

Education and Public Health

(194₇) Department.

Ms. SERIES.

G.O. NO. 2320 Education.

Dated 31-10-1947.

[Despatch Abstract.]

Madras Educational Service-Direct recruitment of ~~xxx~~ Lecturers-Petition from Sri P. Kesava Menon-Recorded.

Back Papers.

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

Further Papers.

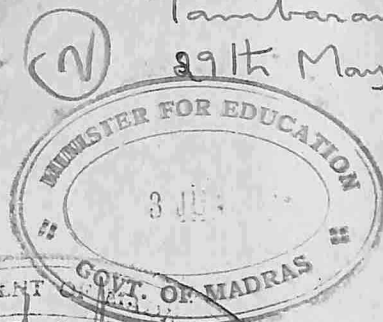
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

From

P. KESAVA MENON, M.A., M.Sc.,

Lecturer in Mathematics
Madras Christian College
Tambaram.

Tambaram
29th May 1947.



To

The Honourable Minister of Education,
Government of Madras. 4 JUN 1947



46896 Sir I wish to bring to your notice certain glaring paradoxes in the recent appointments of lecturers in the Madras Educational Service. The Public Service Commission had advertised for applicants for four posts - a lecturer in each of the subjects English, History and Mathematics and a District Educational Officer. The candidates chosen as lecturers are, as you may be well aware of, to be heads of the respective departments in government institutions. It was stated in the 'information to candidates' that research degrees and teaching experience will be additional qualifications. It was also announced that of the four posts two are reserved for non-brahmins, one for a Christian or Anglo-Indian and one for a Muslim.

I was one of the applicants for the post of lecturer in Mathematics. In addition to the M.A. degree, which is the minimum qualification required, I have taken the M.Sc. degree of the Madras University after conducting two years of research as a stipendiary research scholar under the guidance of no less a person than the eminent Mathematician Dr. R. Vaidyanathaswamy M.A., D.Sc., F.R.S.E., Reader in Mathematics of the University. I have, besides, published numerous papers containing original discoveries in Mathematics. Further, during the past six years I have been a lecturer in Annamalai University and Madras Christian College, handling Honours, M.A., B.A., B.Sc., and Intermediate classes.

I also wish to bring to your notice that I was the only non-brahmin applicant who had a research degree in Mathematics. In fact, as far as I am aware of, there is no other South Indian non-brahmin ^{old or young} with a

P. KESAVA MENON, M.A., M.Sc.,

(27)

research degree in Mathematics of any of the Indian Universities with the exceptions of Dr. V. Ramaswamy, Dr. S. S. Pillai, and Dr. Venkataragunda who are holding fairly high posts as Mathematicians. Possibly the members of the Service Commission do not know this fact. Or, perhaps they decided on the choice of the Muslim, who took the honours degree in 1945, and who has little teaching experience and no research qualifications, for the post for reasons beyond the ken of ordinary mortals like some of us. Not only do such appointments do positive harm to the cause of education and justice, but they also help to foster communal hatred and pessimism. May I ask how one can help becoming embittered in feelings when the government, and that too a popular one, throws out of its portals the only individual of an overwhelmingly large community who has exceptional qualifications

- 4 -
to his credit?

I do not wish to harp very much on the fact that my qualifications are the best among non-Brahmins. I do not in the least mind being asked to take my chance along with members of all communities whether they are Brahmins or Non-Brahmins, Muslims or Christians on the basis of merit only. I hope that I would ~~have~~ still have come out successful as I know that even among Brahmins there are very few who have both my teaching experience and research qualifications. At any rate, I would have had the solace of having failed in a fair competition.

If communal representation for the higher posts is unavoidable it should be only such as to give preference to a member of a particular community who has ^{at least} the same qualifications as others. When there are glaring differences in qualifications it will be most injurious to

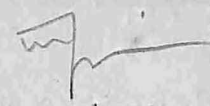
- 5 -
P. KESAVA MENON, M.A., M.Sc.,

(V)
the progress of the country and to social harmony to overlook the claims of the better individual.

The least sympathetic gesture which the government could have made was to tell the more qualified man (whose application was also called for) that his claims were overlooked only because of the necessity to appoint a member of another community, and to refund his application fee.

No government, and least of all a popular one, has the right to deprive an individual of his rights. Just as every individual ~~owes~~ owes a duty to the Society and Government so also the Government owes a certain amount of fair deal to individuals. It is thus, as a matter of right, and not as a dog looking up to its master for crumbs, that I entreat you, as Minister in Charge of Education to go into this case.

- 6 -

pp. 7-11 
In support of my claims I enclose
herewith the copies of testimonials that I had
submitted to the Public Service Commission
along with my application.

I wish to remain, Sir,
a most self-respecting and loyal
Citizen.

P. Kesava Menon

~~P. KESAVA MENON, M.A. M.Sc.~~

(True Copy)

④ Madras Christian College
Tambaram, Madras.
Jan. 7th 1947

Mr. P. Kesava Menon is the most brilliant mathematician
we have had as a student in this College. Even
before he had taken his B.A. degree examination
(which he took in 1937) he was carrying out research,
which ^{he} showed me, and which impressed me with
his very great talents. He studied for four years
in the college in its old site in Georgetown, in the
Intermediate and B.A. Courses, in 1933-37, and
continued after our removal to Tambaram, for
the two-years post-graduate Course, 1937 to 39. He
passed the M.A. degree examination in 1939 and
undertook a course of research under the supervision
of Dr. R. Vaidyanathaswamy, University Reader in
Mathematics in Madras University, and was given
the degree of M.Sc. for the thesis which he submitted
in 1941. Since then he has been teaching in Annamalai
University and in this college. He combines
mathematical brilliance with a great gift of
lucid expression, and he has taught with
complete acceptance classes at every level of

the College Courses. He has continued to publish research papers in Analysis, Theory of Numbers, Geometry and Theory of Functions, many of them giving theorems of great generality and elegance. It must be an inspiration to any student of Mathematics to study under him. As a colleague on the teaching staff I have found him generous, eager, willing and loyal.

(Sd) W.F. Killele
Professor of Mathematics
Madras Christian College

~~P. KESAVA MENON, M.A., M.Sc.~~

(True Copy)

Department of Mathematics
University of Madras.

14/11/1940.

Mr. P. Kesava Menon has been working here as stipendiary research student from July 1939. During this period he has been able to write some half a dozen papers on a variety of topics - all of a high standard. In addition to these he has discovered certain new ideas in the Theory of Multiplicative Arithmetic Functions, which he has put in the form of a thesis to be submitted for the M.Sc. degree here. His term as research student here has still some six months to run, but his work already is excellent both in quality and quantity. He has already teaching experience in the Xian College, and he will be an acquisition as a College teacher.

(Sd) R. Vaidyanathaswamy
University Reader in Mathematics

~~P. KESAVA MENON, M.A., M.Sc.~~

(True Copy)

Madras Christian College
8th Jan. 1947.

Mr. P. Kesava Menon was a student of this college in the Intermediate classes from 1933 to 1935, in the B.A. classes from 1935 to 1937, and in the M.A. classes in Mathematics from 1937 to 1939. He bore an excellent character and his conduct was quite satisfactory. The record of his class work shows that he was a student of outstanding ability, and he was placed in the first class in the B.A. and in the Second Class in the M.A. examination. He was also awarded the Ross prize for Mathematics and the Cambridge Senior Studentship.

In addition to his academic work, Mr. Kesava Menon was for two years an efficient member of the University Training Corps.

After two years in the Research Department of Madras University, which resulted in his securing the M.Sc. degree, and two years as Assistant-Lecturer in the Annamalai University, Mr. Kesava Menon was appointed

- 2 -
Lectured in Mathematics in this College in
June 1943, and his work has given complete
satisfaction.

(sd) A. J. Boyd
Principal.

Selections of the various number from each
community made.

1/4/43

5-1-43

1/1/43

Edn. and P.H. Dept.(A).

LETTER/Ref.No. 46886 A 2, 8/8/47

To The Secy., M.P.S.C. ✓

Sir,

Direct recruitment - M.E.S. (Men's Branch) - D.E.O. and Lecturers.

Ref:- Your letters No.5388-B1/46-8, dated 5-3-1947, and No.5388-B1/46-10, dated 21-4-47.

Under the rule of communal rotation, of ~~the one vacancy in the category~~ of D.E.O.'s and three vacancies in the categ. of Lecturers, in the Men's Br. of the M.E.S., two should go to Non-Brahmins, one to a Muslim and the fourth to a ^{Xian} Xian, Anglo-Indian or Non-Asiatic. I am to request that you will be so good as to state, for the information of Govt., how exactly the Commission allocated the vacancies among the three communities - in other words, ^{when it was decided that} ~~how~~ a Xian candidate came to be selected for the D.E.O.'s post, and a Muslim for the post of Lecturer in

Math., and Non-Brahmins for the posts of Lecturers in History and English.

From Sri C. Krishnaswami Chetty, Secretary, Public Service Commission, Madras-8.

To The Secretary to the Government of Madras, Education and Public Health Department, Madras-9.

No.5388-B1/46-11, dated 22-8-47.

Sir,

Recruitment (direct) - Madras Educational Service (Men's Branch) - District Educational Officer and Lecturers - Your letter Ref.No.46896-42, dated 8-8-47.

With reference to your letter cited, I am to say that the Commission subjected to the competitive examination all the qualified candidates belonging to the Muslim, Anglo-Indian, Christian or Non-Asiatic and Non-Brahman(Hindu) communities who had applied for appointment to the categories of District Educational Officer and Lecturer and arranged the candidates who had obtained qualifying marks in order of merit separately for each of the two categories of posts. Only one candidate from among those who had competed for recruitment as District Educational Officer was successful and he was selected. He happened to be a Christian.

Among the candidates who had obtained qualifying marks in the category of Lecturer (all communities specified above) only one was a Muslim and he was selected. His subject happened to be Mathematics. For the remaining two vacancies for which two Non-Brahmans(Hindu) had to be selected the topmost Non-Brahmans (Hindu) qualified in History and in English were selected.

Your obedient servant,

Encl: Nil.
Dmr.22/8/47.

SECRETARY.

rn

77/2
16/10

(10)

Edn and P. Dept

Memo 46896 A/47-4 Edn dt 15.10.47

Madras Edl Service - Direct
recruitment of Lecturers.

Ref petition from Sri P. Kesava
Menon dt 29.8.47

Sri P. Kesava Menon is informed
that the Govt do not interfere with the
discretion vested in the Madras Public
Services Commission.

Depd
12/10
Sri P. Kesava Menon
Lecturer in
Mathematics
Madras Xian
College, Mannam.

1/11
14/10/47

15/10/47

15/10/47

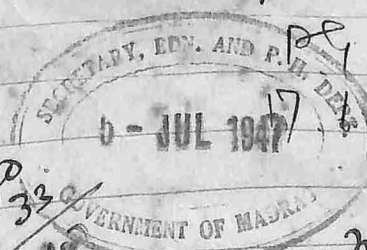
C.46896. From Sri P. Kesava Menon, dated 29-5-46.

Last Octr., the MPSC was asked to advertise, among other vacancies, a post of DEO and 3 posts of Lecturers (Men) - 1 Math., 1 English and 1 History - and select suitable candidates for appt. by direct recruitment. Accg. to the rule of communal rotation, 2 of the 4 posts shd. go to Non-Brahmans, 1 to a Muslim and the 4th to a Xian or Anglo-Indian. The Commn. has since selected a Xian for the DEO's post, a Muslim for the

Math. Lecturer's and Non-Brahmans for the English and History Lecturer's posts. The selections have also been approved by Govt.

2. The qualfn. of the candidate selected for the Lecturership in Math., is B.A. (Hons.) From the letter kept below of Sri P. Kesava Menon, M.A., M.Sc. (Lecturer, Madras Xian College) it appears that he was one of the candidates interviewed by the Commn. for the Math. vacancy. He represents his grievance over the fact that, in spite of his having been in possession of a research degree (M.Sc.) in addn. to the minimum qualfn. prescribed (M.A. or Hons.) -- the possession of any higher degree than Hons. or M.A. is a preferential qualfn. accg. to the statutory rules -- and having had sufficient teaching expce., he was not selected by the Commission. He requests that his case may be gone into by Govt.

3. It might probably be that at the examn. conducted by the Commission, which was purely and competitive one, at which the DPI was also present, the Muslim candidate secured higher marks than Sri Nair and that therefore the Commn. considered him more suitable than Sri Nair, though he did not possess any higher degree. In this view, no action seems necy. on the letter. For orders whether it may be lodged.



The explanation given is that his something is a possible reason. In view of the higher qualification of Sri Kesava Menon, let us know the reason for the decision of the Commission.

TSR
5-7-47

Perhaps, the letter

may be refd. to the Commn. for remarks in view of 1/9 doubt in
 1/8 minute. A draft is subd. Pub. (Ser.) may refer to the
 before case. *Referring to letter for remarks.*
 1/17/47 S *1/17/47*
 1/17/47 S *1/17/47*
 main question raised by M. (Com.), I
 think the Commission has all day taken up
 the position for it. Now it is taken up
 by the Govt. to give reasons for its selection
 or to send up the reasons of the various
 candidates interviewed.

Public (Services) Department.

This department may agree with E. & P.H. Secy.
 The petitioner may be informed that the Government
 do not interfere with the discretion vested in the
 Commission - See in this connection the extract of
 notes at (U).

The file may be returned to E. & P.H.

Pub. (Ser.)

504 J.P. No.
 46886-A-1
 127.47



Edu. & G.H. (A)

may be re-circ. to H.P. (Com.)

Pub (Ser) No 2393/47

18-7-47

59136

This is a constitutional matter. I am one of
 those who believe that the independence of the Commission
 should be kept up. But in certain cases where we find
 manifestly that a candidate with lower qualifications
 has been selected, I think, it is up to us to satisfy
 ourselves about the matter. Recently over another matter,
 I think in connection with the selection of D.E.Os., the

of M. (Com.) wants to
 know the matter H.P.M. &
 H.E. have to see.

Extract at (U)



H.P.M. and H.E. may see.

15 A
 29.7.47

The file may be circulated
 to H.P.M. and H.E.

1/17/47 S / H.P.M.
 H.E.

I wish one other point to be cleared up. How exactly did the
 Commission make allocation with refce. to "M" at p.1 ante. If it decided at
 the outset to give the Maths. Lecturer's post to a Muslim, how would the
 question of competition between the Muslim, and this Non-Brahmin, applicant,
 come in at all?

M.V.S., 29-7-47.

The M.P.S.C.'s letter at p.10 C.F. of topmost file does not throw
 light on the point. The Commission may be addressed for the information.
 Draft is subd.

It is presumed that the proposal in topmost file to appoint

Mir Shabeer Hussain, whose selection has already been approved in circn.
 approval has been commd. to the Commission also), need not be postponed
 because of the refce. to be issued in this file, but may be proceeded
 with.

NP 3142

CF. 12 124

B

2.8.47

1/17/47 S

I refer to the
 will go into the
 matter fully as to
 the decision under
 the various
 of 1 ante. I am

4

is: Refer to Law to find out 'A'
as to 3 who cleared up before in consideration
to question of law (to make a list
of 11 (or) 12 minutes. Draft may
be approved. B' as to 3 who may
kindly be informed.



W
4/8/47 H7 (Cm)

With regard to 'B' orders have been issued in the
linked file above.

With regard to the draft to the Commission, I wonder
whether we may not be more definite. But that doesn't matter.
The draft may issue just now.

TSA
7-8-47

[Issued as Letter No. 46896-A-2, dt- 8-8-47.]

From the Secy., M.P.S.C., No. 5388-B/46-11, dt- 22-8-47

cf. 1273

cf. 14

From portion B in the Commission's reply at C.F.14, it has
to be inferred that the Muslim candidate (Mir Shabeer Hussain Sahib)
was ^{not} assigned a higher rank than the petitioner's, in the list of
candidates for the Lecturers' category arranged by the Commission
in the order of merit, but that he was selected in view of the
necessity to satisfy the communal rule under which ~~of~~ one of the
posts should go to a Muslim candidate and of the circumstance that
he happened to be the only person belonging to the Muslim community
who obtained qualifying marks. No objn. can it seems be taken to
selection. In the ~~xxx~~ communal roster, the Muslim/communities
and the Non-Brahmin
good as follows: (1) Non-Brahman; (2) Muslim; and (3) Non-Brahman.

Pub. (Ser.) may see before circn.

28/8/47

28/8/47 Pub. (Ser.)

Edn P.H. no. 46896A-3
1/9/47

5

Public (Ser.)

(Previous note of this dept is on page 2 ante)

Please see the note from page 2 ante. The procedure
followed by the Commission as reported on page 14 of. seems to be
in accordance with Rule 1 of the M.P.S.C. Rules of Procedure and
the selection ^{was} based on the allotment of vacancies in accordance
with General Rule 17(a) of the General Rules for the Madras
Provincial and Subordinate Services. Candidates arranged in
the order of merit are not appointed in the same order but
the best in the list among those selected from each community stand
the first chance. Submitted that this dept may agree with
with P.H. that no objection ~~can~~ be taken to the selection
in the present case. The file may be returned to P.H.

p. 15 of M.S. Manual, Vol I
(Bk. No. 112)

p. 150 ibid.

p. 14 of

Public (A) w.o

2890/47-1.

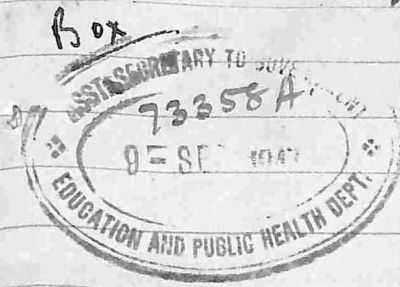
6-9-47.

4/8/47

7-9-47

C.S. / E.P.H

9/9



Edmund P.H. Dept

For order as to circulation

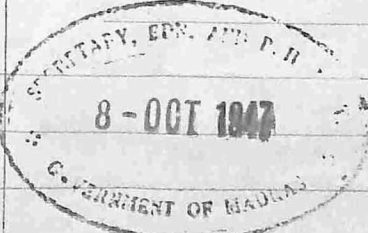
10/9/47

16-9-47

5/10/47

16/10/47

Ks. (Cm)



TSA

7-10-47

A draft memo is subd. After issue
these papers may be recorded.

14/10/47

15/10/47

15/10/47

M.F.S. - Direct
recruitment of Lecturers
- Petition from
Sri P. Kesava Narayana -
Recorded.

Gp. no. 2320 Edn dt 31-8-47

Madras Public Service Commission - Calling for information
or records relating to selection -

Extracts from Education & Public Health Department file
regarding direct recruitment to the posts of District
Educational Officer and Lecturers (Men and Women) -

Last September, the Madras Public Service Commission
was asked to select candidates for direct recruitment to the
Madras Educational Service to the following posts (among others),
which had been substantively vacant or were likely to fall
substantively vacant during this year:-

Women's Branch:

Lecturer in Chemistry
Lecturer in History

Men's Branch:

Dt. Educational Officer
Lecturer in Mathematics
Lecturer in History
Lecturer in English

The Commission accordingly advertised the posts
calling for applications, interviewed the qualified applicants
with the assistance of the Director of Public Instruction and
has selected the persons whose names are mentioned below:-

* * * * *

M.V.S.
30-4-47.

A In the papers submitted below for the selection of
one District Educational Officer and three Lecturers, I am not
able to get at the list of all the applicants so that we could
(understand the selection of these four people. Hereafter, I
(should think the Commission should send us the list of names
(with their qualifications along with their recommendations. The
(present recommendations may be approved.

T.S. Avanasilingam Chettiar.
2-5-47.

B (The proposal of H.M. Education at A should be
(referred to Public Services Department for examination with
(reference to Statutory Provisions and previous precedents.

I agree to the selections of candidates.

Archibald Nye.
6th May 1947.

A draft memo is submitted.

"A" in H.M's Minutes.

Rule 1 of the Madras Public Service Commission Rules
of Procedure (framed by H.E. the Governor) requires the Commission,
when it holds a competitive examination for direct recruitment to
a service, to forward to the appointing authority only a list of
candidates selected by it, arranged in the order of merit and
not a list of all the applicants with their qualifications. In
this case, the Commission was asked to select only one candidate
for each of the 4 posts now in question. Hence, its action is
correct under the rule mentioned. Extracts from this file may
be sent to Public (Services) with reference to para 1 of H.E's
minutes.

M.V.S. 10-5-47.

* * * * *

Madras Public Service Commission - Calling for information or records relating to selection -

Extracts from Education & Public Health Department file regarding direct recruitment to the posts of District Educational Officer and Lecturers (Men and Women) -

Last September, the Madras Public Service Commission was asked to select candidates for direct recruitment to the Madras Educational Service to the following posts (among others) which had been substantially vacant or were likely to fall substantially vacant during this year:-

Women's Branch:
Lecturer in Chemistry
Lecturer in History

Men's Branch:
Dist. Educational Officer
Lecturer in Mathematics
Lecturer in History
Lecturer in English

The Commission accordingly advertised the posts calling for applications, interviewed the qualified applicants with the assistance of the Director of Public Instruction and has selected the persons whose names are mentioned below:-

M.V.S.
30-4-47.

In the papers submitted below for the selection of one District Educational Officer and three Lecturers, I am not able to get at the list of all the applicants so that we could understand the selection of these four people. Hereafter, I should think the Commission should send us the list of names with their qualifications along with their recommendations. The present recommendations may be approved.

T.S. Avanaswalingam Chettiar.
2-5-47.

The proposal of H.M. Education at A should be referred to Public Services Department for examination with reference to statutory provisions and previous precedents.

I agree to the selection of candidates.

Archibald Nye.
8th May 1947.

A draft memo is submitted.
"A" in H.M.'s Minutes.

Rule 1 of the Madras Public Service Commission Rules of Procedure (framed by H.E. the Governor) requires the Commission when it holds a competitive examination for direct recruitment to a service, to forward to the appointing authority only a list of candidates selected by it, arranged in the order of merit and not a list of all the applicants with their qualifications. In this case, the Commission was asked to select only one candidate for each of the 4 posts now in question. Hence, its action is correct under the rule mentioned. Extracts from this file may be sent to Public (Services) with reference to para 1 of H.M.'s minutes.

M.V.S. 10-5-47.

Public (Services) Department.

In a file relating to the selection of candidates for appointment to the Madras Educational Service by direct recruitment, H.M. Education noted that the Madras Public Service Commission should send the Government a list of all the applicants who applied for the post together with their qualifications along with the Commission's recommendations as to who should be appointed. H.E. the Governor has ordered that the proposal of the H.M. Education should be referred to this department for examination with reference to Statutory provisions and previous precedents.

2. Under section 266(1) of the Government of India Act it is the duty of the Provincial Public Service Commission to conduct examinations for appointment to the services of the Province. Under rule 1 of the Madras Public Service Commission Rules of Procedure, (which are not statutory rules but rules issued as executive instructions by H.E. the Governor in his individual judgment) where any competitive examination is to be conducted by the Commission for the purpose of direct recruitment to a provincial or subordinate service, the Commission should among other things announce the exact or approximate number of vacancies to be filled, arrange in order of merit, the candidates selected by it on the result of its examination and forward a list of such candidates so arranged to the appointing authority. The Commission is not bound to send to the Government a list of all the candidates who applied, their qualifications or how they fared at its competitive examination. However, in letter No.626 Public (Services) dated 5-4-1938 the Commission was requested to forward to Government, as soon as each selection was made, particulars as to the number of applications received, community of the applicants, the number qualified, interviewed etc. This, the Commission has been doing.

3. In 1939, in respect of a selection to the Madras Police Service the then Premier, the Honourable Mr. C. Rajagopalachari, wished to have information as to the names of all the candidates who applied for the selection in question and also the applications of those candidates. The Commission refused to give the information or to send the applications until H.E. the Governor intervened.

Again in 1944 Sir S.V. Ramamurthy as Advisor wished to see the records of a certain candidate for appointment to Madras Agricultural Service, but on attention being drawn to the Home Department papers mentioned above, the matter was not pressed.

4. In the light of the provisions and previous papers mentioned above it does not appear that we can ask the Commission to send us a list of names not selected by it and the qualifications or other particulars relating to such candidates, although in occasional individual cases the Commission may, if it has no objection, be willing to give us any particulars we may ask for.

5. Specific orders of H.P.M. and H.E. may be obtained whether the matter should be pursued further. H.M. Education may also see.

P.K.H.
6/6/47

K.V.R.
8/6/47

K.R.M.
9/6/47.

On the whole and in the long run it is sound policy to maintain the independence of the Commission especially in a changing political scene.

H.M. (Edn.)

W.S.B.
9/6/47.

T.S.A.
11/6/47.

In specific cases they may be asked for information.

O.P.R. 14/6/47.

16

H.E.

I have no doubt whatever that it is of the utmost importance that the independence of the Public Service Commission should be preserved; and I am equally sure that it is most undesirable that Ministers should do anything which might be interpreted as interfering with the absolute discretion of the Commission.

For these reasons, while I would not rule out the possibility that it may on specific occasions, be desirable for the information to be asked for, I think a very special case should be made to justify it.

26th June 1947.

A.N.

H.M. (Education) and H.P.M. may perhaps see again.

A copy of the notes will be communicated to the departments for information and guidance before the file is closed.

PKH
27/6/47

K.V.R.
28/6/47

K.R.M.
28/6/47.

W.S.B.
30/6/47.

H.P.M.

My view and H.E's are more or less same. May be closed.

J.P.R.
7/7/47.

H. (Education)

T.S.A.
8/7/47.

K.R.M.
8/7/47.

To

The Departments of Secretariat.

Forwarded/By Order.

Superintendent

Pub. ser. u.o.
NO. 1723/47-1
16.7.47

...the selection of candidates for appointment to the Madras Educational Service by direct recruitment. H.M. Education noted that the Madras Public Service Commission should send the Government a list of all the applications received for the post together with their qualifications as to who should be appointed. H.E. the Governor has ordered that the proposal of the H.M. Education should be referred to this department for examination with reference to statutory provisions and previous precedents.

3. Under section 288(1) of the Government of India Act it is the duty of the Provincial Public Service Commission to conduct examinations for appointment to the services of the Province. Under rule 1 of the Madras Public Service Commission Rules of Procedure (which are not statutory rules but rules issued as executive instructions by H.E. the Governor in his individual judgment) where any competitive examination is to be conducted by the Commission for the purpose of direct recruitment to a provincial or subordinate service, the Commission should among other things announce the exact or approximate number of vacancies to be filled, arrange in order of merit, the candidates selected by it on the result of the examination and forward a list of such candidates as arranged to the appointing authority. The Commission is not bound to send to the Government a list of all the candidates who applied, their qualifications or how they fared at its competitive examination. However, in letter No. 626 Public (Services) dated 2-4-1939 the Commission was requested to forward to Government, as soon as each selection was made, particulars as to the number of applications received, community of the applicants, the number qualified, interviewed etc. This, the Commission has been doing.

3. In 1939, in respect of a selection to the Madras Police Service the then Premier, the Honourable Mr. C. Rajagopal chari, wished to have information as to the names of all the candidates who applied for the selection in question and also the applications of those candidates. The Commission refused to give the information or to send the applications until H.E. the Governor intervened.

Again in 1944 Sir B.V. Ramamurti as Advisor wished to see the records of a certain candidate for appointment to Madras Agricultural Service, but on attention being drawn to the Home Department papers mentioned above, the matter was not pursued.

4. In the light of the provisions and previous papers mentioned above it does not appear that we can ask the Commission to send us a list of names not selected by it and the qualifications or other particulars relating to such candidates, although in occasional individual cases the Commission may, if it has no objection, be willing to give us any particulars we may ask for.

5. Specific orders of H.P.M. and H.E. may be obtained whether the matter should be pursued further. H.M. Education may also see.

P.K.H. 28/6/47
K.V.R. 28/6/47
K.R.M. 28/6/47

On the whole and in the long run it is sound policy to maintain the independence of the Commission especially in a changing political scene.

H.M. (Edn.)
T.S.A.
16/7/47
In specific cases that may be asked for information

H.E.

I have no doubt whatever that it is of the utmost importance that the independence of the Public Service Commission should be preserved; and I am actually sure that it is most undesirable that Ministers should be anything which might be interpreted as interfering with the absolute discretion of the Commission.

For these reasons, while I would not rule out the possibility that it may on specific occasions, be desirable for information to be asked for, I think a very special case should be made to justify it.

A.N.

28th June 1947.

H.M. (Education) and H.P.M. may perhaps see again.

A copy of the notes will be communicated to the departments for information and guidance before the file is closed.

K.R.M.
28/6/47.

K.V.R.
28/6/47.

RKH
27/6/47

W.S.R.
30/6/47.

H.P.M.

My view and H.E.'s are more or less same. May be closed.

O.P.R.
27/47.

H.M. (Education)

T.S.A.
8/7/47.

K.R.M.
8/7/47.

The Department of Secretariat.

Superintendent.

Forwarded by Order.

Sub. No. N.O.
No. 173/47.
10. T. 4