

29-1-12 BZV

[R.O.]
10,000-12-5-11.

MADRAS RECORD OFFICE.

Block No. *II*

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

Dept.

Press
Mis.
Rout.

No.

dated

191

Rack No.
Range,

Date taken out.	FOR WHAT PURPOSE.			Initials of Referencer.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
<i>29/1/12</i>	<i>MRCm</i>	<i>368</i>	<i>12</i>	<i>ag</i>	<i>10-6-12</i>	<i>e</i>

Educational (1896) Department.

ORDINARY MS.

G.O., No. 205

Dated 2nd April 1896

INDEXED.

[Despatch Abstract.]

EXEMPTION REFUSED.

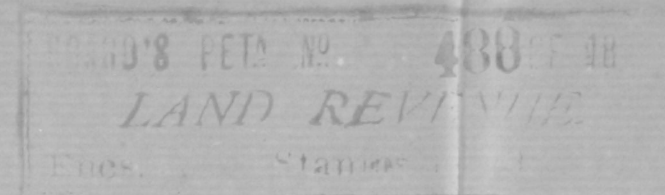
Refusing to exempt from the Examination rules M.P. Achutan,
an attender at the Collector's office, Malabar.

BACK PAPERS.

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

FURTHER PAPERS.

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



To

HIS EXCELLENCY,
THE GOVERNOR IN COUNCIL, FORT ST. GEORGE,
MADRAS.

THRO'

THE COLLECTOR OF MALABAR,
CALICUT.

The humble Memorial of M. P. Achutan, Attender (doing the duties of a clerk) Malabar Collector's Office.

MOST HUMBLY AND RESPECTFULLY SHEWETH,

That your Excellency's humble memorialist has passed the Middle School Examination in the First Class and is an Attender in the Malabar Collector's Office having been appointed as such on the 8th December 1892 and confirmed on the 9th July 1893. The memorialist has thus put in a total service of over 3 years, during which he has been doing the duties of a clerk and has held the following acting appointments on Rs. 15 in superior service.

Twelfth vernacular clerk, Huzur from 7th October 1893 to 30th November 1893.

Sixth Accountant, Huzur from 1st December 1893 to 15th December 1893

Twelfth vernacular clerk, Huzur from 16th December 1893 to 6th May 1894.

Fourth clerk, Sea Customs House Cannanore from 7th May 1894 to 24th September 1894.

Your Excellency's memorialist was appointed to the 4th clerkship of the Sea Customs House, Cannanore in May 1894 by Mr. Bradely, the then Collector of Malabar on the introduction of the Tariff Act. When the general proposals for the increase of establishments at the various Ports were submitted for sanction, the Board disallowed the proposal in respect of Cannanore and the memorialist had, to his misfortune, to revert to his substantive appointment as Attender in the Collector's Office. Your Excellency's humble memorialist begs to submit that if memorialist had been deputed to a place other than Cannanore, he would have been allowed to continue in his post and the necessity for submitting this memorial would not have arisen.

Very recently the memorialist was recommended for a clerk's post on Rs. 15 vacant in the Collector's office; but the Collector being doubtful whether the permanent

Note 1. to the Public Service notification printed at page 70 part I B of the Fort St. George Gazette dated 12th February 95.

appointments referred to in the Public Service notification noted in the margin are appointments in the superior service alone or whether they are also meant

to include permanent appointments in the inferior service, the matter was referred to the Board of Revenue for orders. The Board in its proceedings dated 23rd October 1895 No. 394 (Land Revenue) has held that the words permanent appointments only mean appointments in the superior service and that the promotion of your Excellency's

unfortunate memorialist is not therefore permissible as he has not passed either the Upper Secondary Examination or any equivalent test.

This order of the Board, the memorialist most humbly begs leave to submit, is a matter of very great grievance to him. It has deprived him of the only chance of bettering his circumstances. It inflicts a hardship more especially when it is remembered that many of those who are holding appointments on Rs. 15 and upwards to-day are those who entered the Public Service like memorialist as attenders on Rs. 7.

The memorialist has, since his entertainment in 1892, been working very earnestly and conscientiously and to the satisfaction of his superiors; and the Collector (Mr. Moberly) has been pleased to record an order to the effect that the next appointment of a clerk on Rs. 15 should be given to the memorialist.

Your Excellency's memorialist's mishaps are due to no want of zeal on his part or to any unwillingness on the part of his superiors to provide him. Notwithstanding the fact that two Collectors were pleased to pass orders in memorialist's favour the operation of the rules has been made harsh for him and your memorialist is now compelled to appeal to your Excellency for mercy.

The memorialist most humbly and respectfully begs therefore that, in case your Excellency in Council accepts the Board's interpretations of the notification, your Excellency may be graciously pleased to exempt him from the operation of the rules so far as to admit of his promotion to a post on Rs. 15 or Rs. 20 as a special case in view of the facts set forth above.

For which act of mercy and justice your Excellency's memorialist shall as in duty bound,

EVER PRAY.

Mr. P. Acharya
12th February 1896

Endorsement on M. P. No. 123 of 1896.

Forwarded to the Board of Revenue -

2. *I can see no special reason for granting exemption from the rules - The raising of the qualification ^{no doubt} affected the prospects of those who failed to obtain Rs 15/- appointments before July 1. 1894, but the new rule was considered necessary in the interests of the service*

Calicut
15-2-96

J. Hewitt
Aq. Colv

Acting Collector

BOARD OF REVENUE (LAND REVENUE), No. 394, 28TH OCTOBER, 1895.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

READ—the following letter from J. HEWETSON, Esq., Acting Collector of Malabar, to the Secretary to the Commissioners of Land Revenue, dated Calicut, 12th October 1895, Ref. on C. No. 4318-P. :—

I have the honour to request the Board's orders as to whether, under the present rules, a person who has passed the Middle School examination in the first class and who held a permanent appointment before 1st July 1894, can be appointed to a clerkship on a salary of Rs. 15.

An attender in my office has passed the Middle School examination in the first class. He has been in the service since 8th December 1892 and held the following acting appointments on Rs. 15 for the periods noted against each :—

Twelfth Vernacular Clerk, Huzur, from 7th Oct. 1893 to 30th Nov. 1893.

Sixth Accountant, Huzur, from 1st Dec. 1893 to 15th Dec. 1893.

Twelfth Vernacular Clerk, Huzur, from 16th Dec. 1893 to 6th May 1894.

Fourth Clerk, Sea Custom House, Cannanore, from 7th May 1894 to 24th Sept. 1894.

He has continued to be attender since 25th September 1894, and I wish to know whether he can be promoted to a Rs. 15 post.

2. In note 1 to the Public Service Notification printed at page 70, part I-B, of the Fort St. George Gazette, dated 12th February 1895, it is laid down that the rules contained in that notification are not to affect the promotion of persons who held permanent appointments before 1st July 1894. It is not clear whether the permanent appointments referred to are appointments in superior service alone, or whether they are meant to include appointments in inferior service as well. I am doubtful, therefore, whether the rules in question apply to attenders who held permanent appointments before 1st July 1894.

RESOLUTION—No. 394, dated 28th October 1895.

The Public Service Notification deals with two classes of appointments—

- (1) Those carrying a salary of Rs. 15 *per mensem* and upwards and classed as superior in the Civil Service Regulations, and
- (2) all others.

Rule 2 of the notification declares that no person shall be eligible for an appointment in the former class unless he has passed certain tests. It does not, however, affect the promotion of persons who held permanent appointments in that class before the rule came into force. That this is the proper interpretation of the first note in the preamble is evident from the context. The promotion of the attender to a Rs. 15 appointment is not, therefore, permissible, as he has not passed either the Upper Secondary examination or any equivalent test.

(True Copy and Extract.)

(Signed) L. M. WYNCH,
Secretary.

(True Copy.)

(Signed) S. ANNASWAMY,
Second Assistant.

To the Collector of Malabar.
Copy to other Collectors.

Exd. J. P. Oliver.

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Edl. Dept

Enclos. No. 2.

To

O. No. 293

1895.
Board of Revenue
(Land Revenue),
MADRAS.

Printed November 12th.

Proceedings, No. 394, 28th October 1895.

Passing orders on letter from the Collector of Malabar and stating that a person who has passed the Middle School examination in the first class and who held the post of attender before 1st July 1894 is not eligible for appointment to a post on Rs. 15 under the Public Service Notification.

1896

894 Dept

Encls. No. 1

CURRENT NO. 293

3,000
27-11-95.



Proceedings of the Board of Revenue

(Land Revenue),

Dated 28 February 1896,

No. 1021 Mis.
Routine.

READ Endorsement of J. Forester Esq., Ag Collector of Malabar, dated 15 February 1896, indt. on M. P. No. 123 of 1896.

Resolution.
Submitted for the orders of Government.
(True Extract)
Deen
Ag. Secretary.

To
The Chief Secretary to Govt. Edl. Deptt.
with Memorial and with a copy of Board's
Progs: No 394 dated 28. 10. 95

Le

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