

Educational (191 |) Department.

ORDINARY MS.

G.O., No. 562

DATED 11-8-1911

[Despatch Abstract.]

Exemption from the examⁿ rules.

Recording notes relating to the
delegation to certain authorities of powers to
withhold application for — which the
authority, through whom it is forwarded,
is not prepared to support.

BACK PAPERS.

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

FURTHER PAPERS.

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

[G.]
[I]
1,000-22 11-08

Col.
~~DEPARTMENT~~

NOTES.

Educational Department

Mean purpose

V

(1) orders which require that every application for exemption from examination rules should be submitted to Govt, whether the head of the department supports it or not

(2) orders which lay down that exemption ^{will} ~~shall~~ be granted only on public grounds and not on personal grounds-

2. Are there any cases where Govt have granted exemptions which were not supported by the heads of departments?

Ans
VJ/M

The Under Secretary's queries are answered below

serial:-

- A. (a) Please see para. 3 of G.O. 524 Etdy 21st July 1894.
- D. (b) Please see para. 2 of G.O. 173 Etdy 10th March 1908 in which the I.G. of Police was directed that, in submitting applications for exemption of his subordinates from the examination rules, he should state distinctly whether he makes the recommendation in the interests of departmental administration. Besides this there appears to be no specific G.O. on the point, but that this is the policy of Govt. is evident from the notes recorded by the Hon'ble members in individual cases - please see for instance, notes on page 8 of G.O. 173 Etdy 10th March 1908, pages 9 and 10 of G.O. 9 Rdy 11th January 1909 and pages 4 and 5 of G.O. 492 Etdy 17th August 1910

① This G.O. is put up with only E.F. cases which is not Revenue Dept.

2. No cases where Govt. have granted exemptions which were not supported by the heads of departments are traceable.

PP
8-7 "

8-7 "

What is the number of cases in which exemptions were refused by Govt. in the last six months?

1300
2/2/14

Applications for exemption from the examination rules are of three kinds:-

(i) applications for permanent exemption

(ii)

NOTES.

Page 3

(ii) applications for temporary exemption, and

(iii) applications for exemption from the examination

rules for the purpose of appearing for special tests.

The following table gives the total number of applications received in the past six months under ^{each of} the three heads

mentioned above, the number sanctioned and the number rejected.

	Total.	Sanctioned.	Rejected.
(i) Applications for permanent exemption.	29.	19.	10.
(ii) " " temporary "	91.	91.	..
(iii) " " permission to appear for special tests	21.	8.	13.
Total	141	118	23

12-7-11

Key

For orders as to whether to look

sentence officers 30 off 50. 524 Ed by 21-7-24

may not be notified and heads of department instructed to submit report on each application for exemption as they appear in the interests

of ~~the~~ departmental administration -

Reference is solicited to ^{456 Public} G.O. 227 d/5-5-02

which deals with similar applications from unprocessed men who in public service

Please put up the original of A. The notes are relevant.

Regd. Secy to Govt
Madras

14/7

Slip. A.

The original of G.O. 524 Old, 21st July 1974 has been obtained from Madras and is put up.

MD

19-7-11

RD

19-7-11

The notes in G.O. 524 Cor^d. show that the heads of departments were deprived of the power of withholding and reserving applications for exemption from the examination rules for two reasons, viz:-

(i) that the same order cancelled the pre-existing practice under which it was at the option of a public servant to petition Gov^t direct on the subject, and
(ii) that (in the old spirit of centralization) Gov^t were apprehensive ^{that} ~~that~~ deserving applications ~~would~~ might be with held by heads of departments.

2. It does not seem necessary to retain the rigid rule that heads of departments must submit all such applications ~~which~~ when put in by public servants G.O. No 450 Public J. 11-5-02 gives them complete Discretion to deal with cases where the applicant is not in Gov^t service, and in these days of decentralization the same discretion wh^{ch} is submit, be allowed with regard to applicants who

are public servants. I also make an addition to para XVI of C. Petition Rules, somewhat in the following terms:-

d. (3) "When a petition is an application for exemption from the examination rules which the authority, through whom it is forwarded, is not prepared to support."



Plus 1766-1

20.7.11

Public. no.

20

H.M. concl.

LD.
20.7.11

CURRENT NO.
4189
Regd d 21-7-11

For the U.S.

Submitted that this department may concur in the proposed addition of to para xvi of 'C' Petition rules. Attention is, however, directed to the undermentioned papers:-

C.P.S.
24.7.11

(i) Para. 4 (5) of Mr Davidson's letter M. 3 of 26-3-09 - page 74 from 183 Rules of 5-3-10

(ii) Para. 1 (a) of the Proceedings of the Board of Revs. M 310 of 20-6-08 - page 12 of 183 Rules 5-3-10

(iii) Notes on pages 18, 20 and 56 of the notes to go 183 Rules 5-3-10

28/7/11

The new rule may be accepted in Public with this reservation - that if an applic^r receives a favorable endorsement from an authority competent to proceed under Rule XVI (i.e. to withhold it under certain circumstances) it sh^d not be withheld for superior authority to whom it has to go before it reaches Govt.

To state a case - If a Div^l Officer makes a recommendation for exemption from the rule which prevents a Matriculate from appearing for the Criminal Test in favour of a deserving clerk, and this is supported by the Collector, it sh^d not be withheld because it is unsympathetic all round of the Board - Otherwise Govt. might as well delegate the power of exemption to the Board - as the rare cases which come up would be so strong - as practically to ^{compel} ~~make~~ acquiescence.

Coff 3/8

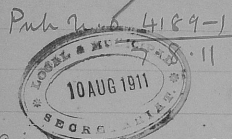
I am not in favour of the change proposed. It is not shown that it will save much work and it will deny a certain number of petitioners the right of access to Govt. which

Every little helps
D.F.H.

Also
by it is noted in many
similar cases

W.H.B.

W.H.B.



Circled in Room 26.

they value

8

H. C.
7/8

Ed. a.s.

Educational Department

H. M.

col. L.D.
10.8.11

I am not in favour of change.
I have often said that with a fork
like this it is most unpolitic
to trust the power of petitioning
unless it is absolutely necessary to
do so. It is a privilege not valued.



W.H.B.

W.H.B.
10.8.11

A draft order recording the notes is sub-
mitted for approval.

U.S.

W.H.B.
11.8.11

W.H.B.

[fo. No 562 and 11-8-11]

W.H.B.
11.8.11

mis

Recorded

PTP
11-8-1

11. 8. 1

When given for copying _____
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 When signed _____

191

READ AGAIN C.O., No.
 191

, DATED

CURRENT No.

ENCLOSURES to C. No.

ORDER OF GOVERNMENT.

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITO.

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

N.B.—

A = Copy in full.
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