Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

G.O. No. 2318, 31st October 1947

Rules—Local bodies—Appointment and punishment of officers and servants—Appointment to the L.T. or B.Ed. grade in secondary schools of trained graduates in lower grades—Amendments—Published.

Back Papers

G.O.	No.	Department.	Date.	G.O.	No.	Department.	
GO	1320	Edn	23.6.47				
"	1153	"	11.6.46				
"	387	"	22.2.46				
"	1886	"	18.12.44				

Further Papers

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
GO	746	Edn	1-7-48				

(2)

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

G.O. No. 2318, 31st October 1947

Rules—Local bodies—Appointment and punishment of officers and servants—Appointment to the L.T. or B.Ed. grade in secondary schools of trained graduates in lower grades—Amendments—Published.

READ—the following paper :—

From the Director of Public Instruction, dated 3rd September 1947,
R.C. No. 8304-G/46.

Order—No. 2318, Education, dated 31st October 1947.

Under the existing rules when a teacher is appointed in the L.T. or B. Ed. grade in a secondary school under the control of a local body preference should be given to a trained graduate working in a lower grade in such a school only if he holds a permanent appointment or has satisfactorily completed probation in that grade. The Director of Public Instruction points out that sometimes it is not possible to fill vacancies in the L.T. or B. Ed. grade under the rule of preference referred to and outsiders have to be appointed as direct recruits. The Director suggests that a trained graduate who has not completed his probation in the lower grade in a secondary school or who is employed in any elementary school under a local body should be eligible for appointment to the L.T. or B. Ed. grade as a direct recruit and that the rule may be amended to enable such an appointment being made. The Government accept the Director's suggestion.

2. The appended notifications will be published in the *Fort St. George Gazette*.

(By order of His Excellency the Governor)

M. V. SUBRAMANIAM,
Secretary to Government.

To the Director of Public Instruction.
" Special Officers of the District Boards.
" Special Officers of Municipalities.
" Inspector of Municipal Councils and Local Boards.
" Examiner of Local Fund Accounts.
" Local Administration Department.
" Superintendent, Government Press, for publication in the *Fort St. George Gazette*.

APPENDIX.

NOTIFICATIONS.

I

The following draft of an amendment to the rules relating to the appointment and punishment of officers and servants of local boards, published with the late Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451-453 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, which it is proposed to make in exercise of the powers conferred by sections 70, 72 and 199 (2) (*a*) of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), is hereby published for general information as required by section 200 (*a*) of the said Act.

Notice is hereby given that the draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENT.

In rule 1 of the said rules, after the proviso to clause (i), the following provisos shall be added, namely:—

"Provided further that a trained graduate who is a probationer in the cadre of secondary grade teachers or teachers of special subjects or pandits in any of the secondary schools under the district board and a trained graduate who is a permanent teacher or an approved probationer or a probationer in any of the elementary schools under the district board shall be eligible for appointment by direct recruitment to the L.T. or B.Ed. grade in a secondary school, if such teacher—

(1) satisfies the subject requirements of the L.T. or B.Ed. vacancies;

(2) satisfies the communal representation rules; and

(3) forfeits the service rendered previously in the lower grade in any of the secondary schools or elementary schools under the district board, as the case may be:

Provided also that a trained graduate in an elementary school shall be so appointed only after a trained graduate of the required community working in the lower grade in any of the secondary schools under the district board has been appointed to the L.T. or B.Ed. grade.

NOTE.—1. A trained graduate already in the service of the district board who is appointed as a direct recruit to the L.T. or B.Ed. grade under the above provisos shall be liable to be discharged from service for want of a vacancy in the L.T. or B.Ed. grade just like an outsider recruited direct and will have no claim to revert to the appointment previously held by him when the vacancy in the L.T. or B.Ed. grade ceases.

NOTE.—2. No teacher in service in a lower grade shall be compelled to take up appointment in the L.T. or B.Ed. grade against his will.

NOTE.—3. An outsider shall be appointed to the L.T. or B.Ed. grade only when the vacancy cannot be filled by the appointment of qualified teachers already in service by the method prescribed in the above provisos."

II

The following draft of an amendment to the rules relating to the appointment and punishment of officers and servants of municipal councils published with late Local Self-Government Department Notification No. 935, dated the 18th August 1936, at pages 453–454 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, which it is proposed to make in exercise of the powers conferred by sections 73, 75 and 303 (2) (*a*) of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), is hereby published for general information as required by section 304 (*a*) of the said Act.

Notice is hereby given that the draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENT.

In rule 1 of the said rules, after the proviso to clause (*g*), the following provisos shall be added, namely:—

"Provided further that a trained graduate who is a probationer in the cadre of secondary grade teachers or teachers of special subjects or pandits in any of the secondary schools under the municipal council and a trained graduate who is a permanent teacher or an approved probationer or a probationer in any of the elementary schools under the municipal council shall be eligible for appointment by direct recruitment to the L.T. or B.Ed. grade in a secondary school, if such teacher—

(1) satisfies the subject requirements of the L.T. or B.Ed. vacancies; and

(2) forfeits the service rendered previously in the lower grade in any of the secondary schools or elementary schools, under the municipal council, as the case may be:

Provided also that a trained graduate in an elementary school shall be so appointed only after a trained graduate working in the lower grade in any of the secondary schools under the municipal council has been appointed to the L.T. or B.Ed. grade.

NOTE.—1. A trained graduate already in the service of the municipal council who is appointed as a direct recruit to the L.T. or B.Ed. grade under the above provisos shall be liable to be discharged from service for want of a vacancy in the L.T. or B.Ed. grade just like an outsider recruited direct and will have no claim to revert to the appointment previously held by him when the vacancy in the L.T. or B.Ed. grade ceases.

NOTE.—2. No teacher in service in a lower grade shall be compelled to take up appointment in the L.T. or B.Ed. grade against his will.

NOTE.—3. An outsider shall be appointed to the L.T. or B.Ed. grade only when the vacancy cannot be filled by the appointment of qualified teachers already in service by the method prescribed in the above provisos."

B1 (3)

C.F. 32.

Educational. Department

From (Name) G.L.Lobo Esq.,B.A. (Hons) (Cantab). Deputy Director
Designation of Public Instruction,
Station (In charge), Office of the Director of public Instruction,Madras.

Received Registered

To

The Secretary to Government,
Education and Public Health
Department, Madras.

Enclosures: R.C. No. 2087-G/45 dated 27th May 1946.

SECRETARIAT 30 MAY 1946 EDUCATION AND PUBLIC HEALTH DEPARTMENT

Sir,

Subject:- Local Bodies - Secondary schools - trained graduates who are probationers in the secondary grade cadre- whether they can be appointed to the L.T. ~~grade~~ Cadre as direct recruits.

28725

I have the honour to submit the following for a ruling by Government.

2. According to the appointment and punishment rules as amended by G.O. No. 1886 Education dated 18-12-44 and G.O. No. 387 Education dated 22-2-46, a trained graduate working in the secondary grade cadre or as a teacher of a special subject or as a pandit has a statutory right to be appointed to the L.T., or B.Ed grade if he holds a permanent appointment or ~~xxxx~~ ~~xxxxxxxxxxxxxxxxxxxxxxxx~~ has satisfactorily completed probation as a secondary grade teacher or as a teacher of a special subject or as a pandit, as the case may be, provided the person is qualified in the subject which is to be taught and is, in the opinion of the District Educational Officer or the Inspectre as the case may be, fit for promotion. But there is no specifi provision in the above rules for the "direct" recruitment to the L.T. or B.Ed., cadre of a probationer in the lower grade and the rules do not at the same time seem to prohibit the appointment of such a probationer to the L.T. or B.Ed., cadre as a "direct recruit". ~~I consider that in such contingencies,~~ It so happens that some times vacancies occur in the L.T., cadre to which appointments could be made under the above rules, by promotion. It is but reasonable that a probationer should be atleast eligible for the appointment just as outsiders are. This may be done if the appointment of the probationer in the lower grade to the L.T., or B.Ed., cadre is treated as one of direct recruitment and if he or she satisfies the subject requirements of the vacancy and the communal representation rule and if he or she forfeits his or her previous service in the lower grade. If the L.T. or B.Ed., vacancy ceases, he or she has to be discharged from service just like any other direct recruit and the person cannot revert to the old post in which he or she was previously a probationer. Naturally, the appointing authority may appoint ~~xxx~~ any one of his choice from among the probationers satisfying the above requirements.

I consider that in such contingencies

3. If Government agree to the above suggestions I shall submit draft amendments to the rules, if it is considered simple executive order is insufficient.

4. I further request Government to inform me whether the appointments of such probationers in the lower grade to the L.T. or B.Ed., grade already made in some cases by certain appointing authorities and which have come to my notice, may be considered to be regular ones provided the conditions referred t in para 2 above are satisfied.

For Director of public Instruction,Madras.

Copy for file.

AN/28/5/

SGP 29/5

P.T.O.

2

Edn. H. (B.1)

Lgo. No. 1886 Edn. d. 18-12-44 quoted on p. 1 ante has been taken by the L.A. Dept. for their Cno. 4886/46. That Dept. may be requested to put up the Lgo. for this file.

1/6/46.
1/6/46

L.A.

Edn. Hno. 28725 B.1/461
6-6-46.

L.A. Dept(s)

The file in which the above Lgo. was put up, was transferred to Edn. H. Deptt finally with this Deptt no 4886-1-AS 22-2-46. With these remarks, the file may be returned to Edn. H. Deptt no.

17.6.46 Edn H

13-6-46

15/6/46.

17/6/46

LAno 17465 dt 17-6-46.

LOCAL ADMINISTRATION DEPT. 7 JUN 1946 17465

ACCESSION NO. SECRETARIAT 22512 18 JUN 1946 EDUCATION AND PUBLIC HEALTH DEPARTMENT

3/

(IX)

E & P.H. (B1)

T.M. (Deptt) no. 28725 B1/46 Edn. dt 22-7-47.

From

The Assistant Secretary E & P.H. Deptt

To

The Deputy D.P.I.

Reference Director's u.o. reply No 8364 G-1/46 dated 29-10-46 regarding appointment of trained graduates who are probationers in the secondary grade to the L.T. cadre as direct recruits

Please say whether any trained graduates are serving as headmasters of higher elementary schools under local bodies and if so whether provision should not also be made for their appointment to the L.T. cadre as direct recuits as proposed in the case of such trained graduates in the secondary Education Unit.

29-6-47

1-7-47

C.F. 30.

EDUCATION **DEPARTMENT.**

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.
19 JUL 1947

Received ..... 19 . *Registered* ..... 19 .

Subject.

58828

LOCAL BODIES = Secondary Schools = Appointment of Trained Graduates who are probationers in the Secondary Grade cadre to the L.T. Cadre as direct recruits:

***

ENCLOSURES.
No. .....
.....
Spare copies .....

R.C. No. 8304 G/46

Station M A D R A S , *Dated the* 17th JULY 1947

From (Name) SRI D.S. REDDI, M.A.(Oxon), M.B.E.,

(Designation) DIRECTOR OF PUBLIC INSTRUCTION, MADRAS

To The Secretary to the Government of Madras,

EDUCATION AND PUBLIC HEALTH Department.

Sir,

REF:- Government Telephonic Message (By post)
No.28725 B.1/46 Education dated 2nd July 47.

***

There are in all 66 trained graduates (58 men and 8 women) working in Primary Schools under local bodies, but it is not known whether all of them are Headmasters and are in higher elementary schools. Further information, if required, will be submitted after getting the same from the local bodies.

2. I have no objection to such trained graduates being appointed to the L.T. Cadre as direct recruits subject to the following conditions:

(i) That they are appointed after those of the required community working in the Secondary Grade cadre in the Secondary Education unit have been appointed to the L.T. Cadre.

= 2 =

(ii) That they satisfy the subject requirements of the L.T. Vacancies and the communal representation rules.

(iii) That they forfeit their service in the Elementary Education unit; and

(iv) That they have to be discharged from service just like any other direct recruit to the L.T. Cadre and cannot revert to their old posts in the Elementary Education Unit when the L.T. vacancy ceases.

for DIRECTOR OF PUBLIC INSTRUCTION.

KAN.18/7

Enclosures
No.
Spare copies

Establishment - Secondary schools under local bodies - Appointment of trained graduates who are working as probationers in the secondary grade cadre in the Secondary Edn Unit or in the Elementary Edn. Unit as direct recruits - Amendment to the rules

From the DPI no 2067 A/45 dt 27.5.46
" no 8304 A/46 dt 17-7-47

Memo. No. 28725.B1/46-4. Edn. dt 5.8.47

The DPI is informed that his proposals for the appointment of trained graduates serving as probationers in the Secondary grade cadre in the Secondary Edn Unit or in the Elementary Education Unit as direct recruits to the L.T. or B.Ed cadre subject to certain conditions mentioned in his letter are approved. He is requested to submit necessary

2
8

amendments to the rules relating to the appointment & punishment of officers & servants of ~~local bodies~~ District boards & municipal Councils at an early date.

2. The Director is informed that the proposed amendments will have no retrospective effect and that the appointment of such trained graduates in the lower grade to the L.T or B.Ed grade already made will have to be regularised by ~~ad hoc orders~~ in suitable cases as special cases.

4.8.47

To

The D.P.I

C.F. 32.

In reply, please quote number, date and short title.*

EDUCATION DEPARTMENT.

Received _____ *Registered* _____

From (Name) Dr.S.R.U. Savoor, M.A., D.Sc., I.E.S.,

(Designation) Director of Public Instruction,

Post Box _____, (Station) MADRAS.,

Telegraphic Address _____

ASST. SECRETARY TO GOVERNMENT
5-SEP 1947
EDUCATION AND PUBLIC HEALTH DEPT.

To

The Secretary to Government,
Education and Public Health Department.

R.C. *No.* 8304 G/46, *dated* 3--9--47 19 .

Sir,

Enclosures _____

_____

_____

Spare Copies _____

* Subs:- Local Bodies - Secondary Schools - Appointment of trained graduates working in the lower grades to the L.T. Grade as direct recruits.

*****

Ref:- Govt. Memo.No.28725 B2/46-4 Edn., dated 5-8-47.

*****

With reference to para 1 of the Government Memorandum cited above, I have the honour to submit the following necessary draft amendments to the Appointment and Punishment Rules for the consideration of Government.

"(a) the existing proviso to clause(i) of the clause(g) Appointment and punishment Rules relating to District Boards Municipal Councils

(i) and (b) the following shall be added as proviso (ii):-

Provided also that a trained graduate who is a probationer in the Secondary Grade cadre or in the cadre of special subject teachers or in the cadre of pandits in a secondary school and a trained graduate, who is permenant or is an approved probationer or a probationer in the Elementary education unit shall be appointed as a direct recruit to the L.T. or B.Ed. grade in a secondary school on the following conditions:

(i) that he/she satisfies the subject requirements of the L.T. or B.Ed. vacancies.

(2) that he/she satisfied the communal representation rules

(3) that he/she forfeits his/her service in the lower grade of the secondary school or of the Elementary Education unit.

(4) that he/she of the elementary education unit is appointed only after those of the required community working in the lower grade in the Secondary Education Unit have been appointed to the L.T. or B.Ed. grade.

and (5) that he/she has to be discharged from service just like any other direct recruit to the L.T. or B.Ed. cadre and cannot revert to his/her old post in the lower grade of the Secondary school or of the Elementary Education Unit when the L.T. or B.Ed. vacancy ~~xx~~ ceases.

~~xxx~~

and (c) the following shall be added as notes (i) and (ii) thereunder:

P.T.O.

Note:- (i) A teacher in service who is not willing to be appointed to the L.T. or B.Ed. Grade on these conditions shall not be compelled to take up the higher appointment.
and (ii) Outsiders shall be recruited to the L.T. or B.Ed. Grade only when the vacancy cannot be filled up from those qualified teachers already in service by the method laid down in provisos (i) and (ii).

4/9

for Director of Public Instruction.

pkr.4/9

4/9

E & P.H.(B1)

Rules - Local bodies- Appointment and punishment of officers and servvants

Appointment to the L.T. or B.Ed grade in secondary schools of trained graduates in lower grades - Amendments - Published.

From the D.P.I. R.C.No 8304 G/46 dated 3-9-47

Order No 2318 Edn dated 31. X. 47

Under the existing rules ~~in appointing a teacher~~ when a teacher is appointed in the L.T or B.Ed grade in a secondary school under the control of a local body preference should be given to a trained graduate working in a lower grade in such a school only if he holds a permanent appointment or has satisfactorily completed probation in that grade. The D.P.I. points out that sometimes it is not possible to fill vacancies in the L.T. or B.Ed grade under the rule of preference referred to and outsiders have to be appointed as direct recruits. The Director suggests that a trained graduate who has not completed his probation in the lower grade in a secondary school or who is employed in any elementary school under a local body should be eligible for appointment to the L.T. or B.Ed grade as a direct ~~recruit~~ recruit just as an outsider is and that the rules may be amended to enable such an appointment being made. The Govt accept the Director's suggestion.

2. The appended notifications will be published in the Fort St George Gazette.

8-9-47

To

The D.P.I.
..Special officers of Dt Bds
,,Special officers of Municipalities
..Inspector of Mcl cls and local boards
,,Examiner of L.F, Accounts
,,L.A.Dept
..S.G.P. for publication in the F.S.G.G.

Appendix

Notifications

1

The following draft of an amendment to the rules relating to the appointment and punishment of officers and servants of local boards, published with the late Local Self-Government Department Notification

No 934, dated the 18th August 1936, at pages 451-453 of Part 1-A of the Fort St George Gazette, dated the 1st September 1936, which it is proposed to make in exercise of the powers conferred by sections 70, 72 and 199 (2) (a) of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920) is hereby published for general information as required by section 200 (a) of the said Act. // Notice is hereby given that the draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENT.

In rule 1 of the said rules, after the proviso to clause (i), the following proviso shall be added, namely:-

" Provided further that a trained graduate who is a probationer in the cadre of secondary grade teachers or teachers of special subjects or pandits in any of the secondary schools under the district board and a trained graduate who is a permanent teacher or an approved probationer or a probationer in any of the Elementary schools under the district board shall be eligible for appointment by direct recruitment to the L.T. or B.Ed. grade in a secondary school, if such teacher —

(1) satisfies the subject requirements of the L.T. or B.Ed. vacancies;

(2) satisfies the communal representation rules; and

(3) forfeits the service rendered previously in the lower grade in any of the secondary schools or elementary schools under the district board, as the case may be:

Provided also that a trained graduate in an Elementary School shall be so appointed only after a trained graduate of the required community working in the lower grade in any of the secondary schools under the district board has been appointed to the L.T. or B.Ed. grade.

Note 1.- A trained graduate already in the service of the district board who is appointed as a direct recruit to the L.T. or B.Ed. grade under the above provisos shall be liable to be discharged from service for want of a vacancy in the L.T. or B.Ed. grade just like an outsider recruited direct and will have no claim to revert to the appointment previously held by him when the vacancy in the L.T. or B.Ed. grade, ceases.

Note 2.- No teacher in service in a lower grade shall be compelled to take up appointment in the L.T. or B.Ed. grade against his will.

Note 3.- An outsider shall be appointed to the L.T. or B.Ed. grade only when the vacancy cannot be filled by the appointment of qulaified teachers already in service

by the method prescribed in the above provisos."

11

The following draft of an amendment to the rules relating to the appointment and punishment of officers and servants of municipal councils published with the late Local Self-Government Department Notification No 935, dated the 18th August 1936, at pages 453-454 of Part 1-A of the Fort St George Gazette, dated the 1st September 1936, which it is proposed to make in exercise of the powers conferred by sections 73, 75 and 303(2)(a) of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), is hereby published for general information as required by section 304 (a) of the said Act.

Notice is hereby given that the draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENT.

In rule 1 of the said rules, after the proviso to clause (g), the following proviso shall be added, namely:-

" Provided further that a trained graduate who is a probationer in the cadre of secondary grade teachers or teachers of special subjects or pandits in any of the secondary schools under the municipal Council and a trained graduate who is a permanent teacher or an approved probationer or a probationer in any of the Elementary schools under the municipal council shall be eligible for appointment by direct recruitment to the L.T. or B.Ed. grade in a secondary school, if such teacher —

(1) satisfies the subject requirements of the L.T. or B.Ed. vacancies;

(2) satisfies the communal representation rules; and

(3) forfeits the service rendered previously in the lower grade in any of the secondary schools in any of the elementary schools, under the municipal council, as the case may be:

Provided also that a trained graduate in an Elementary

4

schools shall be so appointed only after ~~such~~ a trained graduate ~~of the required community~~ working in the lower grade in any of the secondary schools under the municipal council ~~is~~ has been appointed to the L.T. or B.Ed. grade.

Note 1.— A trained graduate already in the service of the municipal council who is appointed as a direct recruit to the L.T. or B.Ed. grade under the above provisos shall be liable to be discharged from service for want of a vacancy in the L.T. or B.Ed. grade just like an outsider recruited direct and will have no claim to revert to the appointment previously held by him when the vacancy in ~~[illegible]~~ ~~to~~ the L.T. or B.Ed. grade ceases.

Note 2.—No teacher in service in a lower grade shall be compelled to take up ~~the higher~~ appointment in the L.T. or B.Ed. grade against his will.

Note 3.—An outsider shall be appointed to the L.T. or B.Ed. grade only when the vacancy cannot be filled by the appointment of qualified teachers already in service by the method prescribed in the above provisos."

USN
8-9-47

[illegible]
10.9.47

5 //

Sectt. II-22—5,506—18-11-42.

PRESS SLIP.

ORDINARY. **URGENT (a).** **SPECIAL (a).**

(10)

161/118 Pub

L.S.G. II ...... DEPARTMENT.

Current No........, dated..........................194 .

G.O. No. 2318 Edn., dated 31-10-47 ....194 .

Number of MS. pages sent { (b) Correspondence.......... (c) Notes..........

Brief subject...... Rules - Local bodies - Appointment & punishment of officers & servants - Appointment to the L.T. & B.Ed. grade in secondary schools of trained graduates in lower grade

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‡ *To be initialled and dated.*

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[P.N.]

TO PRESS, MADRAS.

A

Please send proof in duplicate. The papers have been carefully edited.

D. Marayya ....Clerk.
clerk, B, Secb. E&PH Dept 31-X-47

.............................Supt.

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D. Marayya ....Clerk.
clerk B, Sectt. 17-11-47

.............................Supt.

C

As the matter is clear manuscript and has been carefully edited, (b) proof need not be sent. Please print and supply number of copies as indicated. Type may be released after usual interval.

.............................Clerk.

.............................Supt.

SPECIAL INSTRUCTIONS.

Certified that the number of copies indented for is the minimum required.

Assistant Secretary to Govt.

31/10

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161/118

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

Approved 17/11/47 18/11/47

G.O. No. 2318, 31st October 1947

Rules—Local bodies—Appointment and punishment of officers and servants Appointment to the L.T. or B.Ed. grade in secondary schools of trained graduates in lower grades—Amendments—Published.

READ—the following paper :—

From the Director of Public Instruction, dated 3rd September 1947, R.C. No. 8304-G/46.

20 NOV 1947

Order—No. 2318, Education., dated 31st October 1947.

Under the existing rules when a teacher is appointed in the L.T. or B.Ed. grade in a secondary school under the control of a local body preference should be given to a trained graduate working in a lower grade in such a school only if he holds a permanent appointment or has satisfactorily completed probation in that grade. The Director of Public Instruction points out that sometimes it is not possible to fill vacancies in the L.T. or B. Ed. grade under the rule of preference referred to and outsiders have to be appointed as direct recruits. The Director suggests that a trained graduate who has not completed his probation in the lower grade in a secondary school or who is employed in any elementary school under a local body should be eligible for appointment to the L.T. or B. Ed. grade as a direct recruit and that the rule may be amended to enable such an appointment being made. The Government accept the Director's suggestion.

2. The appended notifications will be published in the *Fort St. George Gazette*.

(By order of His Excellency the Governor)

M. V. SUBRAMANIAN,
Secretary to Government.

To the Director of Public Instructions.
„ Special Officers of the District Boards.
„ Special Officers of Municipalities.
„ Inspector of Municipal Councils and Local Boards.
„ Examiner of Local Fund Accounts.
„ Local Administration Department.
„ Superintendent, Government Press, for publication in the *Fort St. George Gazette*.

APPENDIX.

NOTIFICATIONS.

I

The following draft of an amendment to the rules relating to the appointment and punishment of officers and servants of local boards, published with the late Local Self-Government Department Notification No. 934, dated the 18th August 1936, at pages 451-453 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, which it is proposed to make in exercise of the powers conferred by sections 70, 72 and 199 (2) (*a*) of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), is hereby published for general information as required by section 200 (*a*) of the said Act.

Notice is hereby given that the draft will be further proceeded with after six weeks from the date of publication of this notification and that any objection or suggestion which may be received with respect thereto before the expiry of the period aforesaid will be considered by the Government of Madras.

A.V.

DRAFT AMENDMENT.

In rule 1 of the said rules, after the proviso to clause (i), the following provisos shall be added, namely:—

"Provided further that a trained graduate who is a probationer in the cadre of secondary grade teachers or teachers of special subjects or pandits in any of the secondary schools under the district board and a trained graduate who is a permanent teacher or an approved probationer or a probationer in any of the elementary schools under the district board shall be eligible for appointment by direct recruitment to the L.T. or B.Ed. grade in a secondary school, if such teacher—

(1) satisfies the subject requirements of the L.T. or B.Ed. vacancies;

(2) satisfies the communal representation rules; and

(3) forfeits the service rendered previously in the lower grade in any of the secondary schools or elementary schools under the district board, as the case may be:

Provided also that a trained graduate in an elementary school shall be so appointed only after a trained graduate of the required community working in the lower grade in any of the secondary schools under the district board has been appointed to the L.T. or B.Ed. grade.

NOTE.—1. A trained graduate already in the service of the district board who is appointed as a direct recruit to the L.T. or B.Ed. grade under the above provisos shall be liable to be discharged from service for want of a vacancy in the L.T. or B.Ed. grade just like an outside recruited direct and will have no claim to revert to the appointment previously held by him when the vacancy in the L.T. or B.Ed. grade ceases.

NOTE.—2. No teacher in service in a lower grade shall be compelled to take up appointments in the L.T. or B.Ed. grade against his will.

NOTE.—3. An outsider shall be appointed to the L.T. or B.Ed, grade only when the vacancy cannot be filled by the appointment of qualified teachers already in service by the method prescribed in the above provisos."

II

The following draft of an amendment to the rules relating to the appointment and punishment of officers and servants of municipal councils published with late Local Self-Government Department Notification No. 935, dated the 18th August 1936, at pages 453–454 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, which it is proposed to make in exercise of the powers conferred by sections 73, 75 and 303 (2) (*a*) of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), is hereby published for general information as required by section 304 (*a*) of the said Act.

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DRAFT AMENDMENT.

In rule 1 of the said rules, after the proviso to clause (*g*), the following provisos shall be added, namely:—

"Provided further that a trained graduate who is a probationer in the cadre of secondary grade teachers or teachers of special subjects or pandits in any of the secondary schools under the municipal council and a trained graduate who is a permanent teacher or an approved probationer or a probationer in any of the elementary schools under the municipal council shall be eligible for appointment by direct recruitment to the L.T. or B.Ed. grade in a secondary school, if such teacher—

(1) satisfies the subject requirements of the L.T. or B.Ed. vacancies; and

(2) forfeits the service rendered previously in the lower grade in any of the secondary schools or elementary schools, under the municipal council, as the case may be:

Provided also that a trained graduate in an elementary school shall be so appointed only after a trained graduate working in the lower grade in any of the secondary schools under the municipal council has been appointed to the L.T. or B.Ed. grade.

NOTE.—1. A trained graduate already in the service of the municipal council who is appointed as a direct recruit to the L.T. or B.Ed. grade under the above provisos shall be liable to be discharged from service for want of a vacancy in the L.T. or B.Ed. grade just like an outsider recruited direct and will have no claim to revert to the appointment previously held by him when the vacancy in the L.T. or B.Ed. grade ceases.

NOTE.—2. No teacher in service in a lower grade shall be compelled to take up appointment in the L.T. or B.Ed. grade against his will.

NOTE.—3. An outsider shall be appointed to the L.T. or B.Ed. grade only when vacancy cannot be filled by the appointment of qualified teachers already in service by the method prescribed in the above provisos".

(12) 161/118

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

G.O. No. 2318, 31st October 1947

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To the Director of Public Instructions.
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" Inspector of Municipal Councils and Local Boards.
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"Provided further that a trained graduate who is a probationer in the cadre of secondary grade teachers or teachers of special subjects or pandits in any of the secondary schools under the district board and a trained graduate who is a permanent teacher or an approved probationer or a probationer in any of the elementary schools under the district board shall be eligible for appointment by direct recruitment to the L.T. or B.Ed. grade in a secondary school, if such teacher—

(1) satisfies the subject requirements of the L.T. or B.Ed. vacancies;

(2) satisfies the communal representation rules; and

(3) forfeits the service rendered previously in the lower grade in any of the secondary schools or elementary schools under the district board, as the case may be:

Provided also that a trained graduate in an elementary school shall be so appointed only after a trained graduate of the required community working in the lower grade in any of the secondary schools under the district board has been appointed to the L.T. or B.Ed. grade.

NOTE.—1. A trained graduate already in the service of the district board who is appointed as a direct recruit to the L.T. or B.Ed. grade under the above provisos shall be liable to be discharged from service for want of a vacancy in the L.T. or B.Ed. grade just like an outside recruited direct and will have no claim to revert to the appointment previously held by him when the vacancy in the L.T. or B.Ed. grade ceases.

NOTE.—2. No teacher in service in a lower grade shall be compelled to take up appointments in the L.T. or B.Ed. grade against his will.

NOTE.—3. An outsider shall be appointed to the L.T. or B.Ed. grade only when the vacancy cannot be filled by the appointment of qualified teachers already in service by the method prescribed in the above provisos."

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The following draft of an amendment to the rules relating to the appointment and punishment of officers and servants of municipal councils published with late Local Self-Government Department Notification No. 935, dated the 18th August 1936, at pages 453–454 of Part I-A of the *Fort St. George Gazette*, dated the 1st September 1936, which it is proposed to make in exercise of the powers conferred by sections 73, 75 and 303 (2) (*a*) of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), is hereby published for general information as required by section 304 (*a*) of the said Act.

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In rule 1 of the said rules, after the proviso to clause (*g*), the following provisos shall be added, namely:—

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(1) satisfies the subject requirements of the L.T. or B.Ed. vacancies; and

(2) forfeits the service rendered previously in the lower grade in any of the secondary schools or elementary schools, under the municipal council, as the case may be:

Provided also that a trained graduate in an elementary school shall be so appointed only after a trained graduate working in the lower grade in any of the secondary schools under the municipal council has been appointed to the L.T. or B.Ed. grade.

NOTE.—1. A trained graduate already in the service of the municipal council who is appointed as a direct recruit to the L.T. or B.Ed. grade under the above provisos shall be liable to be discharged from service for want of a vacancy in the L.T. or B.Ed. grade just like an outsider recruited direct and will have no claim to revert to the appointment previously held by him when the vacancy in the L.T. or B.Ed. grade ceases.

NOTE.—2. No teacher in service in a lower grade shall be compelled to take up appointment in the L.T. or B.Ed. grade against his will.

NOTE.—3. An outsider shall be appointed to the L.T. or B.Ed. grade only when the vacancy cannot be filled by the appointment of qualified teachers already in service by the method prescribed in the above provisos".

E. & P. H. (B.1)

Establishment - Local Bodies - Trained graduates who are probationers in the Secondary Grade cadre - Appointment to the L.T. cadre as direct recruits.

C.No. 28725/46 - From the D.P.I. R.C.No. 2087-G/45 dated 27.5.46.

Under the rules relating to the appointment and punishment of officers and servants of local boards and municipal councils, in making appointments of teachers in the L.T. or B.Ed. grade of the high school department of secondary schools, preference should be given to a teacher of the secondary grade or a teacher of a special subject or Pandit employed in any of the secondary schools under the district board or municipal council, if such teacher

(1) possesses the L.T. or the B.Ed. qualification

(2) holds a permanent appointment or has satisfactorily completed probation as a secondary grade teacher or as a teacher of special subject or as a Pandit as the case may be,

(3) is qualified in the subject which he or she is to teach; and

(4) is, in the opinion of the D.E.O. or the Inspectress of Girls' Schools as the case may be, fit for promotion.

The above rule contemplates the promotion of a secondary grade teacher or teacher of special subject or Pandit as L.T. or B.Ed. Assistant, only after he has completed his probation or has been made permanent in the lower grade. The D.P.I. points out that a probationer in any of the categories of posts referred to above should be eligible for appointment as L.T. or B.Ed. Assistant by direct recruitment just as outsiders are if he or she satisfies the subject requirements of the vacancy and the communal representation rules and in the event of such a person being appointed as L.T. or B.Ed. Assistant, he or she

should

should forfeit ~~his~~ the previous service in the lower grade and should have no claim for re-appointment in that grade when ousted for want of a vacancy in the higher grade.

(1)

2. Attention is solicited to G.O.No.1153 Edn., dated 11-6-46. It will be observed therefrom that the normal method of recruitment to the L.T. or B.Ed. grade is direct recruitment subject to the rule of preference referred to above. There seems to be therefore no objection to probationers in the Secondary Grade cadre being made eligible for appointment to the L.T. or B.Ed. grade, subject to the condition referred to at A on p.1 c.f. No proportion has been fixed for filling vacancies in the L.T. or B.Ed. grade by direct recruitment or by promotion. It will be open to the appointing authority to select a probationer in the lower grade for appointment xx by direct recruitment in preference to a permanent secondary grade teacher or teacher of special subject or Pandit even though he is qualified for appointment in that subject vacancy merely to satisfy communal considerations. In order to safeguard the claims of permanent men as against probationers, it is for consideration whether a probationer in the lower grade should be selected for appointment in the L.T. or B.Ed. grade ~~only~~ by direct recruitment, only if a secondary grade teacher or teacher of special subject or Pandit who is permanent or who has satisfactorily completed probation qualified in the subject is not available. (A) It is necessary to amend the rules suitably. The D.P.I. may be asked to suggest the necessary draft amendments.//3 It is not usual to give retrospective effect to such amendments. Appointment of probationers already made may be approved as a special case, if such a course is considered necessary.

– Para 3 of D.P.I.'s letter on p.1 c.f.

– Para 4 of Director's letter on p.1 c.f.

USU
28/8/46

The D.P.I.'s proposals may be approved subject to 'A' above.

[signature]
31/8/46 S

B
2.9.46
13

I don't think this is correct either. Let me understand the position as proposed here. Suppose an L.T., because

H.M. (Edn)

13/9/46

3

(1X)

of his not being able to get an L.T. vacancy ~~acts~~ works, in a secondary grade vacancy. When he gets an L.T.'s place, he acts there, but suppose on the coming back of the original incumbent he has to revert back; according to the present proposal as I have understood, he cannot revert back to the secondary grade post in which he was working.

If that is the intention of the present proposal, I don't think it is right.

TSA
16-9-46

SECRETARY, EDN. AND P.H. DEPT.
16 SEP 1946
GOVERNMENT OF MADRAS

Please see the minutes of H.M. (Edn) above. According to the Director's proposal, an L.T. who is a probationer in the secondary grade teachers' cadre should be eligible for appointment by direct recruitment to the L.T. cadre and whenever he is appointed & becomes a probationer in that cadre, he should have no right to revert ~~to revert~~ as secondary grade teacher when the L.T. or B.Ed. vacancy ceases. Vide portion marked A on p1 c.f. This is in accordance with the principle that one should not be a probationer in two grades at the same time. Further if such a right of reversion is allowed to a probationer in the L.T. or B.Ed cadre, there will be constant disturbance in the secondary grade teachers posts & recruitment to those posts will suffer. Such a right of reversion is allowed only to promotees who will be permanent secondary grade teachers or approved probationers.

and it will be a case of promotion and not of direct recruitment to the higher post.
B
30.9.46

The remarks of the DPI may be

4

minuted no.

USK
25.9.46

JRM
30/9/46

30.9.46

D.P.I. (UOS)

3/9

OFFICE OF PUBLIC INSTRUCTION
3 OCT 1946
(16)
MADRAS

UO no 28725/46-3 B1 Edn
3079

U.O. Reply. ~~No.~~ 8304 ~~G~~1/46

Office of the D.P.I.,
Madras, 29th Octr. 1946.

The Hon'ble Minister's statement of the case is quite correct and the Secretariat's explanation of the Director's position and reasoning is correct. While it appears to be hard, the present proposal is really of great benefit to the L.T. Masters appointed to the secondary grade unit who have not completed their probation for the following reasons:-

(1) No L.T. Master in the secondary grade unit who is still a probationer need be appointed to the L.T. vacancy without his consent. So, if he would ~~rather elect~~ prefer security and lower pay to higher service and higher pay rather than face being ousted when the vacancy occurs, it is open to him to do so and take his chance of his being appointed to the L.T. in the usual course under G.O.No.1886 Edn., dated 18-12-1944.

(2) Such a contingency of being ousted is not anything out of the way. Many L.T. Masters who apply for acting L.T. vacancies and take up acting appointments do get ousted but they have the satisfaction of obtaining probationary rights.

(3) If the present proposal is not agreed to these masters will have to wait for vacancies to arise after they complete their probation and in the meanwhile if outsiders had been appointed and had acquired probationary rights, the latter

(15)

will have priority of right egen for these vacancies.

Thus the present proposal will be of great help to the L.Ts. who have not completed their probation in the secondary grade cadre.

ASST. SECRETARY TO GOVERNMENT
31 OCT 1946
66068
EDUCATION AND PUBLIC HEALTH DEPT.

S.K. Savoor
D. P. I.

To
The Secretary to Government,
Education & Public Health Department.

E & P.H.(B1)

Please see the Director's reply above. He considers that the proposal to provide for the appointment of trained graduates who are probationers in the secondary grade cadre as direct recruits to the L.T. cadre will be of benefit to the L.T. masters appointed to the secondary grade for the reasons given by him. In the circumstances stated, it is for consideration whether the Director's proposal may be approved.

File in B2 Section
GO 1320 Edn
23.6.47

2. There is a separate proposal that recruitment to the posts of secondary grade teachers in the secondary unit should normally be made in future by transfer of secondary grade trained teachers in the Elementary Education Unit instead of in exceptional cases as at present and it is proposed to amend the rules. There may be a few trained graduates serving as headmasters of higher elementary schools under local bodies and it would seem that they should also be given a chance for appointment as direct recuitd to the L.T. cadre in view of the present dearth of L.Ts. It may be ascertained whether provision should not be made in this regard also.

A draft T..M. is submitted below for approval.

USK
29.6.47

p 3 of
p 5 of

T.M to the DPI dated 1.7.47

From the DPI Rc no 8304 G/46 dated 17.7.47

Please see the Director's reply on page 5 of. He has no objection to trained graduates working in Primary schools under local bodies being appointed to the L.T. cadre subject to the four conditions

conditions specified in his letter on pp 5-6C.F. Conditions (ii) to (iv) are similar to those proposed to be imposed for the appointment of trained graduates serving as secondary grade teachers in the secondary education unit as direct recruits to the L.T. cadre-Vide portion marked A on page 1 C.F. Condition 1 that such trained graduates in the Elementary education unit should be appointed to the L.T. cadre only after those working in the secondary education unit are appointed having regard to the subject requirements and communal representation rules may be accepted

2. The file may now be circulated to H.M.(Edn) for orders whether provision may be made in the rules relating to the appointment and punishment of officers and servants of district boards and municipal councils for the appointment of trained graduates working as probationers in the secondary and elementary education units as direct recruits to the L.T. cadre subject to the following conditions:—

(i) that the claims of such trained graduates for direct recruitment to the L.T. cadre are considered only when no permanent teacher or approved probationer in the secondary education unit qualified in the subject for which recruitment is to be made is available for appointment.

(2) that the trained graduates in the elementary education unit are appointed only after those of the required community working as ~~temporary~~ secondary grade teacher-s in the secondary education unit have been appointed to the L.T. cadre

(3) that they satisfy the subject requirements of the L.T. vacancies and the communal representation rules

(4) that on appointment to the L.T. cadre, they forfeit their previous service in the lower grade in the secondary or elementary education unit and

(5) that when there are no vacancies in the L.T. cadre, they should be discharged from service just like any other direct recruit and should not be reverted to the posts from which ~~promotion~~ they were appointed to the L.T. cadre.

The D.P.I. has pointed out in his note on pp 4-5 ante that the last condition will not cause hardship.

'M' ABOVE. The normal method of recruitment to the L.T. or B.Ed. ~~Degree~~ grade

~~Degree is by~~ direct recruitment. The Director's proposal is to permit L.T. Assistants working as probationers in the secondary unit to apply for appointment by direct recruitment. If the condition mentioned at 'M' above is imposed, the concession even if given will become inoperative; all permanent teachers or approved probationers in the secondary unit should get appointed in the L.T. Cadre first and then alone the trained graduates who are probationers in the secondary unit can apply by direct recruitment for appointment to the L.T. Cadre. The Director has not imposed this condition. It has been suggested by this Department at 'A' on page 2 ante. It is for consideration whether this condition may be dropped out for the reasons mentioned above.

SECRETARY, EDN. AND P. H. DEPT.
4 - AUG 1947
GOVERNMENT OF MADRAS

A draft memo is submitted below for approval

4/8/47

5.8

Memo No 28725 B1/46-4 Edn dated 5.8.47
CRO 10805 - From the DPI Rc. No 8304 G/46 dt 3.9.47

A draft order is submitted below for approval
It may be sent to the Legal Dept for scrutiny

10.9.47

Legal Department.

Draft Notification I. The alterations indicated in red ink on the draft notification may be made.

Draft Notification II. With reference to condition 2 in the second proviso, and the third proviso, proposed to rule 1, E.& P.H. may kindly verify whether there are any

communal rotation rules in respect of municipal councils as in the case of local boards.

Subject to the above remark, the alterations indicated in red ink on the draft notification may be made.

11/10/47

Legal u.o. 9820/47-1
11/10/47

E&P.H Deptt
13.

SECRETARY TO GOVT. PUNJAB
EDUCATION AND PUBLIC HEALTH DEPT.
8203
13 OCT 1947

Please see the Legal Deptt's note on pp 7-8 above. It has been ascertained from L.A. that there are no communal rotation rules in respect of Municipal Councils. Condition 2 in the second proviso and the words "of the required community" occurring in the third proviso in draft notification may be deleted.

2. The alterations indicated by Legal in the draft notifications may be accepted.

3. The draft may now issue as amended.

25/10/47

Legal
25/10/47

Sent to press on 1-11-47