

EDH (1946) Department.

MS SERIES.

G.O. No. 2192 Edu

Dated 18-11-46

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[Despatch Abstract.]

Colleges - Arts and Professional - admission
by students - factual notes - Recorded

I have been asked to prepare a factual note about the question of admissions of students to colleges, Arts and Professional, with special reference to the communal principle that has been in vogue in this Province for the last 25 years. Before proceeding to trace the course of Government action in this regard, it is necessary, in the interests of intelligibility, to set out in outline a short history of the educational system in India with particular reference to this Province.

In the early stages of English rule in India, it was considered that it was undesirable to introduce the western system of education here and that indigenous learning should be encouraged by honorary marks of recognition and occasional grants. ~~The first departure from this policy came, not from Government, but through private enterprise.~~ In 1813, when renewing the Charter of the East India Co., a sum of Rs. 1,00,000/- was set apart by Parliament for Indian education. But the question whether Education should be on western lines, or confined to Sanskrit and Arabic or the vernaculars, was the subject of controversy for over two decades. In South India, various mission societies had, as early as 1737, started evangelization through education. In Calcutta, the first institution for the imparting of western secular education, the Vidyalaya, was started in 1816 by the greater Reformer Raja Ram Mohan Roy, with the assistance of an Englishman, David Hare. Though this venture met with great opposition at the start, it later on became a great success, and also secured support from Government. It inculcated considerable desire for western education among the intelligentsia in Bengal. A large number of youngmen who had been educated at this institution themselves

started various schools all over Bengal. In 1818, a Missionary college was started at Serampore. The Elphinstone College, Bombay, was started in 1827. In 1830, the missionaries in India, under the lead of Alexander Duff, decided that more emphasis should be laid on teaching than on preaching. A Medical college was started in Calcutta in 1835. The Govt. first decided to enter the field of education in 1835. Lord Macaulay's famous minute was given effect to by Lord William Bentinck. A great step was taken in 1837 when English was substituted for Persian as the Court Language. The Madras Christian College was started in 1837, and the Pachaiyappa's College in 1842. In 1844, a further step towards the present system was taken when Sir Henry Hardinge ordered that preference should be given, for Govt. employment, to those who had received a Western education.

In the early days, advantage was taken of Western education, naturally, only by those classes that had been for centuries engaged in priestly and scholastic functions. The strong caste system in India which makes every one the heir to his father's trade made education hereditary in certain communities. Education had always been the monopoly of the priestly classes and the Karans and the Kayasthas, the hereditary scribes and accountants of the villages. Since no special arrangements had been made to encourage the education of the backward communities, the difference between the intelligentsia and the others became accentuated. It was not until 1854 that the idea that education would somehow filter down from the higher strata to the lower, was discarded, and emphasis came to be laid on primary education. Departments of Public Instruction were created, the grant-in-aid system was started, and the idea recognised that the only proper media for the dissemination of mass education were the vernaculars. Affiliating universities, like Madras, Bombay and Calcutta, were started in 1857.

The subsequent history of education in India has been the gradual shifting of emphasis from the mere provision of higher education to the need for elementary and secondary education for all classes and for technical and professional instruction. The principle that popular education should be given not merely for the purpose of recruiting Govt. servants and administrators but for the full realisation of the spirit of democracy, came to be recognised; the dictum that the best-governed State is that which possesses the best national system of education came to be accepted^{as} an axiom. In India, as in England, the old idea was that elementary education was for the poor, secondary education for the lower-middle classes, and higher education for the upper-middle classes and the rich. Now we have come to recognise that education is a necessity for everybody and that all persons who have got a desire or aptitude for higher studies should be enabled to get the benefits of education, irrespective of their financial status.

In Madras, the persons who took earliest to education were the Brahmins who had behind them centuries of scholarship, and, to a lesser extent, the large land-holding communities like the Vellalars and the Mudaliars, the families of village officials, and the Indian-Christians, particularly in the extreme southern districts. The result was that in a predominantly agricultural country, where there was no scope for talent to find its way into industry, Govt. service came to be almost the sole avenue for the educated youngmen, with the repercussion that some communities were over-represented in Govt. service, while others were either under-represented or not represented at all. The number of Brahmins in Govt. service and ~~the~~ in the liberal professions, particularly the Legal, was, at

one time, though due to perfectly natural causes, such as to invite the envy of other communities and to create great discontent among them. In other Provinces, the gap between Brahmans and other communities was not so large and the problem there did not crop up to any appreciable extent. In Madras, the disparity has been, and continues to be, fairly great. The reasons for the ascendancy of the Brahmin were historical. As pointed out by Valentine Chirol in his "India - Old and New", Mohamedan domination came so late to Southern India and lasted for such a brief period that it ~~but~~ disturbed the social stratifications of Hinduism. The great temples, so characteristic of South India, and the munificence of local rulers, kept the Brahmin above want, even if it meant only plain living, and enabled him to maintain his sacerdotal and cultural pre-eminence. To persons whose memories had been trained by the practice of ~~learning~~ things by heart, and to expound and dispute without the use of books or other aids, the ~~learning~~ of a foreign language was no great task. Not merely in the Services, but in the political sphere, particularly where a gift of the gab was a sine qua non, they played a prominent part.

Such a state of affairs provoked a reaction from the leading Non-Brahmin caste Hindus, led by persons like Sir P.T. Thyagaraja Chetty and Dr. T.M. Nair, who founded the 'Justice' Party, for securing communal justice for themselves regarding appointments. Their great opportunity came in 1920, when the Indian National Congress, by its decision to boycott the elections, gave them a clear field for election to the Legislative Councils formed under the Montagu-Chelmsford Reforms. Their success was so great that out of 98 seats in the General Constituencies, only 14 went to Brahmans. Three leading Non-Brahmins were chosen as Ministers from the Non-Brahmin majority. 'Education', which was one of the Provincial Transferred subjects, was allocated to Sir A.P. Patro. PP In response to the agitation

Rule 19 of the
Prov'l. & Sub. Services
Rules - p.150, Bk.112.

pp 13-21

536/20542

J/INF (Brahmin)

J/2 NF (Brahmin)

J/INF

of the Justice Party, the principle of communal representation in Govt. service was recognised and has been in force for over 26 years. A separate note is appended on this question. Under this principle, appointments are given on the following basis:-

- 5 for Non-Brahmins
- 2 each for Brahmans, Muhammadans and Christians, Non-Asiatics or Anglo-Indians.
- 1 for the scheduled classes.

Para

With regard to admission to colleges, no rules had been laid down by Government till 1921, and full discretion was in the hands of the Principals, who, naturally, since they wanted their colleges to compare favourably with other institutions, tried to get the best boys, with the result that boys less academically brilliant were refused admission in the more coveted colleges and had to go to other institutions which provided less facilities. It so happened that the majority of the more brilliant boys were either Brahmans, or Nairs, a position that has not changed very appreciably so far.

In the Legislative Council that met under the new reforms, a resolution was moved by Mr. Natesa Mudaliar that 50 per cent. of the seats should be reserved for Non-Brahmin Hindus, Muhammadans and Christians in Govt. schools and colleges. Another resolution, ~~was~~ moved by Mr. T.C. Thangavelu Pillai, recommended that 50 per cent. of the seats in aided colleges as well, should be reserved for the same communities. Presumably, it was the intention that 50 per cent. of the seats should be left open for admission at the discretion of the Principal. The then D.P.I., Mr. Littlehales, to whom the matter was sent for opinion, suggested that 10 per cent. of the admissions might be reserved for those who are not Brahmans. He opined that to fix more than this percentage would be likely to meet

with opposition from the managers of colleges. He suggested that the principle once accepted could be extended little by little as the number of suitable Non-Brahmin applicants increased.

Mr. Thangavelu Pillai, in moving his resolution, said that it was not his object to penalise birth and that he wanted the Govt. to take the same attitude towards admission to colleges as they had done in the case of appointments to all Depts. under the Govt. If a Selection Committee was appointed for colleges, as informally promised by the Hon. Minister for Education, he would be satisfied. The resolution was opposed by Rao Bahadur A.S. Krishna Rao Pantulu, who pointed out that there ought not to be any bar because of caste or creed in the way of obtaining knowledge and that whatever principle might be accepted in the case of appointments, it should not be extended to the affording of educational facilities. The Minister for Edn., in his reply, stated that it was not his intention to penalise any community ~~because it was not his intention to penalise any community~~ because it was in a progressive state of education, that Govt. made no distinction between class and class, and community and community, but that in order to lift up those persons that were educationally backward, special help had to be given in the matter of selection of candidates and admission to the colleges. He gave an assurance that the Selection Committees would go impartially into the matter and that they would not shut out any particular class because that class happened to be educationally advanced. On this assurance, Mr. Thangavelu Pillai withdrew the resolution. Accordingly, in G.O.No. 636-Edn., dated 20-5-1922, Selection Committees were constituted for all Govt. colleges to aid the Principals in the selection and admission of students. The decision of these Committees was subject to appeal by the Principal to the D.P.I., whose decision was final. No principles were laid down for the

J/2 N.F.

J/2-3 N.F.

J/3-4 N.F.

J/4 N.F.

J/1 C.F.

clause (1), J/1 C.F.

guidance of the Committees and apparently reliance was mainly placed upon the personality of the members of the Committees to achieve the desired objects.

The term of the Committees was fixed at three years, and they continued to be reconstituted till 1937 as and when their terms expired, by means of various G.O.'s.

With the introduction of Provincial Autonomy under the Govt. of India Act, 1935, 'Education' came under the full control of Ministers. An Interim Govt. was functioning in Madras till 1937, the Minister in charge of Education being Mr. Palat. Mr. Palat minuted that rules might be framed to represent all linguistic groups and communities on the Committees. In the subsequent noting, Mr. Masterman (then Secy., Edn.) expressed himself strongly in favour of abolishing all the Selection Committees. He remarked that the Selection Committees only led to favouritism and waste of travelling allowance. He referred to a letter from Mr. O'Brien, then Chief Engineer to Govt. Mr. O'Brien had pointed out that the Selection Committees were functioning without any definite principles, that they worked invidiously against Brahmins and that the communal G.O.'s were applied for admissions though there was no order to that effect, that full play was given in these Committees to parochial and linguistic prejudices and that canvassing was rampant. He suggested that the best men should be selected and that the Principals should be given full discretion. By this time, the Interim Govt. had relinquished Office and the Congress Ministry had come in, Mr. Subbaroyan being the Minister in charge of Education. Mr. Subbaroyan minuted that the Selection Committees ought to go "though we must see that the communities do get some representation". The remarks of the D.P.I. were called

clause (1), J/1 C.F.

V/8

V/42-43

V/46-48

—dw—

V/43

V/1

for on a proposal that the Selection Committees constituted for the colleges should be abolished and the Principals of colleges empowered to select candidates seeking admission, framing, if necessary, rules to safeguard the admission of a certain number of unrepresented, or poorly represented, communities, within the terms of which rules the Principal of each institution should select students according to merit. The Director, the late Sir (then Mr.) R.M. Statham, agreed with the suggestion and stated that he considered that it was not necessary to frame any rules, but that he would instruct all Principals to give special consideration to the claims of backward communities. Accordingly, the Committees were abolished for colleges under the Education Department and the following instructions were issued by the Director to the Principals of Govt. Colleges:

"The Principals of Govt. colleges are requested, while making selections for admission to all classes in their colleges, to exercise the greatest care in seeing that due representation is given to Non-Brahmins, to all minority communities, to Muhammadans, to scheduled classes and to women. The fact that candidates from backward communities do not possess equally high marks as candidates from forward communities should not stand in the way of deserving applicants from such communities being given due consideration. In the case, for example, of the scheduled classes and of Muslim women, very few of whom ever reach the collegiate standard, special consideration should be shown. In cases of doubt, the Principals of colleges may, if they consider it necessary, refer the cases to the Director of Public Instruction for decision."

In G.O.1248-P.H., dated 29-3-1938, the Selection

Committees for admission to the Medical Colleges, which are under the Minister for Public Health and Medical, were also abolished. The S.G. had complained that the action of the Selection Committees was "open to adverse criticism on the ground that selection was made not according to merit but for other reasons". Mr. Masterman noted that "this was a bad case of showing favour" by certain individual members of the Selection Committees and that it could be observed that it was only in the Non-Brahmin community that preference had been shown. He added: "I consider that this Selection

Committee (together with other Selection Committees in educational institutions) should be abolished. Rules may be made as to the representation of communities and linguistic groups, but then, the Principal might be left to select in accordance with those rules and strictly in accordance with academic merit". The P.H. Minister agreed with the Secy., but added that "provision should be made for due admission to the unrepresented communities but on no account should academic merit be ignored even in such preferential selection". The S.G. was asked to forward a set of rules for the guidance of Principals and these rules were approved in circulation to the Hon. the Premier. The rules will be found at "Y"/2. Rule 3 stated that "due regard should be paid to the admission of students from backward and unrepresented communities and the proportion prescribed in rule 7(a)(i) of the General rules for the Provincial and Subordinate Services, for recruitment to the Services, should be kept in view in ~~this~~ this regard". Special reservation was also made for women candidates.

The Congress Ministry went out of office in 1939.

In 1940, a representation was made by Mr. C. Basudev, a member of the Justice Party, and a few others, requesting the restoration of the Selection Committees "so as to secure proper and adequate representation to the various Non-Brahmin communities". Govt. examined this representation and called for statistics of admission of the various communities in Govt. Arts and Professional colleges from 1937 to 1939. They came to the conclusion that there was no ground for suspecting that the Principals of colleges would not give effect to the Govt.'s policy of fairness and justice to all communities, and that there was no need

to restore the Committees because they led to much canvassing and were abolished on account of the dissatisfaction which they had caused. Pages 2 and 3 of "A" contain the detailed statistics. It is seen from this that the percentage of Brahmin candidates admitted, to those who applied, is much lower than in the case of other communities. Sir Hugh Hood minuted in the file that colleges which provided training for students to enter a profession and to earn their own living, without special reference to Govt. service, should not be treated in the same way as Govt. service, certainly not to the same extent, and that it seemed reasonable to admit students more or less in proportion to the extent to which the various communities wished to take advantage of the facilities offered. He was therefore against a rigid communal proportion. Sir George Boag also agreed with Sir Hugh Hood. This view was embodied in paragraph 2 of G.O. 1475-Edn., dated 1-8-1940.

The question was again revived in 1941, with refce. to an article that appeared in the "Sunday Observer", a Justice Party paper. Dr. Lakshmanaswami Mudaliar, Vice-Chancellor of the Madras University (then Principal of the Madras Medical College), had suggested that 20 per cent., or 25 per cent., of the seats should be reserved for Brahmins. After a lot of indecision, which can be seen from the noting in "S", the orders deleting paragraph 2 of the above G.O. were issued. The D.P.I. and the S.G. were asked to observe strictly the instructions in para 3. of that G.O. The result of the action taken in 1940-41 was that admissions already given were withdrawn from 50 out of 95 Brahmin candidates. Against this, there were protests in the 'Hindu' and other papers.

In 1943, on representations that admis-

sions were not made in colleges on a population basis, it was ordered that 50.8 per cent. of the seats in the Engineering and Medical colleges should be allotted to students belonging to the districts predominantly Tamil, 38.1 per cent. to the districts predominantly Telugu, and 11.1 per cent. to S. Kanara and Malabar.

The question of the revival of Selection Committees has again been examined in G.O. 1052-Edn., dated 28-5-1946. H.M. (Edn.) has noted that it is too late to consider this point this year.

To sum up, the present position is that, though no precise communal proportion has been laid down, Principals have been asked to exercise the greatest care in seeing that due representation is given to Non-Brahmins, to all minority communities, Muhammadans and the Scheduled classes, and to women. In regard to the Medical colleges, there is an additional provision that the proportion fixed for recruitment to the Govt. services should be kept in view and that the linguistic proportion should also be adhered to. For this year, as a provisional measure, 20 per cent. of the seats has been reserved for admission on merit, in the Engineering and Medical colleges, and the remaining seats have been left to be filled in accordance with the existing rules. Orders have been passed in this matter by H.E. on the advice of H.P.M., pending a more detailed consideration of the question. The concerned file is linked below. H.M. (P.H. & M.) wanted 1/3rd of the admissions to be made on merit, in accordance with the recommendations of the Bhoré Committee. But she has finally agreed to 20 per cent. reservation, in conformity with the decision arrived at by H.E. after discussion with H.P.M.



Returned with thanks
H.E. has seen.

1-1-46

H. E.

H. E.

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H. A. is invited to Memo
 No. 33199 A/d. 21-6-46 and the
 concerned notes. The 20 percent
 admissibles as merit is only for
 946-47. The question for considera-
 tion is whether the instructions
 would apply for admissibles
 next year. In Mar last H. A. raised
 the question of revival of selection
 committees for colleges; the papers
 were finally recorded. vide go. No. 1052
 Edu. d. 28-5-46. If the committee system
 is to be revived, the question of laying
 down rules for the guidance of
 the committees will have to be
 considered; in that connection
 the point at 'A' above may also be
 raised. The notes on pp 1-11 anti
 which were prepared for H. A.'s
 information may be recorded.
 A separate file will be started
 and subd for orders w.r.t
 'B' above.

(C) A

(X)

B

for orders

ASP
 8/11/46
 8

This new mt
 has been up
 to the
 committee.
 The decision
 will be up
 to the
 committee.

G.O.
 No. 2192

Edu & 18

Sub colleges - Arts & Prof.
 admission of students
 to actual notes - Recorded.

Recorded
 ASP
 17/11/46

In a resolution, No. 49, moved by Mr. Thanikaiah Chettiar and passed in an amended form at the meeting held in August, 1921, the Legislative Council made a recommendation to the Government to the effect that, "with a view to increasing the proportion of posts in Government offices held by non-Brahmin communities, the principle prescribed for the Revenue Department in Board's Standing Order No. 128(2), namely, that endeavours should always be made to divide the principal appointments in each district among the several castes (a proportion of the Tahsildars in each District should belong to castes other than the Brahmin, and it should be a standing rule that the two chief revenue servants in the Collector's Office should be of different castes) be at once extended to all departments of the Government and be made applicable, not only to the principal appointments, but to posts of all grades, and that the Government should issue orders accordingly and insist on their being enforced, and that to this end half-yearly returns showing the progress made should be submitted by the head of each office and that such returns should be made available to the members of the Legislative Council. Orders were accordingly issued in G.O. No. 613 Public (Ser) dated 16-9-1921. H.E. Lord Willingdon "objected to the whole thing and said so in the Cabinet". Mr. K. Srinivasa Ayyang, C.S., said that the policy was forced on Government, and that he for one thought it was wholly wrong, but they both agreed to the issue of the orders. Those in favour were the three Ministers, Raja of Panagal, Sir A.P. Patro and Mr. K.V. Reddi; and Mr. C.G. Toddhunter and Mr. A.R. Knapp (etc) were prepared to go half-way, as far as initial recruitment and selection at selection grades was concerned, but not as regards promotion. He wanted no injustice done to existing officers, and observed that to exclude the Brahmin because he is a Brahmin for promotion to a post to which his seniority entitled him would in itself be an violation of Queen Victoria's Proclamation.

In paragraph 3 of G.O. No. 658 Public dated 15-8-1922 the Government recognised that if the principal appointments were

to be divided among the several communities, the lower appointments from which recruitment was made to them must be likewise divided, and were quite prepared to agree that, in order to give effect to this policy, other things being equal, the principle specified in the Board's Standing Order should be given effect to both at the time of initial recruitment and at every point at which men were promoted wholly by selection and not by seniority.

(The returns referred were being submitted. In G.O. 563 Public dated 21-7-1927, the scope of the return was amplified by the opening of a separate column for depressed classes and the inclusion of gazetted officers and officers below Rs. 35/. They were discontinued on account of scarcity of paper. The question of reviving them is to be taken up on 1-9-1946)

In 1927 in connection with the preparation of draft statutory rules regulating recruitment, the conditions of service etc., of provincial (Gazetted) services, the question of communal representation to these services was discussed in Cabinet and the following decisions were arrived at on 26th October, 1927 regarding the general principles regulating recruitment to these services:--

1. That any rule or formula devised shall not take into consideration the existing state of communal representation in the service concerned, but should apply to future recruitment only.

2(a) Provided that qualified men are available in each service the proportion in making appointments in future should be, out of every 12 posts, as follows:--

Non-Brahmans	5
Brahmans	2
Muhammadans	2
Anglo-Indians and Christians	2
Depressed Classes	1
(Now scheduled castes)	12

(b) That appointments on the above basis should be made in the following ratio provided that qualified men could be found in each class:--

1	Non-Brahman
1	Muhammadan
1	Non-Brahman
1	Anglo-Indian or Christian
1	Brahman
1	Non-Brahman.
1	Depressed class. (Now scheduled castes)
1	Non-Brahman
1	Muhammadan
1	Non-Brahman

1	Anglo-Indian or Christian.
1	Brahman

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No general order embodying the decision was issued, but it was ordered to be included in the rules relating to each service after examining the needs in each case. Page 16 of (B) shows the services to which the rule had been applied in 1928.

The ^{principle} ~~decision~~ on which the above decision was ^{based} ~~arrived at~~ is not known, and it must be considered a mere working rule arrived at as the result of discussion arising in the Cabinet.

In connection with the application of the communal rule mentioned above to certain Provincial services to which recruitment was wholly or in part from subordinate services and not direct, certain difficulties were foreseen in the actual working of the rule ^{and} the Cabinet decided on 23rd August, 1928 that the communal principle and the rotation adopted in October, 1927 should apply not only to recruitment from outside but also to recruitment from subordinate services.

In 1928, questions were asked in the Council by Mr. Satyamurthi and Mr. C.V.N. Mudaliar, whether it was Government's intention to penalise Government servants belonging to a particular community on account of their birth in the matter of promotions. The reply was in the negative. // In 1929,

G.O. 226 Public dated 27-2-1929, it was ordered that the communal rule should be applied at the stage of first appointment. In G.O. No. 964 Public dated 24-9-1929, the communal rule was applied to ^{Sub-Registration} ~~sub-registration~~, both at the stage of recruitment and promotion.

In 1931, the Inspector-General of Police brought to the notice of the Government that the usual communal rule was causing hardship in his department and that the Subordinate Police Service was manned at the top mainly by Brahmans and their continual supersession for promotion to the Madras Police Service by their juniors who belonged to the communities were entitled to the vacancies according to the communal

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rule was having a demoralising effect on them. H.E. Sir George Standley had ^{minutely} ~~insisted~~ on a case that 'the whole question of the communal rule should be examined anew from the point of view of justice to individuals and the efficiency of the service.' The noting on the case is interesting. Sir A.V.G. Campbell makes the following observations:- "The reason for the communal rotation is the undue ^{do} ~~pre~~minence of Brahmans in the high ^{rotation} ~~rank~~s - Europeans and Anglo-Indians also On general principles any communal rule is undesirable, but the circumstances are peculiar, and the present rule was adopted after prolonged discussion. The ^{do} ~~pre~~minence of Brahmans in Government service, was, I believe, one of the main causes of the non-Brahman revolt against the Brahmans, which resulted in the formation of the non-Brahman party. It may cause ~~dis~~ ^{political} ~~advantage~~ to a few Brahmans, but if it is not generally enforced, more important ~~potential~~ results may follow." The Cabinet considered the question and decided that the communal rule should not apply to the Madras Police Service and that promotions from the Police Subordinate Service to the Police Service should be based on seniority ~~plus~~ efficiency. To ensure, however, ~~that~~ that the various communities had due representation in the Provincial Service, it was decided to utilise direct recruitment or recruitment by transfer from a service other than the Subordinate Police Service. Briefly, the intention was that every time there is such recruitment the vacancy should go to the community which at the time is most disadvantageously placed in the Service on the basis of the proposition mentioned at A on page 4. The Police Service Rules were accordingly amended.

In connection with the application of the communal rule ~~in~~ ⁱⁿ the Provincial Services the Cabinet decided on 20-9-1932 that the application of the principle of direct recruitment in the Madras Police Service should be examined for each other Provincial Service so as to obviate the necessity of applying the communal rotation rule to recruitment by transfer from the subordinate service without unduly delaying the correction in the Provincial Services in question. The matter was examined by the Secretary and the decisions reached in regard to it have been embodied in the special rules.

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In November, 1933, Mr. Basudev led a deputation to Sir A.V.G. Campbell that ^{and represented} all the non-Brahman appointments went to a few classes such as Reddis, Vallalas and Malayalees. Sir A.V.G. Campbell explained that the communal rotation rule was only a temporary expedient to correct the over-representation of certain communities and the under-representation of some others, and that it was not desirable to make it a permanent feature as the rivalries and jealousies between communities should not be ^{encouraged} ~~encouraged~~ by the maintenance of such a rule and that the proper remedy was to encourage the education of the under-represented communities.

During the budget session of 1934, the same question was raised by Mr. Basudev and others. The Cabinet discussed the matter and decided that no separate representation could be given in the public services for backward Hindu communities. It was argued that the communal rule applicable to appointments must in any case necessarily decrease efficiency and that any further ^{complication} ~~modification~~ of the rule would still further decrease efficiency, and that there would be further demands for sub-divisions. Mr. K.V. Reddi (C3) suggested that the two posts allotted to Brahmans might be further reduced by clubbing them ^{with} ~~into~~ High caste non-Brahmin Malayalees. The Rajah of Panagal suggested appointment on a linguistic basis, which would automatically restrict the share of the Malayalees.

In 1935, Mr. C. Basudev and Mr. ^{duval} ~~H.~~ Nayer on behalf of the backward communities, and Mr. Appaswami Pillai and Mr. Daniel Thomas on behalf of the Christians, moved out in Demand X of the budget (establishments etc) to criticise the policy and the application of the communal G.O.

Mr. Basudev wanted the backward communities ^{to be} ~~classified~~ separately classified, and if the Government were not willing to alter the G.O., he suggested it might be cancelled altogether and that no representation need be given on a communal basis.

Mr. Abdul Hamid Khan, who took part in the discussion, wanted only ^{three} ~~the~~ categories, Muslims, Christians and Hindus, the ^{last} ~~later~~ to include Brahmans, non-backward non-Brahmans, backward

castes and Depressed classes, the selection being left to the Public Service Commission. He remarked that the depressed classes form an integral part of the Hindu community, ^{that} and they are not outside its fold.

Mr. Daniel Thomas wanted that ^{his} ~~the~~ community should be given weightage ^{to} its high standard of education. He said that they were 20% literate and that 95% of them depended on Government service.

The Revenue Member, replying to the debate, said that it was impossible to ^{please} ~~place~~ everybody, that the communal rule was already complex enough, and that if the suggestions were accepted it would become absolutely unworkable, and the Presidency would be torn by communal feeling such as exists now here (else) in India.

This subject came up in 1937 when the Congress Ministry was in power, on a motion by Mr. Mahboob Ali Baig. The Premier (Mr. C. Rajagopala Chariar) replying to the debate made the following observation:-

"The only ~~thing~~ ^{remaining} remaining, and perhaps how members will laugh in appreciation when I say ^{at} ~~the~~ ^{remaining} ~~things~~ ^{thing}, is the demand for jobs in Government Service which is given the high and dignified name of communal problem by the Hon'ble Mr. Hamood Khan. It is tragic that these places in Government Service still occupy the most important part in our consideration of public affairs. It is tragic because it shows how poor our country is. It shows that there are no industries ... that we are not getting on well as a nation and that is why we are quarrelling over these Government and Local body jobs as the most important thing in the world..... communalism in compartments is dangerous. A man cannot be cut up into decimal fractions or percentages you must stop ^{at} ~~a~~ ^{reasonable} limit". With regard to Indian Christians, he said; "It is not possible to blow hot and cold at the same time and to claim in one breath proportion according to total population, and in another breath, representation according to literacy or illiteracy." He finally gave the assurance that nothing would be done by the Government to put any community in a worse position than it was ⁱⁿ before they took charge and that the Government ^{were} ~~was~~ not considering variation, cancellation or modification of the communal G.O. not because they ~~had~~ ^{had} adopted the policy of the Government they ~~had~~ ^{had} disapproved, but because they did not propose to create any

confusion ^{over} ~~on~~ the matter.

In 1941, Mr. E.V.R. Naicker, Leader of the Justice Party, made a representation to the Advisers that Brahmins ^{over-represented} ~~over-represented~~ were ~~over-represented~~ in the Engineering Service, and that no recruitment should be made from among Brahmins, and that ^{positions} ~~positions~~ should be alternate between Brahmins and non-Brahmins. The P.W.D. Deputy Secretary noted ^{with} ~~on~~ the file that ^{with} ~~the~~ application of the communal rules for first appointments and the introduction of the scheme of admitting only a fixed number of students annually from each community to the Engineering College, the communal ^{inequality} ~~weightage~~ would be redressed rapidly. In the reply of Government to Mr. E.V.R. Naicker, it was pointed out that ^{failure} ~~failure~~ to attain a due proportion of representation was due only to the failure of the communities concerned to supply an adequate number of qualified and suitable candidates for all the services, and that recruitment (and ~~promotions~~ of over-represented communities could not be totally stopped without unfairness to persons already in service, and without serious loss of efficiency."

The position can now be summed up:-

The communal rule is applied only to initial recruitment to the services but not to promotions within a service, the reason being that it would be unfair to promote junior men over the heads of seniors merely on communal grounds. ^{It} ~~It~~ would not be conducive to efficiency if promotions are made on communal considerations.

The communal rule has not been applied to certain technical services as in the interests of the services it is essential that the best qualified men should be appointed irrespective of communal considerations.

The Government have not recognised sub-divisions of the main communities specified in the communal rule. (e.g., backward Hindu communities). They should take their chance of appointment in the turn for the main community to which they belong. The Government have refused to give separate representation in the services for sub-divisions of communities.

for the reason that it would complicate the working of the communal rule and that it would decrease efficiency in the services. In order to facilitate the recruitment of minority communities, the Government have raised the age limit for certain services, and lowered the minimum educational standards for certain backward communities.

The communal rule which now applies to various services is rule 19 of the Madras Provincial and Subordinate Service Rules which is extracted below:-

19. Communal representation: (a) (i) Where the special rules lay down that the principle of communal rotation shall apply to any service, class or category, appointments thereto shall, so far as qualified and suitable candidates of the communities concerned are available, be made in the following order, namely:--

One Non-Brahman (Hindu)	One member of the Scheduled Castes.
One Muhammadan.	One Non-Brahman (Hindu).
One Non-Brahman (Hindu).	One Muhammadan.
One Anglo-Indian or Christian or Non-Asiatic.	One Non-Brahman (Hindu).
	One Anglo-Indian or Christian or Non-Asiatic.
One Brahman	
One Non-Brahman (Hindu)	One Brahman.

Provided that this clause shall not apply to the first appointment by any subordinate service or any class or category thereof of a person recruited by transfer but when such person is appointed a full member of such service, class or category he shall be deemed to be a person appointed in the next turn allotted to the community to which he belongs in the order specified in this clause.

(ii) The stage at which the communal rotation specified in clause (i) shall commence when first applied to any such service, class or category shall be determined by the Provincial Government.

(iii) If a qualified and suitable candidate belonging to any community is not available for appointment to any such service, class or category in the turn allotted to that community under clauses (i) and (ii) or under this clause, a qualified and suitable candidate belonging to the community next in the order specified in clause (i) shall, if available, be appointed; but the former community shall have a preferential claim for consideration when any subsequent appointment is to be made to such service, class or category until a suitable and qualified candidate belonging to that community has been appointed against that claim.

(iv) Where a probationer belonging to any community is discharged from any such service, class or category under clause (ii) of sub-rule (a) or clause (i) or (ii) of sub-rule (b) of rule 22 or under sub-rule (c) of rule 23 such community shall have a preferential claim for consideration when after confirmation of the order of discharge on appeal or after the expiry of a period of one year from the date of the order of discharge, whichever is later, any appointment is to be made to such service, class or category until a suitable and qualified candidate belonging to that community has been appointed against that claim.

(v) If, when an appointment to any such service, class or category is to be made, there are two or more communities having a preferential claim under clause (iii) or clause (iv), that community shall receive first consideration and one preferential claim first arose.

(b) (i) Where the special rules lay down that the principle of communal proportion shall apply to any service, class or category, appointments thereto shall be made by transfer or promotion as aforesaid shall be made from that community which at the time of appointment is most disadvantageously situated with reference to the proportion specified in clause (i); if no qualified and suitable candidate of that community is available, a candidate from the community next in the order of disadvantage who is qualified and suitable shall be appointed. If it is found that the disadvantage of two or more communities is equal, a candidate belonging to any of such communities who is best fitted for the post shall be appointed.

category among the following communities in the proportion specified against each:--

Non-Brahman Hindus -- Five out of twelve.
Brahmans -- Two out of Twelve.
Muhammadans -- Two out of twelve
Anglo-Indians, Christians and Non-Asiatics -- Two out of twelve.
Scheduled castes -- One out of twelve.

(ii) Appointments to any such service, class or category by transfer or promotion shall be made irrespective of communal consideration.

(iii) Every appointment to any such service, class or category otherwise than by transfer or promotion as aforesaid shall be made from that community which at the time of appointment is most disadvantageously situated with reference to the proportion specified in clause (i); if no qualified and suitable candidate of that community is available, a candidate from the community next in the order of disadvantage who is qualified and suitable shall be appointed. If it is found that the disadvantage of two or more communities is equal, a candidate belonging to any of such communities who is best fitted for the post shall be appointed.

A list of Provincial and Subordinate Services to which the communal rule applies and another list of services to which it does not apply are at pp.45-48 of Letter No.507 Public (Ser) dated the 11th March 1941.

