

1896
Educational (~~190~~) Department.

ORDINARY MS.

G.O., No 638

DATED 12-10-96

INDEXED.

[Despatch Abstract.]

Exemption. — Declining to exempt
Shanmugam Pillai, Acting Gunastak,
Pohut Taluk, North Arcot district, from
the Examination rules.

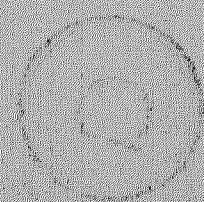
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BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	248	ED	29.4.96				

E. dl.
EDUCATIONAL
Judicial

(1896)

Department.

CURRENT No.

From

The Board of Revenue,

Land Revenue, Madras.

No. 4252 Misc.

Dated 16th September 1896.

Received 18

Registered 18

Enclosures 2

Spare copies —

SUBJECT.

Submitting for the orders of Govt. letter from the Collector of North Arcot recommending that Shanmugam Pillai, acting gunastah, Polur Taluk who has passed the Middle School Examination in the 1st class may be confirmed in S. a. B. 15 appointment for reasons stated.

For Orders

Submitted that there is no ground for the exemption recommended. When the acting appointment which Shanmugam Pillai was holding on the 1st July 94 terminated, he should have been made to revert to his permanent post and ought not to have been re-appointed to another acting appointment for more than three months without the sanction of Govt. This was apparently irregularly appointed to such acting posts by irregularity committed apparently by the Collector, does not, it is submitted, give Shanmugam Pillai any claims for exemption.

1/18
24/9

If the rules had been obeyed Shanmugam Pillai would not have acted continuously until now as gunastah & there would have been no claim to prefer on his account. I think therefore that

29.10.1896

BACK

G.O.	No.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Order. No 638, 8 12th Oct 1896

The Govt. observes that if the acting appointments in which Shanmugam Pillai has served since July 1894 lasted in any case more than three months he should not have been appointed to them without the sanction of Govt. The fact that he has acted for a considerable period irregularly gives him no claim to exemption, & the Collector's recommendation that he should now be confirmed in a Rs 15 app^t cannot be approved.

W. C. C. G. (from O. D. S.)

B^d of Res (L. R.) (L. R.) 14/11

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.

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).

No. 4252 Misc., dated 16th September 1896.

Read letter from S.H. Wynne Esquire, Collector & District Magistrate of North Arcot, to the Secretary to the Commissioners of Land Revenue, Madras, Ref. on Cur. No. 2208/ ver of '96, dated ^{August} 24th September 1896.

Resolution

Submitted for the orders of Government.

2. The person referred to by the Collector was qualified for a Rs. 15 post under the rules in force on 30th June 1894 and he has acted continuously in such posts, though not in the same post, since that date. He appears to be entitled to exemption, as his case conforms substantially to the conditions laid down in Note I to the Preamble to the Public Service Notification. The Board accordingly recommends that his exemption may be sanctioned. (True Extract)

To

The Chief Secretary

Acting Secretary.

with letter in

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

190 .

When again G.O., No. _____
 190 .

DATED

Current No.

Enclosures to C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DIXTO

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

S.B.:-

- A - Copy in full.
- B - Not to be copied.
- C - Copy abstract only.
- D - Copy heading only.