

Government of Madras.

EDUCATIONAL DEPARTMENT

Order
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Recd.

Enclosures

Regd.

1908.

Spare copies

(6)

G.O., No. 591, 10th August 1908.

Delegation of Powers.

Empowering the Honourable the Judges of the High Court, the Secretaries to Government, the Chief Engineer, Public Works Department, and certain heads of departments to sanction the employment of unpassed candidates in-acting and sub. *pro tem.* vacancies and in temporary posts without limit of time when the pay of the appointment does not exceed Rs. 30 per mensem and for a period not exceeding twelve months when the pay is not more than Rupees 50 per mensem, and investing the Chief Secretary to Government with similar powers in regard to appointments in the Government Press.

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GOVERNMENT OF MADRAS.
EDUCATIONAL DEPARTMENT.

READ—the following paper:—

G.O., Mis. No. 257, Educational, dated 1st April 1908.

ABSTRACT.—Recording papers relating to a proposal to grant the Secretaries to Government the power to sanction temporary exemptions for acting and temporary vacancies in the establishments under them.

Order—No. 591, Educational, dated 10th August 1908.

In supersession of all previous orders on the subject and in modification of article 4 (3) of the Public Service Notification, the Government are pleased to empower the Honourable the Judges of the High Court, the Chief Engineer, Public Works Department, the Director of Public Instruction, the Surgeon-General, the Inspector-General of Police, the Inspector-General of Prisons, the Presidency Port Officer and the Inspector-General of Registration in regard to the departments administered by them, and the Secretaries to Government in regard to the establishments in their own offices, to sanction the employment of unpassed candidates in acting and sub. *pro tem.* vacancies and in temporary posts without limit of time when the sanctioned pay of the appointments is not more than Rs. 30 per mensem and for a period not exceeding twelve months when the sanctioned pay of the appointments is not more than Rupees 50 per mensem; provided that *bona-fide* efforts have been made without success to obtain passed candidates. The Chief Secretary to Government will also be invested with similar powers in regard to appointments in the Government Press.

2. The necessary alterations will be made in the Public Service Notification when it is next revised.

(True Extract.)

H. D. TAYLOR,
Secretary to Government.

To the Commissioner for Government Examinations.
" Director of Public Instruction.
" Public Department.
" Judicial Department.
" Marine Department.
" Revenue Department.
" Public Works Department.
" Local and Municipal Department.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 591, EDUCATIONAL,
DATED 10TH AUGUST 1908.

PUBLIC DEPARTMENT.

[SUBJECT.—*Delegation of powers.*]

From the Officer on special duty, dated 12th June 1908, No. 52.

For the Under Secretary—

The Officer on special duty submits proposals for delegations of power in the Medical department.

2. Paragraph 10 should be dealt with finally in the Educational department.

A note under the paragraph is submitted, which may be sent (u.o.) to that department.

A. GALLETTI—29-6-08.

To the Educational Department.

PUBLIC DEPARTMENT.

" 10. There remains only one proposition, namely, that paragraph 717-B of the Civil Medical Code should be altered so as to increase from Rs. 20 to Rs. 30, or perhaps Rs. 40, the limit of pay or acting allowance admissible for unpassed candidates entertained in temporary vacancies. This is an educational question and strictly speaking falls outside the scope of my deputation. The matter will presumably have to be decided on general principles applicable to other departments as well as that under the control of the Surgeon-General."

If power is to be given to the Surgeon-General, presumably other heads of departments will claim similar privileges. Besides, the necessity for the proposed delegation is not apparent. In Collectors' offices graduates-in-arts start on Rs. 15 to begin with, and Rs. 30 is the initial pay offered to graduates in the Secretariat. Public may pass on the proposal to the Educational department for consideration.

N.K.—26-6-08.

C. S. SIMPSON—29-6-08.

Submitted that the powers of the authorities mentioned in article 4, clause (3), Public Service notification, might well be extended or even made equal to those given to the Board by clause (2). The Surgeon-General's proposal may be supported in this department.

A. GALLETTI—29-6-08.

I think there were special reasons why the Members of the Board were given these enlarged powers. Please look up the original orders conferring the powers.

J. N. ATKINSON—16-7-08.

To the Educational Department for favour of note.

A. GALLETTI—16-7-08.

EDUCATIONAL DEPARTMENT.

The Public Service notification has undergone considerable revision, and the limits for which a general educational test is required have been raised to appointments over Rs. 20.

Please examine as to the powers given to the Board and reasons for the same.

H. D. TAYLOR—17-7-08.

The Board were given enlarged powers in regard to temporary exemptions from the examination rules in 1896—*vide* G.O., No. 287, Educational, dated 8th May 1896. The reasons for the enlarged powers are given in appendix A to the Proceedings of the Board of Revenue (Land Revenue), No. 459, dated 16th December 1895, on page 6 of G.O., No. 142, Revenue, dated 24th March 1896. It will be observed that the proposal for delegation to the Board of the power to grant exemptions for a longer period than three months at a time was made with the view of curtailing work in the Board's office and in the Secretariat. In G.O., No. 287, Educational, dated 8th May 1896, the Board were empowered to grant temporary exemption of unpassed candidates for employment in acting vacancies in the Revenue Department for periods longer than three months at a time. No limit of salary was fixed. This

Vide G.O., No. 757, Educational, dated 21st December 1904. rule was for the first time embodied in the Public Service Notification issued in 1905 and was made applicable to all

departments of the Board—*vide* G.O., No. 130, Educational, dated 6th March 1905.

T K.—21-7-08.

K. RANGASWAMI AIYANGAR—22-7-08.

The Revenue Department being much larger than other departments.

H. D. TAYLOR.

Not to the same extent—and in Separate Revenue long periods of probation are necessary.

H.D.T.

gate and applications for temporary exemptions are very rarely negated.

C. A. SOUTER—23-7-08.

Apart from the question of reduction in correspondence there is the question of efficiency to be considered.

Article 4 (3), Public Service Notification, refers to three classes of posts—

- (a) acting appointments,
- (b) *sub. pro tem.* appointments,
- (c) temporary posts.

As the limit for which general educational tests are required have been raised to appointments over Rs. 20, (c) goes out. The limit here might be raised to Rs. 30 for all heads of departments.

The other cases are, however, very different. There might be an unpassed man holding a post on Rs. 20; as it is the head of a department could, under the rule, appoint him to act in a post, the nominal salary attached to which is Rs. 100, he would draw a pay of Rs. 20 permanent + Rs. 20 acting allowance or Rs. 40 in all.

I would recast rule 4 (3) so as to allow exemption by heads of departments to

temporary, acting or *sub. pro tem.* posts, provided that the sanctioned pay of the post does not exceed Rs. 30, or to similar posts the sanctioned pay of which does not exceed Rs. 50 up to a limit of one or two

M. H[AMMICK].

years. I do not think that unlimited powers should be given as in the case of the

Board of Revenue to all heads of departments. The number of appointments in the Revenue Department is much greater, and in some special departments, *e.g.*, Salt and Abkari, it may be necessary to test the fitness of a man by a considerable period of probation. This does not arise to the same extent in other departments. The question is whether the matter is looked out from the point of view of reduction of correspondence, or of delegation of powers.

The danger is, with some departments, that one would get a lot of unqualified men, who are dubbed "useful office hands" kept on indefinitely in *sub. pro tem.* appointments to the exclusion of qualified men. This would be followed by an application for permanent exemption on the ground that the men "had held the posts and given satisfaction" for a long time.

I agree with the Secretary at A above. That will give sufficient liberty, I think.

M. H[AMMICK]—28-7-08.

cation for permanent exemption on the ground that the men "had held the posts and given satisfaction" for a long time.

H. D. TAYLOR—23-7-08.

Please draft for approval and acceptance of other departments. Secretaries to Government may be included under 4 (3) though it is not likely that the power will be used as regards Secretariat establishment.

Please note separately with reference to the Public Service Notification which is now under revision.

H. D. TAYLOR—29-7-08.

The draft submitted below is for approval; if approved it may be sent to other departments for acceptance.

2. Secretaries to Government have been included in the draft—*vide* page 7 of the notes with G.O., No. 257, Educational, dated 1st April 1908.

Unlinked for separate consideration.

H. D. TAYLOR.

3. A copy of the Public Service and Special Test Notification as revised with reference to recent orders is placed in the linked file.

T.K.—31-7-08.

K. RANGASWAMI AIYANGAR—31-7-08.

C. A. SOUTER—1-8-08.

	To the Public	} Departments.
	" Judicial	
Circulate separate copies to departments.	" Marine	
	" Revenue	
	" Public Works	
	" Local and Municipal	

The draft gives effect, I think, to the Honourable Member's intentions, viz., that exemptions in regard to posts the sanctioned pay of which is Rs. 30 may be given by heads of departments without limit of time. For posts Rs. 30 to Rs. 50 only a one-year limit is prescribed.

H. D. TAYLOR—1-8-08.

A I agree. The paper had better circulate to the Honourable Member and His Excellency the Governor.

M. H[AMMICK]—4-8-08.

For approval.

H. D. TAYLOR—5-8-08.

A. L[AWLEY]—8-8-08.

Issue.

H. D. TAYLOR—8-8-08.

To the Local and Municipal Department.

LOCAL AND MUNICIPAL DEPARTMENT.

Submitted that the draft order may be accepted in the Local and Municipal Department.

V.S.—3-8-08.

Yes. Accepted.

H. D. TAYLOR—4-8-08.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

This may lie over until the replies from the other Secretariat Departments are received.

K. RANGASWAMI AIYANGAR—4-8-08

C. A. SOUTER—4-8-08.

JUDICIAL DEPARTMENT.

Submitted that the draft below may be accepted.

N.V.K.R.—5-8-08.

Yes.

C. A. SOUTER—5-8-08.

To the Educational Department.

PUBLIC WORKS DEPARTMENT.

Accepted in the Public Works Department.

R. PARSONS—5-8-08.

P. HAWKINS—6-8-08.

To the Educational Department.

REVENUE DEPARTMENT.

The draft order may, it is submitted, be accepted and the file returned to the Educational Department u.o.

S.R.G.—6-8-08.

M.R.N.—7-8-08.

Accepted in Revenue.

F. NOYCE—7-8-08.

To the Educational Department.

MARINE DEPARTMENT.

The draft may be accepted in this department.

K.P.A.—4-8-08.

C. S. SIMPSON—5-8-08.

A. GALLETTI—6-8-08.

Yes.

J. N. ATKINSON—7-8-08.

To the Educational Department.

PUBLIC DEPARTMENT.

The draft may be accepted in Public.

K.K.—4-8-08.

It is not quite clear whether the term "their own offices" after "Secretaries to Government" will cover the Government Press. The Press is the Secretariat Press, and the Chief Secretary is the head of the department with respect to it, but the point might be made clear.

C. S. SIMPSON—5-8-08.

A. GALLETTI—6-8-08.

Yes, perhaps "the Chief Secretary to Government in regard to the Government Press" might be inserted.

J. N. ATKINSON—7-8-08.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

This may be inserted.

H. D. TAYLOR—10-8-08.

Please see the pencil addition made to the draft order. If approved it will be inked and the draft issued.

P.R.—10-8-08.

K. RANGASWAMI AIYANGAR—10-8-08.

Yes.

C. A. SOUTER—10 8-08.

[G.O., No. 591, Educational, dated 10th August 1908.]

Please see Hon'ble Mr. Hammick's remarks at A on page 3. It does not appear that the papers were circulated to the Hon'ble Mr. Stokes.

C R.V.—22-8-08.

Submitted for orders whether any action is now necessary. The order has issued.

K. RANGASWAMI AIYANGAR—28-8-08.

No. It was for the Chief Secretary to do so.

C. A. SOUTER—28-8-08.

Read again G.O.No.257 Edl., dated 1st April 1908.

C.No.1579 From the Public Department, No.2499-3, d/ 16th July 1908.

ORDER:-
P.S.

591 27 10- 8-08.

and a modification of
at 4.31 of the P.S.
notification.

In supersession of all previous orders on the subject, the Government are pleased to empower the Hon'ble the Judges of the High Court, the Chief Engineer, Public Works Department, the Director of Public Instruction, the Surgeon-General, the Inspector-General of Police, the Inspector General of Prisons, the Presidency Port Officer and the Inspector-General of Registration, in regard to the departments administered by them, and the Secretaries to Government in regard to the establishments in their own offices, to sanction the employment of unpassed candidates in acting and sub-pro-tem vacancies and in temporary posts, when the sanctioned pay of the appointments is not more than Rs.50 per mensem, and when the vacancy does not exceed twelve months in duration, provided that bona fide efforts have been made without success to obtain passed candidates.

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The Chief Secretary to Government will also be invested with similar powers in regard to appointments to in the Govt. Press.

2. The necessary alterations will be made in the Public Service Notification when it is next revised.

The Commr. for Govt. Examinations.

" D.P.I. ✓
" Public Department ✓
" Judicial Department ✓
" Marine Department ✓
" Revenue Department ✓
" Public Works Department ✓

7/7.
31-7-08
19/8

RR
31-7-08

Cos
1-8-8.
H02
1-8-08.