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Form. 17-27-60,004-17-11-48

EDP. 11

(1949) Department.

MS

SERIES.

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G.O. NO. 2936 Ed.

Dated 20.9.49.

[Despatch Abstract.]

Back Papers.

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

Further Papers.

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

GOVERNMENT OF MADRAS.
Education and Public Health Department.
G. O. No. Ms. 2265 Education, dated 13th July 1949.
Abstract:

ESTABLISHMENT - District Board, Tirunelveli - Appointment of State subjects as Tamil Pandits - Temporarily - Sanctioned.

Read:-

From the Special Officer, District Board, Tirunelveli No. B6-10140/49 dated 17-5-49.
From the Director of Public Instruction No. Rc. 113891/49 dated 2-7-1949.
....

ORDER:

In the circumstances stated sanction is accorded to the employment, as a temporary measure, of Vidwan A. Velayuthan of Keeloor and Vidwan K. Vasudevan Pillai of Theduman, as Tamil Pandits in the high schools under the control of the District Board, Tirunelveli provided they are suitable for appointment. They will be exempted temporarily from the operation of G.O. No. 456 L & M dated 24-1-34 subject to the condition that they should be replaced when qualified Indian Union subjects become available for appointment to the posts.

(BY ORDER OF HIS EXCELLENCY THE GOVERNOR)

Minutes of H.M. (Edn.)

The draft may issue. After issue I want 'X' above to be re-examined. When there are no qualified candidates at all is it fair to appoint like this and throw them out after?

K.M. H.M. (Edn.)
12-7-49

59944

Ed P.H.
B1.

Due to the dearth of qualified Tamil Pandits, the S.O., Dt. Bd., Tirunelveli proposed to appoint State Subjects as Tamil Pandits in the service of the Dt. Bd. and the Govt. sanctioned the same in G.O. 2265 Edn d. 13-7-49. As per

instructions in G.O. 456 L & M d. 24.1.34, only British Indian subjects and persons domiciled in the presidency for a period not less than 10 years immediately preceding the date of application for appointment should be appointed to the service of a M.C. or of a local board as the case may be. The Govt. have been sanctioning the proposals of the local bodies to appoint State

Subjects in their services as a special case exempting them from the operations of the G.O. 456 L & M d. 24.1.34 temporarily till qualified Indian subjects are available for such services. H.M. (Edn) minuted the above case that it is not fair to appoint them temporarily and throw them out after. Probably it is meant that in the matter of appointments, the state subjects should be treated as other Indian subjects and they should be made eligible for benefits of confirmation in their posts if they satisfactorily complete their probation.

It is not known whether the Public Dept have issued any orders on the subject consequent on the integration of some states in the Province and accession of other Indian states to the Indian Union. The file may be sent to Public & L.A. Depts for remarks.

The question raised by H.M. (Edn) is one of general applications and has to be dealt with in L.A.

5-8-49

S/L.A.

Sd/- W.O. 599442/49-1
6.8.49.

L.A. Dept

The remarks of Public may be invited in the portion marked A above.



L.A. Pub. (Poll)

Public (Services) Department.

Please see the notes on pp 1-2 above. So far as posts under the Provl. Govt. are concerned there is no restriction on the appointment of persons belonging to which have States/merged with this Province. As regards subjects of other States they can be appointed only after a



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5.8.49

C.No 1846/49
4909
12/9/49
Thro' Pub. (Poll). A. No.

12.8.49

Ser. C. No
2 sub/44
16/8/49



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Services rules vol. 1
p. 188

declaration of eligibility has been issued in their favour under section 262(2) of the Govt. of India Act, 1935 - see G.O. No. 694 Public (Ser) d/14-3-1949.

The file may be returned to L.A.

11.8.49

16.8.49

L.A.

L.A. Dept

Please see the note of Public Department above. There is no statutory ban on the appointment of States subject under local boards and ml. cls. The instructions in G.O. 456, L. & M. dated 24/1/34 are only executive instructions based on the policy of the Govt. in regard to the recruitment to the services under their control. The procedure now followed by Government in obtaining the declaration of eligibility and the prior sanction of Government under general rule 10(c) by States subjects if they have to be appointed, may be followed in respect of States subjects seeking appointments under ml. cls. and local boards also.

It seems unnecessary to issue any general order as suggested by E. & P.H. on page 2 above as it will have the effect of inviting applications for declaration of eligibility. Further H.M. (Edn.) only wants that where qualified men are not available, the States subjects who are qualified and who act temporarily should not be thrown out later by qualified Indian Union subjects. Cases of this kind are not many.

In order to meet the point raised by H.M. (Education and Law) on page 1 ante, the appropriate course seems to be to issue a declaration of eligibility in respect of suitable States subjects who are employed by local bodies in this Province, (as in the case of State subjects recruited to Govt. service in this Province), and appoint them on a

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regular basis. Individual cases may be dealt with on their merits. It would seem undesirable to deal with this as a general question and issue general orders. *Cases may be considered individually on their merits.* with these remarks the file may

be returned to E.P.H.

26.8.49

26.8.49

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20.8.49

E.P.H.



Please see the minutes of *11.8.49* on page 1 and the notes of public (Edu) & LA on pp 2-4. The course suggested by LA at A may be adopted in future.

The file may be circulated *11.8.49* onwards on the above suggestion.

24.9.49

6.9.49

S

AM (Edu)

If the principle is admitted that it is not fair to appoint on grounds that no suitable Indian candidate ^{is available} and then to renege when such candidate become available

at a later date, then general instructions are justified.

However as the whole question of state subjects is likely to be comprehensively settled soon, we may agree to consider cases ad hoc

14.9 (E & L) *14.9*



11/14/49

C.No. 59944/49

(J)

Sub: Schools - Secondary - ~~Establishment~~ Local bodies - Appointment of State Subjects - Grant of Certificate of Eligibility. Papers forwarded.

The papers may ~~now~~ be Order / Ms. No. 2936

E.P.H.

Edu. x dated 20.7.49

Recorded.

Spare copy 1.

2/10/49

15.9.49

19.9.49

