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Ms. SERIES.

G.O. NO.

1196-Ed

Dated

15/4/50.

[Despatch Abstract.]

M. E. J. - posts in Engg.
Colleges & certain other Institutions
- Selection for appl. of persons
other than citizens of India -
Prior Govt. sanction made
necy. - Special Rules - Amended.

Back Papers.

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

Further Papers.

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

Copy of letter Ref. No. 64935-A-14-Education, dated 3-3-50 from the Secretary, Education Department, to the Secretary, Madras Public Service Commission.

Sub: Madras Educational Service - Chief Professors, Presidency College, Madras - AD HOC rules and appointment.
 Ref: Your letter No. 640-B/50-1, dated 11-2-50.
 My letter No. 64935-A-12-Education, dated 17-2-50.
 Your Office T.M. dated 16-2-50.

2. In this connection the following point has also been examined, Rule 5(b) of the Special Rules for the Madras Educational Service makes General Rule 10(c) Re: domicile inapplicable to some technical posts in that service such as those in the Engineering Colleges. When the draft rules for the posts of Chief Professors were prepared, it was thought that those posts also should not be governed by domicile restrictions. Hence the reference to the General Rule in draft rule 3. On reconsideration of the matter, in the light also of G.O. No. 553-P.(S.), dated 9-2-50, it is felt that either to the posts of Chief Professors or to the other posts referred to in Special Rule 5(b), persons who are not citizens of India need be appointed, only if qualified and suitable citizens of India are not available and that even in such circumstances the specific sanction of Government should be obtained previously.

4. If the Commission has no remarks to offer with reference to para 2 above, Special Rule 5(b) and reference to General Rule 10(c) in draft rule 3 will be omitted; and I am to request that the Commission will kindly advertise the six posts mentioned in G.O. No. 1886-Education, dated 29-7-48, (as amended) - vide para 3 above - and also the three other posts newly sanctioned, after deleting both AD HOC rule 4 and the reference to General Rule 10(c) in ad hoc rule 3.2

(True copy)

(M) 2

Copy of letter No. 640-B.3/50-2, Dated 21-3-50, from the Secretary, Public Service Commission, Madras, to the Secretary to the Government of Madras, Education Department.

Sub: Rules - Madras Educational Service - Chief Professors, Presidency College - AD HOC Rules.
Ref: Your letter Ref. No. 64935-A/4, Education, dated 4-3-1950.

I am to say that the Commission has no remarks to offer on the proposal to delete rule 5(b) of the special rules for the Madras Educational Service and to omit the reference to general rule 10(c) in draft rule 3 of the AD HOC rules relating to Chief Professors.

2. The Commission is proceeding to advertise the nine posts of Chief Professors.

(True copy)

~~Superintendent.~~

Back Papers.

G.O.	No.	Department.	Date.	CC	...
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Edn. Sept. 1950
M.E.S. — Posts in Engg. colleges ~~for~~ ^{other posts} selection for appt. of persons ~~not~~ ^{other than} citizens of India — Prior Govt. sanction ~~not~~ ^{made} ~~not~~ ^{req.} — Special rules — Amended.
Read: — from the Secy., M.E.S., no. 640-83/50-2, dt. 21.2.50

Stewart C. 1981
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G.O. (Ms.) no. 1196 Edn. 4-15-4-50.

The follg. notfn. will be published in the Fort St. George Gazette: —
Notification.

In exercise of the powers conferred by the proviso to article 309 read with article 313 of the Constitution of India His Excellency the Governor of Madras hereby makes the following amendment to the Special Rules for the Madras Educational Service (Section 6 of Part III-A of the Service Rules in Volume II of the Madras Services Manual, 1946).

the words, brackets and letter "and" in sub-rule (a), and sub-rule (b)

Amendment.
In the said Special Rules, in rule 5 (a) ~~and~~ rule 5 (a) shall be ~~shall be~~ ^{shall be omitted;} ~~re-numbered as rule 5.~~

To: (P.T.O.)
30.3.50
P.S.
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Education Department.

Abstract.

From the Secretary, Madras Public Service Commission, No.640-B3/50-2
dated 21st March 1950.

SUBJECT: The following notification will be published in the Fort St. George Gazette:-

In exercise of the powers conferred by the proviso to article 309 read with article 313 of the Constitution of India, His Excellency the Governor of Madras hereby makes the following amendment to the Special Rules for the Madras Educational Service (Section 6 of Part III-A of the Service Rules in Volume II of the Madras Services Manual, 1946)

In the said Special Rules, in rule 5 the words, brackets and letter "and domicile -(a)" in sub-rule (a), and sub-rule (b) shall be omitted.

Rajaiah DiPaul,
Secretary to Government.

P.T.O.

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N. Srinivasan
Superintendent.

Education Department. (A)

Extracts from the file *regarding*:

~~Re:~~ Recruitment of Chief Professors in Presidency College.

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Another point gives cause for doubt.

*b. 110
B.K. 112*
General Rule 10(c) prevented the selection for appointment without Govt.'s specific sanction, of a candidate other than a subject of His Majesty domiciled in India. That General Rule was inapplicable to some technical posts in the Edn. Dept., such as those in the Engg. Colleges, by virtue of rule 5(b) of the Special Rules for the M.E.S., evidently for the reason that if domicile restrictions were enforced, it would be difficult to find qualified and suitable men for those posts. When the ad hoc rules for the Chief Professors' posts were drafted, a provision similar to M.E.S. special rule 5(b), waiving the domicile restrictions, was incorporated ^{as} ad hoc rule 3. The term "a subject of His Majesty domiciled in India" occurring in General Rule 10(c), became inappropriate since 26-1-50, and Public have therefore amended the rule substituting "a Citizen of India" for that term. *B.K. 113*
Rule 5(b) of the Special Rules for the M.E.S. and ad hoc rule 3 for the Chief Professors' posts, now mean that foreigners (i.e., candidates other than Citizens of India) also are eligible for appointment. It is not known whether there is any ban on the employment of foreigners in the services. Pub. (ser) may kindly offer their remarks.

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I.B.M./20-2-50.

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Public (Services) Department

*b. 110
B.K. 112
(22/1/51)*
~~B. above~~ Rule 10(c) of the General rules as amended by G.O. No. 553 Public (ser) dated 9-2-1950 prevents the selection for appointment of a candidate other than a citizen of India without specific sanction.

BK. 113

It seems better to appoint persons who are not "citizens of India" with the previous sanction of Govt. and not as a matter of course.

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

p. 150, BK. 112

5/- Public Dept.'s suggestion ~~above~~ may be accepted.

J. N. L., 28.2.50.
K. M. S. P. a. r. n. a.

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The alterations indicated in red ink on the draft notification may be made.

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Education Sept. 1911

The draft order may be issued.

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