

Educational (1895) Department.

ORDINARY MS.

G.O., No. 692

Dated 16th Aug. 1895.

INDEXED.

12-13

[Despatch Abstract.]

M.R.RY.A.C.PRANATARTIHARA AIYAR

Informing the Director of Public Instruction that the Government can do nothing to assist --, Assistant Inspector of Schools, Eighth Division, in the matter of the break in his service and the payment of pensionary contribution.

BACK PAPERS.

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

FURTHER PAPERS.

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

Ed. Cor. 17. 2,000-29-3-24.

Educational

No. 212
349C

1895.

Educational Department.

From

THE DIRECTOR OF PUBLIC INSTRUCTION,

16.10.1.95.

Madras,

To

THE HONORABLE THE CHIEF SECRETARY

TO GOVERNMENT,

Fort St. George.

Through the Accountant General



Dated 24

Despatched 24

Received

No.

ENCLOSURES. (3)

Subject.

Recommending that the concessions specified within be granted to Mr. R. R. S. C. Pranamathuram aiyar, Assistant Inspector of Schools, 5th Division

Submitted to Government with the remark that this office can add nothing to the remarks already made in its letter No. 3733 dated 11 December 1894.

Fort Saint George }
acott: Genl. Office }
20th July 1895 } offg. Accountant Genl.

The Chief Secy. to Govt.,
Educational Department.

Recd 22 July/95
20/7.

No. A

Office of the Assistant Director
of Schools, S.D. Camp, Kaly
dated 20th February 1895.



From

M. R. A. C. Pravatarthihara Aiyar,
Assistant Inspector of Schools,
8th Division.

To

The Director of Public Instruction,
Madras.

Sir,

1. I have the honor to submit my
reply to your footnote no. 744 of the 25th
ultimo to G. O. No. 18 of the 10th idem.

2. I submit that when in my appeal
petition I expressed my preparedness, as
an inevitable alternative, to pay what
pensionary contribution and refund might
be required of me, I was under the
impression that the sum would be
within payable means. The total
amount, however, viz. Rs 3600, now
arrived at by the Accountant General

suggests me. It may get reduced by
a third in the manner kindly pointed
out in your Proceedings No. $\frac{6902}{23.6.93}$ and
I may take credit for what of the
pensionary contribution has been promised
by the Bellary Municipal Council and
for an equivalent portion in the shape
of grant-in-aid to them from Provincial
Funds. The net amount, viz, Rs 2400,
is still so large considering my pay
that I must beg to express my utter
inability to pay it.

3. I earnestly solicit the kind perusal
over again of what I have stated
in my appeal petition submitting that
the alleged break in my service was
no break whatever. Section II of Chapter
XXIV, Part VII, of the Civil Service Regu-
lations deals with special cases exactly

exactly such as mine is. It relates
to teachers in aided schools such as
the Daylor High School at Narsapur
was where my services were transferred
to it; and clause 2 of article 849
declares the pensionary nature of such
services after transfer.

4. The transfer referred to in this clause
is transfer to a 'local body' and it is
pointed out that an aided school
committee such as that to which
my services were transferred does not
amount to a local body. I humbly
beg to point out (1) that the whole
of this article including the preamble
refer only to aided schools (2) that
the provisions of this article were made
after consulting the Education Commission
which

which recommended among the rest
the transfer of Government Schools to private
management (3) that the expression
'local body' as understood by the
Government of India is not defined in
the Civil Service Regulations (4) that it
need not be restricted to the local
boards and Municipal Councils of their
Presidency but may be taken in a
more extended sense as indeed the
whole section contemplates and (5) that
the expression 'Board' is used instead
in Section 849. A. following in reference
to such bodies. If by 'local bodies'
were meant only local boards and
municipal Councils there would be no
necessity to use the expression 'Board'
in the next article nor any necessity for

for the whole of that article nor to
state the definite application of that
expression therein.

5. Should this interpretation of the expression
'local body' as may be arrived at by a
reference to the context be accepted I
submit that my case falls under clause
2 of the article in question. The Taylor
High School was an aided school at the
time of my transfer to it from Government
services in the same school which was
a peculiar arrangement. What applies to
the whole applies to the part and my
transfer to the aided school may be
taken, I submit, as transfer with the
school. For if the whole school had
been a Government school and was
transferred to the local body, all the staff
would have carried their pensionary
privileges with them. As it was, I was

The only Government Servant at the time
of the transfer to carry such privileges.

6. The pensionable nature of the rest of
my service, transferred as I subsequently was
from service under the local body at
Narsapur to another at Bellary may be
established in the light of G.O. No. $\frac{11730}{20.11.90}$
dealing with a similar instance.

7. I earnestly implore that the Government
will be pleased to consider that during
all my service I have been treated in the
same manner as any other servant under
Government and that whatever was done
that affected me was done on public
grounds. It was on public grounds that
my services at Narsapur were transferred
to the local School committee for some
months. (Kindly see G.O. No. $\frac{182}{18.3.88}$). It was
on public grounds that exceptional
half grants were passed for me
both

both when I was at Narsapur and
at Bellary (Kindly see G.O. No. $\frac{450}{14.5.86}$).
And lastly it has been on public
grounds and in pursuance of a kind
promise made (Kindly see the Director's
letter embodied in G.O. No. $\frac{182}{18.3.88}$) that
I have been taken back into the
regular establishment as an Assistant
Inspector. Though I have thus all
along had the incidents of transference
in common with other Government
servants in the Department, it is
the peculiar hardness of my lot to be
called upon either to forego 7 years
5 months of my hard earned service
or to pay, which I should only do by
borrowing heavily for the same. The life
that I had of hard travelling and
of

of harder work makes me pause
before agreeing to do the latter as
what I pay now may not be recouped
in the end in the manner hoped;
while the consideration of the same
incidents of my life which must
inevitably tell on my health and force
me to retire early fills me with
concern at the thought of the loss
of so much of my service. I feel on
the whole constrained to forego a portion
of my service, if forego I must, rather
than pay an amount that is beyond
my means. But I earnestly implore
you to kindly mention to Government
that I have deserved neither the one
nor the other. It cannot be, I submit,
that

that individual hardship and loss
should be made to satisfy the
technicality of rules and I beg that
if what I have submitted above in
regard to the pensionary character
of my service all through be not
accepted by Government they will be
pleased to waive their right to the
contribution and refund required
or declare my service pensionable from
both Provincial and municipal funds,
my service from 8th February 1886 when
I took charge of the Municipal High
School Bellary to 1st September 1892
when I was appointed as Subproctor
Assistant Inspector of Schools being
declared pensionable from the latter
Source. As the Bellary Municipality
have

have already expressed their
willingness to pay a portion of the
of pensionary contribution they can
have no objection to the measure
who suggested: With prayers that the
in question may be favourably disposed of

I beg to remain,
Yours most obedient servant,
M. S. S. S.
M. S. S. S.
of school side

Extract from Proceedings of the Municipal Council,
Bellary, dated, 30 April 1895.

Present (the present strength being 23).

1. P. C. Anantha Charlu
Chairman
Municipal Council.

2. Read letter no. 4140, dated, 11 April 1895,
from the Director of Public Instruction forwarding
in original a letter, dated, 20 February 1895,
from Mr. R. R. S. C. Pramatarthacharya aiyar,
late Headmaster Municipal High School, Bellary,
and enquiring whether the Council will grant
him pension for Municipal funds for the
period he was in the Bellary Municipal High
School in lieu of the contribution promised
to be given to him by the Council. The Director
of Public Instruction will be requested to state
if the Gov. are prepared to pay $\frac{2}{3}$ rds
of the Pensionary

the other in

that

Municipal Council
of Public Instruction

...pressed their
willingness +

was in the service of the Bellary Municipal
Council as the Council's promise to pay 1/3rd
was contingent on that condition.

The Council is not willing to give
pension to Mr. A. C. Pramatartihara aiyar
as recommended by the Director of Public
Instruction.

(True extract)

Municipal
Committee's office }
Bellary 4 May 1895.

(sd) P. C. Annutha Chelu
Chavimar.

(True copy)

~~S. S. S. S. S.~~
Director of Public Instruction

No 2
Encls to 362 32
letter No 67 24-6-95

P. In. 2476/95.

From

The Assistant Inspector
of Schools & De.

To

The Director of Public Instruction
Madras.

Dated 20 Feb 95.
Recd 20 Feb 95.

No. A

Extract from Proceedings of the Bellary Municipal
Council, dated, 31st March 1891.

* * * *

4. Read letter, no. 2699, dated, 12th March 1891
from the Director of Public Instruction,
enquiring whether the Council are prepared
to contribute now towards the pensionary
liability of Mr. C. Pramatarthihara Iyer,
late Headmaster, for the period when he
was in the service of the Municipality and,
if so, on what terms.

" Resolved that the Director of Public In-
struction be informed that the Municipal
Council are willing to pay $\frac{1}{3}^{\text{rd}}$ of the amount
of pensionary contribution, on the condition
that $\frac{2}{3}^{\text{rds}}$ are borne by Government.

" The Municipal Council, where
entertaining Mr. Pramatarthihara Iyer,
distinctly mentioned that no pecuniary
contribution will be paid by them "

Municipal Council
Office Bellary
15th April 1891.

(True extract)

Director of Public Instruction

(sd) S. Sahapathy
Chairman

Municipal Council

Current No. 853

OFFICE OF THE DIRECTOR OF

PUBLIC INSTRUCTION,

Madras, 24 June 1895.



No. 6732

From

THE HONORABLE MR. D. DUNCAN, M.A., D.Sc.,

DIRECTOR OF PUBLIC INSTRUCTION,

Madras,

To

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

FORT ST. GEORGE.

(Through the Accountant General)

SIR,

*Directing the A.P.S. to
send for whether money P.
be prepared to pay the sums
mentioned by the A.G. before
reference is made to P.S.*

In reply to G.O., dated, 10 January 1895, no. 18 Edul.,
I have the honour to submit in original letter, no. A,
dated, 20 February 1895, from M. R. Ry. A.C. Pramatantihara
aigar, Assistant Inspector of Schools, 8 Division, expressing
his inability to pay the sums mentioned by the Accountant
General in his letter to Government, no. 3733, dated, 11
December 1894.

I also beg to submit the enclosed copy of the
resolution of the Municipal Council, Bellary, in reply
to my letter to the Chairman enquiring whether the
Municipal Council would be prepared to grant
pension from Municipal funds to M. R. Ry.

No. 3
enclosed to
letter No. 6732
24-6-95

80. 18
10.1.95

Pramatharathihara aiyar for the period he was in its
employ, in lieu of the one-third pensionary contribution
which it promised to pay on his behalf in its resolution
No. 4 of the 31st March 1891 (copy enclosed). Now that
the Council has declined to bear the charge on account
of Mr. R. Py. Pramatharathihara aiyar's pension for the period
he was Headmaster of the Municipal High School, Bellary,
I strongly recommend his case to the clemency of
Government and his exemption from payment of any
pensionary contribution and if possible also from the
refund of the amount specified in para 2 of the
Accountant General's letter, dated, 11th December 1894.

I have the honour to be,
Sir,
your most obedient servant.

J. Duncan
Director of Public Instruction.

220853.
NOTE FOR THE UNDER SECRETARY.

Then I think had better
be seen by all to see
as there is some to
be more trouble about
it. 20

6/8/95
Wes
18

C.No.853 of 1895.

FOR ORDERS

Reference is solicited to the note for orders under cover of G.O. Educational, dated 13th November 1894, No.861, wherein the cause of the break in M.R.Ry. Pranatartihara Aiyar's service is explained.

In his letter No.3733, dated 11th December 1894, the Accountant-General reported that Pranatartihara Aiyar should refund Rs.3617-8-1, on the whole, if he were appointed an assistant master in the late Calicut College with retrospective effect from May 1888 and if his transfer to Municipal service were sanctioned with retrospective effect from February 1886. As the sum was very large, it was thought advisable before addressing the Govt. of India on the subject, to ascertain whether Pranatartihara Aiyar is prepared to refund the sum mentioned and the Director of Public Instruction was accordingly requested to ascertain and report (G.O. Educational 18, dated 10th January 1895

* read in G.O.18 Educational dated 10th January 1895.

I am afraid we can do nothing
w 2/8
12 Aug

CS
Despatch
Order of 16th August 1895 No.692
The Govt. reports that under the circumstances it can do nothing to Mr. R. Pranatartihara Aiyar

22 AUG 95
M.S.

In his letter submitted with Current No. 888, Pranatartihara, Aiyar expresses his inability to refund this large sum, and the Director of Public Instruction strongly recommends that he may be exempted from the payment of the sums mentioned by the Accountant-General. This request, it is submitted, cannot be complied with.

As it would amount to a free gift of Rs. 3600 from Govt. The Civil Service Regulations do not seem to provide for the exemption of officers from the payment of pensionary contributions, and it will be necessary to make a special reference to the Govt. of India which, in so complicated a case as the present, is not likely to lead to any successful result.

If it is decided that Pranatartihara Aiyar cannot be confirmed retrospectively as Assistant Master in the Calicut College, there will be no necessity to exempt Raghavendra Rao from the Sub-Assistant Inspector's test in order to confirm him as Sub-Assistant Inspector of Schools - vide page 8 of Note for Orders in G.O. dated 8th November 1894, No. 881, Educational.

Pranatartihara Aiyar's pensionary contribution

for copying

189

No.

DATED

FOR ORDERS

He wd not be justify able to make his pay out of public money
H. M. Kire

No.

ENCLOSURES TO C. No

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

A A A A A A A

N.B.

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

30.9.95
is a very hard case but I do not see what can be done. I feel there are apt to be paid to him 31/11/95

I am afraid not. Even if he would give me 37 I wd probably refuse
as no one has a positive sanction