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M. S. SERIES.

G.O. NO.

2684 - Edu.

Dated

27-10-48

O. J. R. S.
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(7)

[Despatch Abstract.]

M.B.S. - Delegation of certain powers # to
D.D.1. - proposals - not pursued.

Back Papers.

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	768						
	17.5.44.						
	1771						
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Further Papers.

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	1345						
	3/6/53						

EDUCATION

DEPARTMENT.

C.F. 30.

Received

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Registered

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Subject.

MADRAS EDUCATIONAL SERVICE--Delegation of powers to the Director in respect of temporary appointments to the Madras Educational Service.

ENCLOSURES.

No.

G. No. 2476-G1/48.

Spare copies

Station Madras, Dated the 23rd July 1948.

From (Name) Sri D. S. Reddi, M.A. (Oxon.),
(Designation) Director of Public Instruction,
Madras.

To The Secretary to the Government of Madras,

Education and Public Health Department.

Fort St. George, Madras.

Sir,

I have to state that a large number of vacancies in the Madras Educational Service arise owing to sanction of new posts or grant of leave to Officers, promotions, transfers etc. Some of these vacancies have to remain unfilled owing to the delay involved in making appointments to these posts, although it is very inconvenient and against the public interests to keep them unfilled. I may submit, that the main reason for many of these posts remaining unfilled is that proposals have to be submitted to Government and Government have to make appointments, even in respect of temporary appointments. By the time proposals are submitted and orders are obtained from Government much time is lost and any

: 2 :

temporary appointment made after a long delay serves no useful purpose. I, therefore, request that the Government may be pleased to permit me to make temporary appointments to the Madras Educational Service under Rule 9(a) and 31(a) of the General Rules for the Madras Provincial and Subordinate Services, subject to the approval of Government, in each case, within one month from the date of such appointment.

2. According to Rule 4 of the Special Rules for the Madras Educational Service no man is eligible for appointment to any post in the Women's Branch and no woman is eligible for appointment in the Men's Branch, except under special circumstances specified in the sub-paragraph of the above Rule. In some cases it is considered desirable in the public interests to appoint Men Officers to Women's Branch and vice versa, as a temporary measure. I request that the Government may be pleased to permit the temporary appointment of Men Officers in posts in the Women's Branch and vice versa, where, for public interests and administrative convenience it is considered desirable to order such appointments. The attention of Government is invited in this connection to their Memorandum No. 69537-3/47-A Edn., dated 23.1.1948 permitting the appointment of Women Assistant Lecturers in Men's Colleges subject to certain conditions.

3. Thirdly, whenever there is delay in making appointments to the vacant posts in the Madras Educational Service it is desirable to keep such posts in abeyance temporarily and appoint a person in the Subordinate Service to the post, deeming that a temporary post in the Subordinate Educational Service has been created in the place of the post held in abeyance. I request that I may be given necessary powers in this regard also subject to the condition that whenever there is need for keeping a gazetted post in abeyance for a period exceeding one month, orders of Government will be sought.

Yours faithfully,

For Director of Public Instruction.

M.E.S. - Temp. appts., etc. - Delegation of certain powers to the Dir. - Orders passed.

Read:- From the DPI, No. 2476-C1/48, dated 23-7-48.

G.O.(MS.) No.

Edn., dated

The Govt. hereby empower the D.P.I. to order tempy. appts., under rule 9(a) or rule 31 of the Genl. Rules for the Provl. & Sub. Services, to posts in the M.E.S. The delegation of the power is subject to the conditions (1) that the selection of persons for the tempy. appts. shd. be on made with the same principles as would be followed by the Dir. in making recommendations to the Govt. for regular appts. and (2) that in each case the Govt.'s approval of the tempy. appt. shd. be obtained before the expiry of ^{one} month from the date of the appt.

2. The Govt. also empower the DPI to keep in abeyance ^{temporarily} tempy. posts in the ordy. scale of ~~the~~ pay of the M.E.S. (now Rs. 230-700) whenever such posts are vacant and there would be delay in making appts. to them and to bring into being temporarily, in their stead, posts in the M.E.S. work attached to the so that the posts in the M.E.S. may not ~~continue~~ suffer and may be discharged by persons in the subordinate service. The sanction of Govt. shd. however be obtained if posts in the M.E.S. have to be kept in abeyance for periods exceeding one month.

3. The Govt. decline to accept the proposal contained in para 2 of the letter read above.

To the DPI.

" A.G. (thro' Fin.) -- paras 1 and 2 only.

" Pub. (Ser.) - do -

" S., M.P.S.C. (with copy of the Dir.'s letter).

" S.G.P. (paras 1 and 2 only) for pubn. in the F.S.G.G.

H

M.E.S - delegation of ^{ertain} powers ~~to~~ to S.O.I. 5
Proposals - not pursued on paper ~~see~~

Read: - from the S.O.I., no. 2476-9/48, d/-23

G.O. (R.) NO 2684 Edu., d/-27-X-4

29
27/10
N.3

The Govt. consider that
the practice obtaining now may be continued.
[& that there is no need to
accept the proposals in the letter
cited.

To TRO S.O.I.

one
one
one
one

20.11.48
28/10/48

B.M.
25/10/48

by
26/10/48

From the D.P.I., No. 2476-C1/48, dated 23-7-48.

M.E.S. - Proposals for delegation of certain powers to the D.P.I. re: appts., etc.

The appointing authority in respect of posts in the M.E.S. is the Govt. Temp. appts. ^{to the service,} under rule 9(a) or 31 of the General Rules, are also being made by them. The D.P.I. has now suggested that the power to make temp. appts. may be delegated to him but that the appts. made by him may be subject to Govt.'s approval within one month in each case.

(1) The question of delegating certain powers of control over gazetted and non-gazetted staff, now exercised by Govt., to Heads of Depts., was exd. in this dept. some time ago, and the connected file was transferred to Pub.(Ser.). Apparently, that dept. is now considering the question as a general one. Pending Govt.'s decision on the general matter, there seems to be no necessity or justification to accept the Dir.'s recommendation in regard to temp. appts. in the M.E.S. alone for the follg. reasons.

(2) It shd. be possible for the Dir. to anticipate vacancies, and if he sends up full and detailed proposals well in advance, without putting the Govt. to the necessity of issuing interim references to him for further information, he can expect orders to reach him before the dates of vacancies: it may be said here that cases of temp. appts. are circd. in the Sectt. only to the H.M. concerned.

(3) It is necy. to see that, even though the appts. may be temp., prima facie suitable seniors are not superseded by their juniors. Under the rules, temp. appts. do not confer any claim for future regular appts. on the candidates. But, they count to a certain extent in their favour. Perusal is solicited, in this connection, of the papers at "Q". The case dealt with there is a typical one where Govt.'s scrutinising the Dir.'s proposal and functioning as the appointing authority prevented an injustice that would otherwise have been done to a senior.

(4) Please see para 3 below also.

2. The second proposal of the Dir. is that men officers in the M.E.S. may be temporarily apptd. in the Women's Br. and women officers may be temporarily apptd. in the Men's Br. in that service whenever such appts. are considered desirable in the

pt. 146 and 155-6 for 112.

para 1, CF. 1-2.

with v.p. 56 112-A-4

9 do ind. know under
the Dir. has been Sectt.
not here. Now is here, I
think, as objection to
the Dir. is not
Special thing of delegation
but refers to Special
conditions here. May be like
cases are cases are collected - & it
is particular reason here.
No. 1 to 12 cases here.

2 We
cannot say this
will completely
meet the case.
by

We may say that the
overriding principle is
that the senior officer
Rule 9(a) (i) is
30 (d) from 1st to 3
in 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 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public interests or for administrative convenience. Attention is invited to the discussions at "R"/7-8. The M.E.S., which ^{ordinarily} prohibit such appts., shd. be continued. So far as Subordinate Service posts are concerned (Asst.Profs., Asst.Lecturers, etc.), there is no restriction on the appt. of women in the men's branch; already women are apptd. in men's colleges; men of 30 years ~~more~~ of age and above can be apptd. in the women's branch temporarily for a period ^{not exceeding} of 3 years at a time. While these provisions in regard to subordinate service candidates exist, there does not seem to be any real necessity to make similar provisions in respect of gazetted posts also.

3. Another suggestion which the Dir. has put forward is this: Whenever there is delay in making appts. to vacant posts in the M.E.S., such posts may be temporarily kept in abeyance by the D.P.I.; subordinate service posts may be deemed to have been created instead for the period of vacancy of the M.E.S. posts; and appts. to those subordinate posts be made by the Dir.; and if the period exceeds one month, Govt.'s orders may be sought. There is no objn. to this proposal and ^{this} may be approved. This would also solve, to a great extent, the difficulties refd. to in para 1 above, if any arise.

4. Pub.(Ser.) and Finance may see before circulation.

Public (Services) Department.

Please see the note of the E & P.H. department from p.1 ante. The following remarks are called for in this department.

Para 1 on p.1 ante: The general question of delegation of powers to Heads of Departments is being dealt with in this department. It does not seem that This particular point viz. delegation of powers to the D.P.I. for making temporary appointments in the M.E.S. ^{was not} has been dealt with. However, in view of the special conditions in the M.E.S. this department need not object to E & P.H. accepting the D.P.I.'s proposal.

+ Rule 4 - first sub-para (Bk. 113)

⑤ 21, and 40 read with 37-39. clause (ii) of proviso to Rule 5 of 1155 Rules - 13-114

para 3, cf. 2

May be approved by B

C.H. no. 55245-A-1. 5-8-48



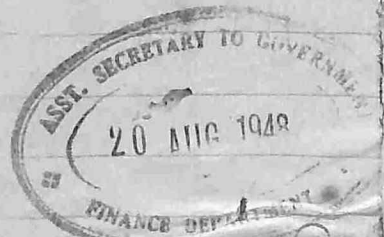
Separate file in Serd. (not put up)

Paras 2 and 3 on pp.1-2 ante: This department may agree with E & P.H.

The file may be passed on to Finance.

One of the recommendations made in this dept file now in circulation is that Heads of Depts should be empowered to make first appointments to Prob. service from approved lists. If the recommendation is accepted by Govt, the D.P.I. can make regular appts himself and much of the difficulty will be solved. While then this dept need not object to the D.P.I. being authorised to make emergency appts.

Pub (Ser.) A. No. 2792/48-1 17/8/48



79195

FIN. no. 79195/EN-1 23 8-48

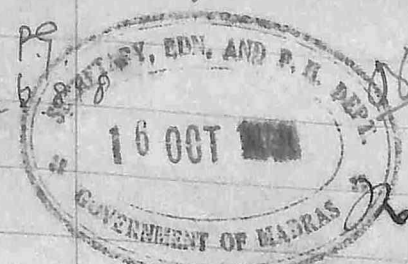
FIN (EN) The letter from D.P.I. on pgs 1 to 2 of and the notes of E & P.H. on pgs 1 to 2 above. The whole document may be perused. The case referred to E & P.H.

20/8/48

23/8

E. & P.H.

Edn. of O.H. Dept. (A) Subject to orders in O.H. a draft is subd.



Existence of the matter may continue

O.P.R. 15/1/48



62858

19 48

orders ^{in on} / on p. 3 aut:

A fresh draft is sub.

25 M / 25 W / 25 L

23.10.48

25 W / 25 L

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