

Educational (1896) Department.

ORDINARY MS.

G.O., No. 56

Dated 29th Jan'y 1896

INDEXED.

[Despatch Abstract.]

PETITION.

Informing one G. Subbiah that, as he has passed only the Middle School, he is not eligible for appointment to a post on Rs. 15 and upwards, such posts being classed as superior in the Civil Service Regulations.

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 Right Honorable,
the Governor in Council,
Fort St. George,
MADRAS.*

Through the Collector of Nellore.

The humble petition of G. Subbayya
permanent 2nd Clerk of the Sud-Registrar's
Office Kandukur and Acting 7th Clerk of
Sub-Collector's Office Ongole

MOST RESPECTFULLY SHOWETH,

That your Excellency's petitioner begs to appeal against the orders of
the Board of Revenue (Land Revenue) contained in their Proceedings No. 394
dated 28th October 1895 in as much as this order has materially affected the appli-
cant and deprived him of a permanent Rs. 15 appointment in the Revenue
Department.

The facts are as follow:—

1. Your Excellency's petitioner is a Clerk of the Registration Department
drawing Rs. 14, has passed only Middle School Examination in the 1st Class (though
he has completed Tahsildar's Test with the exception of Precise writing.)

2. Relying on Note 1 to article 1 of the Public Service notification, the
Sub-Collector was pleased to offer him a Rs. 15 Sub-Protam appointment in the
Revenue Department (promising his early confirmation) and the Inspector General
of Registration was pleased to permit him to take up the appointment offered.

3. In the first pay bill after he joined the Revenue Department, the
question as to his eligibility was raised by the Treasury Deputy Collector but was
answered by the Collector in your petitioner's favour.

4. The present Sub-Collector was, in his order No. ⁴²⁵⁷ 26th Nov. 1895 (summitt-
ed in original) pleased to confirm him as 6th Gumasta Kanigiri Taluk but to your

petitioner's misfortune, Board's Proceeding's No. 394 dated 28th October 1895 and letter No. ³⁶⁰⁶/_{Acc.} dated 25th November 1895 based on that Proceedings from the Treasury Deputy Collector (copies enclosed) were received and the Sub-Collector cancelled the appointment vide order Ref: No. ⁶³⁷⁴/_{Rev.} dated 30th November 1895 (also submitted in original.)

5. Your Excellency's petitioner is not competent to say that the opinion expressed by the Board is incorrect, but he begs to submit for your Excellency's benign consideration that the Board's Orders are contrary to the views of Government expressed in their order No. 539 dated 27th July 1894. Educational Department Index No. 66, on a reference made by the District Judge of North Arcot.

6. Your petitioner's case is exactly similar and he is in superior service and was eligible for promotion before the new rules were brought into force: He is further eligible for promotion to Rs. 15 in the Registration Department under the orders of Government.

7. As the present orders of the Board not only deprived him of his promotion but also stand in his way of claiming pay at Rs. 15 for the time he served in the Revenue Department.

8. In conclusion, your Excellency's petitioner earnestly solicits your Excellency's Government to reverse the orders of the Board and restore him to the appointment of which he was deprived by the said orders; for which act of kindness, your Excellency's petitioners shall, as in duty bound, ever pray.

Angole.

2nd December, 1895

Your Excellency's most obedient

and

Humble Petitioner.

Gadamsetty Subbiah
Ag. 7th Clerk, Sub
Collector's Office,
Angole & permanent
2nd Clerk, Sub Registrar's
office, Kaudukur,
Vellore District.

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14/12/95

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.

Encl. J. P. Oliver.

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.



Proceedings of the Board of Revenue

(Land Revenue),

Dated 8th January 1896.,

No. 59 ^{Mis.}
~~Routine.~~

READ *Endorsement of the Collector of Nellore No 3215 Ver dated 8th December 1895 forwarding to the Chief Secretary to Government. Educational Department, through the Board of Revenue, Land Revenue, Madras. petition from G. Subbaya of Nellore B.*

Resolution

Submitted for the orders of Government. The view expressed by the Board in its Proceedings No. 394 dated 28. 10. 95 was approved in Government order No 782. Educational dated 24. 9. 1895.

(True Extract)

*To the Chief Secretary
to Govt. Ed. Dept. with petn Secretary.
Also five encls. (the latter to be ret'd)
and with copy of B.P. 394
28. 10. 95*

CURRENT No. 80

1896.

Board of Revenue

(Land Revenue),

MADRAS.

To

The Chief Secretary
to Government Ed. Sept.

Order No. 56 of 29 Jan 96

The petn. will be in-
formed that he is not eligible for
Appointment to post on Rs 15 &
upwards ^{such posts are} ~~which is~~ classed as
'Superior' in the C.S.R.

Proceedings, dated 8 January 1896,
No. 59 ^{Mis} Routine.

WA
20/1

W. J. 29.1.6

Mul

Subject.
Subj. to Govt. petition
from one G. Subbiah
contending that he is eligible
for a post of Rs 15 as he has
passed the Middle School
Examination in the 1st Class
and has held the post of 2nd clerk
in the Sub-Registrar's office at
Kandukur, Allore Dist. from
before 1st July 1894.

Note.

G.O. 539 Ed. referred to
27.7.94
inferior appointments for which
the Primary examination is prescribed.

To

The Bd of Rev (L.R.)
with encls. to the petn. ret'd.

When given for copying
When copied
When examined
When signed

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READ AGAIN G.O., No.
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DATED

CURRENT No.

ENCLOSURES TO G. No

ORDER OF GOVERNMENT

A A A A A A A

STATE OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.

A = Copy in full.
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Q = Copy heading only