

Education and Public Health

(1947) Department.

Ms. SERIES.

G.O. NO. 401 Edn.,

Dated

4-3-47
445-1947.

[Despatch Abstract.]

Schools-Government Training Schools for Masters-Part-time music teachers-
Exclusion from Servic Rules-Declaration issued.

Back Papers.

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

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms	2245	Ed a	21/x/47				

From

Education Department.

Dr. S. R. U. Saveer, M. A., D. Sc., I. E. S.,
Director of Public Instruction, Madras

To

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George, Madras.

R.C.No. 722-A/45 dated 22nd August 1946.

Schools--Government Training School for Masters--
Employment of part-time Music Masters--Qualifications of.

In G.O.No.Ms.851-Education dated 22nd April 1946,
Government sanctioned the appointment of a part-time Music teacher
to each of the 46 Training schools in the Presidency on a fixed
pay of Rs. 30/- per month. As there is at present no separate
category of Music teachers in the Madras Educational Subordinate
Service (Men's Branch) it is now necessary to prescribe the
qualifications required for the post of part-time music teachers
created in the G.O. cited above. In this connection I solicit
the attention of Government to Annexure II to the Madras
Educational Subordinate services Rules in regard to the
qualifications prescribed for Music mistresses and recommend
that Government may be pleased to prescribe the same qualifica-
tion for part-time Music teachers also. Since music is to be
taught according to a prescribed syllabus and as the pupil-
teachers are to be taught in new methods of teaching ~~until music~~
in elementary schools, it is considered that teachers with
lower qualifications will not be able to deal with the subject
satisfactorily.

2. A sufficient number of teachers with the proposed quali-
fications will not be available for appointment at present and
therefore it will be necessary for some time to come to employ
persons who, though unqualified, may be proficient in the
theory and practice of Music. I am of opinion that such persons
should not be paid the same rate as qualified persons and it
would be reasonable to pay unqualified teachers Rs. 20/- a month.
I request that Government may be pleased to approve my
proposal.

For Director of Public Instruction.

ks. 27-8.

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Edn and P.H. Dept

Memo SD209 C1 sub-2 Dt. 11.11.46 C1.

Schools - Govt. Trg. Schools for Masters
Employment of part-time music
teachers -

Ref D.P.'s letter no: 722 H/45 D
22.8.46.

Page 1 of 2
The Director
allama

The D.P. is informed that under section 241(2) of the Govt of India Act, 1935, the conditions of service of holders of all posts under Govt except those falling under the proviso thereto should be prescribed by rules. As it may not be necessary to frame rules for part-time music teachers in Govt Trg. Schools for Masters it has been suggested that the posts may be brought under the proviso to section 241(2) of the Act. The Director is requested to offer his remarks on the suggestion.

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If it is considered that rules should be framed for these posts the Director is requested to send a draft of the required amendments.

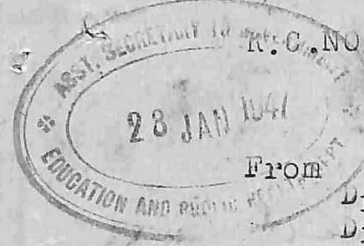
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9/11/46

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To Mr. D. P. V.

1/11/46



R.C. NO. 11092- K3/46

Office of the
Director of Public Instruction
Madras, Dated 20-1-1947.

From

Dr. S. R. U. Savor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.

To

The Secretary to Government,
Education and Public Health Department.

Sir,

Schools - Government Training Schools for Masters - Employ-
ment of Part-time Music teachers - Qualifications

Ref: Govt. Memo. No. 50209-C.1/46 dated 11th November 1946.

I have the honour to state that the posts of Part-time Music teachers in Government Training Schools for Masters may be brought under the proviso to section 241 (2) of the Government of India Act 1935, as suggested in the Government Memorandum cited above. The proposal re: the framing of rules for the posts contained in my letter RC.No. 722-A/45 dated 22-8-46 may be therefore deferred for the present.

g. d. s.

For Director of Public Instruction

RVR 22/1/-

22/1.47

C. 50209 C1/46 ^{6/13}

^{Edn. P. 11}
Schools - Govt. Training Schools for Madras
Part-time music teachers - Exclusion
from Service Rules - Declaration issued

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From the D.P. 1 R.C. No. 722-A/45 dt 22.8.46

p 5 CF

11092 K3/46 dt 20.1.47

G.O. (Ms) 401- Edn. dt. 4.3.47

Extract at p 19

Under the latter part of
the proviso to Sub-section (2) of Section
241 of the Govt. of India Act, 1935,
His Excellency, the Govr. of Madras,
considers that the conditions of
service of persons holding the posts
of ^{part-time} ~~temp~~ Music teachers sanctioned in
G.O. 851 Edn. dt 22.4.46, are matters
not suitable for regulation by rule.

P. 112 - up.

p 97 (Y)

[P.T.O.]

C. 50209 of 46. From the S.P.S. Sec. No. 722 A/45 of 22.8.46

Sub: Schools - Govt. Trg. Schools for Masters - Employment of Part-time Music Teachers - Qualifications.

The Govt. sanctioned the p. 9 of appointment of a part-time Music teacher on a fixed pay of Rs 30/- p.m. in each of the 46 Govt. Trg. Schools for Masters in the Presidency with effect from the school year 1946-47. The S.P.S. has now proposed:-

- 1) That the qualifications for the post of part-time Music Teacher may be the same as those prescribed for the Music mistresses in the M.E.S. Service;
- 2) That the part-time Music Teacher who are not so qualified may be paid at the rate of Rs 20/- p.m.

The proposals of the Director may be accepted. It does not seem that any ad-hoc rules need be issued for these posts as they are only part-time. Public (Sr) confirmation may be.

Edw. W.O.
50209 of 46-1
10.10.46



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7/10/46

By
Sd/-
P. (Sr) Dypt

A above - There is no provision under which rules regarding conditions of service can be dispensed with simply on the ground that the posts concerned are part time. If

C.No. 3163
19.10.46

Govt approve the proposal of the S.P.S. that the part-time Music teachers who do not possess the same qualifications prescribed for the Music mistresses in the M.E.S. Service, be paid only at the rate of Rs 20/- p.m. is also approved.

3-2-47
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inl
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by
Sd/-

To
JL S.P.S.
" A. N. Thirum
" Pub (Sr) Dypt

2/10/46

2/10/46

Showered possess the qualifications prescribed for music mistresses in the M.E.S. Service Rules and that these

Edu and P.H. De

Please see the notes of the Public (Ser) Dept

dept on the previous page. The posts are part-time and persons appointed to these posts can take up in addition to their work in Govt. schools, private work. Further they are not paid any d.a. The posts, may it seems be brought under the proviso to section 241(2) of the Govt. of India Act. The D.P.S may however be consulted. A draft memo is subd.

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Page 1 of Vol I of the Census Hand.

BK 112

1/11/46

1/11/46

pp 3-4 of

[Issued as Memo. No. 50209.CI/46 dt. 11.11.46]
[From the D.P.I. R.C. No. 11092-K3/46 dt. 20.1.47]

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The D. P. S. has agreed

to the suggestion that the posts of part-time music teachers in Govt. Trg. Schools for Masters, may be brought under the proviso to Sec. 241 (2) of the Govt. of India Act 1935. A draft order is submitted. Pub (Ser) may see.

Sub pp 1 of BK 112 (np)

1/3.2.47

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Encl. u.o. 50209CI/46-3 8/2/47.

(Previous notes of this dept at pp 1-2 ante) Public (Ser) Dept. The draft order may be perused and the file passed on to Him.



Pub (Ser) No 428/47-1 14.2.47



The draft order may be perused and the case returned to EPH.

17/2

E.P.H.

persons are employed to the part time posts temporarily on the terms that their employment may be terminated on one month's notice or less no rules are necessary - see the first part of the proviso to Section 241 (2) of the Govt. of India Act, 1935. In the alternative a specific declaration under the latter part of the above proviso will have to be issued by E. & P.H.

pp 1-2 of BK No. 112

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

15/10/46

Is there any authoritative ruling on the point whether or not part time posts should be governed by statutory rules? The expression "serving His Majesty in a civil capacity" in Sec 241(2) probably refers to whole-time service. Rule 2 of the Classification Rules also "excludes" persons employed only occasionally from the scope of those rules.

16.10.46

Please see the extract of notes from the file relating to a part-time Curator of the Govt. Museum, at (M). especially portion marked A. Part X of the Govt. Act makes no distinction between whole time & part time posts & the provisions of that part will apply to all civil posts irrespective of whether they are part-time or whole time.

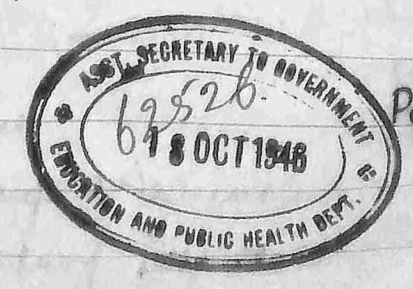
referred by Public

E & P.H. are informed that and we rules should be issued in respect of the part-time posts in question unless they are brought under the proviso to Sec 241(2) of the Govt. of India Act, 1935.

17.10.46

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pp 1-2 of BK 112



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