefit of this increment may be taken into <sup>his pension</sup> ~~his pension~~. 2. The periods during which Sri K.K. Achyuthan acted as Malayalam Translator are

|           | Mrs. | m. | d. |
|-----------|------|----|----|
| 14-12-36. | 2    | 2  | 8  |
| to        |      |    |    |
| 22-2-39.  |      |    |    |
| 17-9-41   |      | 3  | 6  |
| to        |      |    |    |
| 23-12-41  |      |    |    |
| 28-11-42  |      | 3  | 26 |
| to        |      |    |    |
| 24-3-43   |      |    |    |
| 1-11-45   |      | 3  | 27 |
| to        |      |    |    |
| 27-2-46   |      |    |    |
| 1-12-46   |      | 3  | 2  |
| to        |      |    |    |
| 2-3-47    |      |    |    |
| 12-5-47   |      | 1  | 0  |
| to        |      |    |    |
| 12-6-47   |      |    |    |

91636/49.

pages 1-2 y

pages 5-6 y

account in calculating his pension

petitioner's super-annuation (27-11-1949) the officer had put in a service of less than six years and he would not have earned Rs.360/- by that date. The petitioner was in receipt of Rs.240/- before 1-1-47, and in accordance with rule 8 of the rules on p 3 of G.O.No.78 Fin. dt. 6th Feb. 1947<sup>his</sup> pay was correctly fixed at Rs.280/- on 1-1-47. If any concession is to be granted to the petitioner, as requested by him, the rule referred to above will have to be relaxed.

Fin. may see the case for remarks on the request. Pub (Per)

may see later

6.2.50

### Finance (E.III)

The petition from Sri Achyuthan, Malayalam Translator to Government on pages 1-2 C.F., and the note of E & P.H. from page 1 above may be perused.

2/. The statement at A on page 1 above, gives in one view the various periods during which the petitioner acted as Malayalam Translator. Prior to the sanction of the revised scales of pay in 1947, the petitioner was drawing a pay of Rs. 240/- per mensem in the scale of Rs. 200-40/2-400. Under proviso to Rule 8(2) of the M.R.S.P. Rules 1947, the pay of an officer appointed by transfer from the corresponding subordinate service shall be fixed at the stage next higher than such minimum in the revised scale, if he is drawing less than the pay at such stage. According to this Rule, the pay of the petitioner, who was drawing Rs. 240/- prior to 1-1-47, was fixed at Rs. 280/- per mensem in the scale of -- Rs. 240-40/2-400 on 1-1-47. From the Accountant General's letter on page 6 C.F. it is observed that the petitioner was allowed an increment of Rs. 40/- per mensem with effect from 12-3-49 on the completion of period of 2 years of duty at the stage of Rs. 280/-. The petitioner is due to retire from 27-11-49. The petitioner now requests that one advance increment may be sanctioned to him with



E.P.H. No 91636-4/50-1  
8-2-50.

-3- <sup>as Malayalam Translator to Govt.</sup>  
effect from 13-6-47, the date of his confirmation, or at least from 12-3-49, the date of his next increment in the scale. He is prepared to forego the arrears of increment, provided the full benefit of this advance increment is given for the purpose of his pension relaxing the pension rules.

3/. The petitioner's request seems to have been based mainly on the following two considerations:-

- (1) that the officiating service since February, 39 to 1-1-47 counting for increment in the post has not been taken into account in the fixation of his pay; and
- (2) that though he was drawing Rs. 240/- prior to 1-1-47, he was <sup>forced</sup> fixed to draw Rs. 280/- from 1-1-47 while a promotee drawing less than Rs. 200/- also drew Rs. 280/- thus giving room for an anomalous position in his case.

Item (1) above:- In his letter on pages 5-6 C.F. the Accountant General has clearly set out how the question of taking into account, the acting periods since February 1939 to January 1947 (i.e. 11 months and 29 days) as stated by the petitioner for purposes of increment at the stage of Rs. 280/- does not arise. The contention of the petitioner in this aspect, is not therefore, correct.

Item (2) above:- Rule 8(2) of the M.R.S.P. Rules 1947, states as follows:-

"In the case of any other post in Schedule I (in regard to which only the minimum of the existing scale of pay has been raised), the pay of an officer shall be fixed at the minimum in the revised scale if he is drawing less than such minimum?"

Provided that the pay of an officer appointed by transfer from the corresponding subordinate service shall be fixed at the stage next higher than such minimum if he is drawing less than the pay at such stage."

According to this rule, the pay of persons appointed by transfer from Subordinate Services will have to be fixed at a stage next higher than such minimum, irrespective of the pay already drawn, provided it is below the minimum of the revised scale of pay. The

anomaly pointed out by the petitioner is not peculiar to him but exists in all cases, in which that Rule is applied. As a matter of fact in the Subordinate Services a person having less than 8 years service and another having put in more than one year service are eligible only for one advance increment and their pay is equal. There is, therefore, no special significance in the contention of the petitioner.

It may also be stated in this connection that the proviso to Rule 8 (2) of the M.R.S.P. Rules 1947, stated above, has since been deleted with effect from 1-7-48, and persons promoted after this date will be eligible only for the minimum of the scale of pay in the higher post if he is drawing less than such minimum.

In the circumstances explained above, Finance may advise that the request of the petitioner is not all admissible, and that the relaxation of any particular rule does not arise.

cf. Dams Encl 3 of

(K)

13/2/50

Mo 701.7m of 22.7.48

cf 2 out 3 above

13/2/50

Thro' Pen.

10/2/50  
10.2.50

11.2.50

13/2/50



It is for orders whether, in view of the Fin. Dept.'s note above, Sir K. K. Achuthan's request for an advance increment from 13.6.1947, may be refused - (He has since retired & he has been sanctioned a pension of Rs 139-6-0 a month)

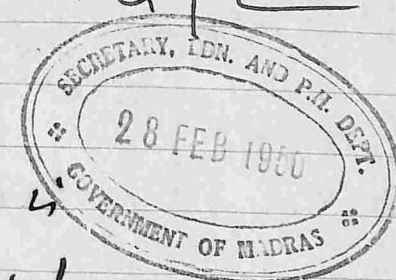
11.2.50

S. MURUGU

The only ground for relaxation would be that the applicant reverted to the post of Assistant Translator on the return of the permanent incumbent. This is not a good ground, and the two other grounds are also untenable as shown by Finance at page 3 ante. May negative the request

14.7 (S.F.V.)

20/2



A draft order is submitted for app'l.

28.2.50 1-3-50

Ms. 676 — Edu

C.F. 73.

DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Press 2.8-50  
Miscellaneous No. \_\_\_\_\_, dated \_\_\_\_\_ 19\_\_\_\_  
Routine.

| Date taken out. | FOR WHAT PURPOSE. |        |       | Initials of clerk taking the paper or of attender. | Date returned. | Initials of attender. |
|-----------------|-------------------|--------|-------|----------------------------------------------------|----------------|-----------------------|
|                 | Department.       | C. No. | Year. |                                                    |                |                       |
| 7/50            | Fin.<br>K. III    |        |       | 50061/50.                                          |                | O. G. K.              |

J.F. 73.

[illegible]