

E & P.H.

(194⁸) Department.

SERIES.

G.O. NO. Ms.2083, Education.

Dated 23rd August, 1948.

[Despatch Abstract.]

MADRAS EDUCATIONAL SERVICE - Direct recruits to posts of Vice-Principal, Law College, and Professors, Law and Engineering Colleges - Admission to Contributory Provident Fund - Orders passed.

Back Papers.

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

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
333							

Education Department.

From

Dr. S.R.U. Savor, 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. 7092-J4/46 dated 23rd September, 1946.

Pension--Madras Educational Service--Class IV Officers
of the Law College and Professors of the Engineering
Colleges--Qualifying service of direct recruits.

I have the honour to place before Government the
following case for their orders:

In connection with the question of pension allowed
to the permanent staff (Madras Educational Service) of the
Law College, it has been represented to me that the members
of the permanent staff i.e. the Principal, the Vice-Principal
and the Professor are recruited after some years of practice
at the Bar at the age of 35, with the result that none of
them will be able to put in the maximum number of years
required to enable them to earn full pension. What has been
stated about the officers of the Law College applies also to
the Principals and Professors of the Engineering Colleges, who
have been recruited directly.

According to rule 5(a) of the Special rules for the
Madras Educational Service no person shall be eligible for
appointment to posts in the Collegiate branch of the Madras
Educational Service including the Law College by direct
recruitment, if he has completed 35 years of age. But in the
case of posts of Professors of the Engineering Colleges, there
is no age limit for direct recruitment. It is thus possible
for a person aged 40 years to be recruited directly to the
post of Professor in the Engineering Colleges. Therefore at
the time of superannuation (55 years of age), the above
classes of officers would have put in only about 20 years
15 years of service respectively. According to the concess
contemplated in Article 474-A, Civil Service Regulations
Officers may add to their service qualifying for superan
pension the actual period not exceeding 5 years by which

P.T.O.

: 2 :

age at recruitment exceeded 25 years, provided they were recruited direct. In spite of this concession, the officers in question will not be eligible for full pension, since the deficiency in service will be between 5 and 10 years.

The members of the permanent staff of the Law College and the Professors of the Engineering Colleges, who are recruited directly are expected to possess high academic qualifications and considerable practical experience which cannot be acquired even at the age of 30. As compared to these the Lecturers and Professors of Arts Colleges are required to possess a 1st or 2nd Class M.A. or B.A. (Hons.) Degree which most good students acquire at the age of 21. This being the case, it is unfair to club these with the officers of the Law College and the Professors of the Engineering Colleges and grant the latter a concession of only 5 years for the purpose of calculating their pension.

Further, in spite of the fact that these officers are paid decent salaries, they will get very meagre pensions, if a concession of only 5 years is to be allowed to them.

In this connection, kind attention is invited to the Note 1 to Article 474 A of the Civil Service Regulations under which the maximum period to be added is ten years in the case of members of the Bar directly recruited to judicial posts ordinarily reserved for members of the Indian Civil Service.

In the circumstances stated above, I request that on the analogy of the posts in the Judicial Service mentioned above, the Government may be moved to extend to gazetted members of the Law and Engineering Colleges, who are recruited directly, the privilege of adding 10 years to their service, instead of 5 years to enable them to earn a reasonably decent pension.

I have the honour to be,
Sir,
Your most obedient servant,

For Director of Public Instruction.

EDH (a)

Go Wb. Fin. d/ 2.7.38
Kept for his last leave
Called for from Egmore.
It receipt may be
awaited till 6.10.46.

9.2.49
R. B. 24.9.46
R. B. 24.9.46

48
23/11

3
Memo. No. 56480-A-2, d/ 24.11.46

M.E.S. - Officers in Law & Engg.
Colleges recruited direct - Proposal to
give concession of adding 10 yrs. to
service qualifying for pension - ^{negative}
Ref: - From the D.P.I., No. 7092-74/46,
d/ 28.9.46

The D.P.I. is informed
that the proposal ^{made} in his letter
dated above cannot be
accepted.

over
24/11/46

To be 20.11

23/11

A 4

C.56480. From the D.P.I., L.C.No.7092-J4/46, dated 23-9-46.

recruited direct
M.E.S. - Officers in Law and Engg. Colleges/-
Proposal to ~~xxx~~ give ~~the~~ concession of adding
10 yrs. to service qualifying for pension.

recruitment

The age-limit for appt. by direct to the
Professorship of the Law College, as also to other posts in
the Collegiate Secn. of the M.E.S., is 35. For appt. as Profs.
in the Engg. Colleges, no age has been prescribed.

2. Art.404-A, C.S.R., permits officers
recruited to the M.E.S., among other posts, to add to their
qualifying service for pension the actual period not exceed-
ing 5 years by which the age at recruitment exceeded 25 yrs.
This concession will not apply to those recruited on or after
2-7-1938 - Vide Note ⁴ to the Art. Note 1 bid permits the
appln. of the Art. also to members of the Bar directly apptd.,
before 23-2-37, to judicial posts ordinarily reserved for
members of the I.C.S., with however the modification that the
max. period to be added would be 10 yrs.

3. In his letter in the C.F., the D.P.I.
says that, whereas most good students can qualify themselves
at the age of 21 for appt. as Profs. and Lecturers in Arts
Colleges, the Profs. of the Law and Engg. Colleges are expected
to possess ^{such} high academic ~~xxx~~ attainments and considerable
prac. expe. ^{as} ~~which~~ cannot be acquired even at the age of 30
and considers that it is unfair to grant ^{the same} a concession of
adding only 5 years for pension, both to Profs. in Arts Colleges
and to Profs. in the Engg. and Law Colleges. He therefore
recommends that, as in the case of ^{the} officers recruited to
judicial posts ordinarily reserved for ^{members of the} I.C.S. ~~officers~~, the
concession of adding 10 years ~~xxxx~~ may be ^{granted} extended to the
gazetted members of the Law and the Engg. colleges also.

4. It ^{may} ~~has to~~ be pointed out that the con-
cession admissible to judicial posts reld. to is not virtually
in force now. It is applicable only to members of the Bar
apptd. to that service ^{before 23.2.37 - i.e.,} nearly a decade ago.

In the C.O. at "P", the Govt. held

(A) 4 8 4 10

10.10.46

M.E.S. - Officers in Law and Engg. Colleges/-
Proposal to ~~xxx~~ give ~~the~~ concession of adding
10 yrs. to service qualifying for pension.

The D.P.I. is informed
that the proposal in the letter
dated 10.10.46 is not correct.

10/10/46

(A) 5 (a) 11.5 Rules

(n)

(f)

M

(n)

The M.P.C. has agreed to the proposal to raise the age-limit for the Prof. & Vice-Principal, Law College, from 35 to 40. Orders have not issued. The D.O.'s recommendation overleaf can be appropriately taken up only after orders are issued. May 11. 48

21.5.48
24/5/48

25/5/48

ET O.H. (2)

M.E.S. - Direct recruits to posts of Vice-Principal, Law College, & Profs. Law & Engg. Colleges - Admission to C.P.F. - Orders passed.
Read: - From the D.O., no. 11460-E/46, 4-8-48.
G.O. (Hs.) no. 2083 Edu., 4-22-48

The Govt. direct that persons appointed by direct recruitment to the following posts of ~~Prof.~~ in the M.E.S. be admitted to the Madras Contributory Provident Fund instead of being governed by the ordy. pension rules:-

- ① Vice-Principal, Law College, Madras
- ② Professor, do
- ③ Profs., Colleges of Engg.

2. The Govt. do not consider it necessary to further raise the age-limit prescribed for direct recruitment to the posts of Prof. & Vice-Principal, Law College, Madras, from 40 to 45.

3. The Govt. is requested to suggest draft amendments to the Spl. Rules for the M.E.S. to give statutory effect to the orders in para 1 above.

The D.O. is informed that

para 2,
cf. 1.

N.F. 1

B

To The D.O.,

A.S. (Hs.)

2000

18.8.48

26/8/48

27/8/48

not to be

From the D.P.I. No. 11460 C1/46 dated 8-5-48.

M.E.S.- Admitting Profs. of Engg. Colleges,
and Vice-Principal and Prof. of Law College,
to the C.P.F.

The letter of the D.P.I. below may be perused.
The upper age-limit for appt. by direct recruitment to the
posts of Vice-Principal and Professor, Law College, Madras
in the M.E.S., has since been raised from 35^{to} 40. The
recommendation of the Dir. that direct recruits to these
posts, and also the direct recruits to the posts of
Professors in the Engineering Colleges (there is no age-
limit at all for ^{appt. as Profs. of Engg. Colleges} these posts), be admitted to the Contri-
butory Provident Fund, instead of being governed by the
ordinary pension rules, may be supported in this department
Non-Government secondary school teachers who are to be
recruited direct as D.E.Os. etc., in the Administrative
Section of the M.E.S. have been granted a similar
concession.

2. There is no need to further raise the age-
limit for the Vice-Principal and Professor of the Law
College from 40 to 45 as recommended in paragraph 2 of
the Director's letter. That recommendation may be
negatived.

3. Finance may see before circulation.



ED No 2. 33659 A-1

18.6.48



23.6.48

The S.P.H. Dept may be requested to put
the original of S.O. No. 803 Dtd 7.4.48 (copy at @)
463 which contains discussions on the a similar
question.

26.6.48

27/6 11/11

Finance (Rev)

Edn. J.O.H. (A)

9.0.803-EDN. d/- 7.4.48 - agh. - is

placed at (Y) below. May be sent to Fin.

AM
29/6/48. Jm

EDN. J.O.H.
3558-A-2
29.6.48

Finance (Pen.)

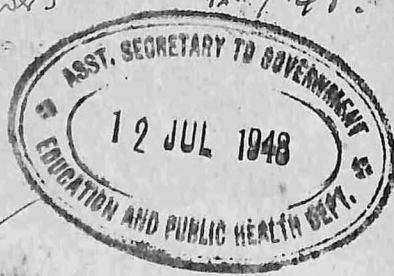
Please see the D.P.I.'s letter in the CF. and the notes of E & P.H. on p.1 above. In the circumstances stated, Finance may agree to the proposal at 'A' on p.1 above. Attention is in this connection invited to the Finance note from middle of p.28 n.f. of (Y) and the Secretary's remarks on p.30 n.f. of G.O. at (Y).

The proposal of E & P.H. at 'B' above may also be agreed to.

Thur. 8.11.48

E-P.H. (A)

Fin. 48080 Pen-1
12.7.48.



51479
16.7.48



A draft Wn is subd.

AM
22/8/48

ASSOCIATION OF PRINCIPALS OF TECHNICAL INSTITUTIONS (INDIA).
OFFICE: DELHI POLYTECHNIC,
LOTHIAN ROAD, DELHI.

To

The Secretary,
Department of Education, Government of Madras, Madras.

No. 14013.

Dated, November 10, 1949.

Dear Sir,

I am directed to address you on the question of the superannuation pension of the technical personnel in superior service holding substantive and permanent employment in the various Technical Institutions under your Government.

2. The grant of superannuation pensions is governed by the Civil Service Regulations in which the amounts of pension earned after different periods of service by Government servants of different categories have been laid down. The general principle adopted is that officer, other than ministerial, who have attained the age of 55 should not be retained in service except in very special circumstances. (Article 459(b)). Pensions may be granted after a service of not less than ten years at the rate of one sixtieth of average emoluments for each year of completed service. (Article 474(b)).

3. The severity of these rules have however, been slightly mitigated by Articles 349 A and 404 A in which it has been laid down that officers belonging to certain services or holding certain specified appointments are entitled to add to their service qualifying for superannuation pension the actual period not exceeding five years by which their age at recruitment exceeded twenty five years. But even this proviso does not enable an officer recruited after 31 years of age to earn full superannuation pension on his reaching the age of 55.

4. Actually, however, a large number of technical posts for which recruitment is usually made at an age higher than 25 in view of the special qualifications and experience required, are not specifically mentioned in Articles 349 A and 404 A in consequence of which the incumbents of such posts are not entitled to the special concession permitted by these rules.

5. Government Technical Institutions in the Provinces are generally controlled by two different authorities namely, the Directorate of Public Instruction and the Directorate of Industries, some institutions coming under the administrative control of the former and the others of the latter. But whereas the name of the Educational Department is specifically mentioned in Articles 349 A and 404 A that of the Industries Department is not mentioned at all, perhaps because the Industries Departments of the various Governments came into being at a later date. But whatever the explanation of this anomaly may be, there is no doubt that it places the technical personnel employed in the various Government Technical Institutions controlled by the Directorate of Industries in an invidious position vis-a-vis officer holding corresponding positions in institutions controlled by the Educational Department in the same Province. As it is highly desirable that such anomalies and invidious distinctions should be removed as early as possible it is respectfully suggested that the benefits granted by the Articles 349 A and 404 A should be extended to all Principals of Technical Institutions under the Government irrespective of the Directorate exercising the administrative control.

P.T.O.

Hony. Secretary.

~~Comment~~ to be done for remarks on the
pertaining to the Sept.

To The Hon. Secy. 19 July
" Dev'ty Sept.
(7-10-18)

MW
22 July 18

Government to no, as a rule, permits the recruitment of candidates at an age higher than 25 except for posts for which special qualifications and experience are required. As the Government get the full benefit of such special qualifications and practical experience there appears to be no reason why officers who have covered a considerable amount of their time and money to acquiring such special experience should be placed in a position of disadvantage in the matter of pension in comparison with such other officers as may have entered Government service at an age not exceeding 25 years without the special qualifications required for certain technical posts.

Principals of Government Technical Institutions are frequently recruited at an age much higher than 25. In fact, in some cases the minimum age of the candidates is required to be 35 years or more. It may be presumed that recruitment for these posts is made at such an advanced age in consideration of the specialized qualifications and wide practical experience of the candidates which are not possessed by such officers as have entered Government service at an earlier age. Under the existing rules such highly qualified principals whose services are presumably of great value to the State and the country in the development of Technical Education, are placed under a severe handicap in the matter of pension as they cannot possibly qualify for the maximum pension on attaining the age of 65 and are therefore likely to suffer severe pecuniary hardship in their old age, especially on account of the present high cost of living, after they have given of their best to the Government and the country. Such cases no doubt deserve the sympathetic consideration of the Government. It is therefore respectfully suggested that Principals of Government Technical Institutions who have been recruited at an age exceeding 25 in view of their special qualifications and experience may kindly be permitted to add to their service qualifying for superannuation pension in the actual period not exceeding 10 years by which the age of recruitment exceeded twenty five years.

Yours faithfully,

[Signature]

Hon'y. Secretary.

(4) . H. O. B

[Signature]

Encl. m. 207 (A) - 1. 4 (1948) m. 1673

EDUCATION DEPARTMENT.

From The Director of Public Instruction,
Madras.

To The Secretary to the Government,
Education and Public Health Department.

Re.No.852 09/49 dated 27-12-49.

Sir, Sub: Pension - Art.349 A and 404 A C.S.R.-Concession of
adding to service qualifying for superannuation pension -
Technical personnel in superior service.
Ref: Govt. Endt. No.88457-A1 Education dated 22-11-49.

443

--- p. 2 cont

The suggestion contained in para 7 of the letter No.14013 dated Nil from the Association of Principals of Technical Institutions (India) Office, Delhi Polytechnic, may be accepted.

Yours faithfully,

[Signature]

For Director of Public Instruction.

vs.29.12.

[Signature]

8 - JAN 1950

Art. 349-A C.S.R. :

(1) The rules in articles 404-A & apply to officers or appointed substantively to the services specified below, who

(a) joined the appointments after

29.8.19 or

(b) were in service on 29.8.19 but have definitely elected in writing with the permission of Govt. to come under them.

Ind. Dept. - Govt. Services
IES

Edn. Dept. (A).
Letter/Ref. No. 88457A-5d/- 14/2/50.
To The Hony. Secy.,
Asscn. of Prls. of Tech. Institutions (India),
Delhi Polytechnic,
Lothian Road, Delhi.

Sir,

Ref:- Your letter No. 14013, d/- 10-11-49.

The Contributory Provident Fund system, instead of the pension system, ^{is now applicable} applies to the Principals of Engg. Colleges controlled by the Edn. Dept. of this Govt. The Govt. ^{do} ^{it justified or necessary to} not consider ^{the} re-introduction of the pension rules in the case of these officers and the addition to their service qualifying for pension the actual period ^{not} exceeding 10 years by which their age at recruitment exceeded 25 years, ~~justified or necessary~~.

2. I am to state that a separate commn. will be sent to you ~~about~~ by the Devl. Dept. about the ^{Principals of technical} ~~heads of~~ institutions controlled by the Industries Dept.

Yrs. ffly.,

Copy to Dev. (DI)
with copy of N.F.

Copy to the S.S.I. (Ref. -
His no. 852-C9/49, d/-
27-12-49).

9.3

Telegram :- APTI, Polytechnic, DELHI

**ASSOCIATION OF PRINCIPALS OF TECHNICAL INSTITUTIONS
(INDIA)**

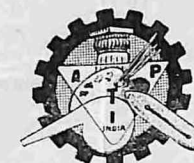
Office : Delhi Polytechnic, Lothian Road, Delhi.

President :

Sir J.C. GHOSH, Kt. D. Sc., F.N.I.

Vice-President :

P. N. JOSHI, M. Sc. (Tech).
Principal, Victoria Jubilee
Technical Institute, Bombay.



No. 16958/AP.

Dated, Delhi, March 21, 1950.



To

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

Dear Sir,

SUB: SUPERANNUATION PENSION.

Kindly refer to your letter No. 88457-
A-5- Education., dated the 14th March, 1950. The
contents are noted.

Yours faithfully,

P. Gupta 21.3.50.
Assistant Secretary.

Edn. Dept. (A)

May be filed.

P. J.
27.3.50

mu
28/3/50

From the Hony.Secy., Assn. of Principals of Technical Institutions (India), No.14013, d/-10-11-49

From the Hony.Secy., no. 852- (9/12/49) - 27-12-49

Prls. of Engg. Colleges - Proposal to give concession of adding 10 years to service qualifying for pension.

The Association of Principals of Technical Institutions (India) ^{Delhi,} has requested that Principals of Govt. technical institutions who are recruited at an age exceeding 34 may, in view of their special technical qualfns., be permitted to add to their service qualifying for pension the actual period not exceeding 10 years by which their age at recruitment exceeded 25 years. The same request was made by the D.P.I. in 1946 in respect of all gazetted members in the Engg. and Law Colleges. After careful consideration, the Govt. did not approve of it. The notes at pp.4-5 of "F" may be seen. Subsequently, in 1948, the Govt. extended the benefit of the Contributory Provident Fund system to persons recruited direct as Principals and Profs. in the Engg. Colleges, among others. Posts of Prls. of Engg. Colleges are filled ^{mostly} ~~only~~ by the promotion of Professors. Particularly in view of the fact that the C.P.F. has ^{been extended to the officers} ~~been applied to them since~~, there is no justification to reconsider the question of applying the pension rules to them and giving them an extra qualifying service of 10 years ~~now does not arise~~. Fin. may see before circulation.

FOH 1166/57 A-3
20.2.50



File no 1166/57-1
22.50

EPH-10
57.2.50

P.H. 142
16/2/50

MM 17/2/50 S 20/2/50 Fin

The views of S.P.H. at M above may be concurred in in his dept. Finance (Pen)

13613
29 FEB 1950
24.2.50

Cole 22.50

CPH 22.50

sent. dept. also may see - ^{along} with HP file.

MM 25/2/50 gen

22

A

Developpt Dept 22

The note of the Exp. H. on p. 1. above may be perused. ~~But~~ ^{Exp. H.} may be requested to communicate to this Dept. a copy of the reply ^{to be} sent to the Association of Principals of Technical Institutions (India) so as to enable further action to be taken in the top file.

Will be done
8.3.50
CNO, 115706-D.I/49

This file may be returned to Exp. H.

ls
28/2/50

Exp. H. (Education)
T.B. - 50

Developpt No.
16/17012-(A)-D.I/50-1
1-3-50

Edn. department.

The file may be circd. to H.M. (E.&L.) for approval of M at p.1 ante. // The Association of Principals of Tech. Institutions (India) will be told that the Contributory Provident Fund system is now applicable to Principals of Engg. Colleges under this Govt. and that the Govt. do not consider the application of pension rules and the grant of 10 years' extra qualifying ^{service} to the Principals, justified or necessary.

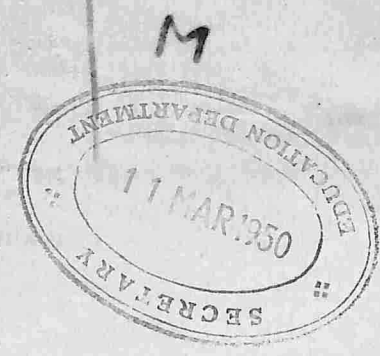


24/9/50

8.3.50

DM 8/3/50

9.3.50



H.M. (E.&L.)
18/3

11.3.50

A M draft letter is submitted

DM 14/3/50

1-10/10/50