

Edn ¹⁹⁵⁰ (~~194~~) Department.

Ms SERIES.

G.O. NO. Ms. 636 Edn.

Dated

1-3-50

closed

✓

Supdt

Scs

14 1/50 of - A.

(6)

✓ p 45 of
2 copies

[Despatch Abstract.]

Schools - Secondary - Aided - Age of Superannuation of teachers -
Madras Educational Rules - Rule 10A - Amendment - Issued.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
G.O.	3666	Edn.	5-10-49.				
G.O.	3479	Edn.	12-11-49.				

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
G.O.	2631	Ed.	3-10-51				

THE SOUTH INDIA TEACHERS' UNION

520, HIGH ROAD, TRIPPLICANE, MADRAS-5

Dated the 6th Novr... 19 49



Mr. S. M. Lobo Prabhu,
Secretary to the Government of Madras,
Education Department, Madras.

Sir,

With reference to G.O. No. MS. 3066, dated 5th October 1949, may I request you to clarify the following points:

1. Can a school under private management employ a qualified teacher, but who has completed 55 years and is well within 60 years of age? (As the amendment in the G.O. reads, it provides for retention in service of those who have completed 55 years. The first line makes it absolute that no teacher who has completed 55 years shall be appointed.) On account of dearth of qualified teachers many schools have been compelled to appoint teachers who have, after the completion of 55 years of age, retired from service under local bodies. It cannot be the intention to prevent such appointments.

2. What does the term 'deemed to be re-employed' really indicate?

3. Is it necessary for the teacher to apply for re-employment to the management or is his service to be automatically retained?

4. If a management is unwilling to retain a teacher

Sub: Madras Educational Rules - Exemption from age rule on behalf
p15 of superannuated teachers - G.O.No.3066 Education dated 5-10-49
and 3479 Education dated 12-11-1949.
p2 ante Ref: Government Endorsement No.86612-B1/49-1 Education dated 7-12-49

Resubmitted. P/p2

2. I have received queries similar to those raised by the South Indian Teachers' Union in its present reference and I consider that, instead of answering these queries individually, the wording of the Rule 10 A (as introduced by G.O.No.3066 Education dated 5-10-1949) may be made unambiguous as far as can be anticipated. The queries themselves resolve into one of how far the superannuated teacher is eligible to the privileges of a teacher within the age limit. The following re-wording of the rule 10 A is therefore suggested for the approval of the Government.

"10.A. No teacher shall ordinarily be appointed to or allowed to continue in service after the completion of his or her fiftyfifth year, except in schools under private management subject to the following conditions:--

- (a) Such a teacher may be appointed or re-appointed, as the case may be, for any period or periods not extending beyond his or her completing sixty years of age;
- (b) The appointment or re-appointment shall be made by a specific order of the authority invested by the management with the powers of appointment, stating the period, post or designation and pay or scale of pay relating to the appointment or re-appointment;
- (c) Except in respect of the period and scale of pay the terms and conditions of service shall be the same as for ~~for~~ teachers permanently appointed in the schools;
- (d) Such a teacher shall not, except with the special permission of the Director, be appointed as Headmaster or Headmistress unless he or she had held that post in a school before the completion of his or her fifty-fifth year or unless he or she has had executive experience in Government Service;
- (e) Such a teacher may be paid a fixed pay or a scale of pay either of which shall not, except with the special permission of the Director, be higher than that which would be granted to a teacher under fiftyfive years of age if he or she is appointed or promoted to the post in the school to which the appointment or re-appointment is made under this rule.

In exceptional cases, the Director may permit a teacher over sixty years of age to work in a school."

D. S. Panthapillai

for Director of Public Instruction.

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

BR.24-1.

after the completion of 55 years, can the teacher appeal to government against such orders?

5. What is the salary that the teacher may be paid during the period of re-employment? Will he be eligible for a time scale of pay and for promotion, if any?

6. Will this rule apply to Headmasters and Headmistresses also?

Yours faithfully,

S. Arakshan
President.

E & P. H. (B.)

Endorsement No 86612 B1/49-1 Edn d/7-12-49

Referred to the Director of Public
Instruction for early remarks

(By order)

V. Rameshram
Assistant Secy to Govt.

3/12/49
1/8/50
4-12-49

To
The Director of Public Instruction.

Schools - Secondary - Aided - Age of superannuation of teachers - Madras Educational Rules - Rule 10 A-Amendment-Issued.

Read again:- G.O.Ms.No.3066 Edn. dated 5-10-1949.

From the President, South India Teachers' Union U. 644 d/ 6-11-49.

From the D.P.I. Roc.No.662 E1/49 d/ 22-1-1950.

ORDER(Ms) No. 636 Edn. dated 1-3-50

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

NOTIFICATION

Amendment to M. E. R.

In the Madras Educational rules, for rule 10 A, the following rule shall be substituted, namely:-

" 10-A No teacher who has completed the age of fifty five years shall ordinarily be appointed or re-appointed to service except in schools under private management in which case the appointment or re-appointment shall be subject to the following conditions:-

(a) Such a teacher may until the completion of sixty years of age, be appointed or reappointed, as the case may be, for a period of one year at a time.

(b) The appointment or reappointment shall be made by an order in writing by the authority empowered in that behalf by the management concerned. The order shall state the period for which the appointment or re-appointment is made, the post or designation and the pay or scale of pay relating to the appointment or reappointment.

(c) Except as regards the tenure and scale of pay, the terms and conditions of service shall be the same as for teachers permanently appointed in the schools.

(d) Such a teacher shall not, except with the special permission of the Director, be appointed as Headmaster or Headmistress unless the teacher had before the completion of fifty five years of age held that post in a school or ^{has} had executive experience in Government

5
service.

p34 (e) Such a teacher may be paid a fixed pay or a scale of pay either of which shall not, except with the special permission of the Director, be higher than that which would be granted to a teacher under fifty five years of age appointed or promoted to the post in the school to which the appointment or reappointment under this rule is made.

p34 (f) In exceptional cases, the Director may permit a teacher over sixty years of age to work in a school.

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To

AD 37/3/50
The D.P.I.
The S.G.P. for publica-
tion in the F.S.G.G.
Copy to C1 Section.
Copy to the Pt. South
Indian Teachers' Union,
Triplicane.
Copy to P.T. (I.R.P.)
2 spare copies

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E.R.H.(B1).
Schools - Secondary - Aided - Age of Superannuation of
teachers - Madras Educational Rules - Rule 10A -
Amendment - Issued.

p15 of (B) Read again :- G.O. Ms. No. 3066 Edn. Dated 5.10.49.

p1-2 of
p34 From the President, South India Teachers' Union U.644 d/6.11.49.
From the D.P.G. Rec. No. 662 E2/49 d/22.1.1950.

Order (Ms) No Edn dated.

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

Notification.

Amendment to M.E.R.

p15 of (B) In the Madras Educational rules, for rule 10A, the
following rule shall be substituted, namely :-

p34 "10-A. No teacher shall ordinarily be appointed to
or allowed to continue in service after the completion of his or
her fifty-fifth year, except in schools under a private
managements, subject to the following conditions :-

(a) Such a teacher may be appointed or reappointed, as
the case may be, for one year at a time, for any period or periods not extending
beyond his or her completing sixty years of age.

(b) The appointment or reappointment shall be made
by a specific order of the authority invested by the management
concerned, with powers of appointment, stating the period, for which
post or designation and pay or scale of pay relating to the
appointment or reappointment.

(c) Except in respect of the period and scale of pay,
the terms and conditions of service shall be the same as for
teachers permanently appointed in the schools.

(d) Such a teacher shall not, except with the
special permission of the Director, be appointed as Headmaster
or Headmistress unless he or she had held that post in a school
before the completion of his or her fifty fifth year of age or

unless he or she has had executive experience in Govt. service.

(e) Such a teacher may be paid a fixed pay or a scale of pay either of which shall not, except with the special permission of the Director, be higher than that which would be granted to a teacher under fifty five years of age if he or she is appointed or promoted to the post in the school to which the appointment or reappointment is made under this rule.

2. In exceptional cases, the Director may permit a teacher over sixty years of age to work in a school.

Scd
9/2/50
USK
9.2.50

Note. Please see the queries raised by the President, South India Teachers' Union at pp 1-2 of on the amendment to the rule 10A of the M.E.R. regarding the age of superannuation of teachers in aided secondary schools. The D.P.G. has suggested that the wording of the amendment may be suitably altered so that the rule will be ~~more~~ self explanatory. The draft order above is in accordance with the recommendations of the D.P.G. It may be sent to legal U.O. for ~~recommending~~ ^{suggesting} modifications that may be considered necessary in the wording of the rule. Finance may also see.

Scd
9/2/50
USK
9.2.50

5/10/50 Legal
Fin

LEGAL DEPARTMENT.

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

14/1/50 Fin

To
The D.P.G.
The S.G.P for
Publication in the F.S.G.G.
Copy to C, Section.
Copy to Mr. P. S. S. S.
India Teachers' Union, Triplicane

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The addition suggested in clause (e), viz. "for one year at a time" follows the practice in Board & Municipal schools and also in Govt. service.

10/12/50
E&P.H.U.O. NO.
86612 B/49.2 Edn.
10.2.50.

2230
11 FEB 1950
LEGAL DEPARTMENT

Legal U.O. NO -
2230/50-1

C.10 86612 B/49

The draft order on pp 1-2 ante ^{as amended by legal} may be

perused.

Shri. J. (Per)

10/2/50

10572/50

22 FEB 1950
13622
S. O. N. T.

10/2/50
10572/50
10/2/50

The file may be circulated to Mr. (Cm + Law) for approval of the draft order on pp 1-2 ante. Please put up a clean copy carrying out the alterations.

USK
22.2.50

23/1/50

A clean copy of the draft order carrying out the alterations indicated by legal Deptt. is put up below. It may be circulated to H.M (E&L) for approval.

Scd
23/2/50
USK
24.2.50.

25/1/50

H. N. (E & L)

Det.

28 FEB 1950
GOVERNMENT OF MADRAS

for approval of the draft order on 11-1-2018

[illegible]

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2010-11-15

10. 11. 1942

الحمد لله

7-10-19