

Educational (1895) Department.

ORDINARY MS.

G.O., No. 685

Dated 13th Aug. 1895

INDEXED.

[Despatch Abstract.]

EXEMPTION FROM THE EXAMINATION RULES

Declining to exempt S. Radhakrishnair, Process writer, District
Munsif's Court, Tiruvadi, Tanjore district, from the Examination rules.

BACK PAPERS.

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

FURTHER PAPERS.

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

Enclosure no VI.

21st JULY 1894, No. 524, EDUCATIONAL.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—again the following papers :—

G.O., dated 23rd June 1883, No. 404, Educational.

ABSTRACT.—Exempting A. Coopooramiah, an Accountant in the Collector's office, Coimbatore, from passing the Middle School examination so far as his promotion in the Treasury branch of the Collector's office is concerned, and issuing certain instructions to the Board of Revenue in regard to the submission of memorials to Government.

G.O., dated 22nd October 1885, No. 643, Educational.

ABSTRACT.—Ruling that the Board of Revenue and all heads of departments are not required to submit to Government applications for exemption which they do not recommend.

ORDER—dated 21st July 1894, No. 524, Educational.

In the first of the orders read above all public servants were accorded the privilege of submitting applications for exemption from the Examination rules direct to Government, and in the same order and G.O., dated 22nd October 1885, No. 643, Educational, certain rules were prescribed in regard to the forwarding of such applications through the ordinary official channels when advantage was not taken of the privilege of petitioning direct.

2. The Government has now resolved to cancel these orders. It is anomalous that subordinate public servants should have the right of addressing Government direct with prayers for exemption from the Examination rules and the Government is obviously unable to come to a satisfactory decision in respect of such applications unless it is in possession of the views of the petitioner's official superiors.

3. In future, therefore, applications from public servants for exemption from the Examination rules or for other similar educational concessions will not be considered unless they are submitted through the ordinary official channels. It must, however, be distinctly understood that every such application must be forwarded to Government whether the petitioner's official superiors support his prayer or not.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Revenue Department.
" the Public Works Department.
" the Military Department.
" the Hon'ble the Chief Justice, with C.L.
" all Heads of Departments.

Gobt. of {1894} Madras.
EDUCATIONAL.

Issued

Recd.

Encl.

G.O., 21st July 1894, No. 524.

JULY.

Applications for exemption.

Directing that, in future, — from the Examination rules from public servants shall be submitted through their official superiors, who shall be bound to forward every such application to Government.

Enclosure no VI.

Enclosure no V.

COPIES OF TESTIMONIALS.

1. * I can say at all times that your behaviour is good and that you are intelligent and willing to work hard to the best of your power.

23/9/79.

(Signed) A. SASHIA SASTRI C. S. I.
Dewan Regent of Pudukotai.

2. S. Radhakrishnier is a respectable young Brahmin connected with Pandamangalam near Trichinopoly where he is anxious to obtain government employment. As far as I know his conduct is very good and steady. He is also related to the Honourable Sashia Sastri, Dewan of Pudukotai. He would doubtless make a good officer.

27/3/82.

(Signed) B. MACLEOD
Assistant Collector, Tanjore.

3. The bearer Radhakrishnier gave me great satisfaction as an amin. He would make a first rate clerk if he should have an opportunity of doing so—as he writes English very neatly and is an efficient officer. I hope that he will succeed in getting a clerk's place ere long and rise in the service.

(Signed) K. KRISHNAIYANGAR
District Munsiff, Tiruvadi.

22/6/84.

4. I have known Radhakrishnier the bearer of this certificate from a long time. He was employed for a short time as a Municipal Clerk in the Tanjore Municipal Office. He possesses a pretty good knowledge of English. His hand-writing is very neat. His conduct is very good. He will evidently work as a clerk in any of the public offices.

(Signed) K. GOVINDA ROW.
Sirkele and Vice-President.
Tanjore.

31/8/84

5. Radhakrishnier who was an amin of the District Munsiff's Court Tiruvarur from 22nd December 1886 till 23rd September 1887 was absent on leave for 5 months. During the period he served here, he did work to my entire satisfaction. I believe him to be deserving promotion and encouragement.

23/9/37.

(Signed) N. NARASIMMAH
Dt Munsiff, Tiruvarur.

6. * I have always found you a quiet, uninterfering and well-behaved young man striving to give satisfaction to your superiors. I must admit that you are capable of doing the business of any other clerk in the court. Let me conclude with the expression of my wish for your success in life.

11/12/92.

(Signed) S. RAMASAMY AIYANGAR
Late Dt Munsiff, Tiruvadi.

7. Endorsement of my present superior on my application to the Honourable A. Sashia Sastri C. S. I, for an appointment in the Pudukotai State.

Permitted to apply. The applicant is a thorough man of business and can do efficiently any work given to him. I have found him a submissive and willing officer and have no doubt he will give satisfaction to his superiors. I wish him success in his attempt.

2/7/93.

(Signed) N. SAMBASIVA AIYAR
Dt Munsiff, Tiruvadi.

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Encl 9th C No 853 822

Enclosure no V.

Enclosure No. IV.
EDUCATIONAL DEPARTMENT.
Proceedings of the Madras Government.

Read the following :—

Endorsement of the Registrar of the High Court of Judicature, Appellate side, Madras, dated 3rd October 1894, No. 2845 on letter from the District Judge of Tanjore, dated 10th September 1894, No. 755.

Order, 31st October 1894. No. 831.

The Government sees no reason to comply with the request of S. Radhakrishna Aiyar in the face of the District Judge's refusal to support it.

(True Extract)

(Signed) A. BUTTERWORTH,
Under Secretary,
for Chief Secretary.

No. 3367.

(True Copy)

High Court of Judicature
Appellate side,
Madras, 15th November 1894.

(Signed) H. W. FOSTER,
Registrar.

(True Copy)

Tanjore,
23rd November 1894

(Signed) E. J. SEWELL,
Acting District Judge.

(True Copy)

S. Radhakrishna Aiyar

Encl 8th C No 843802

III

Enclosure No. IV

Enclosure No. IV

Enclosure No. III

No. 755.

10-9-94.

To,

The Chief Secretary to Government,

Madras.

Through the Registrar of the High Court,

Madras.

Sir,

As required by G. O. dated 21st July 1894, No. 524, Educational, I have the honor to forward herewith an application for exemption from the Examination Rules, from S. Radhakrishnier Process Writer, District Munsif's Court, Tiravadi and to state that I do not support the application.

I have &c.,

(Initialled) J. A. D.

District Judge.

(True Copy)

A. L. ABRAHAM,

2nd Clerk for Superintendant.

(True Copy)

S. Radhakrishnaier

Encl. 76 e No. 853 - Bdu

Enclosure No I

Enclosure No. II.

No. 57

District Munsif's Court of Tiruvadi

From

The District Munsif of
Tiruvadi.

To

The District Judge,
Tanjore.

Sir,

In submitting herewith an application presented by S. Radakrishna Iyer, one of the Process writers of this Court for exemption from the Examination Rules as per G. O., No. 524, Educational, dated 21st July 1894, I have the honor to request that the District Court will be pleased to forward it for the favorable consideration of the Government.

The applicant knows English and writes a good and neat hand. He is a thorough man of business and is well acquainted with every work of the Court, and but for his educational disqualification, he would make quite as capable a clerk as any other here and may perhaps do better. He is a submissive and willing officer, and his case, therefore, deserves favorable consideration.

The enclosed testimonials also support the opinion I have expressed of him.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed) N. SAMBASIVAIER,
District Munsif,

(True Copy)

A. L. ABRAHAM,
2nd Clerk for Superintendent,

(True Copy)

S. Radha Krishnaier

Enclosure No. III

Encl 6 to C No 853. E.M.C

Enclosure No I

TO

HIS EXCELLENCY THE RIGHT HONOURABLE
BEILBY BARON WENLOCK G. C. I. E.,
GOVERNOR IN COUNCIL.

FORT SAINT GEORGE,
MADRAS.

MAY IT PLEASE YOUR EXCELLENCY,

I, the undersigned, Process-Writer, District Munsiff's Court, Tiruvadi, Tanjore District, most humbly beg to place the following facts for your Excellency's benign consideration:—

1. That the Process Service Establishment in the Judicial Department was taken under the protection of Government on the 16th August 1873, and ever since, the Process Servers were paid under a fixed salary system, i.e, amins on grades Rs 14 and Rs 12. This blessing the amins continued to enjoy till July 1889.

2. That the new rules reforming the condition of the Process Service Establishment under Government Order No. 1178, dated 9th July 1899, Judicial, have divided the amins into 3 Grades, i.e, on Rs 20, 15 and 12 but discouraged the condition of the longstanding and efficient 3rd Grade amins like me on Rs 12 by shutting them out from promotion to the higher Grades on the score of their being unpassed men. Under the former system of 2 classes, i.e, Rs 14 and 12, those in the 2nd class had the advantage of promotion to the 1st class. The new rules are calculated to do away this benefit too virtually rendering stationary my present position as 3rd Grade amin on Rs 12 who has put in a faithful service of 11 years and a little more in anxious expectation of promotion.

3. That I most humbly beg to lay for Your Excellency's merciful consideration that I was entertained as amin on Rs 12 per mensem, in this court by Mr Martin in June 1883 and as such I was discharging my duty to the entire satisfaction of my superiors till December 1886, after which I was made a Process-writer of this court in 1887. I was often entrusted with the works of different clerks on several occasions and I am the only servant in the Process Service Establishment of this court who knows English and is acquainted with the ministerial business of the court.

4. That a kind perusal of the enclosed copies of certificates granted to me by the several masters under whom I have served will amply testify to my conduct, abilities and fitness for promotion. Although I am an unpassed candidate, yet my fair knowledge of English combined with my neat hand-writing befits me to work in the Regular Establishment at times, under the orders of my superiors.

Enclosure No II

Encl 5 to C. No. 883 B. 1899

5. An amin on Rs 20 and 3 amins on Rs 15 each, have been sanctioned to this court under the new scale as per Proceedings of the District Court No. 979, dated 23rd September 1889, wherein it is stated, "It is willing that picked and really deserving unpassed amins in the existing Establishment should not be deprived of a boon they have long expected." Thereupon, Mr S. Ramaswami Aiyangar, my late superior and the then District Munsiff submitted urzi No. 150 dated 7th October 1889 to the District Judge recommending me for a 15 Rs amin's place and for exemption from passing examinations because I know and write English, my hand-writing is neat and good, and I am able to work as an amin and as a Process-writer and competent to attend to the Execution, Records and Small Cause works, but another amin who is junior to me in service in the District Munsiff's Court, Patukotai, was promoted to the 15 Rs amin's place on the ground of his being a passed man.

6. That the other urzies submitted to the Tanjore District Court by my late superiors, No. 205 dated 17—12—1886 to retain me in this Court and No. 203 dated 19th September 1888 recommending me among seven applicants for the then vacant Process-writer's place in this Court while I was an amin at Tiruvarur, and the order No. 974 passed by Mr. Davies stating that I can write English, on the Tirvarur Munsiff's urzi No. 194 of the 18th December 1886 to appoint a passed candidate for a vacant amin's place in his Court, will further shew that I really deserve exemption from passing examination for promotion.

7. That when in the years 1879 and 1884 the salaries of Government servants of the Regular Establishments of the Judicial Departments were raised, the old standing unpassed efficient hands then in service were allowed by the benevolent Government to enjoy the promotion.

8. In conclusion, I therefore humbly pray Your Excellency that a similar protection may be given me in consideration of my 11 years' long service and fitness for promotion as above noticed by my superiors, by exempting me from the Examination Rules to obtain promotions to posts in the Process and Regular Establishments that do not require the qualifications of the Special Test Examinations.

I beg to subscribe myself,
Your Gracious Excellency's,
Most obedient and faithful servant,

(Signed) S. Radhakrishnaier

Process-writer, District Munsiff's Court,
Tiruvadi, Tanjore District.

(True copy)

S. Radhakrishnaier

Tiruvadi. }
27th August 1894. }

Intt Cn_o 382295

Enclosure No I.

Encl 4 to Cn 843822

Proceedings of the District Court of Mysore
The 16 day of July 1895.

Read letter no. 31 of the 19th April last
from the District Munsiff of Diruvar
submitting an application with 6 enclosures
presented by S. Rada Krishna Iyer a
process-writer of his Court for re-
consideration of his application (enclosure)
dated 27th August 1894 for being forwarded
for the favourable orders of the Government

Order
Though it is true the Government had not
before it the recommendatory letter of the
District Munsiff it had before it Mr. Davies
opinion which was expressed with full
knowledge of and in spite of that recommenda-
tion. Moreover Rada Krishniah was
designedly passed over in 1889, probably
because he was a junior man among
the unpassed men. That he was then
passed over was in accordance with
general instructions from the High
Court (D.C. letter from Registrar dated
26 October 1889)

However as it may be that I am
obliged to send the petition to Govern-
ment under the G.O. it will be forwarded

(Signed) J. H. Horsfall
District Judge.
To the District Munsiff
Diruvar (True copy)

Thurman
District Judge

Letter No 382295-
III

Enclosure to letter no 774

Dated 16 July 1895 from

the District Judge Bangalore

No 31

District Munsiff Court
of Siruvadi 19th April 1895

From

M. R. Ry

N. Sambasiva Iyengar
District Munsiff
Siruvadi

To

The District Judge
Bangalore

Sir, I am submitting herewith an application with 6 Enclosures presented by S. Rada Krishna Iyer one of the Process-writers of this Court for re-consideration of his application (Enclosure No I) dated 27th August 1894. I have the honor to request that the District Court will be pleased to forward the same for the favourable orders of the Government.

2. I have already supported the application with my recommendation (Vide Enclosure II). The District Court in its Proceedings No 979 dated 28th September 1889 has remarked that "picked and really deserving unpassed amens in the existing Establishment should not be deprived of a boon they have long expected." Pre-eminently the applicant's case

Encl 3 to C No 853. Edul

Copy of District Court's

Proceedings to the District
Munsiff of Siruvadi

Comes under this remark, and he is a
picked and really deserving unpassed
amin. He has 12 years' service and
in my opinion, it is doing only bare
justice to take him as a picked man
and exempt him from the examination
rule. I strongly endorse my previous
opinion of him, having known him
for nearly two and a half years.

I have the honor to be,
Sir,

Your most obedient servant

(Signed) N. Sambasivan

District Munsif

(True copy)

Jurkounfan

District Judge.

Letter No 3822/95-
II

Enclosure to letter No 476
dated 16 July 95 from the
District Judge Saugma

Copy of District Munsif
letter

Encl 2 to Ch. 853 of 1901

TO

HIS EXCELLENCY THE RIGHT HONORABLE,
BEILBY BARON WENLOCK G. C. I. E.
GOVERNOR IN COUNCIL,
Fort St. George, Madras.

May it please your Excellency

The humble Memorialist S. Rathakristnier, Process writer, District Munsif's Court, Tiruvadi, Tanjore District, most respectfully begs to submit, for your Excellency's benign re-consideration his Memorial dated 27th August 1894 praying for exemption from the examination Rules to enable him to obtain promotions to posts in the Process and Regular Establishments that do not require the qualification of Special Test Examination.

2. That the said Memorial (Enclosure No. I.) was forwarded by his official superior, the District Munsif of Tiruvadi, to the District Judge of Tanjore with a strong recommendation (Enclosure No. II). The District Judge while transmitting the said application to Government (Enclosure No. III) not only remarked without assigning any reason that he did not support the application but also to his great misfortune omitted to forward to Government the recommendation of the District Munsif.

3. That subsequently on 29th October 1894 the Memorialist made an application praying to forward also to Government the letter of recommendation of the District Munsif, and it was accordingly sent up. Two days after i.e., on the 31st October last, and before the Munsif's recommendation could have reached the Government, the Government in their order No. 831 dated 31st October 1894, (Enclosure No. IV) declined to grant the Memorialist's prayer on the strength of the unfavorable report made by the then District Judge (Mr. Davies).

4. That as the Government was not in possession of the recommendation of the Munsif on the date the above order was passed, and as the Memorialist believes that a perusal of the same with the copies of testimonials (Enclosure No. V) might have moved Government to view his case favorably, he humbly begs that your Excellency may be graciously pleased, to reconsider his former Memorial together with the letter of the District Munsif.

In conclusion the Memorialist would earnestly crave the attention of Government to the following points which if but considered, cannot fail to tell in his favor.

(a) The object of G. O., (Enclosure No. VI) was obviously to be in possession of the views of the Petitioner's official superior regarding his claim for exemption.

(b) The official superior in the Memorialist's case is the District Munsif under whom he serves. That officer has made the strongest recommendation in his favor. The Munsif is M. R. Ry. N. Sambasiva Iyer Avergal B. A. B. L. also High Court Vakil, and his opinion is entitled to weight.

Process Writer, District Munsif's Court.
Tiruvadi, Tanjore District.

Tiruvadi
15th April 1895. }

Encl. 3822/95

Enclosure to letter
No 774 of 16 July 95
from the District Judge
Tanjore

Current No. 893 District Court
No. 774 Tanjore 16th July 1895.

From J. M. Horsfall Esquire,
District Judge,
Tanjore.

To The Chief Secretary to Government,
Madras,
Through the Registrar of the
High Court of Judicature,
Appellate Side,
Madras.

Sir, With reference to the G. O. dated 21st
July 1894, No. 524, Educational, I have
the honor to forward herewith an applica-
-tion, with its enclosures, for reconsideration
of the application (Enclosure I) from
S. Radhakrishnier, Process-writer, District
Munsif's Court, Tiruvadi, together with
copy of my Proceedings in the matter and
copy of the Munsif's letter submitting the
application.

I have &c,
(Signed) J. M. Horsfall,
District Judge

No.
(True copy.)

High Court of Judicature, } D. W. E. Comil
Appellate Side, } Ag. Registrar.
Madras, 26th July 1895.

Memorial to H. E. The Governor in
Council, Fort Saint George, Madras,
of S. Radhakrishnier, Process-writer
District Munsif's Court, Tiruvadi, for
His Excellency's reconsideration his
Memorial dated 27th August 1894
praying for Exemption from the Exa-
mination Rules under G. O. 524,
Educational, dated 21st July 1894.

with 6 Enclosures
Encl 1 to CM 893 Enc

H. C. No. 3822.

Current No. 893

When given for copying
When copied
When examined
When signed

189

No. 2018.

READ AGAIN G.O., No.
189

DATED

PRESENT No.

From The District Judge,
Tanjore.

To The Chief Secretary to
Government, Madras. Fort Saint George.

Through the Registrar of the High Court
(By order)
High Court, Appellate Side, of Judicature,
Madras. Appellate Side,
Madras. } S. E. Cowie
26th July 1895. } Ag. Registrar.

Dated 16th
Recd 17th
Recd 19th } July 1895.

Recd 31st July

order of 13th August 1895 No. 883

H. M. The Govt. is not prepared to
grant the exemption sought by
the petitioner.

For orders. R. 2/8/95.

The petitioner immediately
Superior, the D. M. Munsiff, very
strongly recommends the
exemption, though the D. M. judge
does not. He may, it is said,
be exempted up to a limit of
Rs 20, which is the pay of a
first grade process writer.

Orders

There is nothing special in this case.

22

5/8/95

I don't think he can be exempted
as the C. S. says there is nothing special
in this case. There are thousands like it.

29/8/95

12/8/95. This case is not
as 876 + 202 with
12/8/95. This case is not
as 876 + 202 with
12/8/95.

ENCLOSURES TO C. No

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

Forwarding the application
From Padhakrishna, Process
of S. C. Munsiff's Court.
Writer, Tanjore.