

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

} 1907.

Enclosures

Spare copies

G.O., No. 36, 19th January 1907.

Examination Rules.

Stating that the action of the Superintending Engineer, V Circle, in having appointed T. P. Rangachariyar who had not passed the Precis-writing Test to act in a post carrying a pay of Rs. 60—4—80 was irregular and that his further action in reducing his acting allowance was a clear evasion of the —.

Educational (1907) Department.

ORDINARY PRINTED.

G.O., No. 36

DATED 19.1.07

[Despatch Abstract.]

Public Service Notification. Stating that the action of the Suptg Engineer Circle in having appointed T. P. Ranguacharya who has not passed the precis-writing test to act in a post carrying pay of Rs-60-4-80 was irregular & that the question of amending the — so as to prevent the possibility of misinterpretation of the rules will be separately considered.

BACK PAPERS.

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

FURTHER PAPERS.

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

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Stating that the action of the Superintending Engineer, V Circle, in having appointed T. P. Rangachariyar who had not passed the Precis-writing Test to act in a post carrying a pay of Rs. 60—4—80 was irregular and that his further action in reducing his acting allowance was a clear evasion of the —.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

Read—the following paper :—

Letter—from C. R. T. BALSTON, Esq., Examiner of Public Works Accounts, Madras and Coorg.

To—the Secretary to Government, Public Works Department.

Dated—the 10th December 1906.

No.—975-A.E.

In the salary bill of the Tanjore Division for the month of August 1906, salary at Rs. 60 was claimed for T. P. Rangachariyar, Clerk on Rs. 48 who was appointed to officiate as clerk, Third class, Second grade, (Rs. 60—80). The clerk had not passed the Précis-writing Test and sanction of Government for exemption under Public Service Notification was called for in audit before passing him salary of Rs. 60. On this the Superintending Engineer, V Circle, reduced the salary of the acting clerk to Rs. 59, i.e., to pay of Rs. 48 and acting allowance of Rs. 11 instead of Rs. 12, thus obviating the necessity for obtaining the sanction of Government.

There is no audit objection to the Superintending Engineer granting as in this case an officiating allowance of Rs. 11 when an allowance of Rs. 12 was admissible; but I would enquire whether such officiating appointments on Rs. 60 and upwards may be accepted without special sanction of Government provided the actual salary granted is less than Rs. 60.

Order—No. 36, Educational, dated 19th January 1907.

Under note (4) to the Public Service Notification, the rules contained in that notification apply to acting appointments also. The action of the Superintending Engineer, V Circle, in having appointed T. P. Rangachariyar, who had not passed the Précis-writing Test, to act in a post carrying a pay of Rs. 60—4—80, for which that test was necessary, was thus irregular and his further action in reducing the acting allowance of the clerk so as to keep his total emoluments below Rs. 60 and thus avoiding the necessity of obtaining the sanction of Government to the appointment amounted to a clear evasion of the Examination rules.

2. The question of amending the Public Service Notification so as to prevent the possibility of any misinterpretation of the rules on this point will be separately considered.

(True Extract.)

H. D. TAYLOR,
Ag. Secretary to Government.

To the Public Works Department.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 36, EDUCATIONAL, DATED
19TH JANUARY 1907.

[SUBJECT.—*Exemption from Examination Rules.*]

From the Examiner, Public Works Accounts, dated 10th December 1906, No. 975-A./E.

G.O., No. 327, Educational, dated 16th May 1893.

PUBLIC WORKS DEPARTMENT.

The question raised by the Examiner is whether a clerk who has not passed the Précis-writing test can be allowed to officiate in an appointment the pay of which is Rs. 60 or above. The rule in the Public Service Notification is as follows :—

* * * * *

“3. In addition to the general education qualification mentioned in article 1, candidates before appointment to particular posts, or before promotion to or confirmation in such, shall be required to pass such tests of a special, professional or technical nature as may, from time to time, be declared by Government to be applicable. A list of these particular posts and of the qualifying tests required for each is given in the appended table :—

“Table showing the various offices in superior service for which special tests are prescribed.

“Office or appointments.	Tests.
“All ministerial officers (except Registrars and Deputy and Assistant Registrars of the High Court) who hold any office not falling within the scope of article 2 of the Public Service Notification and who are in receipt of salaries amounting to not less than Rs. 60 per mensem.”	Précis-writing test.

2. The question is one for the Educational Department.

3. It will be seen that the Superintending Engineer gets over the difficulty by reducing the amount of the clerk's acting allowance, but it is for consideration whether this is, or is not, an evasion of the rule in the Public Service Notification.

R. PARSONS—14-12-06.

I don't think it is an evasion of the rule. The Superintending Engineer has power to fill the acting allowance, and if he does it so as to make the total pay of the man below Rs. 60 I do not think any harm is done. The man can't get more than this, and that is the spirit of the rule I take it.

A. G. ROMILLY—14-12-06.

The Examiner asks for a ruling and this cannot be given in the Public Works Department. It is for the Educational Department to interpret the notification. If desired, the draft of the reference can end with paragraph 2 of my note.

R. PARSONS—14-12-06.

A. G. ROMILLY—15-12-06.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

The rules in the Public Service Notification apply to ACTING appointments also—*vide* note (4) in the preamble to the Public Service Notification. One who has not passed the précis-writing test cannot, therefore, be appointed to act in a post on Rs. 60 or upwards for which a pass in the précis-writing test is a necessary qualification—*vide* the first entry under A. General in the table given under article 3 of the Public Service Notification.

2. The proposal to give a portion only of the acting allowance in order to escape

Yes.

G. S. F[ORBES].

the application of the examination rules is objectionable. Please see G.O., No. 327, Educational, dated 16th May 1893, in

which a similar practice which once obtained in the Public Works Department was ordered to be put a stop to. The case dealt with in this Government Order was that of an unpassed clerk who was appointed to a post carrying a pay of Rs. 25—30 and was given only Rs. 19 to escape the application of the examination rules.

T.K.—24-12-06.

Under the Public Service Notification "all ministerial officers (except Registrars and Deputy and Assistant Registrars of the High Court) who hold any office not falling within the scope of article 2 of the Public Service Notification (which exempts certain persons and appointments) and who are in receipt of salaries amounting to not less than Rs. 60 per mensem" have to pass the précis-writing test. The term used is "salaries." When a clerk on, say, Rs. 45 acts on Rs. 60 his salary will be only Rs. 57 and it is doubtful whether he should pass the précis-writing test.

H. D. TAYLOR.

But not to pay the full acting allowance so as to make the salary less than Rs. 60

seems to be clearly an evasion of the rules and the Public Works Department may be informed accordingly.

[The Record office is unable to trace an exact precedent.]

P. T. THARYAN—24-12-06.

The Public Works Department may be informed accordingly.

C. G. MACKAY—1-1-07.

The action of the Superintending Engineer, V Circle, appears to amount to a clear evasion of the spirit of the rules. The test is really requisite for the post, and should have been passed by the person appointed to the post whether permanently or temporarily, whatever the rate of salary and allowances actually drawn by him.

G. S. F[ORBES].

G. S. F[ORBES].

2. It would perhaps be better to amend the Public Service Notification relating to the Précis test by substituting the words "the maximum pay of which is not less than Rs. 60" for the words "and who are in receipt of salaries amounting to not less than Rs. 60." The qualification will then be attached to the post, not to the salary, and will be necessary for posts in an incremental scale the minimum of which may be below Rs. 60. Note 3 on page 1 of the Public Service Notification would appear also to need amendment by the adoption of the maximum instead of the average rate of pay in an incremental scale.

H. D. TAYLOR—3-1-07.

The practice which it was attempted to justify is a clear evasion of the rules. We have repeatedly had to remark on the practice in Public Works Department of employing unpassed men and on the ill consequences to the department as well as on the injustice to men who have qualified that result from the practice.

I agree to the Secretary's proposals.

G. S. F[ORBES]—5-1-07.

Please draft and print notes sharp. The proposed modification will then be circulated to all departments for acceptance.

H. D. TAYLOR—7-1-07.

A draft is placed below for approval.

T.K.—10-1-07.

After the draft is approved by the Assistant Secretary, it will be printed and circulated, with a copy of the notes, to all departments of the Secretariat.

K. RANGASWAMI AYYANGAR—10-1-07.

C. G. MACKAY—12-1-07.

The general question should be dealt with separately. Order should now issue on the specific case. See revised draft.

H. D. TAYLOR—13-1-07.

To the Public Works Department for acceptance.

PUBLIC WORKS DEPARTMENT.

The draft order may be accepted in the Public Works Department.

R. PARSONS—17-1-07.

Accepted in Public Works Department.

A. G. ROMILLY—17-1-07.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Issue.

H. D. TAYLOR—19-1-07.

[G.O., No. 36, Educational, dated 19th January 1907.]

CURRENT FILE.

Papers of the Department to which the current belongs.

Back papers.

Number.	Date.	Original (= O.) or spare copy (= S. C.).	Remarks. (Note.—When an original is removed from this file the fact should be noted against the paper and its destination mentioned.)
Part I B of Fort St. George Gazette of 3-7-06. Conty Public Service notice			

Further papers.

Papers of other departments to be returned.

Department.	Number.	Date.	Original (= O.) or spare copy (= S. C.).	Date of return.

CURRENT No. 13083ENCLOSURES. { Plans No.
Others No.

Total

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Registered 12-12-1906

Passed on by Registering Clerk ...

" " U. R. Clerk ... 11/12/06

" " Referencer ... 12-12-06

" " Record Superintendent.

" " Drafting Officer ...

Subject.

Precis Writing-Test:-

Requests orders in regard to officers who have not passed
the ---- being promoted to Rs.60/- giving them a modified
pay of less than Rs.60/-.

No. 975-A/E,

Station Madras. Dated the 6th/10th December 1906.

From (Name) C. R. T. Balston, Esq.,

(Designation) Examiner of P.W. Accounts, Madras and Coorg.

To The Chief Engineer
The Secretary to the Government of Madras,

Public Works Department.

Sir,

In the salary bill of the Tanjore Division for the
month of August 1906, salary at Rs.60/- was claimed for T. P.
Rungachariar, clerk on Rs.48/- who was appointed to officiate
as clerk, Third class, Second Grade, (Rs.60 - 80). The clerk
had not passed the Precis-writing test and sanction of Govern-
ment for exemption under Public Service Notification was called
for in audit before passing him salary of Rs.60/-. On this
the Superintending Engineer, Fifth Circle, reduced the salary
of the acting clerk to Rs.59/-, i.e., to pay of Rs.48/- and
acting

Rs 48
+ 12 allowance

Rule 3. Reg 3

P. 17

2
acting allowance of Rs.11/- instead of Rs.12/-, thus obviating the necessity for obtaining the sanction of Government.

There is no audit objection to the Superintending Engineer granting as in this case an officiating allowance of Rs. 11/- when an allowance of Rs.12/- was admissible; but I would enquire whether such officiating appointments on Rs.60/- and upwards may be accepted without special sanction of Government provided the actual salary granted is less than Rs.60/-.

C.R. Walstein
19/12/06.
C.

10/12/06

V:K

subject - from P.W. 3
Exemption Examination
Notes Connected with G.O. 36 dated 9-1-06
CP 13083 From the Examiners, P.W. Accounts,
No. 975 A/E of 15 Dec 1906

Dr.

The question raised by the Examiners is whether a clerk who has not passed the Precise Writing test can be allowed to officiate in an Appointment the pay of which is Rs 60 or above. The rule in the Public Service Notification is as follows: —

* * *

3. In addition to the general education qualification mentioned in Article 1, Candidates before Appointment to particular posts, or before promotion to or Confirmation in such, shall be required to pass such tests of a special, professional or technical nature as may, from time to time, be declared by Government to be applicable. A list of these particular posts and of the qualifying tests required

Table showing the various tests for each is given in the appended table:
Office or Appointments. Tests

..... All Ministerial Officers (except Registrars and Deputy and Assistant Registrars of the High Courts) who hold any office not falling within the scope of article 2 of the Public Service Notification and who are in receipt of salaries amounting to not less than Rs 60 per mensem

Precis - Writing Test

x

x

2x

Read

2. The question is one for the Educational Department.

3. It will be seen that the Superintending Engineer gets over the difficulty by reducing the Amount of the Clerk's Acting Allowance, but it is for Consideration whether this is, or is not, an evasion of the rule in the Public Service Notification.

R.A.
14.12.06

I don't think it is an evasion of the rule. The Sec. has power to fix the acting allowance, and if he does so as to make the total pay of the man below 60 I do not think any harm is done. The man can get more than this, and that is the spirit of the rule I take it.

whose initials are there?
877

14/11/06
The Examiner asks for a ruling and this cannot be given in the P.S.D. It is for the Educational Dept. to interpret the Notification. If desired, the draft of the reference card end with para 2 of my note R.A. 14-12-06



Letter Educational / *Sept 11*

R. M. C. / 15/12/06

15/12/06

P.W. no. DX. 1388
15-12-06

Vol. no. 426 R
17/12/06
ry

Educational Dept.

The rules in the Public Service notification apply to acting appointments also - vide note (4) in the preamble to the Public Service notification. One who has not passed the precis. writing test cannot, therefore, be appointed to act in a post on Rs 60 or upwards for which a pass in the precis writing test is a necessary qualification. vide the first entry under A. General in the table given under article 3 of the Public Service notification.

2. The proposal to give a portion only of the acting allowance in order to escape the application of the examination rules is objectionable. Please see G.O. no. 327 Edl & 16th May 1893 in which a similar practice ^{which} once obtained in the P.W.D. was ordered to be put a stop to. The case dealt with in this G.O. was that of an unpassed clerk who was appointed to a post ~~carrying~~ carrying a pay of Rs 25-30 and was given only Rs 19 to escape the application

4/12/06

Recd

6-4

9

48

of the Examination Rules.

7-28
29-12-06

Under the Public Service Notification "all

- " ministerial officers (except Registrars and Deputes and Assistant Registrars of the High Court) who hold any office not falling within the scope of Article 2 of the Public Service Notification and who are in receipt of salaries amounting to not less than Rs 50 per mensem have to pass the precise writing test.

The term used is "salaries". ^{When} a clerk on day 25/5 acts on Rs 57 his salary will be only Rs 57 & it is doubtful whether he should pass the precise writing test. But not to pay the full acting allowance so as to make the salary less than Rs 50 seems to be clearly an evasion of the rules and the P.W.D. may be informed accordingly.

[The record office is unable to trace an exact precedent]

By Mr. Horgan
24/12/06

Seay

The P.W.D. may be informed accordingly.

Wm. Mackay
1-1-07

The action of the S.E.V. circle appears to amount to a clear evasion of the ~~rule~~ spirit of the rules. The test is really requisite for the post, and should have been passed by the person appointed to the post whether permanently or temporarily. Notwithstanding the rate of salary and allowances actually drawn by him.

It would perhaps be better to amend

Quoted on page 8
Capra.

H39

STH
[The]

STH
[The]

British India
1894

of the Examination Rules
1894

Under the Public Service Notification "all

ministerial officers (except Registrars and Deputes and Assistant Registrars of the High Court) who hold any office not falling within the scope of Article 2 of the Public Service Notification and who are in receipt of salaries amounting to not less than Rs 50 per mensem have to pass the precise writing test.

The term used is "salaries". When a clerk on day 25/5 acts on Rs 57 his salary will be only Rs 57 & it is doubtful whether he should pass the precise writing test. But not to pay the full acting allowance so as to make the salary less than Rs 50 seems to be clearly an evasion of the rules and the P.W.D. may be informed accordingly.

[The record office is unable to trace an exact precedent]

By Mr. Horgan
24/12/06

Seay

The P.W.D. may be informed accordingly.

Wm. Mackay
1-1-07

The action of the S.E.V. circle appears to amount to a clear evasion of the spirit of the rules. The test is really requisite for the post, and should have been passed by the person appointed to the post whether permanently or temporarily. Notwithstanding the rate of salary and allowances actually drawn by him.

It would perhaps be better to amend

Page

Y 1404

7 5

5P

the P. S. Resolution relating to the Price Test
by substituting the word "the ~~maximum~~^{maximum}
pay of which is not less than Rs 60" for the
word "and also in receipt of salaries
amounting to not less than Rs 60". The
qualification will then be attached to the post,
not to the salary, and will be necessary for
posts in an incremental scale the minimum of
which may be below Rs 60. Note 3 on page 402
would appear also to need amendment by the
addition of the maximum instead of the
average rate of pay in an incremental scale.

8.1.09

The practice which it was
attempted to justify is a
clear evasion of the rules.
We have repeatedly had to
remark on the practice in
D.P.O. of employing unpassed
men & on the ill consequences
to the Dept. as well as the
injustice to men who have
qualified that result from
the practice.

I agree to the Dept.
proposals
8/7/57

Recd

8 9

11 6 P.

Please draft - and print with steps. The proposed
modification into the be circulated to all
Dep^t. for acceptance

AK
7-1-07

A draft is placed below for approval.

^{7.H.}_{10-1-07.} After the draft is approved by the A.S., it will
be printed and Circulated, with a copy of the
notes, to all Departments of the Secretariat.

AK
10-1-07

Secy. *[Signature]*
12/1/07



The several questions to be dealt with
separately. How should we move on
the specific case. - See revised draft

Dep^t
12/1/07
Edl no 426
16-1-07

To the P.W.D. for acceptance

AK
13-1-07
P. W. D.

[Signature]
The draft order may be accepted
in the P. W. D.

AK
17-1-07

acceptance in P.W.D.

[Signature]
17/1/07

Order No 87
17-1-07



To the Educational *[Signature]*
18-1-07

1,000-14-6-05

17

" " " " ,, 190

READ ALSO:—

190

190

P. S.

No. 36, dated 19-1-1907

Under note (4) to the Public Service Notification, the rules contained in that notification apply to acting appointments also. The action of the Superintending Engineer, Fifth Circle, ⁱⁿ having appointed T.P.Ranga Chariyar, who had not passed the Precise-writing Test, to act in a post carrying a pay of Rs.60-4-80, for which that test was necessary, was thus irregular and his further action in reducing the acting allowance of the clerk so as to keep his total emoluments below Rs.60 and thus ^{avoiding} ~~obviate~~ the necessity of obtaining the sanction of Government to ^{the} ~~his~~ appointment ^{amounts} ~~was~~ a clear evasion of the Examination rules.

Read

10

2

38

1. ~~The Government consider it~~
2. ~~The question of amending~~
3. ~~The P.W.D. notification so as~~
4. ~~to prevent the possibility~~
5. ~~of any misinterpretation of~~
6. ~~the rules on the point which~~
7. ~~be separately considered.~~

1/11
13-107

2. The Government consider it desirable that the Public Service notification should be amended so as to make the precis-writing test a qualification for appointments instead of to salaries not less than Rs.60 as at present, and that note (3) to the notification should also be altered by adopting the maximum instead of the average as the value of an appointment to which an incremental scale of pay is attached.

3. The following notification will be published in the Fort St. George Gazette :-

NOTIFICATION.

In notification No.73, dated 30th July 1906 published on pages 402 to 409 of Part I-B of the Fort St. George Gazette, dated 3rd July 1906, in the first column of the table appended to Article 3, relating to the Precis-writing test For the words - "and who are in receipt of salaries amounting to not less than Rs.60 per mensem"

Substitute the words - "the maximum pay of which is not less than Rs.60 per mensem."

(2) In note (3) to the above notification substitute the words "equal to the maximum pay" for the last 18 words.

7/11

10-1-07

200
10-1-07

12/1/07

To

The P.W.D. 1/11
Other Depts. of Govt.
The P.W.D.
G.O.
G.O.

Gazette.

1/11/07

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side.]

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Despatched in print.

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CURRENT No. 130 83 - P.W.D. - *A*

*4 P
2nd 1-6 P*

Show proof please

*18
2/11/07*

ENCLOSURES TO C. No.

ORDER TO GOVERNMENT *A*

LETTER TO GOVERNMENT.

STATEMENT WITH NOTES.

PAPER NOT FILED BY, BEING MEANT FOR DEPOSIT IN ORIGINAL.

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- B = Not to be printed.
- F = Print abstract only.
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