

EDUCATION (1550) DEPARTMENT

Put away

MS. SERIES.

G.O. No. 1271

DATED. 20. A. 1550.

PPM 124 d. d. 3-6 13-15 - A

Sub. OFFICE of the D. P. I. Junior Supts in two graded.
Promotion from one grade to the other
Probation. - clarification regarding papers needed

Education Department

From

The Director of Public Instruction,
M a d r a s.

To

The Secretary to Government,
Education and Public Health Department
Fort St. George, Madras.

Roc No. 644 C6/49 dated 20-1-1950

Sir,

Subject: Office of the Director of Public Instruction -
Posts of Junior Superintendents in two grades -
Promotion from one grade to the other - Whether
to be made on merit or seniority

According to rule 5 of the Rules for the Madras

Ministerial Service, promotion to the posts of Junior Superintendents
in this office shall be made only on grounds of merit and ability,
seniority being considered only where the merit and ability are
approximately equal.

There are two grades of Junior Superintendents
in this office - Grades I and II in the scales of pay of Rs 190--240
and Rs 140--190 respectively. The Government have declared that
officiating allowance is admissible for promotions from Grade II
to Grade I.

I presume that the principle of selection mentioned
in rule 5 quoted above applies also to promotions of Superintendents
from Grade II to Grade I, particularly having regard to the
fact that officiating allowance has been declared admissible.

I request the favour of early orders.

Yours faithfully,

[Signature]
for Director of Public Instruction

Edn and P.H. Dept

The presumption at A above seems to
be correct. Public (Series) may see.



EPH No 5138A/50-1
25/1/50

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Outlier

Please see the letter from the D.P.I. and E. & P.H. note on p.1 above.

3

2. Para 3 of the Director's letter, p.1 ante:—
The post of Junior Superintendent--Grade I ^{in the D.P.I.'s office} has not been declared as a 'selection grade'--please see the entries under 'Education Department' in Section B of Annexure I to the M.M.S. Rules. In the circumstance, the principle of selection mentioned in rule 5 of the said rules and general rule 30(b)(i), does not apply in respect of promotion of a Junior Superintendent in the D.P.I.'s Office from Grade II to Grade I. Such promotion should be made in accordance with seniority, unless the promotion of a member has been withheld as a penalty, or a member is given special promotion for conspicuous merit and ability--vide general rule 30(b)(ii). The fact that officiating allowance has been declared admissible from Grade II to Grade I of Junior Superintendent in the D.P.I.'s Office under F.R. 30 does not, in any way, affect the question at issue. In view of the said declaration, a Junior Superintendent in the D.P.I.'s Office promoted from Grade II to Grade I, should ^{however} undergo probation in the latter grade with reference to rule 34(a)(ii) of the M.M.S. Rules read with general rule 30(c). The presumption of the D.P.I. at 'A' on p.1 ante is not correct.

3. With the above remarks the file may be returned to E. & P. H.

p. 207, Bk. 114.
* p. 188, Bk. 114
✓ p. 155, Bk. 112

ibid

✓ p. 16, Bk. 154.

G.O. Mu. No. 76, Edu. 87 P. 1.49.

✓ p. 199, Bk. 114
✓ p. 155, Bk. 112

Pub (Ser) No. 411/50-1
6.2.50.

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AEa
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E PH

A

It is true that the posts of junior Supdt. Grade I in the D. P.I.'s office has not been specifically mentioned among selection categories. But as the entry is "junior Superintendents" the

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10 JAN 1950

3/4
intention must have been that the principle of selection should be applied to both ~~second~~ and first grades. If there is still doubt the intention may be made clear by specifying "junior Superdts grades I and II" in the rules.

2 As regards A on the previous page, attention is invited to the Public (Senior) note on page 3 of So No: 1090 Edu D 11-4-49 in which they agreed that fresh probation is not necessary for a junior Superd in the D.P.I.'s Office when promoted as Senior Superd though in this case also being promoted with offg. allowance has been allowed.

3 The file may be sent to Public (Senior) again for remarks.

16/2/50

17/2/50

Pub (Ser)

Pub (Ser) Dept.

(Previous note on p. 3 above.)

EPH 5138A/50.2
17.2.50



~~The subsequent note of E & P. H. on pp. 3-4 above may be perused.~~

The subsequent note of E & P. H. on pp. 3-4 above may be perused.

2. Para 2 of E & P. H. note above:-

Rule 34 of the M.M.S. Rules prescribes probation for a person on promotion to a category or grade. The rule does not however prescribe probation for posts in a category separately except in respect of a few posts referred to in sub-rules (b), (g) and (h) of that rule. In view of the above position this department

Although such promotion has been declared to involve duties and responsibilities of greater importance

rule 1, p. 186.

BK. 114

p. 199, BK. 114.

p. 16, BK. 154.

p. 80 at p. 98 of J and K on p. 3 if ibid.

p. 205, BK. 114.

ibid

p. 188, BK. 114.

ibid

p. 205, BK. 114

A

5.
have, in another connection, agreed with E. & P. H. that a person who has completed probation as Junior Superintendent in the D.P.I.'s Office need not put in a fresh period of probation when promoted as a Senior Superintendent, as both the posts of Junior Superintendent and Senior Superintendent belong to one and the same category viz., category 1 of the M.M.S. The present case is however different. Under rule 34(a)(ii) of the M.M.S. Rules a person promoted to a grade of a category involving assumption of duties and responsibilities of greater importance should undergo probation. As a declaration under F.R. 30 has been issued by Govt. that the promotion of a Junior Superintendent in the D.P.I.'s Office from Grade II to Grade I involves assumption of duties and responsibilities of greater importance and that officiating allowance is admissible in such cases, the position is as stated at 'A' in this Dept.'s note on p. 3 ante.

3. Paragraph 1 of E. & P. H. note on pp. 3-4 ante: Whether Grades I and II of the post of Junior Superintendent are mentioned or not among 'Selection Categories', it does not affect the position in so far as promotion to the Selection Category of Junior Superintendents in the D.P.I.'s Office is concerned. Under rule 4 read with rule 5 of the M.M.S. Rules promotion is admissible from any category or grade to any other category or grade of which the rate of pay or the maximum pay is lower. So a member of the service in the D.P.I.'s Office can be promoted to the I Grade or II Grade of the category of Junior Superintendents, as the case may be, and in such cases the principle of selection mentioned in rule 5 applies to promotion to either grade of the said category, as it is a 'selection category' and as such appointment should be deemed to be one of promotion to a category, irrespective of the fact whether he has been promoted to the I Grade or II Grade. But the principle of selection does not

6. apply in regard to the promotion of a person from II Grade to I Grade of the category of Junior Superintendents in the D.P.I.'s Office as the latter grade has not been declared as a 'selection grade'.

4. The file may be returned to the Education Department.



Legal may be requested to advise in the matter.

Legal Department

'A' in paragraph 3 of the note of Public (Services) above sets out the position as it now stands correctly. If the intention is otherwise, the Rules will have to be suitably revised.



Legal no No 4212/507
24/3/50



A draft memo to the D.P.I.'s subd. After issue these papers may be needed for future reference.

15/4/50

Issued as Memo No 5138 A/50-4 Edn D/17.4.50

Recorded

Ext - 6/10/50 D.P.I.
Junior Supdts in 2 grades
promotion from one
grade to the other - prop
classification re-
probation - p open
needed.

Edn Dept

Memo No 5138 A/50-4 Dated 17.4.50
Office of the D.P.I. - Pats of Junior Supdts
in two grades - promotion from one grade
to the other.

Ref letter from the D.P.I. No: 644 C/49
of 20.1.50

The post of junior Supdt - grade I in the D.P.I.'s office has not been declared as a 'selection grade' - vide entries under 'Education Dept' in section B of Annexure I to the M. M. S. Rules. The principle of selection mentioned in rule 5 of the said rules and general rule 30 (b) (1) does not apply in respect of promotion of a junior Supdt in the Director's office from grade II to grade I. Such promotion should be made in accordance with seniority unless the promotion of a member has been withheld as a penalty or a member is given special promotion for conspicuous merit and ability - vide general rule 30 (b) (1).

In view of the fact that offg: allowance has been declared admissible from grade II to grade I, the junior Supdt promoted from grade II to grade I should however undergo probation in the latter grade with reference to Rule 34 (a) (ii) of the M. M. S. Rules read with general Rule 30 (c).

To the D.P.I.

From The Director of Public Instruction, Madras.
To The Secretary to Government,
Education Department.

R.O.C.No.644 C6/49 dated 26th April 1950.



Sub: Office of the Director of Public Instruction,
Madras - Junior Superintendent - Grade II -
Promotion as Junior Superintendent, Grade I -
Declaration as a selection category.
Ref: Government Memo No.5138-A/50-4 Edn., dated
17th April 1950.

fff

There are three grades of Superintendents in the Director's
office as detailed below and they come under a single category
'Superintendents' - vide rule (1) of the Madras Ministerial
Service:-

- (i) Senior Superintendent - Rs.250-10-300.
- (ii) Junior Superintendents -Rs.190-10-240.
(Grade I)
- (iii) Junior Superintendents Rs.140-5-190.
(Grade II)

The posts of Senior Superintendents and Junior Superin-
tendents have been declared as selection categories and included
in the table under Education Department under Section A. Selec-
tion categories in Annexure I of the Special Rules relating to
the Madras Ministerial Service. But in their Memo quoted above,
the Government have stated that the post of Junior Superintendent,
Grade I in this office has not been declared as a 'selection grade'
and included in the table under 'Education Department in Annexure
I - Section B. Selection grades' and that Rule 5 of the said
rules and rule 30(b)(i) of the General Rules do not apply for the
promotion of a Junior Superintendent from Grade II to Grade I.
It is presumed that the intention of the Government is that the
post of Junior Superintendent - Grade I should be included in the
table under 'Section A. Selection categories' instead of under
'Section B. Selection grades.'

2. The words 'Junior Superintendents' referred to in the
table under Section A. Selection categories is a common term
representing both the grades I and II in this office. However,
in view of the ruling given by the Government in the Memo. quoted
above, I request that the Government be pleased to declare the
posts of Junior Superintendents - Grade I as a selection category
and to include the same under item (i) of the table under Educa-
tion Department under 'Section A. Selection categories', as in
the case of the posts of 'Superintendents - Grades I and II,
Office of the Surgeon-General' occurring in the table under
'Medical Department' under the same section, particularly having
regard to the fact that officiating allowance has since been
declared admissible in the case of persons promoted to the posts
of Junior Superintendents - Grade I in this office.

3. Necessary amendments to the Special Rules relating to
the Madras Ministerial Service will be submitted to Government as
soon as orders approving the above proposal are issued by the
Government.

4. The favour of early orders of Government is requested
in the matter.

for Director of Public Instruction.

26/4.

PP 58

MMS - Office of the ^{Edn} D.P.I. ^A
Junior Supdts, Grade I, declared
'selection' grade posts 7

8
26/6.

From the D.P.I. no. 644 C 6/49 of 26 4.50

Memo no. 8199 HSD-3 Edn 24.6.50

The posts of Junior Supdts, Grade I, in the Office of the D.P.I. have not been declared as "Selection grade" posts and promotion of a Jr Supdt from Grade II to Gr I is therefore made in accordance with Seniority. It has been suggested that it would be desirable to apply the principle of 'selection' instead of 'seniority' in the case of such promotion. The Govt accept the suggestion and accordingly declare the posts of Jr Supdts.

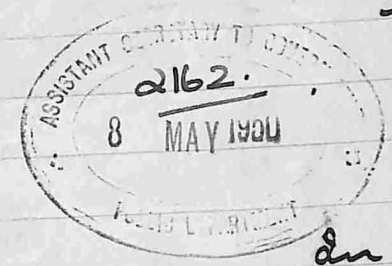
Grade 7 in the Office of the D.P.I. to be a 'selection' grade' posts.
Necessary Amendment to the M.M.S. Rules will be issued in the Pub (br) WcpH.

W3.
24.6.50
1/5/50
24/6/50

To
The D.P.I.
Pub (br) WcpH
(with copy of Cf & N F)
2 S/c

Edn Dept

b.No: 8799 A. From the D.P.S. No. 6446/49
26.4.50



M.M.S. - Supdts in the office of the D.P.S. - Selection category.

In the circumstances stated by the D.P.S. the M.M.S. Rules may be amended as suggested by him. The file may be sent to Public (Series) for remarks.

1/5/50
5/5/50
6/5/50 Pub (Ser)

Pub (Ser) Dept

Education have already suggested an amendment similar to the one suggested by the D.P.I. in paragraph 2 of his letter in the cf -- vide the concluding portion of para 1 of their note on p. 4 of (L). But, even if the proposed amendment is made, it will not affect the position in regard to promotion to the post of Junior Superintendent - Grade I in the D.P.I.'s office -- please see para 3 of this Dept's note and Legal note on H. 5-6 of (L).
2. The presumption of the D.P.I. at 'N' on p. 1 cf. is not correct. Even as the rules stand at present, the post of Junior Superintendent - Grade I in the D.P.I.'s office is a selection category, and if the intention is that it should also be a selection grade, the M.M.S. Rules will have to be amended suitably by including it under 'Education Department' in Section-B of Annexure I to those rules -- please comp. the Legal Dept's

p. 205, Bk. 114.

p. 207, Bk. 114.
comp. the entries relating to Supdts. in the office of the S.G. 'under Medical Bk.' at H. 206 and 207 of Bk. 114.

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note on p. 6 of ①.

3. With the above remarks the file may be returned to Education.

18.5.50.

18.5.50

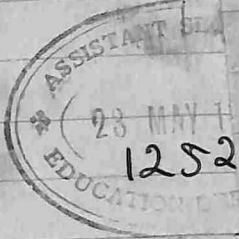
Edn

A

Pub (Ser) U.O.

No 2162/50-1
22.5.50.

Revised note



Please see the Rule (ser) notes above. As the rules stand at present, promotion of a person from Grade II to Grade I of the Category of Junior

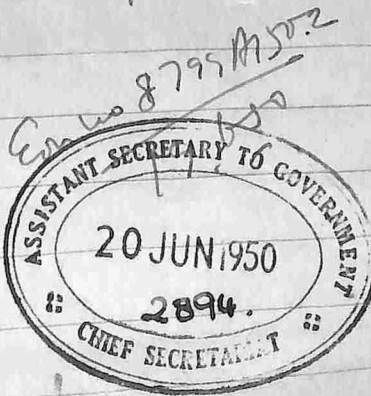
Supdts in the office of the D.P.I. is made in accordance with seniority unless the promotion of a member has been withheld as a penalty or a member is given special promotion for conspicuous merit and ability. The D.P.I. wants that the principle of selection and not seniority should be applied in regard to such promotions. This can be done ~~if Grade I of the Category of Junior Supdts is declared to be a 'selection grade'.~~ Pub (Ser) may be requested to state whether this is correct and if so whether there is any objection to ~~giving~~ ^{this being done} effect ~~to this~~ by amending the rules.

16/6/50

16/6/50

16/6/50

Pub (Ser) Dept



8 above: Edu view referred to therein is correct. That Dept may issue the necessary executive order approving the proposal. On receipt of a copy of the order together with relevant extracts from this file necessary amendment to the M.H.S. Rules will be issued in this department.

The file may be returned to Education.

26/6/50

21.6.50

Edn Dept A

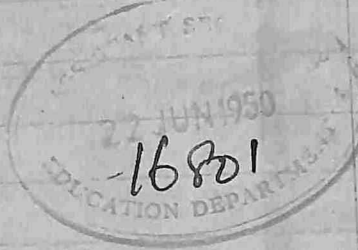
Pub (Ser) U.O.

No 2894/50-1
21.6.50.

approval

16/6/50

24/6/50



The file may be returned to Bureau

2/10/20

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