

Put - and
12/8/6.

(194 9) Department.

E. & P.H.

SERIES.

G.O. NO.

MS. 1619, EDUCATION.

Dated

THE 18th May 1949

OK 46/6/49
18/5/49

[Despatch Abstract.]

MADRAS EDUCATION SERVICE - General concession in respect of age shown to Harijans and backward class candidates for direct recruitment - Director's proposal for restricting it to five years - Not accepted.

Back Papers.

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

Further Papers.

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

U R G E N T.

96822

(2)



From

The Director of Public Instruction, Madras.

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

R.Cl. No.81/48 dated 4th Decr. 1948.

S i r,

Sub: MADRAS EDUCATIONAL SERVICE - Direct recruitment
to the - Application of age rule to Harijan and
backward classes.

Attention is invited to note (i) under Instructions 4(c) of the Instructions issued with the Notification of the Madras Public Service Commission in Part II of the Fort St. George Gazette dated 9-11-1948 in which it is mentioned that the age limits specified do not apply to Harijans and to persons belonging to any of the backward classes. This age relaxation is made with reference to rule 10(d)(ii) of the General Rules for the Madras Provincial and Subordinate Services. Under this rule, all Harijan candidates and those belonging to backward classes are eligible for direct recruitment irrespective of their age, if they are otherwise qualified. In the absence of any age restriction, candidates belonging to these communities can be recruited without any age limit, short of superannuation. It is obviously undesirable to recruit candidates of advanced age, almost verging on superannuation, for posts in the Education Department, specially for the posts in the Inspectorate as it is contemplated that in future they are transferable to Training Colleges. The recruitment of aged candidates who have no previous teaching or administrative experience for the posts of District Educational Officers is very undesirable as it is not conducive to the efficiency of administration. Such persons would generally be uneducable as they would not be receptive of new ideas. Recruits of advanced age selected for the teaching line cannot be expected to come up to the level of efficiency of the younger members of the staff they join as many may have lost touch with their subjects. They can have no interest in research, if it is difficult for them even to be up-to-date. Whatever might be the case in regard to departments of Government service, I consider that in the case of Education Department, the recruitment of candidates of very advanced age is extremely undesirable on grounds of efficiency and I, therefore, urge that the relaxation of age in the case of Harijans and those of the backward classes should be limited to a period of five years. In other words, no candidate belonging to these communities who is beyond 40 years of age should be eligible for direct recruitment, either to the administrative or to the collegiate branch. If the Government agree to these suggestions I shall submit draft amendments to the rules in due course. I would also request that, pending the amendment of the rules, Government may be pleased to issue urgent instructions to the Madras Public Service Commission to observe, if possible, the age restriction suggested in the case of Harijans and backward classes candidates while selecting candidates for the posts advertised by the Commission in the Notification referred to above.

P. M. M.

for Director of Public Instruction.

not to come

(3)

E. & P. H. Dept. (A) 2

Memorandum No.

Edn., dated

M.E.S. - Direct recruitment - Age-rule - Application to Harijans and backward classes.

Ref:- From the D.P.I., No.81/48, dated 4-12-1948,

The Govt. provisionally accept the suggestion made by the D.P.I. in the letter cited. The Director is requested to send to Govt. draft amendments to the Genl. Rules for the Madras Provl. and Sub. Services and the Spl. Rules for the M.E.S. to give effect to the suggestion.

2. The D.I. is informed that an instruction as in the last sentence of his letter cited cannot however, be issued to the Commission, pending amendment of the rules.

L at No. 2

To

The D.P.I.

P. J. 13.12.48

14/12/48

14/12/48

LETTER/Ref.No. 708224-3 - Edn., dated 17.12.48 3

To

✓ The Secy.,
M.P.S.C. (With encl.)

Sir,

M.E.S. - Appointments - Age rule - Application
to Harijan and Backward class candidates

Rm

I am directed to forward herewith
(from the DPI.)
copy of a letter/No. 81/48, d/- 4-12-48, and to request that
you will kindly ascertain and ~~inform~~ communicate to
Govt. the views of the M.P.S.C. on the proposal contained
therein - viz., that, in modification of General Rule 10(d)(11)
Harijans and members of Backward classes be allowed a
concession of only 5 years in the matter of age in respect of
appointments in the M.E.S.

I am also to request that if
the Commission ~~has no objection to offer on the proposal~~ ~~and it agrees to do so~~, it
will be so good as to proceed with the selections ~~xxxxxx~~
for the posts ~~xxxxxx~~ which it advertised on 2-11-48,
on the basis of the proposal. In that case, the amendments
to the Spl. Rules for the Service will be given retrospective
effect.

Yrs ffly.,

Copy to the DPI.

17/12/48
17/12/48

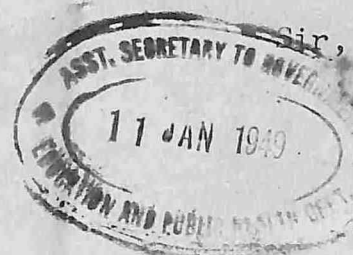
A
As2

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

(4)

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

No. 28-B1/49-1, dated 10-1-1949.



Rules - Madras Educational Service - Restriction of
application of General Rule 10(d)(ii) - Your letter
Ref.No. 90822-A3-Edn., dated 17-12-1948. p. 147 bk. 112
p. 3 any

2317

Sir,
I am to say that Harijans have been enjoying the concession
in regard to age provided for in General rule 10(d) for quite a
long time, not only in the Education Department but in other
Departments as well, and as a matter of policy the Government ex-
tended the same concession to Backward Classes also. The question
of withdrawing or modifying the concession should therefore be
taken up as a general question concerning all Departments.

p. 1 any

The assumption of the Director of Public Instruction that,
because there is no age limit candidates advanced in age verging
on superannuation will be recruited is not well founded. All the
considerations to which reference has been made in the letter of
the Director of Public Instruction including age are taken into
account when marks are awarded at the oral test in which the
Director of Public Instruction or his representative participates.
In the Commission's opinion therefore there is no need to make
the amendment suggested by him to a rule which has been decided
upon as a matter of policy.

In

5
-24
In any case the proposed amendment cannot be applied to the pending recruitment as applications have already been received on the basis of the existing rule.

Yours faithfully,

Chenel

Secretary.

Encl: Nil.

pmr.10/1/49.

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

G.O.(MS.) No. 1619 Edn., d/- 18.5.49

M.E.S. - Genl.concession in respect of age shown to Harijans and backward class candidates for direct recruitment - Dir.'s proposal for restricting it to five years - Not accepted.

Read:- From the DPI, No.81/48, d/- 4-12-48.

Copy of a letter from the Secy.,

M.P.S.C., No.28-B1/49-1, dated 10-1-49, is forwarded to the D.P.I. On further consideration, the Govt. agree with the Commn. that there is no need to accept ^{the Dir.'s} his proposal for the amendment of the rules so as to restrict the concession ^{a concession of only five years} allowed to Harijans and Backward class candidates in the matter of age, to 5 years in respect of appointments in the M.E.S.

To the DPI (with Encl.)
To the S. MPSC.

7 8

ORDER NO. MS 1640 FBI

ORDER:

(BY ORDER OF HIS EXCELLENCY THE GOVERNOR.)

To The Director of Public Instruction (with Encl:)
" The Secretary to Madras Public Service Commission.

vs. 18.5.

Superintendent.

From the D.P.I., No.81/48, dated 4-12-1948.

M.E.S. - Direct recruitment - Age-limit for Harijans and backward classes.

The age-limits prescribed for direct recruitment to posts of D.E.Os. and of Lecturers (M.E.S.) is 30 and 35 respectively. They do not, however, apply to Harijans and persons belonging to the Backward classes; for there is a provision to that effect in the General Rules and the provision governs appointments in all departments of Govt.

In his letter below, the D.P.I. expresses his fear that, in the absence of any restriction, Harijans and Backward class candidates of advanced age almost verging on superannuation (55 years) may be recruited and explains how the recruitment of aged persons to the Edn. Dept. is very undesirable. He recommends that, so far as his dept. is concerned, the concession shown to the Harijans and the Backward classes may be restricted to a period of 5 years and that, pending amendment of the rules accordingly, the Commission may be asked to observe, if possible, that restriction in making selections for the 7 posts which it advertised recently at Govt.'s instance.

The Dir.'s fear is not quite justified. He does not seem to have taken proper account of the fact that selection for a post entirely depends on the candidate's suitability and that mere possession of the prescribed qualifications - academic, age and other - does not assure a candidate's selection. In deciding 'fitness', the Commission can be expected to pay attention to the candidates' age. It is very unlikely that it will select a person aged 50 for an administrative post involving touring, unless he has long experience in a similar post; or a person of that age for a Lecturer's appt. unless that person has previous service in the collegiate line.

Further, the D.P.I. (or his representative) will be present at the oral tests held by the Commn. and will take part in the Commission's deliberations; he may, if necessity arises, explain to the Commission his views on

A + B + C

C at (S)

Post. Rule 10(d)(ii) -
p. 147-BK-112

This is a direct
recruitment for
all departments.
The current rule is
deviation in respect
of age - 5 years
above the normal
limit of 35.
The Dir. has
asked for a
restriction of 5
years in the
Edn. Dept.
P

(S)

Harijans & Backward Class
First servants who have
not in more than 5 yrs.
can also
apply - D at (S)

rule 19
provision to those
rules of procedure -
to be in 48
to be in 48
to be in 48

GOVERNMENT OF MADRAS
Education and Public Health Department
G.O. No. 1019, Edn., dated the 18th May 1949.

MADRAS EDUCATIONAL SERVICE - General concession in respect of age shown to Harijans and backward class candidates for direct recruitment - Director's proposal for restricting it to five years - Not accepted.
Order No. 1019, Edn., dated the 18th May 1949.

From the Director of Public Instruction, No. 81/48, dated 4-12-48.

ORIGINAL

Copy of a letter from the Secretary, Madras Public Service Commission, No. 26-B/48-1, dated 10-1-49, is forwarded to the Director of Public Instruction for further consideration. The Government agrees with the view of the Commission that there is no need to restrict the Director's proposal for the amendment of the rules so as to allow to Harijans and backward class candidates a concession of only five years in the matter of age, in respect of appointments in the Madras Educational Service.

(BY ORDER OF HIS EXCELLENCY THE GOVERNOR.)

Joint Secretary to Government
L. M. Jeyaraj

To the Director of Public Instruction (with Encl.)
"The Secretary to Madras Public Service Commission."

True Copy/forwarded by order.

18.5.49

point then. Finally, the matter rests with the Govt. who approve of the Commission's selections and make the appointments. There seems therefore no need to accept the Dir.'s recommendation. The Dir. may be told as at X above. For orders.

(Even if the Dir.'s proposal to amend the rules is accepted, a request as at P at p.1 ante cannot be made now to the Commission. Because the advtt., with reference to which many candidates would have already applied for the posts, is based on the existing rules and the rules will not have been actually amended even at the time of the selections.)

Public (Ser.) may see before circn.



8/12/48
7/12/48

8/12/48

Pub (Ser) Dpt

The D.P.I.'s letter in the C.F. & E.H.B.'s note above may be perused. This dpt may agree with the view of the E.H.B. Secretary. The file may be returned to E.H.B.

8/12/48

8/12/48

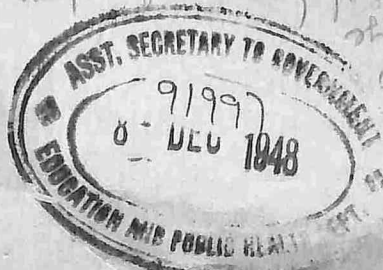
8/12/48

Public (Services) A

Edn. & S.H. Dept. (A) No. 4276/481

May be circd. to H.H. (Edn.)

8/12/48



8/12/48

8/12/48

I do not agree with the note above. The D.P.I.'s suggestion is that a concession of 5 years may be given to Harijans more than the age-limit fixed for other communities. At present there is no age-limit for Harijans. The result

will be as pointed out by the D.P.I. that even a Harijan M.A. if he has passed in first or second class may apply for lecturership in any college or for recruitment as D.E.O. Though he may be a first class M.A., a man who is not in touch with the matters for such a long time will not be suitable for work in the department. It has been pointed out that such things may not come in practice. But rules are made for all contingencies and I think the suggestion of the D.P.I. is to meet that contingency if ever occurs, and so I think his suggestion may be accepted.

After all if the contingency never occurs, there is no difficulty in accepting his suggestion.

18A

10 9 12 48

The file may be circulated to the Hon. Premier also.

8/12/48

8/12/48

8/12/48

8/12/48

A draft Memo. is subd. Pub. (Ser.) may see. ~~in~~ in ~~the~~ an return of file from that dept., draft may be od to H.H. (Edn.) with specific refer. to para 2 hereof.

8/12/48

8/12/48

Public (Services) Dept.

(Last seen at p.2 ante.)

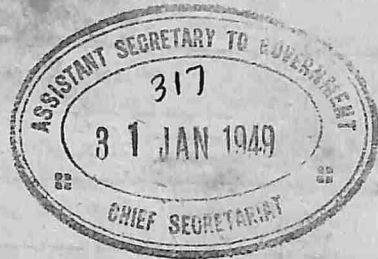
The orders in circulation at pp.2-3 above and the draft memo below may be perused. Before accepting



8/12/48



the D.P.I.'s proposal the M.P.S.C. ^{should} may be consulted. Moreover it is submitted for consideration whether it is absolutely necessary to call for draft amendments from the D.P.I. E & P.H. may therefore be requested to refer the proposal to the Commission and ask it to proceed with the forthcoming selection on the basis of the amendments if ^{the} Commission agrees to it. Then the amendments may be ^{drafted} approved in the Secretariat itself in consultation with Legal and issued. The file may be returned to E & P.H. ~~with the~~ may



Public (Services A) no.
No. 4353/48
15/12/48

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

Y above: A draft letter to the Commission is subd. H.M. (Edn.) may see.

Issued as letter No. 20822-A-3-Edn., dated 17-12-48. From the M.P.S.C., No. 28-B1/49-1, d/- 10-1-49.

The Commission has replied

that the pending recruitments cannot be made on the basis of the Dir.'s proposal. Further, it holds ^{for} the reasons given at p.4 C.F., that there is no need to make the amendment ~~xx~~ suggested by the Dir. to the rules which have been framed as a matter of policy and as applicable to all depts. The Commn.'s reasons are similar to those expressed in the notes at pp.1-2 against the proposal. This dept. may recommend that the matter be dropped. Pub. (Ser.) may see before ciren. to H.Pr. also.

Public (Ser.) Department.

(Previous notes of this dept. on pp. 3-4 supra.)

The Commission's letter at pp.4-5 cf. and the note of E & P.H. on p. 4 supra. may be perused and the file returned to that dept.

Public may agree with the views of the Commission & of E & P.H.



Pub (Ser A) no
No. 317/49

The file may be aird. to H.M. (Edn.) & H.Pr. for orders on K at p. 4 ante.

The Commission's recommendation that it need not apply to pending recruitments may be accepted. But the matter may be taken up on general lines.

Place before the informal meeting

of Ministers

O.P.R.
19/3



H.M. (Edn.) may see

The proposal in this file is set out in para 1 of the letter on p. 3 cf. P above, the orders of the present H.M. (Edn. & P.H.) & H.Pr. are negy. Subd. that the file may be od to them.

The D.P.I. proposes that the exemption from age allowed to Harijans and backward classes may be limited only to five ^{above age limit} years in respect of appointments to the posts of District Educational Officers. The Public Service Commission has reported that the proposal can only be enforced by an amendment of the rules which they do not consider necessary as in making appointments they keep in view the factor of suitability even in cases where the age rule is relaxed. Public Department agrees with the Commission. We may therefore negative the proposal of the D.P.I.

H. D. (^{educ.} P.H.) ^{11/4}

8/4/49

6/4/49



May be circulated to H. Br. also now.

15/4/49

12/5/49

H. P. R.

18/4/49

18/4/49



A draft ^{order} ~~letter~~ is subd.

14.5.49

17/5/49

4.2
R. S. S.