

EDUCATION (1950) DEPARTMENT

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103

M. SERIES.

647

G.O. No 647 Edn

DATED. 1.3.50

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(DIRECTION A B LIRA-ET.)

M. 288 — pass of Dy. Inspectors of Schools & School
Agts. I made information of Candidates who entered
service to direct recruitment. Rule 2(c) of the

Special Rules — Amended

Madras Educational Subordinate Service- Posts of Deputy Inspector of Schools and School Assistants- I Grade- Promotion of candidates who entered service by direct recruitment- Rule 2(c) of the Special Rules- Amended.

From the Director of Public Instruction No. 11598 C2/46 dated 6-11-49.

ORDER:
The following notification 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 315 of the constitution of India, His Excellency the Governor of Madras hereby makes the following amendment to the Special Rules for the Madras Educational Subordinate Service (Section 3 of Part III B of the Services Rules in Volume III of the Madras Services Manual, 1946):-

Amendment.

In rule 2 of the said Special Rules for sub-rule (c), the following sub-rule shall be substituted, namely:-

"(c) A Muslim School Assistant II Grade or a Muslim Deputy Inspector of schools (Senior Scale), II Grade who was recruited direct as School Assistant, II Grade during the period from 1936 to 1946 (both years inclusive) shall, for purposes of promotion to the I Grade, be treated as if he had been appointed as Deputy Inspector of Schools (Junior Scale) on the date of his appointment as School Assistant II Grade and he shall be deemed to have been promoted to be combined cadre from the date fixed by the Director of Public Instruction."

/BY ORDER OF HIS EXCELLENCY THE GOVERNOR/

J.M. LOBO PRABHU,
Secretary to Government.

To:

The Director of Public Instruction, Madras
The Legal Department
The Public (Services) Department
The Secretariat Library (4 copies)
The Personal Clerk's to the Hon'ble Ministers (2 copies)
The Secretary, Madras Public Service Commission.
The Superintendent Government Government Press (for publication in the Fort St. George Gazette and issue of correction slips to Madras Services Manual Volume III.

p.t.o.

:2:

To the Books Clerks of Assistant Secretaries and Secretary (Education)

True copy: Forwarded: By order

M. S. M. M.
SUPERINTENDENT.

EDUCATION DEPARTMENT

From The Director of Public Instruction
Madras.

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

R.C.No.11598-62/46 dated 6th Nov. 1949.

Sir,

Sub:- MADRAS EDUCATIONAL SUBORDINATE SERVICES -- Posts
of Deputy Inspectors and School Assistants -
Grade I - Promotion of officers not recruited
direct.

Ref:- G.O.No.Ms.485 Edn., dated 22-2--1949.

According to rule 2(c) of the Special Rules for the Madras Educational Subordinate Services introduced by G.O.Ms. No. 485-Edn., dated 22-2-1949, a non-Muslim Grade II Deputy Inspector of Schools (Senior Scale) or School Assistant who was promoted from the category of Junior Deputy Inspectors of Schools during the period between 1936 and 46 (both years inclusive) shall for purposes of promotion to Grade I, be treated as if he had been appointed to the combined cadre Grade II on the date of his appointment as Junior Deputy Inspector of Schools. This rule has been introduced solely for the purpose of promotion to Grade I and as a preliminary to it, for conferring seniority on such non-Muslim promotees over the Muslim direct recruits during the years mentioned above.

2. In applying the new rule to determine the seniority of the non-Muslim Junior Deputy Inspector promotees to the combined cadre, it is found that such other officers in the cadre as have been promoted from the posts of clerks, tutors, and demonstrators and are now senior to those promotees, become junior to them by many places. This gives an unintended and undue benefit to the Junior Deputy Inspector promotees while causing great hardship to the other promotees who have to lose many places. The hardship is particularly unjustified in respect of those officers who have been promoted to the cadre after long service as clerks in this department because they were promoted for good reasons even though Junior Deputy Inspectors could have been promoted at that time. To illustrate this, I attach herewith a statement showing the position of certain officers representative of the categories from which they have been promoted. It may be seen therefrom that to put up No. 9 (in Statement II) as senior to Nos. 3, 6 and 7 (clerk-promotees) to whom the former (i.e. No. 9) is now junior, which needs to be done, if he is to be treated as senior to No. 1 (Muslim direct recruit), is wholly unjustified. In the circumstances, I submit that, in determining the seniority of the officers with reference to rule 2(c), Grade II officers of the combined cadre other than the Muslim Officers recruited direct during the years 1936-46 should be enabled to retain the existing seniority inter se. The only satisfactory and equitable method of achieving this end is to treat those Muslim Officers as having been recruited to the category of Junior Deputy Inspectors from the date of their appointment and promoted to the combined cadre from such date as would not clash with the retention of the existing seniority of the other officers among themselves. As the number of Muslim direct recruits now borne on the combined cadre is far less

than the Junior Deputy Inspector promotees, it is easier to fix the places of the Muslim Officers in the cadre on the basis of the method indicated above than to fix the places of the more numerous promotees. The date of promotion of the Muslim Officers to the combined cadre will be fixed by me in each case considering the principle underlying the rule 2(c) and thus, for example, a Muslim direct recruit appointed to the cadre on 22-4-1940 (No. 1 in statement I enclosed) will be treated as having been promoted to that cadre from 14-3-1940 because, if he had been started as a Junior Deputy Inspector, he would have been promoted after No. 10 and before No. 11 in the statement.

3. The method proposed in the preceding paragraph does not involve any new hardship to the Muslim Officers. Government have already accepted the position that, for purposes of promotion to Grade I, these officers be treated as junior to those non-Muslim officers on the combined cadre who have been appointed earlier as Junior Deputy Inspectors. According to the suggested method the Muslim officers will become junior also to others who are already senior to the Junior Deputy Inspector promotees. Considering the long service of the promotee officers, particularly clerk-promotees, in this department there seems to be no room for real grievance on the part of the Muslim Officers against the proposed method. A statement showing the particulars of service of the clerk-promotees is enclosed for the information of Government.

4. In view of the method suggested above, the new rule 2(c) as it stands serves no purpose because the seniority conferred by that rule on the Junior Deputy Inspector promotees for purposes of promotion to Grade I is achieved by treating the Muslim direct recruits as junior to them wherever necessary. I therefore recommend that in order to give effect to that method, the following may be substituted for rule 2(c) of the Special Rules for the Madras Educational Subordinate Services:-

"2(c) A Muslim School Assistant Grade II or a Muslim Deputy Inspector of Schools (Senior Scale) Grade II who was recruited direct as School Assistant Grade II during the period from 1936 to 46 (both years inclusive), shall, for purposes of promotion to Grade I, be treated as if he had been appointed as a Deputy Inspector of Schools (Junior Scale) on the date of his appointment as School Assistant Grade II, and he shall be deemed to have been promoted to the combined cadre from the date fixed by the Director of Public Instruction."

5. I request that Government may be pleased to approve the proposals submitted in this letter and pass early orders.

Yours faithfully

For Director of Public Instruction.

STATEMENT I.

No.	Name of the Incumbent in the combined cadre.	Direct recruit or promotee.	Rank as at present.	Date of first appointment as a J.D.I. etc., in the cadre of promotees.	Date of first appointment as School Assistant in the case of direct recruits or promotion. To the cadre.	Rank as per the new Rule 2(c).
1.	Syed Davood Hus-sainy.	Muslim direct recruit.	I	..	22-4-40	V
2.	M.V.N. Seshachari	Demonstrator promotee.	II	4-7-36	18-11-40	VII
3.	A.R. Rajayinaya-Ram.	Promotee clerk.	III	16-7-29	21-7-41	VIII
4.	S. Venkataraju	J.D.I. Promotee.	IV	7-2-37	21-11-41	II.
5.	K. K. Rajan.	-do-	V	6-2-37	29-11-41	I
6.	P.K. Vaidyanathan	Promotee clerk.	VI	11-5-27	1-8-42	IX
7.	R. Venkataramana Rao.	-do-	VII	26-3-38	1-8-42	X
8.	N. Veerayya	J.D.I. Promotee.	VIII	9-3-37	17-8-42	IV
9.	N. Divakara Rao	-do-	IX	9-2-37	20-8-42	III
10.	R. Govindakutti Panikkar.	Demonstrator promotee.	X	23-10-36	13-3-43	XI
11.	T. Sankaran Pillai.	J.D.I. promotee.	XI	18-3-40	29-9-43.	VI

P.T.O

SS/7/11.

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STATEMENT II.

STATEMENT SHOWING THE NAMES OF THE CLERKS WHO WERE IN THE OFFICES OF the Director of Public Instruction, Commissioner of Government Examinations, Madras, etc., and promoted to the combined cadre, from 1936-1946.

No.	Name of the promotee.	Date of first appointment.	Date of joining the combined cadre.
1.	S. Subramania Sastri	10-10-24	10--6-40
2.	M. Sankaranarayana Panikkar.	21--7-30	3--7--40
3.	P.R. Vaidyanathan (C.G.E.)	11--5-27	1--8--42
4.	A. R. Rajavinayakam	16--7--49	21--7--41
5.	V. Ramamurthi (C.G.E.)	29--5--28	27--9--41
6.	R. Venkataramana Rao	26--3--28	1--8--42
7.	J. N. Nigam (C.G.E.)	10--4--37	18--2--43
8.	S. Madhava Rao	1--2--30	20--9--43
9.	H. A. Venkatesan	1--7--29	22--4--43.
10.	Syed Yusuf Sahib	11--2--35	26--5--44
11.	N. Mahalingam	1--6--39	25--7--45
12.	P. Damodaram (C.G.E.)	1--6--39	25--7--45
13.	V. Ramaswami	13--5--35	16--5--46
14.	B. Venkataramanappa.	9--1--30	21--11-44.

/True Copy/

For Director of Public Instruction

2/7/4

2/7/41

EPH A

Letter No 86973 A/03-2 Edn D 9/1/50

Ref

19/1/50

See M.P.S.C (with encls)

M.E.S.S. - Park of Dy Inspectors and School Assts, Grade I - Promotion of officers not permitted direct

I am directed to forward herewith a draft of the amendments which it is proposed to make to the Special Rules for the M.E.S.S. and to request that the Members of the Comm. may kindly be communicated to Govt. A copy of the Director's letter explaining the need for the amendments is also enclosed.

Yours faithfully

2/7/50

9/1/50

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the entire set of papers
which are in the hands of the principal

10/10

C.F. 304.

OFFICE OF THE _____

Date _____ 194 _____

Hours _____ Minutes _____

TELEPHONIC MESSAGE

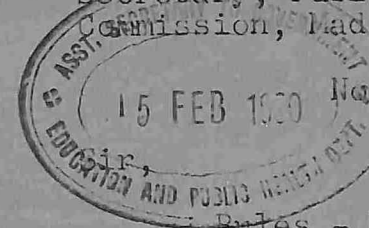
From D.P.I. To _____

1206 Sub. MESS. - Post of Dy
Inspector of School
and School Acl.
grade I - Promotion of
officers - Non-recrite
united direct.
Ref Director's letter R.C.
NO. 11578-B2/46-dt
6/11/49
Please let me know
when Govt. orders may
be expected on this ref.
[Please write on both sides.]
cited. Where is this m

2 C.F. 304.

From
Sri C. Krishnaswami Chetty,
Secretary, Public Service
Commission, Madras-8.

To
The Secretary to the Government
of Madras, Education and Public
Health Department, Madras-9.



No. 564-C1/50-1, dated 13-2-50.

1801
Rules - Madras Educational Subordinate Service -
Posts of Deputy Inspectors and School Assistants,
Grade I - Promotion of officers not recruited
direct - Your letter No. 86973-A/49-2-Edn., dated
9/18-1-50.

I am to say that as the Government of India Act,
1935 is no longer in force the reference to it in the pre-
amble to the draft rules may be omitted and that the rules
may be issued under the relevant article of the Constitution
of India.

The Commission has no remarks to offer on the proposed
amendment.

Yours faithfully,

[Signature]
Secretary.

Encl: Nil.

pmr. 14/2/50.

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In exercise of the powers conferred on the provisos to article 309 read with article 315 of the Constitution by section 2(1)(2)(3) of the Govt of India Act, 1935

W DO: 485 Edu

In

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The D.P.
The L.H.S.
The P.C. & S.P.
The Sect. Library Loca
The P.C. & S.P. Com
Do the S. H.P.S.C.
The S.P. & S.P.
The F.S. & S.P. & S.P.
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S.M. Vol. 11
P.C. & S.P. +
A.S. - they can
O.S. & S.P.

MKS
15/12/2011

$$\begin{array}{r} 16 \\ 12 \\ \hline 28 \end{array}$$

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EPH Diga A

Cm 86 973 A/49; From the D.P.S. No 11598 C2/46 D 6.11.49

M.E.S.S. posts of Dy Inspectors and
Schoor Asses - Grade I promotion of
Officers not permitted direct

Please see the D.P.S.'s letter

in the c.f. In the circumstances stated by

Ed No 1485 Ed
22.2.49
1/12/49

being rule 2(c) of the M.E.S.S. Rules may be
recast as at A on page 2 c.f. A draft order
is submitted for approval Public (Ser)
And Legal may see. The M.P.S.C. will be
consulted in due course.

EPH No 86 973 A/49
1/12/49

1/12/49

15/12/49

15/12/49 S 15/12/49 Pub (Ser)



Public (Ser) Dept.

The draft order below may be perused
and the file passed on to Legal.

1/12/49
25.12.49

Legal

LEGAL DEPARTMENT.

The alterations indicated in red ink on the draft

notification may be made.

U.O. No. 5072/49-1
28.12.49.

4/1/50

546. H A



The Comm may now be con

A draft letter is subd. for approval:

1/1/50

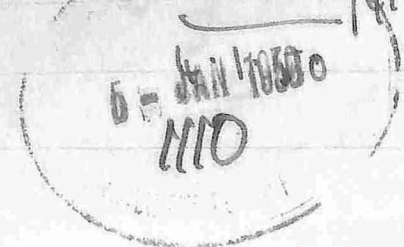
9/1/50

Legal no. no. 17579/49-1

[Issued as letter no 86 973 A/49.2 Eon 9/1/50]

From the Secy, M.P.S.C. no 564 C1/50-1 D 13.1.50

Please see the Co



reply on p 9 c/b. The comm. agrees to the
amendment proposed. The draft order as
amended may now issue.

(869734/49)

MMS

2/2/50

2/2/50

22/2/50 3

2/2/50 (9H)

The amendment will no
doubt affect direct recruit
recruits, but as it will ensure
the claims of seniority for all,
it may be accepted

H.N. (24.4)

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