

(T) E & P. H. (1949) Department. (1)

MS. SERIES. (=)

G.O. NO. 3213. Edn.

Dated 19. 10. 49.

O. P. A. S.

MDI-902
P134 Copy for A

[Despatch Abstract.]

Establishment - Secondary Edn - Coimbatore
and Cuddapah District Boards - Posts
of headmasters of high schools - Filling
of vacancies - Proposals of the Special
officers of Dt. Bds - 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.

R.C.NO.1049-G.1/49

Office of the
Director of Public Instruction,
Madras, Dated 27--7--1949.

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education and Public Health Department,
MADRAS

Sir,

Subject: Filling up of vacancies of Headmasters of High
Schools under local bodies.



59278

p3 infra

Insubmitting herewith a copy of the letter from the Special
Officer, District Board, Coimbatore No.8-E.1/49-DB-CBE Confdl. dated
26-5-1949, I wish to state that the following panel has been drawn
up by the Divisional Inspector of Schools, Coimbatore for the year
1949-50.

GROUP A

1. Sri S. Thirumalachari (Brahmin)
2. Sri T.R.Tiruvengadaswami (Non-Brahmin)

GROUP B

1. Sri N.S. Nanjunda Iyer (Brahmin)
2. Sri C. Kasiviswanathan (Brahmin)
3. Sri C. Pandurangam (Non-Brahmin)

2. Under the new rules issued with G.O.3129 Education dated
9-12-1948, groups A and B of the panel should be kept distinct.
The suggestion of the Special Officer to combine the two groups and
to assign a rank to Sri S. Thirumalachari now in Group A below Sri
C. Pandurangam in Group B is not in order. Sri C. Pandurangam
may perhaps be assigned the first order of preference in Group B
so that Sri S. Nanjunda Iyer and C. Kasiviswanathan may take
their chances for promotion as Headmasters later.

3. I agree with the Special Officer that there should be
adequate representation for qualified men of the Non-Brahmin com-
munity in the cadre of Headmasters of High Schools, but as the
statutory rules now stand the posts of Headmasters are outside the
scope of the communal rotation rules. If promotion is made as sug-
gested by the Special Officer, District Board, Coimbatore, with a
view to rectifying communal inequalities juniors will have to be
promoted on a large scale which is rather demoralising.

4. Compared with service conditions under Government,
though under the recently modified rules for recruitment to the
M.E.S. a small number of these posts also are now thrown open for
direct recruitment from those in the service of local bodies and
private managements, promotion to the posts of Headmasters is the
only prospect in general available for teachers in the service of
local bodies. At the same time the development of high schools
under local bodies is not uniform in all the Districts. While
certain local bodies open and develop a large number of high schools,
there are others which are relatively slow in this respect, espe-
cially because the people in those districts are less enthusiastic
in offering contributions to the local bodies, so as to enable the
latter to open and develop new high schools. Prospects of promotion
thus vary from district to district and when they are limited in
any degree they do cause some grievance.

5. Posts in the different categories of Government Service
are filled partly by promotion and partly by direct recruitment
in order to rectify communal inequalities. This is the case with
the cadres of Junior Deputy Inspectors, School Assistants and
District Educational Officers. There being no separate category
of Headmasters in Government Service there is no provision of cour-

Provincial code

(M) 3 2

for direct recruitment in this respect. In the case of secondary schools under local bodies however there are three categories:-

- (1) Secondary Grade Teachers. — 45-2-85
- (2) Graduate teachers — 75-5-145
- (3) Headmasters. — 150-6-200

6. While the existing rules provide for direct recruitment to categories 1 and 2 above, recruitment to (3) is only by promotion except where there is no suitable candidate.

7. It is therefore only logical and equitable to set apart a certain percentage of posts in the category of Headmasters also for being filled by direct recruitment. I suggest a 50% direct recruitment, while the other 50% of the vacancies are filled up as at present from the panel drawn up by the Divisional Inspectors. This direct recruitment shall be made to ensure the appointment of the most suitable men of the required community, if necessary from other local bodies as well as from outside and without precluding the men already in the service of the District Board from applying for such posts.

8. I feel that in time the Headmasters' posts should be provincialised on a linguistic basis on the broad basis of Telugu, Tamil, Malayalee and Kanarese districts and the various posts in the various districts filled from a common panel for the grouped areas. The suggestion now made by me for providing for direct recruitment may be regarded as a prelude to such development.

9. In this connection, I submit also a copy of the letter from the Special Officer, District Board, Cuddapah RC.No.1800-A.5/49 dated 15-5-1949. The majority of the teachers in this District Board have put in a service of less than 10 years. While I am prepared to concede that in special cases men with less than 10 years' service may be promoted as Headmasters, I am not in favour of accepting the recommendations of the Special Officer in toto. In view, however, of the circumstances explained by the Special Officer, I suggest that the assistants in question may be appointed temporarily as Headmasters-in-charge without rights of probation, but paid a charge allowance for the period. This may be accepted as an interim arrangement till the rules are modified as suggested in the previous paragraphs.

10. The cases of the two District Boards cited indicate that the existing rules need to be modified. Further the large number of new schools opened have increased the demand for Headmasters with the result that there is now a definite shortage in the number available from among the assistants in service, which makes for the urgent consideration of an alternative method of recruitment such as I have suggested above so as to ensure that men with sufficient experience are recruited as Headmasters under Local Bodies. 25% of the posts in Government service have also to be filled up by direct recruitment from local bodies and private managements. There should therefore be a sufficient number of persons within the prescribed age limits available amongst them as a satisfactory source of recruitment and this could be ensured only by resorting to direct recruitment.

Yours faithfully,

M. Srinivasulu

for Director of Public Instruction.

RVR 30/7/-

pages 3-4
infra

DEP's note

Copy of letter S.E.1/49-DB.CBE of the Special Officer, District Board, Coimbatore to the Director of Public Instruction, Madras dated 26-5-49.

Representations have been received to the effect that the panel for 1949-50 of names for appointment as Headmasters contains three names from the Brahmin Community and only 2 from the Non-Brahmins. I see that seniority qualifications have largely guided the selection of men for the panel and so far from making reflections of any kind, on the integrity of officers who have drawn up the panel, I still desire to make this reference to you, in the hope that this will receive immediate and adequate attention and favourable consideration at your hands.

2. The non-Brahmins constitute the predominant community in the District and they contribute very largely to the growth and popularity of educational institutions in the District. Their help to District Board High Schools in the matter of buildings and lands has always been very generous. The largest percentage of pupils in schools is also from this majority community. There is therefore a strong and legitimate feeling in the District that there must be adequate representation for qualified men of their community in the Key-post of Headmasters in High Schools. As a preponderatingly large number of such posts in District Boards is already held by Brahmins in this District I suggest that you consider the desirability of excluding Sri C. Kasiviswanathan (Brahmin - Kollegal No.2 in Group "B" of the panel) so as to include Rudrappa (Non-Brahmin - Kollegal).

3. I suggest that the order of preference in the arrangement of names in the ~~panel~~ is modified as under.

Sri T.R. Thiruvengadaswami Naidu, Headmaster, Board Middle School, Sular.
Sri C. Panduram (Non-Brahmin) Headmaster, Board Middle School, Sular, Negamman.
Sri Thirumalachari
Sri N.S. Nanjunda Iyer | Brahmins.
Sri C. Kasiviswanathan |

4. Qualifications, merit and ability justify the re-arrangement of names as shown above, even apart from consideration of communal representations. Sri Thiruvengadaswami, as Headmaster of the Middle School at Sular, has already given proof of his merit and ability in running the school at Sular and deserves to be made the Headmaster in the regular cadre, when V form is opened in June 1949.

5. In the interests of providing for the smooth and efficient working of the high schools, with the continued help and co-operation of the majority communities in the district who are providing costly new buildings for the schools at Sular, Kangayam, Negamman, Kavundapadi and Chittodu, I would suggest to you to modify the panel suitably at least to the extent of re-arranging names, by making a reference, if need be, to Government in order to overcome any technical difficulty by reason of rules.

Copy of letter RC.No.1800-A.5/49 dated 15-5-49 of the Special Officer, District Board, Cuddapah to the Director of Public Instruction, Madras

The District Educational Officer, Cuddapah in his R.C.No.7-T/48 dated 9-3-49 copy enclosed, has asked me to advertise for applications from outsiders and send the list of applications received to him for necessary action. A copy of the proceedings RC.No.826-B/48 dated 26-2-1949 of the Divisional Inspector of Schools, Anantapur referred to by him in his letter has not been received in this office.

2. There are over 10 qualified L.T. assistants in the service of the Board who have completed their period of probatio

to the satisfaction of the authorities. All of them have put in service ranging from 26 to 34 years. A list of the L.T. Assistants with their services etc. is appended. Some of the L.T. Assistants have done extremely good work as observed from the percentage of passes of S.S.L.C. pupils in their respective subjects. Many of these L.T.'s are now acting as Headmasters of incomplete high schools and there are no complaints against them from any quarter. Unless persons of outstanding merit and qualifications in the service of the Board are selected for posts of Headmasters of full high schools, I am afraid great discontent will prevail endangering the working of the department. Some of these L.Ts. who are natives of the District took service under the Board quitting their services in Revenue and other Departments. Promotions to L.T. Assistants in the service of the Board are few and meagre. Promotions are always to be made on grounds of qualifications and merit and not on mere length of service. Neither the Divisional Inspector of Schools nor the District Educational Officer have stated reasons for overlooking the claims of the existing L.T.'s in the service for inclusion in the panel. Rule 2(1) of G.O.No.3129 Education dated 9-12-1948 specifically permits the Divisional Inspector to draw up panel even from among the B.Eds in the service of the Board who have not put in ten years of service. At present there are three L.T. Assistants who are probationers to the posts of Headmasters of High School waiting for appointment. Proposals have been submitted for opening of Form V in seven secondary schools of the Board from the beginning of next school year. Orders have not been received in all the seven secondary schools we may require only four more persons for inclusion in the panel excluding the three probationers. Most of L.T. assistants are natives of this backward district and it is only fair that they should be encouraged to stick on to their jobs by promoting all deserving men in preference to getting hands from far off districts. I, request you, therefore, to instruct the Divisional Inspector of Schools, Anantapur to submit panel from among the L.T.'s serving now under this Board.

Copy of letter No.7.T.48 dated 9-3-49 of the Dt.Edl.Officer, Cuddapah.

Under instructions from the Divisional Inspector of Schools I have to inform you that from the seniority list of L.T. Assistants working in District Board secondary Schools furnished by you in connection with the Panel for the current year, it is seen that there are not enough of senior people with service and experience would could be selected for appointment as Headmasters of newly opened secondary schools in 1949-50. I therefore request you to kindly notify the vacancies and invite applications for the purpose. A list of application from qualified candidates, may kindly be furnished to this office for necessary action.

(TRUE COPIES)

for Director of Public Instruction.

to be put on any of the school proposals. In the event form is opened

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Representations have been received to the effect that the panel for 1949-50 of names for appointment as Headmasters contains three names from the Brahmmin Community and only 2 from the Non-Brahmins. I see that seniority qualifications have largely guided the selection of men for the panel and so far from making reference of any kind, on the integrity of officers who have drawn up the panel, I still desire to make this reference to you, in the hope that this will receive immediate and adequate attention and favourable consideration at your hands.

3. The non-Brahmins constitute the predominant community in the District and they contribute very largely to the growth and popularity of educational institutions in the District. Their help to District Board High Schools in the matter of buildings and lands has always been very generous. The largest percentage of pupils in schools is also from this majority community. There is therefore a strong and legitimate feeling in the District that there must be adequate representation for qualified men of their community in the Key-post of Headmasters in High Schools. As a preponderantly large number of such posts in District Boards is already held by Brahmmins in this District I suggest that you consider the desirability of excluding Sri C. Kastivansathan (Brahmmin - Kollidal No.2 in Group 'B' of the panel) so as to include Rudrapa (Non-Brahmin - Kollidal).

2. I suggest that the order of preference in the arrangement of names in the panel is modified as under.

- Sri T.R. Thiruvengadaswami Naidu, Headmaster, Board Middle School, Kollidal.
- Sri C. Panduraman (Non-Brahmin) Headmaster, Board Middle School, Kollidal.
- Sri Thirumalachari
- Sri W.S. Nandam Iyer, Brahmmin.
- Sri C. Kastivansathan

4. Qualifications, merit and ability justify the re-arrangement of names as shown above, even apart from consideration of communal representations. Sri Thiruvengadaswami, as Headmaster of the Middle School at Kollidal, has already given proof of his merit and ability in running the school at Kollidal and deserves to be made the Headmaster in the regular cadre, when V form is opened in June 1949.

5. In the interests of providing for the smooth and efficient working of the high schools, with the continued help and co-operation of the majority communities in the district who are providing costly new buildings for the schools at Kollidal, Kanyanam, Nandam, Kanyanam and Chittoor, I would suggest to you to modify the panel suitably at least to the extent of re-arranging names, by making a reference, if need be, to Government in order to overcome any technical difficulty by reason of rules.

Copy of letter No.1800-A.5.48 dated 18-5-48 of the Special Officer, Cuddapah to the Director of Public Instruction, Madras.

The District Educational Officer, Cuddapah in his letter No.7-T.48 dated 9-3-49 copy enclosed, has asked me to submit for appointment from outside and send the list of names received to him for necessary action. A copy of the letter No.1800-A.5.48 dated 18-5-48 of the Divisional Inspector of Schools, Anantapur referred to by him in his letter, has not been received in this office.

2. There are over 10 qualified L.T. assistants in the service of the Board who have completed their 10 years' service.

PARTICULARS OF L.T. ASSISTANTS WORKING UNDER THE BOARD.

S.No.	Name of Assistant	Qualification.	Date of appointment.	Date of starting probation	Total service.	Subject handled	Percentage of passes in S.S.L.C. in 1948 in his subject.	School in which he served during 47-48.	Remarks:
1.	Sri T.K.Kuppaswami Iyyengar, B.A., L.T.		8-7-1922	8-7-1922	26½	Science	80%	Rajampet	He was the Headmaster of Rama-Krishna High School, Cuddapah for some time. His letter D/ 4-4-49 is enclosed.
2.	Sri K.S.Srenivasa Rao B.A., B.Ed.		8-11-34	8-11-34	14½	History	85%	Rajampet	His name was deleted from the panel of H.Ms for 48-49 by the D.P.I., Madras.
3.	Sri B. Aswartha Rao, B.A., L.T.		29-10-41	29-5-42	7	History	100%	Jammalamadugu	He is now working as Headmaster Khajipet. If his service in the Municipal High School, Cuddapah is taken into consideration total service in L.T. cadre will be 9½ years. A copy of his letter D/ 1-4-49 is enclosed.
4.	Sri K. Balakrishna Reddi	B.A., L.T.	21-9-42	21-9-42	6½	Mathematics	93%	Rajampet	He is now working as Headmaster Vempalli. A copy of his letter d/ 2-4-49 is enclosed.
5.	Sri G.Seetharama-Sastry	B.A., L.T.	30-11-42	30-11-42	6	Science	50%	Pulivendla	
6.	Sri K.Raja Reddy	B.A., L.T.	19-6-43	19-6-43	5½	History	..	..	He is now working as Headmaster Porumamilla. A copy of his letter is enclosed.
7.	Sri B. Narasimha Reddi	B.A., L.T.	21-7-44	21-7-1944	4½	History	..	..	He is attending to IV and V forms and is now working as Headmaster Kodur.
8.	Sri N. Sangi Reddi	B.A., L.T.	27-10-44	27-10-44	4	Science	100%	Jammalamadugu	A copy of his letter is enclosed
9.	Sri P. Venkatasésaiah	B.A., L.T.	13-6-45A.N.	13-6-45 A.N	3½	Mathematics	,,	,,	-do-
10.	Sri D. Rama Rao	B.A., L.T.	14-6-1945	14-6-45	3½	,,	,,	Badvel	-do-

(TRUE COPY)

for Director of Public Instruction.

17/11/49.

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13
E. & P.H. (G2)

ESTABLISHMENT - Secondary Education - Coimbatore and Cuddapah Dt. Bds. - Posts of headmasters of high schools.- Filling of vacancies - Proposals of the Special Officers of Dt. Bds. - Orders passed.

From the D.P.I., No. 1049-G1-49 dt. 27-7-49.
From the S.O., Dt. Bd., Coimbatore, No. S.E.1-49-DB-CBE, dt. 26-5-49.
From the S.O., Dt. Bd., Cuddapah No. 1800-A5-49 dt. 15-5-49.

ORDER/MS. NO. 32/3 EDN., DATED 19.10.49.

The Govt. do not approve the suggestions contained in the letter of the Special Officer, Coimbatore Dt. Bd. ^{read above} or the suggestion of the Director in para 2 of his letter cited, as it will not be in order to give effect to those suggestions under the rules as they now stand.

2. The Govt. do not ^{also} approve the Director's proposal that Assistants ^{in the Board Secondary Schools} may be appointed Assistants-in-charge pending the selection of candidates for appt. as headmasters under the Cuddapah Dt. Bd. His attention is invited to rule 2(1) of the rules in G.O. No. 3129, Edn., dt. 9th Decr. 1948 and he is informed that if a sufficient number of Assistants with ten years' service and over ^{under the Dt. Bd.} are not available, a list of Assistants in the service of the ~~Dt.~~ Bd. who have put in less than that period of service should be called for and arrangements made urgently for setting up a panel under the rules.

3. The D.P.I. is informed that the question of amending the rules in the manner suggested by him in his letter will be considered separately.

To

The D.P.I.
The P.D.B., Coimbatore
The P.D.B., Cuddapah.
S/C. for S. 7.

pan 29

17.10.49.

18/10/49

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From the D.P.I., No. Rc.1049-G1-49 dated 27-7-49.

ESTABLISHMENT - Secondary Education - Appointment of headmasters of high schools ~~under~~ local bodies.

Appointments to posts of headmasters of high schools are now governed by the rules contained in G.O. No. 3129, Edn., dated the 9th Decr. 1948. Under these rules the ~~approx~~ appointments are made from a panel of suitable candidates drawn up by the Divisional Inspector of Schools ^{sitting together with the D.O.} in the case of boys' schools and the Inspectress of Girls' Schools in the case of Girls' Schools. The panel is settled by the 1st May every year. Persons included in the panel are placed in two groups A & B. Group A consists of persons, if any, already included in the panel drawn up for the preceding year ^{and} not appointed as headmasters, according to the year in which they were first included in the panel and in the order of preference specified. Group B is of persons newly included, arranged in the order of preference based on their qualifications, merit and ability, seniority being taken into account only if the qualifications, merit and ability are approximately equal. Persons whose names are in the panel shall be appointed in the order in which their names are arranged in the panel: those whose names appear in Group A shall be appointed in the order of preference specified therein and only after all such persons have been appointed, appointments should be made from among the names in Group B in the order of preference specified. ^{Revised} The rules relating to communal representation to Dt.Bd. services do not apply to the appointments ^{as the rules are already observed at the time of initial recruitment to posts of L.T. Assistants.}

2. In accordance with the procedure laid down in the rules referred to in the previous paragraph, the Divl. Inspr. of Schools ^{Coimbatore} has prepared a panel for the Coimbatore Dt. Bd. The panel contains 5 names of which three are of Brahmins. ~~who are placed above the two non-brahmins.~~ The Special Officer of the Coimbatore Dt.Bd. suggests that as the non-brahmins constitute the majority community, they should have adequate representation in the Dt.Bd. services. He has therefore suggested that the panel may be modified as proposed by him,

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Rule 2 on p. 2 of 5

Rule 3(2) - 1/2 -

- ibid -

Rule 3(3) on p. 3 of 5

para 1 on p. 1 of
para 2 on p. 2 of

that is, by placing the non-brahmins on the top. The Director agrees with the S.O. that there should be adequate representation for qualified men of the non-brahmin community in the cadre of headmasters of high schools, but that if promotions are made as suggested by the Special Officer, juniors will have to be promoted on a large scale and this will be demoralizing. With reference to the suggestion of the Special Officer, the Director, while stating that the combination of the ^{groups} A & B in the panel will not be in order, suggests that the non-brahmin Assistant in ^{Group} Part B of the panel as prepared by the Divisional Inspector may be assigned the first rank in that ^{group} part instead of third rank as in the panel prepared by the Divl. Inspr.

3. With regard to the suggestion of the S.O., Coimbatore Dt. Bd. and the Director's remarks thereon, referred to in the previous paragraph, it is submitted that the combination of the two parts in the panel as suggested by the S.O. is against the rules in (S). Moreover, as observed by the Director, the promotion of juniors over the heads of seniors, all having equal qualifications, will have a demoralizing effect on the staff. Attention is invited to rule 3(3) of the rules contained in G.O. No. 3129, Edn., dt. 9-12-48 under which persons whose names are in the panel shall be appointed in the order in which their names are arranged in the panel, that is, the persons under part A should first be appointed and after that part is exhausted, the names in part B should be taken up in the order in which they are arranged. The adoption of the suggestion of the S.O. and even that of the Director in respect of one of the persons in part B (para 2 on p.1 c.f.) will involve a different procedure from that laid down in the rule ^{advised to above,} and will be in contravention of the ~~rule~~ rule. Those suggestions do not therefore seem to be feasible and the panel already prepared in accordance with the rules may stand.

4. Another suggestion ~~has been offered~~ has been made by the Special Officer, Cuddapah. In connection with a panel for the Cuddapah ^{District Board} the Divl. Inspr. of Schools ^{has observed that} ~~has observed that~~ ^{adequate} number of senior and experienced Assistants ^{are not} ~~are not~~ available in the district, applications ^{may} ~~should~~ be invited from outsiders.

If the rules are relaxed in this case, it is possible that similar cases may be forthcoming.

(PTD)

The Special Officer ^{Cuddapah S.O.} suggests that the candidates should be from those already employed in the Secondary Schools in the district and that, as permitted by the rules, even the names of men with less than ten years' service as Asstts. may be considered. It is not quite clear why the D.P.I. is not inclined to support the ^{S.O.'s} suggestions. The Director suggests that the Asstts. may be appointed temporarily as Headmasters in-charge and paid charge allowance. It does not appear that the Director's suggestion, if given effect to, will be conducive to efficiency; and, moreover, it does not seem to be desirable to put Asstts. in additional charge of the Headmasters' posts for indefinite periods. As regards the panel itself, inclusion of outsiders ^{though permissible under the rules} may therein cause heartburning to persons in the service and may be avoided. In the circumstances the straighter course will be for the Educational Authorities to adopt the suggestions of the S.O., Cuddapah Dt. Bd. and consider the cases of such of the ~~permanent~~ L.T. Asstts. as have put in a service of between 8 and 10 years and if their record is good take action to include them in the panel. This is for orders.

5. The Director observes that the posts of headmasters should be provincialized ^{on a linguistic basis} and posts should be filled from a common panel. Apparently he has this matter still under his consideration. His proposals in this regard, if any, may be awaited. In the meantime, he has proposed that on the analogy of the rules governing provincial and subordinate services under Govt., the rules relating to appt. of headmasters may be amended so as to provide for appointment of a percentage of the number of posts, say 50 per cent, by direct recruitment, the other 50 per cent being filled by promotion, appointments to be made by promotion being made from a panel of candidates, as at present. With regard to this proposal it may be stated that appointment as headmasters is the only possible promotion for L.T. or B.Ed. Asstts. of Secondary schools of local bodies. If half the number of vacancies is reserved for direct recruitment and outsiders are appointed in certain vacancies, the Asstts. with experience and a

(PTD)

good record of work will have a just grievance. It would appear that a provision in the rules, as proposed by the D.P.I., will cause discontent among the Asstts. and affect the efficiency of schools. As the issues involved are general, L.A. may also see the case and offer remarks on the proposal dealt with in this paragraph, before the case is circulated for orders -

Wb
5.10.49 The general question raised in forms above may be dealt with separately by taking necessary extracts from this file. 93

(The D.P.I. has already submitted - p. 4)

This file may be circulated to H.M. (E.H.) for orders on the points raised in forms 3 and 4 on page 2-3 ante.

W
8.10.49

S

H.M. (E.H.)

The rules having been made recently (Dec 1948) may be given a trial unless the amendments proposed in respect of representation of non ex-aminis, and the lowering of the qualifying service from 10 to 8 years. If communal rotation is adopted in respect of promotion, a departure from the existing practice will be made, which may constitute a dangerous precedent

H. N. (E.H.)

I agree

Wb
10/10



22
11/4

A draft order is submitted for approval - After issue, extracts will be taken from the file and the question of the Amendment of the Rules, considered -

① Extracts taken & dealt with in CM 86218D/49