

Government of Madras

HOME DEPARTMENT (EDUCATION)

G.O. No. 1002, 16th August 1919

Special Tests Notification

Notifying an amendment to the — intended to reserve to Government the power of granting special permission to unqualified persons to appear for special tests.

N. P.

ORIGINAL

INDEXED

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Notifying an amendment to the — intended to reserve to Government the power of granting special permission to unqualified persons to appear for special tests.

READ—the following paper :—

Reference from the Board of Revenue (Land Revenue), No. 1941/19-1,
dated 26th June 1919.

Read—the following :—

Application of MUHAMMAD ABDUL QADIR, clerk, Stationary Sub-Magistrate's office,
Walajapet, North Arcot district, for permission to appear for certain special tests.

Reference—No. 1941/19-1, dated 26th June 1919.

Submitted to Government.

2. The Board supports the Collector's recommendation.

3. In this connexion the Board invites the attention of Government to note (iii) to article 4 of the Special Tests Notification, which lays down that the special tests are open to "any person who has been exempted by Government or the Board of Revenue from the Examination rules in view to his holding a specified appointment for which any special test has been prescribed." The rule makes no reservation, even to Government, of the power to grant applications for permission merely to appear for a special test; permission to appear for such a test can only accompany sanction to hold the particular appointments for which the test is prescribed.

The Board doubted whether the above was the intention of Government and expected the point to be made clear when it submitted the case of N. Saiyid Muhammad of the Salem Collectorate for the orders of Government. Government, however, merely granted the permission applied for in that case—G.O. No. 241, Home (Education), dated 24th February 1919; and the Board infers therefore that Government have reserved to themselves the power to grant such permission. If this presumption is correct, the Board would suggest that the point may be made explicit in the notification.

4. There is another point which requires notice. The Board has power to grant permanent exemption from the Examination rules only for posts on Rs. 30 and less. No special tests are attached to such appointments; consequently the words "or the Board of Revenue" in note (iii) to article 4 quoted above have no meaning.

H. R. PATE,
Secretary.

Order—No. 1002, Home (Education), dated 16th August 1919.

The following notification amending the Special Tests Notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION

In note (iii) to article 4 of the Special Tests Notification published at pages 297 to 304 of Part I-B of the *Fort St. George Gazette*, dated the 29th April 1919, the words "or the Board of Revenue" occurring between the words "Government" and "from the Examination rules" shall be deleted and the following shall be added as note (iv), the existing note (iv) being renumbered as note (v):—

"Any person who has been permitted by Government to appear for any of the special tests subject to the conditions, if any, on which such permission has been granted."

(True extract)

R. RAMACHANDRA RAO,
Secretary to Government.

To the Board of Revenue (Land Revenue).

Copy to the Commissioner for Government Examinations.

" Revenue Department.

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

NOTES CONNECTED WITH G.O. No. 1002, HOME (EDUCATION),
DATED 16TH AUGUST 1919

[SUBJECT.—*Special Tests Notification.*]

HOME (EDUCATION) DEPARTMENT.

G.O. No. 924, Home (Education), dated 26th July 1919, granting Muhammad Abd-ul-Qadir permission to appear for the Revenue and Criminal Judicial tests has issued. The points raised in paragraphs 3 and 4 of the Board's reference are examined below.

2. Prior to the revision of the Special Tests Notification in 1918, the notes to article 4 of the notification in question stood as follows :—

* * * * *

“ *Note (3).*— (ii) Any person who has been exempted by Government from the Examination rules in view to his holding a specified appointment for which the Revenue test, higher grade, or the Criminal test, higher or lower grade, is prescribed may appear for such test.

* * * * *

“ *Note (7).*—Notwithstanding anything in article 4 and the notes (1) and (2) thereunder, the special tests shall also be open to candidates who are exempted by the Board of Revenue from the general educational qualification prescribed therein provided that the exemption granted by the Board shall not enable a candidate to appear more than three times for the Précis-writing test, the Criminal Judicial test, higher grade, or the Revenue test, higher grade.”

3. When the Special Tests Notification was revised last year, the two notes mentioned supra were clubbed into a single note as follows :—

“ *Note (iii).*—Notwithstanding anything in the above article, the tests shall also be open to any person who has been exempted by the Government or the Board of Revenue from the Examination rules in view to his holding a specified appointment for which any special test has been prescribed.”

4. The Board now brings to notice that it is nowhere said that the Government reserve to themselves that it is open to them to grant permission to appear for special tests only, unaccompanied by sanction to hold the particular appointment or appointments for which the test is prescribed ; and accordingly suggests that this reservation may be explicitly mentioned in the notification. It is respectfully submitted that it is unnecessary to act on this suggestion of the Board. The special test examinations have now been thrown open to all persons with *minimum* general educational qualifications prescribed in the Public Service Notification ; and exemptions will only be asked for hereafter by those who are disqualified under the Public Service Notification, i.e., who are ‘unpassed’ [G.O. No. 1021, Home (Education), dated 6th August 1917]. If an unqualified man merely passes a test, it won't be of much avail unless he also gets an exemption from general educational qualification enabling his appointment to specified higher post or posts for which the test is necessary. No doubt it often happens, as in the case of Muhammad Abd-ul-Qadir referred to in the Board's reference and disposed of in G.O. No. 924, Home (Education), dated 26th July 1919, that an unpassed candidate first seeks permission to attempt at tests, reserving the application for exemption from general educational qualification to a subsequent occasion—probably after passing the test. It is always open to Government to dispose of such cases on merits. The notification was issued by Government. They can override its terms whenever they choose in special cases.

5. Another point brought to notice is that, as the Board has power to grant exemptions from general educational qualification only in respect of posts on Rs. 30

and under, the words 'or the Board of Revenue' in the note on the previous page is inoperative, no special tests being attached to posts on Rs. 30 and below in the Revenue Department. For the reasons at A ante there should, in future, be very few occasions when permission for unpassed candidates to appear for special tests will be sought. It hardly seems necessary that the Board should have the power especially as it points out that there are no appointments within the sanctioning powers already possessed by them. If this view is accepted, the Board may be omitted from the notification. If, however, the Board should be allowed to retain the power to grant permission to unpassed candidates to appear for special tests, a power which is not now allowed to any other head of department, the only way of arranging for it would be to enhance the Board's powers to sanction exemptions in respect of posts up to and inclusive of Rs. 35 so as to cover the case of at least the revenue inspector * in the Revenue Department. The present limit of Rs. 30

* Revenue test is prescribed for this post. was put in at the instance of Mr. Francis, who was on special duty in 1914 for suggesting means for reduction of work in the Local and Municipal Secretariat as then constituted—paragraph 83 at page 28 of G.O. No. 132 L., dated 21st January 1914, and G.O. No. 839, Educational, dated 18th July 1914. The enhancing of this general limit only to enable the Board to grant permission to unpassed men to appear for special tests seems hardly necessary. Enhancement of power to other heads of departments may have to be considered. The file may be sent to the Revenue Department for remarks.

E.A.V.—1-8-19.

C. RAMANUJA ACHARIYAR—1-8-19.

The Board's criticism is sound. Note (iii) should go and a note to the following effect substituted. Examine—

(iii) Any person who has been permitted by Government to appear for any of the special tests subject to the conditions, if any, on which the permission has been granted.

R. RAMACHANDRA RAO—2-8-19.

Submitted that there appears to be no objection to the adoption of the revised version of note (iii) to article 4 suggested by the Secretary above. The conditions mentioned in the latter part of the suggested note will ordinarily have reference to the number of times for which a particular person might be allowed to appear for a test or tests. Apart from the specific permission, as the rules now stand, an exemption from general educational qualification in view to holding a particular appointment, or class of appointments, carries with it an implied right to appear for the test or tests prescribed for such offices. To take a concrete instance, A, a taluk office clerk, is exempted from the provisions of Article 1 of the Public Service Notification to enable his appointment as Revenue Inspector. This exemption *ipso facto* enables A to appear for the Revenue test, being a prescribed qualification for the post of Revenue Inspector, any number of times. It is presumed that it is not intended that candidates should hereafter have the benefit of this 'implied' permission. A draft order to amend the Special Tests Notification in the manner suggested by the Secretary is submitted. If approved, it may go to Revenue u.o. for acceptance.

The proposed wording of the note will render it necessary hereafter to specify when exempting a candidate from general educational qualifications whether special permission is also accorded along with it to appear for the special tests prescribed for the particular appointment in respect of which exemption is granted.

C.R.—5-8-19.

E.A.V.—5-8-19.

C.R.—5-8-19.

Retain note (iii) as it is, omitting the words "or the Board of Revenue."
Incorporate the proposed note as note (iv) and number note (iv) as note (v).
Examine.

R. RAMACHANDRA RAO—6-8-19.

Submitted that the Secretary's present suggestion has been examined and found unobjectionable. The net result of the amendment is to reserve to Government the power of granting permission to appear for special tests. A revised typewritten draft is submitted.

E.A.V.—6-8-19.

C. RAMANUJA ACHARIYAR—7-8-19.

Draft to Revenue for acceptance.

R. RAMACHANDRA RAO—8-8-19.

REVENUE DEPARTMENT.

The draft may, it is submitted, be accepted.

S.J.A.—9-8-19.

J. B. BROWN—13-8-19.

HOME (EDUCATION) DEPARTMENT.

May issue?

C.R.—14-8-19.

R.R.—15-8-19.

L. D[AVIBSON]—15-8-19.

G.O. No. 1002, Home (Education), dated 16th August 1919.]

reserve to Govt. the power of granting special permission
to unqualified persons to appear for special tests.

READ AGAIN G.O. No., dated 191

" " " " 191

READ ALSO:-

C. No. 1476-B. From the Board of Revenue, No. 1941/19 dated 26-6-19. 191
L.R.

" " " " 191

" " " " 191

ORDER.

No. 1002, dated 16.8. 191

P.S.

(Notes to be printed)

The Board's presumption in para 3 of its reference read above that the Govt. reserve to themselves the power to grant permission to appear for special tests is correct and in as much as the tests have been thrown open to persons who possess the minimum general educational qualification prescribed in Article 1 of the Public Service Notification, the occasions for the grant of special permission to appear for spl. tests should, if at all, be rare.

2. The following notification amending the Special Test Notification will, accordingly, be published in the Fort St. George Gazette:-

Notification.

... (iii) to Article 4 of the Special Tests Notification published at pp. 297 to 304 of Part I-B of the Fort St. George Gazette, dated the 29th April 1919, the words "or the Board of Revenue" occurring between the words "Government" and "from the examination rules" shall be deleted and the following shall be added as note (iv), the existing note (iv) being renumbered as note (v):-

"Any person who has been permitted by Govt. to appear for any of the special tests subject to the conditions, if any, ^{which} on such permission has been granted."

To the Board of Revenue,
Land Revenue.
Copy to the C.G.E.
" Revenue Dept.
" S.G.P. for publication
of notification in the
Gazette.

Gazetted on

G.O. No. 1002, 16th August 1919

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R.R.—15-8-19.

L. D[AVIBSON]—15-8-19.

[G.O. No. 1002, Home (Education), dated 16th August 1919.]

ORDINARY.

PREFERENCE.

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(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b¹) For rules regarding printing of notes, see rule 315 of the office Manual.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

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INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Members should be printed in full when they occur on the right hand side, only the first time when they appear on the left side, the initials being printed later.

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SPECIAL INSTRUCTIONS.

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