

Government  of Madras

HOME DEPARTMENT (EDUCATION)

G.O. No. 1395, 7th November 1917

Examinations

Approving the Director's proposal to introduce a provision in the notifications relating to the Government Technical examinations, the Special Tests and the Secondary School-leaving Certificate scheme for the cancellation or withholding of the respective certificates in the case of candidates convicted guilty of serious offences and ordering the publication of the necessary notifications in the *Port St. George Gazette*.

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N. R.

ORIGINAL ✓

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READ—the following paper :—

*Letter*—from the Hon'ble Mr. J. H. STONE, M.A., F.R.H.S., C.I.E., Director of Public Instruction.

*To*—the Secretary to Government, Home (Education) Department.

*Dated*—Madras, the 23rd October 1917.

*No.*—C. 8930.

I have the honour to address Government on the subject of the introduction in the notifications relating to the Government Technical, Special Test and Secondary School-leaving Certificate examinations of a clause empowering the Commissioner for Government Examinations or the Director of Public Instruction as the case may be, to cancel or withhold the certificates of persons who have been convicted of serious offences by courts of law.

2. The case which has given rise to the present reference is as follows :—

One M. H. Janardana Rao, was a 'private' candidate at the Technical examinations held in April last and passed the Intermediate examination in practical dispensing (for compounders). When he appeared for the examination, he was a compounder in Bauliah Nayudu's dispensary, Vepery. He passed the examination in the second class and the certificate will have to be issued to him in due course. The results were published in May last.

On 18th August 1917, Major Elwes, Presidency Surgeon, second district, Madras, brought to my notice that the said compounder was convicted on the 14th August 1917 by the Presidency Magistrate of theft of medicines from the said dispensary and was 'fined Rs. 30' and it has been ascertained from the Chief Clerk in the Presidency Magistrate's Court that he was also sentenced to imprisonment till the rising of the Court or in default to undergo one month's rigorous imprisonment. Major Elwes states that it has thus been proved that the defect of character and untrustworthiness of the compounder is beyond dispute and suggests that, if it be possible, the certificate of qualification to such an individual may be withheld.

3. Section 18 of the Indian Universities' Act of 1904 provides for cancellation of degrees and the like, if the person concerned is convicted of a serious offence; but a similar provision does not exist in the notifications relating to the Technical, Special Test and Secondary School-leaving Certificate examinations. Article 12 of the notification for Technical examinations and article 15 of the Special Test notification merely state that to each candidate who passes in any subject, there shall be given a certificate stating the subject in which he has passed and the class in which he has been placed; but these articles are silent about the conditions under which these certificates may be withdrawn or withheld.

In these circumstances, I have the honour to request that Government will be pleased to

(1) introduce the following sentence at the end of article 12 of the existing Government Technical Examination notification and of article 15 of the Special Test notification :—

“and where evidence is laid before the Commissioner for Government Examinations showing that any person to whom a certificate has been or is proposed to

be awarded under the rules has been convicted of what is, in his opinion, a serious offence, the Commissioner for Government Examinations may himself cancel or withhold the certificate"; and

(2) to insert a third clause as follows to item VII of the annexure to the scheme for the award of Secondary School-leaving certificate approved in G.O. No. 427, Educational, dated 21st July 1909:—

"Where evidence is laid before the Director showing that any person to whom a certificate has been or is proposed to be given under the rules has been guilty of what is, in his opinion, a serious offence, the Director may himself cancel or withhold the certificate."

4. If the suggestion made above is approved by Government, the case of the compounder in question will be dealt with under the new rule and his certificate withheld.

Order—No. 1395, Home (Education), dated 7th November 1917.

The Director's proposal is approved.

2. The following notifications will be published in the *Fort St. George Gazette*:—

#### NOTIFICATIONS

##### I

#### *Notification relating to the Government Technical examinations.*

The following shall be added at the end of article 12 of the notification relating to Government Technical examinations:—

"and where evidence is laid before the Commissioner for Government Examinations showing that any person to whom a certificate has been or is proposed to be awarded under the rules has been convicted of what is, in his opinion, a serious offence, the Commissioner for Government Examinations may himself cancel or withhold the certificate."

##### II

#### *Notification relating to Special Tests.*

Add the following at the end of article 15 of the Special Test notification published on pages 357 to 368 of Part I-B of the *Fort St. George Gazette*, dated the 24th April 1917:—

"and where evidence is laid before the Commissioner for Government Examinations showing that any person to whom a certificate has been or is proposed to be awarded under the rules has been convicted of what is, in his opinion, a serious offence, the Commissioner for Government Examinations may himself cancel or withhold the certificate."

##### III

#### *Secondary School-leaving Certificate notification*

Insert the following as clause (3) under paragraph VII of the scheme for the award of Secondary School-leaving certificates, published in Part I-B of the *Fort St. George Gazette* dated the 27th July 1909:—

"Where evidence is laid before the Director showing that any person to whom a certificate has been or is proposed to be given under the rules has been guilty of what is, in his opinion, a serious offence, the Director may himself cancel or withhold the certificate."

3. The case of M. H. Janardana Rao referred to in paragraph 2 of the Director's letter may be dealt with in accordance with notification I above.

(True extract)

R. RAMACHANDRA RAO,  
*Secretary to Government.*

To the Director of Public Instruction.

• " Commissioner for Government Examinations.

Copy to the Registrar, University of Madras.

" " Superintendent, Government Press (for publication of notification in the Gazette).

#### NOTES CONNECTED WITH G.O. No. 1395, HOME (EDUCATION), DATED THE 7TH NOVEMBER 1917

[SUBJECT.—*Regarding the withholding of the certificates of candidates for Government examinations convicted of serious offences.*]

HOME (EDUCATION) DEPARTMENT.

*From the Director of Public Instruction, dated 23rd October 1917, No. C. 893.*

The Director's proposal seems acceptable. Please see analogous provision in section 18 of the Indian Universities Act, 1904.

2. A draft order is submitted for approval.

E.A.V.—2-11-17.

T.K.—3-11-17.

C. RAMANUJA ACHARIYAR—5-11-17.

R. RAMACHANDRA RAO—6-11-17.

P[ENTLAND]—6-11-17.

Issue.

R.R.—7-11-17.

[G.O. No. 1395, Home (Education), dated the 7th November 1917.]

Examinations.

Home DEPARTMENT.

Approving the Director's proposal to introduce a provision in the Notice relating to the Govt. Tech. Exams; the Special tests and the S.S.-I.C. Scheme of the cancellation or withholding of the respective certificates in the case of candidates convicted guilty of serious offences and ordering the publication of the necessary notifications in the Fort St. George Gazette, 1917.

READ AGAIN G.O. No. \_\_\_\_\_, dated \_\_\_\_\_, 1917.

" " " " \_\_\_\_\_, " \_\_\_\_\_, 1917.

READ ALSO:-

C. No. 128 of 1917 From the D.P.D. No. 8930, dated 23.10.1917.

" " " " \_\_\_\_\_, " \_\_\_\_\_, 1917.

" " " " \_\_\_\_\_, " \_\_\_\_\_, 1917.

ORDER.

P.S.

No. 1295, dated \_\_\_\_\_, 1917.

That the Director's proposal as approved by the Govt. is approved and the following notifications will be published in the Fort St. George Gazette.

Notifications.

I  
Notification relating to the Govt. Technical examinations.

The following shall be added at the end of article 12 of the existing Govt. Technical Examinations and where reference is laid before the Commissioner for Govt. Examinations showing

② 4.9.06-920. 32811. (R)  
20.1.93

that any person to whom  
 a certificate has been or  
 is proposed to be awarded  
 under the rules has been  
 convicted of what is, in his  
 opinion, a serious offence,  
 the Commissioner for Govt.  
 Examinations may himself  
 cancel or withhold the certificate.

II. To I-1009 in

Notification relating to  
Special Tests.

And the following at  
 the end of Art. 15 of the  
 Special Test Notice published  
 on pages 357 to 368 of Part  
 I-B of the Fort St. George  
 Gazette, dt. the 24th April 1917  
 is laid before the Commission  
 for Govt. Examinations showing  
 that any person to whom  
 a certificate has been or  
 is proposed to be awarded  
 under the rules has been  
 convicted of what is, in  
 his opinion, a serious offence,  
 the Commissioner for Govt.  
 Examinations may himself  
 cancel or withhold the certificate.

III

Secondary School-leaving  
Certificate Notice

Insert the following

as clause (3) under paragraph  
 VII of the Scheme for the  
 award of Secondary School-  
 leaving certificates, published  
 in Part I-B of the Fort St.

George Gazette, dt. the 27th  
 July 1909.

"Where evidence is laid  
 before the Director showing  
 that any person to whom  
 a certificate has been or  
 is proposed to be awarded  
 under the rules has  
 been guilty of what is, in  
 his opinion, a serious  
 offence, the Director may  
 himself cancel or withhold  
 the certificate."

3 The case of M. J.

Tamardana Rao referred to  
 (para 2 of)  
 in the Director's letter may  
 be dealt with in accordance  
 with the above. Notification.

⑤ p. 400 of G.O. 427 Sd. 21.7.09 (M)

*Cancelled*  
*20.11*

To the D.P.J.  
 .. do. G. & Co.  
 Copy to the Regd. Secy. of Madras  
 S. G. P. (for publication of  
 Notice in the Gazette)

2.11.17  
 3.11.17

5/11/17

*W. J. J.*

6  
7 or appl.  
16-11-17. *Sub*  
*16.11.17*

NOTES CONNECTED WITH G.O. No. 1395, HOME (EDUCATION),  
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Issue.

R.R.—7-11-17.

[G.O. No. 1395, Home (Education), dated the 7th November 1917.]

*nc*  
*2/2*  
*2/2*

ORDINARY.

PRESS SLIP.

PREFERENCE.

URGENT (a).

Seott. II-38-2-15.

DEPARTMENT.

Current No ..... dated ..... 191

G.O. No. 1295 dated 7/11/191

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