

GOVERNMENT OF MADRAS.

PUBLIC (SERVICES) DEPARTMENT.

Memorandum No. 22317/34-11, dated 29th December 1934.

[Madras Services Commission—Administration Report for 1933-34
—Published.]

The report of the Madras Services Commission for the year 1933-34 is published for general information.

2. During the course of the debate in the Madras Legislative Council on the report of the Commission for 1932-33, the Government promised to consider the suggestion that a statement might be published along with the report giving the reasons which led Government to deviate from the recommendations of the Commission during the period covered by the report. A statement is accordingly annexed.

G. T. H. BRACKEN,
Chief Secretary.

OFFICE OF THE MADRAS SERVICES COMMISSION,

Dated Madras, the 18th September 1934.

No. 544-A/34.

From

M.R.RY. RAO SAHIB C. P. KARUNAKARA MENON

AVARGAL,

Secretary, Madras Services Commission,

To

THE CHIEF SECRETARY TO GOVERNMENT,

PUBLIC (SERVICES) DEPARTMENT.

SIR,

[Administration Report—Madras Services Commission—
1933–34.]

I am directed to submit as required by section 20 of the Madras Services Commission Act (Act XI of 1929) the report of the proceedings of the Commission for the year 1933–34.

I have the honour to be,

Sir,

Your most obedient servant,

C. P. KARUNAKARA MENON,

Secretary.

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REPORT OF THE MADRAS SERVICES COMMISSION FOR THE YEAR 1933-34.

I. PERSONNEL.

During the year there was no change in the personnel of the Commission. An Assistant Secretary's post was created to cope with the increased volume of work in the Commission's office and relieve the Secretary of routine work. M.R.Ry. P. Koil Pillai Avargal, Deputy Collector, was appointed to the post.

II. RECEIPTS AND EXPENDITURE.

Receipts—

	RS.
Fees from candidates appearing for selection	24,515
Fees from candidates appearing for Special Tests and Departmental Tests	20,241
Total ...	<u>44,756</u>

Expenditure—

Salary of Commissioners, Secretary and Assistant Secretary	1,01,551
Salary of establishment	22,070
Travelling allowance	3,318
Other compensatory allowance	82
Advertisement charges	3,029
Other contingencies including service postage stamps, rent for office premises, etc.	8,975
Remuneration paid to examiners for Special Tests and Departmental examinations	7,583
Contingent expenditure connected with examinations ...	1,209
Total ...	<u>1,47,817</u>

III. FRESH DUTIES UNDERTAKEN.

(a) *Recruitment to Subordinate Services under the Local Government.*

—It was stated in the last year's report that the question of transferring to the Commission the duty of recruiting to a number of further posts in the Subordinate Services was under consideration. There were about 200 classes of post in the various Subordinate Services for which the Commission did not select candidates. After consulting the heads of the departments concerned and taking into consideration the pay of each class of post, the qualifications prescribed, the number of posts in each class and the frequency of vacancies, the Commission drew up a list of further posts in respect of which it would undertake recruitment and forwarded the list to the Government.

The Commission excluded from the list the following posts:—

- (i) posts the number of which is very small and the vacancies in which are few and far between;

- (ii) posts which are very unimportant from the point of view of the duties or the pay attached to them; and
- (iii) posts which are in special tracts or for special tribes, for example, posts in the Agency Tracts, Laccadive and Amindivi Islands and those attached to Chenchu schools in the Kurnool district.

The Commission considered that recruitment to these posts could not, for the present at all events, be usefully transferred to it and that the existing arrangements were the best in respect of them. The Government have since issued orders accepting in the main the Commission's suggestions.

Recruitment of Assistant and Sub Inspectors and clerks in the combined Salt and Customs Department under the Government of India.—As a result of the decision to amalgamate the Salt and Customs establishment at the Madras Out-Ports, the Government of India desired that the Collector of Customs, Madras, should have the assistance of the Madras Services Commission in obtaining candidates for appointment as Assistant Inspectors and Sub-Inspectors and clerks in the combined establishment. The Commission, at the instance of the Government of India, were already rendering the Collector of Customs assistance in regard to the Customs establishment. It agreed, therefore, to render the assistance desired in respect of the combined establishment and the Government issued orders accordingly.

(b) *Assistance rendered to departments not under the Local Government.*—As in previous years, a member of the Commission served, at the instance of the Local Government, on the Committee for the selection of candidates for admission to the Indian Police.

IV. VOLUME OF CORRESPONDENCE.

The Commission dealt with 30,482 references as against 31,900 in the previous year. These consisted chiefly of enquiries from candidates, references from heads of offices for advice in connexion with the application of the statutory rules and references from the Government on disciplinary cases, promotions and amendments to the statutory rules.

V. SPECIAL TESTS AND DEPARTMENTAL EXAMINATIONS.

Special Test Examinations—Results.—The Special Test examinations were held in June and December 1933 and were conducted at 26 centres in the Madras Presidency, and also at Pudukkottai and Mercara. An analysis of the results in the various tests is given in Appendix B. The results in the Civil Judicial Test and the Revenue Test show a steady improvement, though the percentage of "passed" to "examined" in the Revenue Test is still low. The results in the Criminal Judicial Test showed a slight improvement in June 1933 but there was a considerable falling off in December 1933, the percentage of "passed" to "examined" being only 13.9. The results in the other tests were on the whole satisfactory.

In the footnote to Appendix B—Special Test Examinations, December 1933—it is stated that the papers of eleven candidates (in the Account Test for Subordinate Officers, Part I) were invalidated. Of these eleven candidates, nine from the Masulipatam Centre, were reported by the examiner to have had recourse to malpractices. The Commission was satisfied that the examiner's suspicions were fully justified in seven cases, while the case against the other two was not so strong. The Commission debarred the seven candidates from appearing again for any of the Special Test examinations, and the results of the other two candidates were invalidated.

Reports from examiners.—Extracts from the reports of the examiners for the examinations held in June and December 1933 (Appendix A) show that the majority of the candidates still continue to copy indiscriminately from books instead of giving answers concisely in their own words. The desirability of conducting some of these examinations without the aid of books is under consideration.

Amendments to the Special Test notification.—In November 1933, the Special Test notification was amended so as to include persons selected by the High Court for appointment as District Munsifs in the classes of persons eligible to appear for the Account Test for Executive Officers.

Account Test for Executive Officers—Prescription for non-Commissioned Military Assistant Surgeons.—In January 1934, the Government prescribed the Account Test for Executive Officers as a compulsory test for non-Commissioned Military Assistant Surgeons serving under them.

Exemption from payment of fees.—Government servants are exempt from payment of fees for the Special Test Examinations under the following conditions:—

- (a) Where a test is prescribed as part of the probation and training of an officer whether recruited direct or by transfer; and
- (b) where it has been newly imposed on persons already in the service concerned when the test is prescribed.

At the instance of the Commission the Government extended the scope of exemption as follows:—

- (a) Where a test is prescribed as part of the probation and training of an officer whether recruited direct or by transfer;
- (b) where it is prescribed as a qualification necessary for an officer to continue in his post without penalty; and
- (c) where it has been newly imposed on persons already in the service concerned.

Miscellaneous orders.—(a) Instructions were received from the Government to report to the Accountant-General in future the tests passed by gazetted officers at each examination for incorporation in the History of Services.

(b) For purposes of penalties prescribed for not passing any of the examinations, the Government ruled that when an examination is passed, the last day on which the examination was held should be deemed to be the date of passing the examination, irrespective of the date on which the results are announced.

Departmental Tests.—The first examination in Departmental Tests was held by the Commission in June 1933 and a second examination was held in December 1933. The examinations were conducted at 27 centres. The Subordinate Account Service Examination, the Departmental Test for clerks in the Police department, the Departmental Test for Accountants in the offices of the Superintendent of Stamps and Stationery, the Deputy Inspectors' Test and the Survey Department Tests are conducted annually, while the other Departmental Tests are conducted half-yearly. An analysis of the results in the Departmental Tests held in June and December will be found in Appendix B. There was nothing remarkable in these examinations except that—

- (1) in the Registration Department Test, groups II and III, the percentage of "passed" to "examined" was appreciably lower in June than in December, and
- (2) in answering questions there was a tendency to copy indiscriminately from text books.

Police Training School Final Examination.—The first examination in the Police Training School Final Examination was conducted by the Commission in September-October 1933. Out of 41 Sub-Inspectors of Police admitted to the examination, 20 passed. In accordance with previous practice, re-examinations are held every three months for failed candidates. In the re-examination held in January 1934, all the candidates passed except eight who failed in "Police Orders." A further re-examination was held in April 1934 for these candidates.

Periodical Test in Shorthand.—The first examination in Periodical Test in Shorthand was conducted by the Commission in June 1933. One hundred and sixty-one candidates applied for the examination but only 121 actually took it. The object of the examination is to test the candidates' ability to take down in shorthand a narrative, or speech, or judgment, or letter of about 1,000 words at 100 words per minute and to transcribe it in longhand within one hour and forty-five minutes. Of the 121 candidates who sat for the examination, only 50 were able to pass the test. An extract of the examiner's report on the answer papers will be found in Appendix A. He considers that the standard of performance was disappointing and that many recipients of shorthand allowance have been granted the special allowance without regard to considerations of ability in taking down dictation in shorthand.

VI. STATUTORY RULES.

(i) *Promulgation and amendments.*—In framing and amending the Statutory Rules for the various services the Government generally consulted the Commission and its advice was generally accepted. The rules and amendments referred to below are of special interest.

The General Rules for the Provincial Services were newly issued during the year. These rules provide among other things for two alternative methods of applying the communal principle in making appointments to the Provincial Services—

- (a) the method of communal rotation, and
- (b) the method of communal proportion.

According to (a) the communal principle is applied to all appointments whether they are made by direct recruitment or by promotion from a Subordinate Service. According to (b) the principle of communal representation is applied only to direct recruitment of candidates, while appointments by promotion from the Subordinate Services are to be made independently of communal considerations. The Special Rules for each Provincial Service specify the method to be observed in the matter of appointments to that service. Out of the 25 Provincial Services, Special Rules have been issued with reference to the General Rules in respect

* Agricultural service.
Co-operative service.
District Board Engineering service.
Excise service.
Forest service.
Industries service.
Police service.
Public Health service.
Registration service.
Veterinary service.

† Boiler service.
Electrical service.
Engineering Workshops service.
Factory service.
Fisheries service.
General service.
Jail service.
Medical service (Special branch).
Port service.
Service of architects.

‡ Boiler service.
Civil service (Executive branch).
Educational service.
Engineering service.
Engineering Workshops service.
Medical service (General branch).
Medical service (Special branch).
Service of architects.
Survey service.

of 16. Of these, for 10 * services the method of communal *proportion* has been adopted. For 10 † services the communal rule does not apply at all. Special Rules have not been revised in respect of 9 ‡ services with reference to the General Rules.

Another important feature in these General Rules is the provision for consultation with the Commission regarding the suitability of probationers for confirmation, promotions to the selection grades and categories, and promotions to other posts within a service otherwise than by seniority. During the year eleven references regarding confirmation of probationers and two references regarding promotions within the service were received and dealt with by the Commission.

General Rules for Subordinate Services.—The Government have proposed the revision of the General Rules for Subordinate Services on the lines of the General Rules for Provincial Services. A draft of the revised * rules was forwarded to the Commission on which its remarks were offered.

Subordinate Services—Minimum General Educational Qualification.—The minimum general educational qualification for admission to the public service in the Presidency was based on the Secondary School-Leaving Certificate examination conducted by the Madras Government. As advised by the Commission, the Government amended the General Rules for Subordinate Services so as to prescribe a pass in the European High School examination as an alternative to the Secondary School-Leaving Certificate for such admission.

Co-operative Subordinate Service.—On the analogy of the existing concession in respect of appointment to the Agricultural, Engineering, Industries, Ministerial, Minor Irrigation and Public Health Subordinate Services, the age-limit for appointment to the Co-operative Subordinate Service as Sub-Deputy Registrar was increased from 25 to 27 in the case of Muhammadans and the Scheduled Classes (depressed classes). This concession will remain in force up to the end of 1936.

Government Press Subordinate Service.—On the ground that the Civil Services (Classification, Control and Appeal) Rules could not suitably be applied to the ministerial and inferior servants of the Government Press, the Government excluded them wholly from the operation of those rules. The effect of such exclusion is to absolve the Superintendent, Government Press, from following the procedure prescribed by the Statutory Rules in making appointments and in disciplinary matters. On a reference from the Commission the Government explained that the Government Press is mainly a business concern and is run on factory lines, that a large body of workmen with low educational qualifications is employed on low rates of pay, that the Government should have power to deal with them summarily for negligence, absence from duty and for other acts of indiscipline which are common in a business concern and that Rule 55 of the Civil Services (Classification, Control and Appeal) Rules, which lays down an elaborate procedure to be followed before a Government servant is reduced, removed or dismissed, was quite unsuitable for controlling and securing discipline in the case of the general body of workmen in the Press. But apart from the general body of workmen with low educational qualifications and on low rates of pay, there are in the Press ministerial and technical posts requiring special qualifications on fairly high rates of pay [some of the posts carrying scales of pay ranging from Rs. 60 to 150 (initial pay)] which do not appear to differ in nature from similar posts in other technical departments. The Commission was not given an opportunity of placing its views before the Government before such an important decision excluding a large number of Government servants from the operation of the Statutory Rules was made.

Medical Subordinate Service—Sub-Assistant Surgeons, Men and Women.—According to the Statutory Rules for the Madras Medical Subordinate Service as they originally stood, one of the qualifications prescribed for appointment as Sub-Assistant Surgeon, Men and Women, was that a candidate should possess the minimum general educational qualification. The Commission advertised during the year under report eight vacancies of Sub-Assistant Surgeons (Women) at the instance of the Surgeon-General and invited applications from those possessing the minimum general educational qualification and the other prescribed qualifications. Applications were received from twenty candidates and of these only four possessed all the prescribed qualifications. On a scrutiny of the applications, the Commission noticed that in many cases the only disqualification of the applicants was that they did not possess the minimum general educational qualification, i.e., they had not obtained at the Secondary School-Leaving Certificate examination the prescribed number of marks in the various subjects. Presumably at the time these candidates were admitted to the Medical School they possessed the minimum general educational qualification then in force. It seemed to the Commission unnecessary to prescribe a minimum general educational qualification for this class of post and that at any rate those who were admitted to and had passed the L.M.P. course should not become ineligible by a subsequent revision of the standard in the minimum general educational qualification. The Government agreed with the

Commission and amended the Statutory Rules excluding this class or post from the scope of the Statutory Rule prescribing minimum general educational qualification for public service. The Commission also suggested the raising of age-limit for Women Sub-Assistant Surgeons from 27 years to 30 years in the case of L.M.Ps. so that the age-limit in this case may be on a par with the age-limit prescribed for medical graduates. The Government amended the rules accordingly.

Ministerial Service—Qualification for typists.—The Government directed that with effect from 1st January 1934 a pass in typewriting by the higher grade should be an essential qualification for appointment as typist. It was pointed out in the report for 1932–33 that the rule prescribing this qualification would be unworkable in actual practice and that there was no reason to expect by 1st January 1934 an adequate supply of candidates with the higher qualification.

Out of 102 candidates who applied to the Commission in 1933 for appointment as typists, 28 were qualified in typewriting by the higher grade while the remaining 74 were qualified only by the lower grade. Though at the time of their application they were eligible for selection, they would according to the rule referred to above have become ineligible for appointment after 1st January 1934, from which date candidates with higher grade qualification only could be appointed. It was therefore evident that the rule as it stood would cause hardship to the candidates and at the same time hamper the work of Government offices for want of approved candidates. In the light of these statistics the Commission saw no need to change its opinion that the supply of candidates with the higher grade qualification would not be adequate for some years. It therefore repeated its previous recommendation that instead of extending piecemeal the time-limit permitting the selection of candidates with the lower grade qualification it would be better to permit the appointment in an officiating capacity of candidates with the lower grade qualification and to prescribe a statutory disability for confirmation and eligibility to draw increments of pay until they passed the higher grade examination. This course, it was thought, would achieve the object in view, while putting the work of offices to the least inconvenience.

The Government thereupon proposed to amend the rule so as to provide that the qualification for appointment as typist might be a pass in typewriting by the lower grade at an examination held after 1st January 1933 and that the candidates selected might be required to pass the higher grade examination during their probation. According to this proposal a selected candidate who failed to pass the higher grade examination during his probation would be liable to have his probation terminated, whereas, according to the Commission's suggestion, the candidate would be eligible for retention in appointment even if he failed to pass the higher grade during his probation, but would not be confirmed in the Madras Ministerial Service or draw any increments until he qualified himself by the higher grade. This suggestion was made as a result of the Commission's practical experience that many selected candidates with lower grade qualification failed during their probation

(one year's total service) to pass the higher grade and that the replacement of such men again by fresh candidates with lower grade qualification was bound to react unfavourably upon the work of Government offices. The Government finally accepted the Commission's suggestion that the higher grade qualification for typists need only be insisted upon for purposes of confirmation and the grant of increments of pay.

Typewriting qualification for clerks.—Judging from the response received during the year from candidates for appointment as typists the Commission was of the opinion that the number of applicants for appointment as clerks qualified in typewriting by the higher or lower grade would be negligible. The Commission therefore addressed the Government in the matter repeating its previous recommendation that no qualification in typewriting need be prescribed for appointment as clerks. The Government in reply stated that clerks should possess the typewriting qualification but that they proposed to defer insistence upon that qualification until 1st January 1935.

To ensure an adequate supply of candidates with typewriting qualification it was suggested by the Government that wide publicity be given to the decision that no one who has not passed in typewriting would be eligible for appointment as clerk. It was also suggested that, in case the Commission found it impossible at the examination to be held in 1934 to select an adequate number of candidates possessing the typewriting qualification, candidates who were otherwise qualified be allowed an opportunity to pass the typewriting examination up to the end of 1934, the name of no candidate being included in the list of selected persons until he qualified himself in typewriting. It was pointed out to the Government that the notice regarding insistence on typewriting qualification was given in the previous year as wide a publicity as that suggested but that in spite of such publicity the supply of candidates with typewriting qualification was bound to be inadequate as revealed by the fact that the number of candidates even for appointment as typists fell short of the number of vacancies advertised. The supply, the Commission urged, must depend upon other factors such as the establishment of a sufficient number of training institutes, the capital necessary for equipping them and the trained staff required for teaching students. Nevertheless, the Commission had no objection to the Government's proposal to postpone insistence on typewriting qualification from 1st January 1934 to 1st January 1935 though such insistence would further reduce the number of eligible candidates belonging to the minority communities—Muhammadans, Christians and the Scheduled classes. The Government amended the Statutory Rules accordingly.

Public Health Subordinate Service.—At the instance of the Director of Public Health the Commission invited applications for five vacancies of second-class Health Officers from communities other than the Brahman but no application was received from candidates below 25 years of age which was the limit prescribed in the Statutory Rules for admission to the Service. In this connexion, the Commission had an opportunity to examine the appointments made by the Director of Public Health to this class of post since the issue of the Statutory Rules in 1929. It found

that most of the persons appointed by him had on the date of their appointment exceeded 25 years of age. In order to regularize the appointments of these persons and to provide for an enhanced age-limit for selection for admission to the service generally, the Government amended the Statutory Rules raising the age-limit to 35 years in the case of persons appointed by the Director of Public Health (the oldest person having been 35 years of age at the time of his appointment) and to 30 years for future recruits, subject to the condition that if suitable candidates of a particular community are not available candidates of that community who have attained the age of 30 but have not attained the age of 36 might be selected.

Registration Subordinate Service.—In consultation with the Commission the Statutory Rules for the service were amended during the year providing for—

- (i) temporary appointments as Sub-Registrar of senior clerks in the Registration department, such appointments not being considered as selections for admission to the Service;
- (ii) a period of probation in the case of Sub-Registrars (appointed by transfer of clerks in the Registration department);
- (iii) not treating the appointments of Sub-Registrars made by the Inspector-General of Registration after the issue of the Statutory Rules in 1929 and until 21st February 1934 (date of the amendment) as selections for admission to the service unless the men concerned had been confirmed as Sub-Registrars on or before that date;
- (iv) the reservation of every fourth vacancy among Sub-Registrars for clerks in the Registration department;
- (v) the maintenance by the Inspector-General of Registration of a list of clerks in the Registration department who are suitable for appointment (by transfer) as Sub-Registrars, the list being prepared in consultation with the Commission; and
- (vi) the application of the communal rule separately to the appointment of Reserve Sub-Registrars (to be recruited direct) and to Sub-Registrars (to be recruited from clerks).

The amendments regarding the preparation of a list of clerks in the Registration department in consultation with the Commission and the application of the communal rule separately to Reserve Sub-Registrars and Sub-Registrars were made at the instance of the Commission and are on the analogy of similar amendments previously accepted by the Government to the Excise Subordinate Service Rules in the case of the appointment of Sub-Inspectors by direct recruitment and by transfer of clerks in the Excise department.

Amendments (i) and (ii) were intended to remedy certain defects in the original rule, viz., the absence of provision for temporary appointments in emergencies and for probation for persons appointed as Sub-Registrars. Amendment (iii) was intended to invalidate about 300 appointments of Sub-Registrars made by the Inspector-General of

Registration between 1929-34 without realizing the defects referred to above in the original rules and without reference to the rule of communal rotation. These irregular appointments were noticed by the Commission in connexion with the Inspector-General's requisition for the selection of candidates for appointment to the post of Reserve Sub-Registrar in 1932.

(ii) *Violations—Ministerial Service.*—There was an appreciable decrease during the year under report in the number of cases of violation of the Statutory Rules framed for the Madras Ministerial Service. This was no doubt to a large extent due to a better understanding of the rules on the part of the appointing authorities and probably to the action taken by the Commission in previous years in bringing to the notice of the Government and of the heads of departments irregularities in the appointments made.

The chief irregularities noticed during the year under report may be classified as follows:—

- (i) irregular temporary appointment of candidates for more than the maximum period of three months prescribed in the Statutory Rules for temporary appointments;
- (ii) temporary appointment of outsiders when approved candidates were available; and
- (iii) transfer without consultation with the Commission of probationers outside the groups of offices or districts in which they were selected for appointment.

As usual these cases were brought to the notice of the appointing authorities, heads of departments or the Government as the case may be and were regularized. As a result of the reports made under item (i) the Government, in order to ensure that a person who had already held appointments for three months altogether as a temporary measure was not appointed again, issued instructions to all appointing authorities drawing their attention to the obvious necessity of making enquiries in such a case as to whether the candidate had already held appointments under the emergency provisions in the rules and if so for how long. They further directed that in no case should a candidate who had held such posts for three months altogether be appointed again or be permitted to remain in service under those provisions.

Police Subordinate Service—Re-instatement by the Inspector-General of Police of a probationary Sub-Inspector whose probation had been terminated.—In 1931, the Commission selected a candidate for appointment as Sub-Inspector of Police in the Western Range. The Deputy Inspector-General of that range appointed the candidate and deputed him for training in the Police Training School, Vellore. While at school the candidate was found to be unsuitable and he also failed in the quarterly examination in all the subjects. For these reasons the Deputy Inspector-General of Police terminated the candidate's probation. A year later the Inspector-General of Police reported to the Commission

that on an appeal preferred by the candidate against the Deputy Inspector-General's order he had reinstated him. As the Statutory Rules did not provide for an appeal against an order of termination of probation passed by a competent authority the Inspector-General's action was not in order and it was accordingly brought to the notice of the Government. At the same time it was suggested that the Statutory Rules for the various services should provide for some authority to revise orders issued in the case of probationers and that the Statutory Rules be suitably amended.

The Government held that the Inspector-General's action in having reinstated the probationary Sub-Inspector whose probation had been terminated by the Deputy Inspector-General of Police, Western Range, in exercise of the specific powers vested in him under the Madras Police Subordinate Service Rules, was illegal and directed him to discharge the candidate. The Government have also proposed to amend the Statutory Rules providing for an authority competent to entertain an appeal and to revise any order either *suo motu* or at the instance of the Commission.

Excise Subordinate Service—Irregular termination of the probation of a selected candidate.—In December 1931 the Commission selected a permanent clerk in the Registration department, an ex-army man, for appointment as Sub-Inspector of Excise. The Assistant Commissioner of Excise, Tinnevely subdivision, appointed him as Sub-Inspector of Excise in July 1932 and after his preliminary training for two months terminated the candidate's probation after obtaining the order of the Deputy Commissioner of Excise, Southern division. The reasons for the termination of probation were reported to the Commission and on examination they were found to be such as not to warrant the termination of the candidate's probation. The case was brought to the notice of the Government who agreed with the Commission that the action of the Assistant Commissioner of Excise, Tinnevely subdivision, in terminating the candidate's probation was unjustified and amounted to an improper exercise of a discretion statutorily vested in him. The candidate however was not restored. The Commission pointed out that unless he was restored, the Government's order would be without practical effect. The Government stated in reply that the hardship caused to the candidate was due to an improper exercise of the discretion vested by the rules in the Assistant Commissioner of Excise and not to any defect in the rules themselves, that the Statutory Rules for the Excise Subordinate Service should be followed in appointing the candidate and that he should begin his probation afresh. In effect this means that the candidate must, if he desires to be reappointed, apply to the Commission, if he is qualified, and take his chance of selection.

Medical Subordinate Service—Junior Assistant to the Public Analyst, King Institute, Guindy—Irregular appointment.—The Government directed that the holders of the L.T.C. diploma of the Victoria Jubilee Technical Institute, Bombay, who have taken the course of Foods, Drugs and General Analysis of the Technical and Applied Chemistry course and have passed the examination should be considered

eligible for appointment to the post of Junior Assistant to the Public Analyst. At the instance of the Surgeon-General, the Commission selected in August 1932 for a temporary vacancy in this class of post a candidate with the qualifications above mentioned. The Surgeon-General appointed the candidate and discharged him on the expiry of the vacancy in November 1932. When he was discharged the Public Analyst certified that the candidate's work had been satisfactory and the Director of the King Institute endorsed this certificate definitely agreeing with the Public Analyst's remarks.

In another temporary vacancy in the same class of post which arose in 1933 this candidate was not appointed for the reason that his work had not been satisfactory when he previously officiated. The vacancy was filled by temporarily appointing an outsider. From further correspondence it was seen that the real objection to the re-employment of the candidate was that the L.T.C. diploma which he possessed was not a suitable qualification for the post of Junior Assistant although this qualification had been prescribed by the Government. As it was not desirable to select a candidate possessing qualifications prescribed by a competent authority and later to reject him on the ground that such qualifications were not suitable, the case was brought to the notice of the Government who held that the appointment of an outsider temporarily when an approved candidate was available was irregular. In pursuance of the Government's orders the Commission's nominee was re-appointed in a subsequent vacancy in the same class of post.

VII. RECRUITMENT TO THE SERVICES.

The Commission selected candidates for 36 classes of post in the Provincial and Subordinate Services. A list of the posts and the details regarding the number of candidates that applied, the number qualified and interviewed and the number selected for each class of post are shown in Appendix C. In respect of selections for the posts of Sub-Inspector of Police, Sub-Inspector of Excise and Junior Inspector of Co-operative Societies for which the number of applicants was large, the Commission interviewed the candidates at different centres. The Government nominated as usual heads of departments or their representatives to be present at the interview of candidates for some of the selections for the Provincial Service. In other cases the Commission invited heads of departments or their representatives to be present at interviews wherever it considered that their advice would be useful.

The number of candidates interviewed in the course of the year was 1,698.

Recruitment to Provincial Services from Subordinate Services.—During the year the Commission dealt with 23 references under section 11 of the Madras Services Commission Act and drew up lists of

officers of the Subordinate Services qualified for selection for admission or advised on the suitability of officers nominated for selection to the following Provincial Services:—

Madras General Service, class VII.

Madras Hydro-Electric Department (Assistant Engineer).

Madras Agricultural Service.

Madras Fisheries Service.

Madras General Service, class VI, Assistant Secretary to Government.

Madras Veterinary Service.

Madras Co-operative Service.

Madras Police Service.

Madras Excise Service.

Madras Registration Service.

Ministerial Service—Selection of typists and steno-typists.—Applications were invited during the year for 140 vacancies estimated in this class of post. Only 102 applications were received. All the applicants were selected for appointment after interview by the Commission. With the approval of the Government, competitive examination was dispensed with in this case, as the supply was less than the demand.

Placing of the scheme of competitive examination on a permanent basis.—It was stated in the last year's report that the Government accepted the Commission's suggestion to defer till 1st September 1933 the submission of the report on the working of the scheme of competitive examination. A report was accordingly submitted during the year. Reference was made in it to the various difficulties and anomalies which were either experienced by the Commission in the working of the scheme or brought to its notice. The Government considered that the experience so far gained in the working of the scheme justified the confidence that the scheme would work more smoothly and give more general satisfaction in course of time and accordingly directed that the scheme be adopted as a permanent measure.

The Government have since also decided to abolish the system of grouping of offices in the mufassal and to prescribe a knowledge of the vernacular of the district as an essential qualification for appointment as clerk.

Civil Judicial Department—Appointment of candidates selected by the Madras Services Commission.—The question whether only candidates selected by the Commission should be appointed to offices in the Civil Judicial Department which is one of the largest from the point of view of the number of clerks employed, is still under the consideration of the Government.

Posts in recruiting to which consultation with the Commission has not been provided for by rules—

- (1) Madras Civil Service—Judicial Branch—District Munsifs and Sub-Judges.

- (2) Secretary to the Madras Legislative Council.
- (3) Assistant Secretary to the Madras Legislative Council. (The appointing authority in respect of Nos. 2 and 3 is His Excellency the Governor.)
- (4) Administrator-General and Official Trustee.
- (5) Chief Presidency Magistrate.
- (6) Judge, City Civil Court, Madras.
- (7) Chief Judge, Court of Small Causes.
- (8) Puisne Judge, Court of Small Causes.
- (9) Law officers directly under the Government.
- (10) Adviser to Government on Manual Training.
- (11) Principal, Law College.
- (12) Registrar of Books.
- (13) Professor of Dental Surgery, Medical College and Dental Surgeon, Madras.
- (14) Principal, School of Indian Medicine.
- (15) Chemical Examiner.
- (16) Sanitary Engineer to Government, Deputy and Assistant Sanitary Engineers.
- (17) Secretary to the Commissioner for Government Examinations.
- (18) Linotype Instructor in charge, Government Press.
- (19) Superintendent, Divi Pumping Station.

The Commission notes with regret the very low standard of education possessed by candidates of practically every class interviewed by it, although qualified according to the rules. There appears to be no general education, examinations are passed as a means to an end, it being considered unreasonable to expect that the knowledge acquired for this purpose should be retained. The conditions and general facts in respect of their own country and even of their own districts are not known by a number of candidates with ostensibly high academic qualifications.

VIII. PAUCITY OF QUALIFIED AND SUITABLE CANDIDATES FOR CERTAIN POSTS.

Electricity department.—The Commission advertised 3 vacancies in the post of Electrical Draughtsman and one vacancy in the post of Sanitary Inspector. For the former, besides certain qualifications in Engineering, the candidate was required to have had one year's practical experience in electrical works and for the latter, practical experience of anti-malarial work and of sanitation in a large camp was required. The only two candidates that applied for the post of Electrical Draughtsman were not qualified. No candidate applied for the post of Sanitary Inspector.

Typists and steno-typists.—The Commission advertised 140 vacancies and announced that candidates should have passed the higher grade in typewriting. It was also announced that applicants with lower grade qualifications might also apply but that their appointment would be subject to their passing the higher grade by 1st January 1934. As the number of applicants was less than the number of vacancies, the applicants were not subjected to a competitive examination, but with the approval of the Government they were selected by interview.

Industries Subordinate Service.—For the post of Supervisor, applications were first invited from Muhammadans, as the vacancy was to be filled from that community according to the rule of communal rotation. No application was received from candidates belonging to this community. This and two more vacancies which arose subsequently were re-advertised and applications were invited from candidates of all communities. Ten Brahmans, 2 Non-Brahman Hindus and 1 Depressed Class qualified candidates applied.

There was no applicant also for the posts of Designer and Cloth Designer in the Textile Institute which were advertised by the Commission and for which certain textile qualifications are prescribed.

Candidates of the Scheduled Classes.—The number of candidates from these classes who apply and are qualified for posts is generally small. The choice is limited and the selection is hardly competitive.

IX. WORKING OF THE APPROVED LISTS.

The system of appointments from the approved lists as vacancies arise and according to the order of preference suggested by the Commission has on the whole worked satisfactorily. There have, however, been cases in which the Commission's selections were not acted upon or where there was long delay in appointing the candidates. There have also been cases in which orders passed subsequent to the selections adversely affected the approved list. The following are examples:—

(a) *Superintendent, Fruit Research Station, Cuddapah—Madras Agricultural Service.*—The post is a temporary addition to the Madras Agricultural Service and was sanctioned by the Government for five years in the first instance. One of the qualifications prescribed is the possession of the minimum general educational qualification, i.e., a pass in the S.S.L.C. with a minimum number of marks in the various subjects. After the Commission advertised the vacancy, it noticed that in the case of persons who possessed additional qualifications such as the degree or diploma in Agriculture, it was unnecessary to insist on the minimum general educational qualification especially in view of the fact that these men had further special qualifications. The Commission therefore suggested to the Government the desirability of amending the Statutory Rules for the service deleting the minimum general qualification from the qualifications prescribed. The Government accepted the Commission's suggestion and deleted the qualification. After the rules were

amended, the vacancy was re-advertised announcing the revised qualifications. Six applicants who were otherwise ineligible had become qualified for the post under the revised rule. As required by the Government the Commission nominated two candidates after interviewing the most suitable of the qualified men. The nomination was made in December 1933 for the vacancy which was presumably in existence. In reply to an enquiry, the Government informed the Commission in April 1934 that the appointment would not be made before September 1934. As no reasons for the long delay in making the appointment were given and as it was obviously unfair to keep the selected candidates in suspense, the Commission asked for the reasons for the delay and enquired whether the name of the first nominee might be published in the Gazette as is done in such cases where selected candidates are not appointed immediately. The Government have since informed the Commission that the delay in the appointment is due to the unavoidable delay in the acquisition of the land required for the fruit farm for which the candidate was intended. They have not considered it necessary to publish the name of the candidate selected by the Commission and approved by them.

Madras Medical Service—Civil Assistant Surgeons.—It was stated in paragraph 11 of the previous years' report that the Commission awaited the orders of the Government on the list of candidates selected on the results of a competitive examination held in 1931. As there is to be no direct recruitment of Civil Assistant Surgeons for some years to come the Government did not consider it necessary to keep the list in force and have since ordered the refund of the fees collected from the applicants.

Medical Subordinate Service—Candidate selected by the Commission not appointed.—In October 1932, the Surgeon-General requested the Commission to select a candidate for the post of temporary Demonstrator in Chemistry at the Medical College, Vizagapatam, on Rs. 65 per mensem. The Commission advertised the vacancy and after interviewing 9 qualified candidates recommended one of them for appointment to the post. Subsequently the Government enquired whether this selection might not require reconsideration and whether applications should not be invited afresh in the following circumstances:—

In October 1931 the Government approved the Surgeon-General's proposal to discharge 13 temporary Civil Assistant Surgeons (Provincial Service) as a measure of retrenchment and directed him to appoint them as Demonstrators in the Medical Subordinate Service in consultation with the Commission. The Surgeon-General appointed the men and subsequently requested the Commission to approve of the appointments. The Commission pointed out to him that its approval should have been obtained before the appointments were made, and suggested that as the 13 men had exceeded the age-limit of 25 years prescribed for the post of Demonstrator and were, therefore, not

eligible for appointment, the Government might be moved to amend the rules suitably to regularize the appointments. The Government stated that the necessary amendment raising the age-limit to 35 years was under consideration and that the amendment would be given retrospective effect in order to regularize the 13 appointments made by the Surgeon-General in 1931. In view of this proposed amendment and of the fact that it was to be given retrospective effect from 1931 the Government enquired whether the selection for the post of Demonstrator made by the Commission in 1932 should not be reconsidered. The object which the Government had in view apparently was to give an opportunity to all the candidates between 25 and 35 years to apply for the post in question. In advertising the post in 1932 the Commission had invited applications from candidates who had not exceeded 25 years of age.

In reply to the Government's enquiry, the Commission stated that the proposed age-limit of 35 years was necessary only in order to regularize the appointment of the 13 retrenched Civil Assistant Surgeons as Demonstrators in 1931, because the oldest of them was 35 years of age at the time of his appointment, and that it did not appear to be necessary to fix that as a general limit either for the post of Demonstrator for which a medical degree was prescribed as a qualification or for the post of a Demonstrator in a science subject for which an Arts degree only was prescribed. The maximum age-limit prescribed for appointment as Civil Assistant Surgeon was 30 years and, as the qualification for Demonstrator (in the Subordinate Service) in other than science subjects was only the possession of a medical degree, a higher age-limit than that prescribed for Civil Assistant Surgeons did not seem necessary as a general rule. In the case of Demonstrators (in the Subordinate Service) in *science subjects* the Commission pointed out that the need for fixing the age-limit at 35 was still less and that the present age-limit of 25 would seem to be quite sufficient. Whatever might be the age-limit to be fixed for Demonstrators the Commission informed the Government that it was unable to find any justification for holding up the appointment of the candidates already selected by it and that in these circumstances it considered that it was unnecessary to invite applications afresh for the post.

The Government have not so far amended the rules raising the age-limit for Demonstrators to 35. They ordered that one of the surplus Civil Assistant Surgeons should be posted to the Vizagapatam Medical College to perform the duties of the Demonstrator in Chemistry (non-Medical), keeping in abeyance the sanctioned post till the retrenchment of the personnel in the Madras Medical Service was actually given effect to.

They added that in these circumstances the question of appointing the candidate selected by the Commission did not arise.

Agricultural Subordinate Service—Inaccurate estimate of vacancies.—In February 1931 the Director of Agriculture reported that there were four vacancies in the post of Research Assistant to the Entomologist—one officiating vacancy for ten months and three temporary vacancies for one year—and requested the Commission to select candidates. The Commission accordingly advertised the vacancies and selected one Non-Brahman Hindu, one Christian and two Muhammadans who had graduated with Zoology as their optional subject. Though the candidates were selected for appointment in *existing* vacancies as distinguished from *anticipated* vacancies, only two candidates have so far been appointed (one Muhammadan in 1931 and one Non-Brahman Hindu in 1933). At the close of the year the Director of Agriculture reported that the remaining two candidates had no chance of being appointed as the Entomological section was a small one and no vacancies were expected to arise in that section in the near future. Whatever might have prevented the appointment of the candidates in question it seems to the Commission that it is most unsatisfactory to select more than the number of candidates required and to keep selected candidates in the waiting list unemployed for an unreasonably long period. This case exemplifies the need for exercising great care in estimating vacancies reported to the Commission.

Ministerial Service.—As a result of the introduction of the system of photo copying of documents 104 posts of clerks on Rs. 35 to 60 in the Registration Department in South Malabar district were abolished. Thirty-six of these posts were ordered to be abolished immediately, the incumbents being absorbed in existing vacancies in the Registration Department of South and North Malabar, while the remaining 68 posts were ordered to be abolished gradually, the incumbents being absorbed as vacancies arose in the Registration and other departments in Malabar district within a period of two years.

Previous to the issue of this order over 100 clerks (exempted from, or selected on the results of, the competitive examination) had been discharged as a result of the general reduction of establishment in Settlement Party No. IV. In 1931 the Commission selected in all 175 candidates for appointment in Malabar district as estimated by the appointing authorities and of these 25 remained to be appointed. Similarly in 1932 the Commission selected 30 candidates of whom 21 remained to be appointed. The discharge of a large number of men from the Settlement Party and the Registration Department would make it almost impossible for the candidates selected by the Commission and waiting for employment (25 in 1931 and 21 in 1932) to secure employment before they become age-barred, not to mention the difficulty in the way of the selected candidates once appointed but discharged, being able to secure re-employment.

Veterinary Subordinate Service—Refusal of Government's sanction to the appointment of Indian States subjects selected according to the rules in force for the time being.—In 1931, at the instance of the Director of Veterinary Services, the Commission invited applications for 25 appointments of Veterinary Assistant Surgeons in the Veterinary Subordinate Service. Only 24 qualified applicants were forthcoming including four applicants who were subjects of Indian States, and one applicant who possessed a diploma of the Bombay Veterinary College. The Commission selected all the 24 qualified applicants and arranged them in order of preference. In accordance with the rules which were in force at that time the Indian States subjects and the Bombay Veterinary College diploma holder were included in the list subject to the sanction of the Local Government being obtained by the Director of Veterinary Services at the time of their appointment.

The Government sanctioned the appointment of the Bombay Veterinary College diploma holder but refused to sanction the appointment of the Indian State subjects on the ground that they should not be preferred to British Indian candidates in the list. The Commission thereupon reminded the Government of the circumstances in which they were selected and explained that the rules as they stood at the time of their selection neither precluded them from applying for selection nor contemplated that after selection they would be appointed only if suitable and qualified British Indian candidates were not available in the list. ~~At~~ that the rules contemplated was that the previous sanction of the Government was necessary for their appointment and this was announced in the notification inviting applications. After having been kept waiting since 1931 it seemed to the Commission rather unfair to refuse sanction for their appointment. The Government were accordingly requested early in November 1933 to reconsider their orders. But the Government declined to do so, on the ground (i) that the Director of Veterinary Services had reported that there was a number of British Indian candidates in the list approved by the Commission available for appointment and (ii) that there were "no vacancies" in the cadre of Veterinary Assistant Surgeons. In reporting that there was a number of British Indian candidates in the list approved by the Commission the Director of Veterinary Services evidently took into account candidates selected by the Commission after 1931, i.e., in 1933. According to the existing instructions of the Government regarding the currency of the lists of selected candidates each list remains in force until all the candidates included in it have been placed on probation, or have been removed from it on account of age or other reasons. This necessarily implies that the claims of candidates in a later list should not supersede the claims of those in an earlier list. The availability of an adequate number of British Indian candidates is no doubt an important consideration but these four Indian States subjects had been selected in 1931 for want of the required number of candidates and had been included in the list subject to the formal sanction of the Government for their appointment. The consideration of nationality should in cases of an inadequate supply at the time of selection cease to be a bar for appointment after selection. In the circumstances the Commission saw no

justification for sanction being withheld in the cases of the candidates in question. Their names having been published they had every reason to expect being appointed in their turn after the necessary sanction. The other contention of there being "no vacancies" overlooks the fact that the candidates had been selected for appointment in *anticipated* vacancies and not in *existing* vacancies and, their turns having already been superseded, it would not be showing them undue consideration if they were appointed at least in vacancies arising subsequently. The recent change in policy restricting appointment to the Public Service in this Presidency as far as possible to candidates born or domiciled in the Presidency could not have been intended to have retrospective effect so as to affect adversely candidates selected in previous years under different conditions and kept waiting in the hope that they would be appointed in their turn.

Failure to appoint selected candidates may be justifiable on administrative grounds, e.g., as a result of retrenchment as in the case of the Madras Ministerial Service referred to above, but rightly or wrongly, candidates selected by the Commission are under the impression that having been selected by the Commission employment must be found for them. Accordingly enquiries regarding their chances of employment are received from selected candidates. In such cases the Commission informs them of the number of persons above them in the approved list who still remain unemployed, so that the candidates may have an idea as to when their turn for appointment is likely to be reached. The selections of candidates are made by the Commission in accordance with the demands of the appointing authorities and the rules and conditions in force for the time being. It is true that the fact of their selection by the Commission does not confer on the candidates a right of appointment and their appointment is subject to the occurrence of the anticipated vacancies; but when vacancies do arise, unless the selections made by the Commission are upheld, it would be difficult for any reliance being placed on the lists of candidates selected by the Commission and published in the Gazette, or in other words, for the Commission to retain the confidence of the public in the matter of selections.

X. APPEALS, MEMORIALS AND PROPOSALS FOR DISCIPLINARY ACTION.

The Commission advised the Government on 29 appeals, 10 memorials and 52 proposals for punishment as against 28 appeals, 8 memorials and 40 proposals for punishment dealt with in the previous year. The Government accepted the recommendations of the Commission in all but one of these cases. The excepted case is dealt with in paragraph XI.

XI. THE GOVERNMENT AND THE RECOMMENDATIONS OF THE COMMISSION.

Civil Service (Executive Branch) Rules—Amendment.—In February 1933 the Government called for the Commission's views on an amendment which they proposed to issue to the Madras Civil Service (Executive Branch) Rules revising the qualifications required of Revenue Subordinates for appointment as Deputy Collector.

The rule prescribing qualifications read as follows before it was amended:—

“ No person shall be eligible for selection for admission to the Service by promotion from the Madras Revenue Subordinate Service unless—

he has served for at least three years as Tahsildar, Deputy Tahsildar, Assistant Tahsildar or Sub-Magistrate:

Provided that service as Land Records Tahsildar or Inspecting Tahsildar or Huzur Sarishtadar or Forest Panchayat Deputy Tahsildar shall count for this purpose up to a period of two years.”

The Government proposed to amend the rule as follows:—

“ He has served as Tahsildar, Deputy Tahsildar, Assistant Tahsildar or Sub-Magistrate for a total period of at least three years out of which—

(1) a total period of at least six months shall have been served, to the satisfaction of the District Magistrate concerned, as Stationary Sub-Magistrate with second-class magisterial powers; and

(2) a total period of at least one year out of a continuous period of four years prior to the date of his selection shall have been served, to the satisfaction of the Collector concerned or the Board of Revenue, as Tahsildar in charge of a taluk:

Provided that condition (1) shall not apply to persons who are substantive Tahsildars on the . . . * and condition (2) shall not apply to such persons till . . . † 1934.”

* Date of amendment.

† One year from the date of the issue of the amendment.

The Commission saw no objection to the proposed amendment if (i) Deputy Tahsildars in independent charge of taluks were not excluded from eligibility for appointment as Deputy Collectors and (ii) the rule of seniority regarding the promotion of Deputy Tahsildars [clause (i) of the second proviso to rule 9 of the Madras Revenue Subordinate Service Rules] was deleted. The Commission pointed out that if the object of the proposed amendment was to ensure that an officer selected for appointment as Deputy Collector had experience of independent revenue work, there was no reason to exclude from appointment as Deputy Collector, Deputy Tahsildars who had been in independent charge of taluks. The Commission therefore suggested that independent Deputy Tahsildars, i.e., Deputy Tahsildars in charge of taluks, should be eligible for appointment as Deputy Collector as much as Tahsildars in charge of taluks.

Further, according to the rule of seniority quoted above, qualified Deputy Tahsildars in a district should be selected to act as Taluk Tahsildars in order of seniority. The Commission was of the opinion that the rule of seniority, if rigidly enforced, was likely to prove

detrimental to the efficiency of the revenue administration. Seniority is but one of the several considerations which ought to weigh with a District Collector in promoting a Deputy Tahsildar as Tahsildar. The Commission considered that the approval of the current list of candidates fit for appointment as Tahsildar by the Board of Revenue was a sufficient safeguard and if any additional safeguard against possible favouritism or caprice was necessary the Collectors might be requested to arrange the candidates in order of preference giving full reasons for their preferences.

According to the Statutory Rules as they stand, there is practically no direct recruitment to the post of Deputy Collector except from the Scheduled (Depressed) Classes, there is no direct recruitment of Tahsildars, and Deputy Tahsildars cannot ordinarily be promoted to officiate as Tahsildars except by seniority. The chances of promotion of Deputy Tahsildars as Tahsildars vary between districts and this inequality in prospects is to some extent neutralized at present by selecting specially deserving Deputy Tahsildars for direct appointment as Deputy Collectors. A natural result of a strict enforcement of the rule of seniority in the promotion of Deputy Tahsildars will be that such promotion will be of persons older than those hitherto selected and the selection of Deputy Collectors will also have to be made from a much older set of persons. If, therefore, the quality of material available in future for appointment as Deputy Collectors, and to some extent as Collectors of districts from the Provincial Civil Service, is not to be affected prejudicially the case for considering specially deserving Deputy Tahsildars for the post of Deputy Collector will be stronger in future than hitherto. The proposed amendment in so far as it absolutely shuts out Deputy Tahsildars for appointment directly as Deputy Collector was not, the Commission thought, a step in the right direction. These considerations were pointed out to the Government but they stated that most of the taluks in independent charge of Deputy Tahsildars were Zamindari and therefore afforded only partial experience of a Taluk Tahsildar's duties and that Deputy Tahsildars in independent charge were not necessarily the best of Deputy Tahsildars. They also stated that the efficiency of the revenue administration was safeguarded by the provision that no Deputy Tahsildar should be appointed to act as Tahsildar or to be a Tahsildar unless the Board of Revenue considered him fit to discharge the duties of a Taluk Tahsildar, or the Board's previous sanction had been obtained, that among the persons so approved by the Board it was desirable to prevent any favouritism or caprice in favour of particular communities and that every such person should have his chance in turn by seniority of proving his fitness to be a Tahsildar. The Government did not accept the Commission's suggestions but amended the rule as they proposed.

Amendments to Statutory Rules—Undesirability of giving retrospective effect.—In paragraph 9 of its report for 1932-33 in which reference was made to certain amendments to the Madras Veterinary Service Rules prescribing qualifications for posts of Lecturers, the Commission had stated that the Government amended the rules against

its advice and so as to give the rules retrospective effect. It was also mentioned therein that the Commission had pointed out to the Government that if the object was to ratify, in contravention of the Statutory Rules, appointments of, or advantages allowed to, persons who were not eligible for them, the practice of giving retrospective effect to amendments to Statutory Rules was a dangerous one. The Government since informed the Commission that while they agreed with the principles enunciated by the Commission they must reserve complete freedom to amend the rules with retrospective effect if circumstances necessitated such a step. No doubt in certain cases, where for example, an amendment of the rules is intended to remove defects in the wording of the rules or to allow persons already in service any rights to pay or pension to which they had been entitled prior to the introduction of the Statutory Rules, it may be necessary to give retrospective effect to the amendment, and in some cases there may be exceptional circumstances in which a strict application of a Statutory Rule may cause hardship to persons in service. But there is provision in the Civil Services (Classification, Control and Appeal) Rules to obviate such hardships in individual cases. Under rule 12 of the Classification Rules any rule made by a Government in exercise of the power delegated under the Classification Rules may, for reasons to be recorded in writing, be relaxed in individual cases in which that Government is satisfied that a strict application of the rule would cause hardship to the individual concerned, but no such relaxation should be made without the concurrence in writing of the Governor. The Commission invited the Government's attention to this rule and enquired whether they did not consider this provision sufficient for obviating hardship in individual cases, without amending Statutory Rules with retrospective effect. The Commission pointed out that if Statutory Rules are amended with retrospective effect to benefit individual officers, the precedents thus created would be taken advantage of and abused at a future date when political influences will be stronger than at present. In reply the Government stated that they could not say that in no circumstances would it be proper for them to give retrospective effect to an amendment of a Statutory Rule which might be intended to benefit an individual. They further stated that rule 12 of the Classification Rules is inapplicable to persons who are not in service and that the only way of obviating hardship in the case of such persons might be to amend the relevant rules with retrospective effect. The Government have, however, since revised their view regarding the scope of Classification Rule 12 and have held that it applies also to persons not already in service. In this view there seems to be no justification for giving retrospective effect to amendments to the Statutory Rules.

Typewriting qualification for clerks.—With reference to the decision [vide paragraph VI (i)] that clerks should possess typewriting qualification the Government proposed that the name of no candidate appearing for the competitive examination of 1934 for clerkships should be included in the list of selected candidates unless he possessed that qualification. It was pointed out by the Commission that the examination for clerkship was competitive and that it was incompatible with

the principles of competition to hold an examination and then, to refrain from selecting candidates on the results of that examination, issuing lists of only such candidates as might have passed, or might subsequently pass, the typewriting examination. It was further pointed out that the experiment would result in delay in filling vacancies and bring about a deadlock if a sufficient number of candidates be not available for selection. The Government did not accept the Commission's views in the matter.

Selection of candidate—Soil Physicist.—In July 1933, the Government requested the Commission to advertise a vacancy anticipated shortly in the post of Soil Physicist and to nominate two candidates in the order of preference. The post was not then included in any service but the Government proposed to include it in the Madras Agricultural Service. The Commission accordingly advertised the vacancy and announced in the notification inviting applications, with reference to the orders then in force, that applications from subjects of Indian States would be considered only if qualified and suitable British Indian candidates were not forthcoming. The Commission selected two candidates from among those that appeared for interview and arranged them in the order of preference. The first of the two candidates was a State subject but he had obtained a declaration under section 96-A of the Government of India Act. This section runs as follows :—

“ 96-A. Notwithstanding anything in any other enactment, the Governor-General in Council, with the approval of the Secretary of State in Council, may by notification, declare that, subject to any conditions or restrictions prescribed in the notification, any named ruler or subjects of any State in India shall be eligible for appointment to any civil or military office under the Crown to which a native of British India may be appointed, or any named subject of any State, or any named member of any independent race or tribe, in territory adjacent to India, shall be eligible for appointment to any such military office.”

According to this rule, the first nominee had all the status of a British subject so far as his appointment under the Crown in India was concerned.

The Government, however, appointed the Commission's second nominee in preference to the first on the following grounds :—

- (i) that the Commission's first nominee was a subject of an Indian State;
- (ii) that as the candidate was not born or domiciled in the Madras Presidency, he was not, according to the rules in force at the time of the *selection*, eligible for appointment to the post when a British Indian candidate so born was available; and
- (iii) that the inclusion of the first nominee in the approved list contravened the orders of the Government which provided that

inclusion of a subject of an Indian State in a list of candidates approved for appointment required the previous sanction of the Local Government.

The first of the reasons given by the Government was not correct as the candidate possesses the status of a British subject by virtue of the Declaration under section 96-A of the Government of India Act. As regards the second reason, the rule that a candidate who is not born or domiciled in the Madras Presidency should not be selected when a candidate so born or domiciled is available, was issued after the notification inviting applications for the post of Soil Physicist was published and was not applicable to the case in question. Nor did the question of obtaining the previous sanction of the Local Government arise in this case. Section 10 of the Madras Services Commission Act requires the Commission to submit to the Government a list of the candidates whom the Commission considers most suitable for appointment arranged in the order of preference and it does not require the Commission to obtain the previous sanction of the Government to include in the list the name of a *qualified* candidate. The Commission explained the position again to the Government. The Government accepted the Commission's view that a person who had obtained a declaration under section 96-A of the Government of India Act had the same status as a British Indian subject for purposes of appointment but did not see fit to revise their orders.

Promotion of a person with inferior records—Madras Registration Service.—In February 1933 the Inspector-General of Registration nominated three Sub-Registrars in the selection grade as suitable for promotion to the post of District Registrar. After examining the confidential reports of those officers, the Commission recommended Nos. 2 and 3 in the list of nominees as fit for promotion. As regards No. 1, the Commission stated that the reports on him were widely divergent and that until the head of his department was able to make a more definite recommendation, his promotion should be deferred. The Government immediately called on the Inspector-General to submit a further report on this officer. On 26th June 1933 the Inspector-General wrote to the Government that immediately after his interview with the Hon'ble the Minister on the subject, he directed the District Registrar concerned to inspect the office of the Sub-Registrar and report on his work and that he also inspected the Sub-Registrar's office and considered that there was not sufficient reason for passing over the candidate. The Government forwarded this report to the Commission in July 1933 and stated that pending the Inspector-General's report on this Sub-Registrar no orders were passed on the Commission's recommendation in March 1933 in respect of the other two Sub-Registrars.

This in the Commission's opinion was not fair to the two candidates who had been considered fit for promotion already and who should have been promoted forthwith. There was no reason to have deferred their promotion till a favourable report was received in respect of the

other Sub-Registrar. After examining the special report referred to, the Commission considered that the Sub-Registrar might be promoted to the Provincial Service but recommended that he should be placed in the approved list below the two officers whom the Commission had already passed as fit. The Government, however, held that this candidate should be given his rank over the other two candidates. They stated that if he was fit for promotion, it was but fair and in accordance with the provisions of rule 2 (a) of the Madras Registration Service Rules that he should be given his rightful place. The Commission failed to see how the question of fairness arose in this case. The Statutory Rules framed by the Government for the other Provincial Services do not provide that promotion to those services should be according to seniority in the Subordinate Services. The principle governing promotion to those services is merit combined with seniority. A senior officer need not necessarily be placed at the top of a list of officers considered fit for selection for a Provincial Service when his juniors have to their credit more meritorious service. According to section 11 of the Madras Services Commission Act when the Commission is consulted regarding the suitability of officers nominated by the head of a department for promotion from a Subordinate Service to the corresponding Provincial Service, it has to arrange the candidates in the order of preference. The particular rule in the Madras Registration Service Rules issued by the Local Government under the powers delegated to them under the Civil Services (Classification, Control and Appeal) Rules is at variance with section 11 of the Madras Services Commission Act. It is true that section 12 of the Madras Services Commission Act enjoins the Commission to observe the rules issued by the Local Government but as this rule regarding promotion to the Madras Registration Service according to seniority virtually nullifies the procedure laid down for the Commission in section 11 of the Madras Services Commission Act, the Commission pointed out this apparent inconsistency and suggested that the particular rule in the Madras Registration Service Rules should be amended so as to bring it in conformity with the rules for the other Provincial Services. Having regard to the fact that the Government deferred passing orders on the Commission's original recommendation and waited till a special report was obtained on an officer whom the Commission did not recommend in the first instance, the Commission considered that it would not be proper to select a distinctly inferior man in preference to better men on the technical ground of the existence of a defective rule which it was difficult to justify and suggested that the said rule be amended at once so as to bring it into accord with the rules for the other Provincial Services before the list of officers considered fit for promotion was acted upon. The Government did not act on the Commission's suggestion. They stated that communal rotation was applied to promotion to the selection grade within the Madras Registration Subordinate Service and that in order to secure the practical application of the communal rule to the Madras Registration Service it had been provided that selection from the selection grade of the Madras Registration Subordinate Service for appointment to the Madras Registration Service should be made by

seniority; that the Madras Services Commission had indeed to be consulted, but that practically the effect of the rules was to confine the Madras Services Commission's functions to the determination whether a Sub-Registrar in the selection grade was fit for promotion to the Madras Registration Service and that, if he was fit for promotion, he must be promoted in his turn according to seniority. The Government have promised to consider whether, as suggested by the Madras Services Commission, the rules may not be brought into closer accord with those adopted in other departments. But it does not appear that it was necessary to postpone the consideration of this question. The practical effect of so doing was the preferment of a comparatively inferior person to the Provincial Service prior to men with better records.

Disciplinary case.—In December 1930 the Government in consultation with the Madras Services Commission appointed an officer as Assistant Directress of Public Health for maternity and child welfare work in the Presidency and placed her on probation for a period of two years. At the time of the appointment the post of Assistant Directress of Public Health was not included in any service. But in February 1932 the Government included this post in the Madras Public Health Service and consequently the rules of the service were applicable to her. According to the special rules for the Madras Public Health Service, a candidate selected for admission to the service should undergo the third-class test in Tamil or Telugu. Under the same rules, if at the end of the prescribed period of probation the Local Government did not consider the selected candidate suitable for appointment to the service or the selected candidate had not successfully passed the test, the Local Government should by order dispense with the services of the candidate. Within the period of probation the officer in question had not passed the Vernacular Test. Nor did she pass another examination, viz., the Account Test for Executive Officers, which she was required by executive orders of the Government to pass within two years from the date of her first appointment. At the end of the prescribed period of probation the Director of Public Health reported that the officer had been found unsuitable for the post. The Government referred the case to the Commission for advice. In doing so, they stated that they were considering separately whether the rule regarding the Vernacular Test should be relaxed in her favour. The Commission's advice was, however, not invited on this point, but only on the question of her fitness for retention in service. The Commission having regard to the definitely unfavourable report of the Director of Public Health who was supported by the Surgeon-General, had no alternative but to recommend that her probation be terminated. Accordingly the Government dispensed with the services of the officer. Against this order the officer memorialized the Government and the Government referred the memorial to the Commission for advice. The Commission observed that the Director of Public Health through whom the memorial was submitted had forwarded it without any remarks on the allegations contained in it. As some of the allegations called for remarks from the Director of Public Health, the Commission suggested

that his remarks be obtained. The Government stated that it was unnecessary to call for his remarks on the memorial as he had made no remarks when forwarding it. The Commission felt that the Director of Public Health would have some remarks to offer were the memorial referred to him and stated that in case he was unable to refute the allegations contained in it, it was reasonable to infer that the allegations were true and *on the assumption that the Director of Public Health had no remarks to offer and that the allegations were true*, the Commission recommended that the rule regarding probation be relaxed in favour of the memorialist by extending her period of probation by a year. The Government thereupon cancelled the order dispensing with the services of the memorialist and reinstated her. They also extended her period of probation by one year giving her sufficient time within which to pass the Vernacular Test. In the original order dispensing with the services of the officer, her failure to pass the Vernacular Test was not considered at all and the Commission understood that that order was passed not because she had failed to pass the test, but because the Government had agreed with the Director of Public Health and the Surgeon-General that she was unsuitable for the post. In passing the revised orders reinstating her, the Government practically ignored the report of her unsuitability for the post and took into consideration only the insufficiency of time within which she must pass the test and justified her reinstatement on that ground. If insufficiency of time was the ground for her restoration to service there was no need for the Government to have dispensed with her services at all. The power to extend her period of probation to enable her to pass the test could have been exercised even in the first instance instead of dispensing with her services. In effect the probationer was reinstated on a ground which was different from the ground on which the Commission's advice had been sought.

With reference to the last paragraph in the report for 1932-33 it may be noted that the number of cases in which the Government were unable to accept the recommendations of the Commission in 1933-34 is five (including one disciplinary case) while in the previous year it was six (including two disciplinary cases).

XII. AMENDMENTS TO THE MADRAS SERVICES COMMISSION ACT.

In its previous reports the Commission referred to the difficulty it experienced in advising the Government on recommendations of the heads of departments for promotion from Subordinate Services to the corresponding Provincial Services (*vide* paragraph 15 of the report for 1930-31, paragraph 28 of the report for 1931-32 and paragraph 34 of the report for 1932-33). The Commission has been obliged to ~~confer~~ its recommendations to the claims of those nominated by the heads of departments even though those recommendations involve the supersession of senior officers with records as good as those of the officers nominated. The Commission feels that unless the Act is amended as already proposed by it, it cannot effectively discharge the responsibility placed on it by section 11 of the Act.

XIII. SUGGESTIONS MADE IN THE LEGISLATIVE COUNCIL ON THE PREVIOUS REPORTS OF THE COMMISSION.

Medical certificates for admission to the competitive examination for clerkships.—The Government referred to the Commission a suggestion made during the debate in the Legislative Council on the Commission's report for 1931–32 that candidates for appointment as clerks, etc., in the ministerial service should be required to produce certificates of physical fitness only if and when they come out successful in the examination. With the concurrence of the Commission, the Government accepted this suggestion as an experimental measure and accordingly directed that applications for admission to the competitive examination need not be accompanied by certificates of physical fitness and that such of the candidates as were approved by the Commission should produce certificates of physical fitness within two weeks of their being required to do so. Delay in the production of certificates beyond the time-limit prescribed would in no circumstances be condoned and would involve the summary rejection of candidates.

This experiment was sanctioned for two years at the end of which the Commission will submit a report on its working.

Raising the age-limit of candidates selected for appointment as clerks in 1931 and 1932.—The Government referred to the Commission another point raised during the debate in the Legislative Council on the Commission's report for 1931–32, viz., that the age-limit for candidates should be brought into operation at the stage of their approval for appointment and at no subsequent stage. The Commission pointed out to the Government that as a general proposition the suggestion was opposed to the interests of efficiency and economy in that it would mean the admission of candidates to Government service at a comparatively late age. Further, it seemed to the Commission that such a course could only relieve the hardship of one set of persons by transferring it to another, the younger, and those likely to be more useful. The Government agreed with the Commission.

At the same time the Commission pointed out that the candidates selected on the results of the competitive examination for clerkships held in 1931 and 1932 could not be appointed as quickly as had been anticipated. The reasons for this were mainly that subsequent to their selection there was retrenchment and that persons who had been officiating as clerks before the introduction of the scheme of selection by competitive examination were exempted from appearing for the examination under the various schemes of exemption sanctioned by the Government. The Commission recommended that in the special circumstances the age-limit in respect of the candidates selected for clerkships in 1931 and 1932 might be raised to 30 years. This recommendation was not accepted by the Government. This affected about 100 candidates selected for clerkships in 1931 and 1932 who became age-barred before their turns for appointment came.

XIV. GENERAL.

While noting with satisfaction that the Government have except in a few cases accepted the recommendations of the Commission, the Commission would urge the Government to set up the convention of accepting invariably the recommendations of the Commission. If the object of the Madras Services Commission Act is to set up a body that will keep recruitment to the services and the working of the services beyond the reach of political influences, the decisions of the Commission should be accepted by the Government in the ordinary course. While agreeing that in matters of general policy in regard to recruitment or organization of the services, the views of the Government should prevail, the Commission is of the opinion that in matters like amendments to Statutory Rules, qualifications of candidates for appointment to services, disciplinary cases, the advice of the Commission should be accepted. There would also be considerable saving of time and energy in other departments of the Government if the Commission were recognized as the sole authority in such technical matters.

APPENDIX A.

EXTRACTS OF REPORTS FROM EXAMINERS IN THE SPECIAL TEST EXAMINATIONS.

The Translation Test (Tamil)—June 1933.—The difficulty with most of the unsuccessful candidates has been their poor knowledge of English. Their expression in Tamil was not bad, but owing to their inability to understand the English passages correctly, they were unable to give a proper rendering of them in Tamil. The difficulty with one candidate was however the other way. His English was good, better, I should say, than even that of the successful candidate, but his Tamil was too bad. His expression in the language was often faulty and ungrammatical and his words mostly misspelt. He gave the impression that he was not one born to the language, but had first been trying to pick it up, though not enough to secure a pass.

(Oriya)—June 1933.—Here and there I find the candidate has safely avoided to translate the legal and technical expressions and idioms peculiar to the foreign tongue.

(Kanarese)—December 1933.—There were only two candidates out of whom one passes and the other fails. The former displayed a good knowledge of the language and is evidently accustomed to Translation work. The other did not have even an elementary knowledge of the language and committed innumerable grammatical and spelling mistakes.

The Civil Judicial Test—June 1933.—I found the standard of answers better than usual.

The Criminal Judicial Test—(The Indian Evidence Act)—June 1933.—The general standard of the candidates was low and many appeared to have failed to understand clearly what was required from them. In spite of the note on the question papers that candidates are expected to give their answers in their own words as far as possible most of the candidates have copied in their answers the sections of the Evidence Act almost verbatim, and I feel a doubt as to whether all of them clearly understood their meaning. So long as candidates are allowed to use books, the temptation to copy the sections *verbatim* is likely to prove too strong for the candidates to overcome. In several cases the candidates copied sections which had no bearing whatever on the questions asked and wasted their time. There were, as one might expect, a number of "howlers," and not a few in the answer papers of even some of the candidates who have passed; in most of them however the ignorance displayed was not so much ignorance of law as ignorance of the English language, and I therefore refrain from giving any specimens.

December 1933.—As was perhaps to be expected, those questions which could be directly answered by copying out extracts from the Act itself, were much better answered than the other questions. Questions that called for a general knowledge of the Act were not, on the whole, well answered.

Many marks were lost because the candidates did not read the questions carefully.

(The Indian Penal Code—General Principles and Detailed Application)—June 1933.—The paper (General Principles) was an exceedingly easy one, the answers were disappointing on the whole . . . A poor grasp of English, a marked tendency to shrink from thinking for themselves (possibly diffidence), and a cursory reading of the question asked were noticeable features. Handwriting was very bad; spelling also was on the whole very good.

On the whole this paper (Detailed Application) was well answered. It was easy, and there was no excuse for failure.

December 1933.—The most striking feature was the lack of ability to think accurately in English. The tendency to memorize passages from commentaries was noticeable. Verbatim quotations were often made, but in such cases it was clear from the context that the words quoted were not understood. The failures were entirely due not to ignorance of law but to a low standard of general education.

(*Code of Criminal Procedure—General Principles and Detailed Application*)—June 1933.—Failures are more numerous in Detailed Application than in General Principles. On going through the answer papers I am inclined to think that this is mainly due to the fact that many of the candidates appear to have had no practical experience of the work done in criminal courts. Such experience might have helped them in answering some of the questions much better. In stray cases, the candidates concerned do not appear to have studied the subjects at all. Even in guessing answers some have exhibited utter lack of common sense, e.g., one has said that the provisions of the Code are applicable to all the villages in the Madras Presidency except those in the Fort St. George! Another has said that an accused person may be made to confess his crime when he is sleeping or after he is made to drink some intoxicating liquor!

December 1933.—Many of the candidates have not made a critical study of the subjects. This appears to be one of the evils of the present system of allowing the use of books in answering questions.

The Revenue Test—(Revenue Acts and Regulations)—June 1933.—The General level of the marks scored is rather low. It is obviously due in some cases to want of preparation, but in a good many others it is partly the result of deceptive technique in answering examination papers. The paper consisted of 12 questions and the time allotted was three hours, thus allowing one-fourth of an hour for answering each question. Many of the answer papers suggest that the candidates must have spent more than one-fourth of an hour in answering a single question, thus not allowing sufficient time for answering other questions. There was a general tendency to write too much and sometimes to write without due consideration and to put down matter which was not asked for in the question . . . Many candidates in answering questions concerning a particular concrete case, return an answer in general terms instead of a specific discussion of the actual points put forward in the question.

December 1933.—There was a considerable tendency to write answers without grasping the meaning of the questions. A particularly glaring example was in answer to the question 'What is the liability of a member of a Co-operative Society?' A large number of candidates replied with a long account of the number of votes he possessed.

(*The Standing Orders of the Board of Revenue*)—June 1933.—Many of the candidates did not attempt to answer those questions which required an application of the rules and contended themselves with answering those questions the answers to which were to be found readily in the books. Even in answering the latter class of questions, a mass of irrelevant matter was copied from the books and only a very few could answer to the point. It is clear that many of the candidates have no working knowledge of the Board's Standing Orders.

December 1933.—The general result of the examination cannot be said to be satisfactory. Most of the candidates did not even attempt to answer questions which required for answering either a reference to more than one standing order or a comparison of orders contained in different portions of the Board's Standing Orders or a good working knowledge of the rules.

(*Manuals of Village and Taluk Accounts and the Special Funds Code*)—June 1933.—The result is not better than last half-year's. The question paper was general, but the candidates made too much use of the books without understanding the question. Some headings mislead them and they copied wrong answers. Where attempt was made to produce an answer in the candidate's own words without reference to books the result was not satisfactory. I raised the percentage slightly by reviewing a few answer papers which were on the border of success. Even then I could not pass 50 per cent.

December 1933.—There is nothing particular to be reported about the results which to me appear better than last half-year. One thing I notice is that the candidates funk too much in answering general questions which they cannot copy from the books. The average ability of the candidates is very low. I give one or two samples of the answers. Two candidates have defined "Khattubadi" as the name assigned to a village talaiyari. One says that it is the name of a "Road!" Achukattu is defined by one candidate as a "kind of cultivation." Yet another described khattubadi as "an agreement by the owner of land lease out his land to a ryot on conditional payment of certain produce." I could multiply but I have chosen the most striking.

The Account Test for Public Works Department Officers and Subordinates—(Madras Public Works Department Code)—June 1933.—A good percentage of candidates were able to secure a pass minimum but on the other hand no one was able to attain a standard of 'distinction.' From that point of view, the result was somewhat disappointing.

December 1933.—I observed that one candidate had answered some questions in bias, i.e., not completing a full question or even part of a question; but coming back to omitted portions after answering other questions. This was done twice and struck me as somewhat unusual. It may perhaps be considered whether pressure may not be put on candidates to answer fully such of the questions as are attempted, before they pass on to other questions in the question papers.

(Public Works Account Code)—June 1933.—The answers have been generally good.

December 1933.—The knowledge of candidates this time is generally poor.

The Account Test for Executive Officers—June 1933.—The answer papers are on the whole very satisfactory and the number of failures is very few. As the use of books has been allowed, this is hardly surprising and does not require any comment.

December 1933.—The questions were easy and all taken from the books. The results are not therefore satisfactory.

The Account Test for Subordinate Officers, Part I—June 1933—Chief Examiner's report.—The candidates have on the whole displayed a high standard of knowledge of the subjects in which they were examined.

Additional Examiner's report.—The results are really good compared with the results in the recent past and more so when the question paper set this time was practically of the same standard with one or two searching questions besides two practical questions as before. It should be said to the credit of the candidates that they have done exceedingly well. The fact that the lowest mark secured did not fall below 10 shows that the men are really serious about the examinations now . . . The one defect that still persists is that the candidates do not attempt to give the answers in their own language as they are expected to do . . . As usual, the practical questions were answered correctly only by a few . . . Anyhow a large number of them have attempted the questions and have given some proof that they know how to deal with them.

December 1933—Chief Examiner's report.—Except in a few cases, the candidates' knowledge seems to be limited to the purely theoretical part of the subjects. The knowledge displayed by the candidates in answering the questions of a practical nature is not up to the mark.

Additional Examiner's report.—As regards the results, this year gives a percentage of only about 40 per cent which is certainly low, compared with the high percentage of previous years. Taking all things into account, the examinees do not deserve more than this percentage. The paper cannot be said to be stiff and if the men had done the non-practical questions which themselves carried 32 marks out of 60, they could have secured a pass easily. There has been too much of bungling on the part of the candidates even in regard to these questions especially in certain centres with the result that the percentage of passes went down. The valuation cannot also be said to be strict. In fact, consideration was given to the working of practical questions and marks were allotted if it was seen that the candidates had caught the principles involved.

The Account Test for Subordinate Officers, Part II—June 1933.—I am afraid the percentage of passed candidates is not very creditable; this in spite of the fact that I have tried to be liberal and have reviewed the answer papers near the border-line. The standard shown out has been the lowest I have so far dealt with for this examination. An accident, perhaps.

December 1933.—The samples of question papers sent to me appeared to me to be defective in that they encouraged merely the copying of answers from books, and as I considered it desirable to attempt a departure and test the capacity of the candidates to apply the rules to given facts, which I think is the correct criterion to be applied in examinations with books, I set one question having this object in view. I find that more than 60 per cent of the candidates have ignored this question altogether while of the few that attempted it, none has given a satisfactory answer. The question itself is a simple one. This leads me to suggest

whether the Commission may not lay down an instruction that, in future examinations, some of the questions at least should be of a practical character which involve arriving at definite results by the application of the rules in the books to definite data. My general impression is that a great deal more has been copied out than is called for by the questions and very often irrelevant matter which indicates that the examinees have not assimilated the subject-matter they studied.

The Agricultural Department Test—June 1933.—The candidates show a general tendency to avoid practical questions and get through by answering bookish ones.

December 1933.—Most of the candidates seem to have prepared well for the examination. Some of them have done particularly well.

EXTRACTS OF REPORTS FROM EXAMINERS IN THE DEPARTMENTAL EXAMINATIONS.

Departmental Test for Officers of the Madras Agricultural Service—June 1933.—Verbatim quotations from books had been freely given as answers to several questions. The answers did not indicate any working knowledge of the Departmental Accounts or a satisfactory understanding of the principles thereof.

Fisheries Department Test—June 1933.—The highest mark scored is only 52 (out of a maximum of 100). This is I think due to the fact that the examination is made up of two parts, one dealing with office procedure and the other with fish-curing yards.

December 1933.—Out of 12 candidates who appeared for the examination only five have passed.

Departmental Test for clerks in the Police Department—December 1933.—Out of 48 candidates examined 26 have passed and 22 failed, the percentage of passes being 54.2. The failures are due entirely to very bad preparation.

Deputy Inspectors' Test—December 1933—Madras Educational Rules, etc.—Though the valuation has been very liberal the percentage of passes is only 30 per cent. This appears to me to be due to—

- (1) the failure of the candidates to understand correctly the scope of the questions; and
- (2) their ignorance of the several Government Orders that have been received from time to time supplementing and modifying the Madras Educational Rules, the Madras Elementary Education Act and the rules framed thereunder.

Deputy Inspectors' Test, Part II (Linguistic)—Tamil.—The performance of the candidates was on the whole fair.

Kanarese.—The candidates do not seem to have made any attempt worth the name to study the prescribed text-books, and their acquaintance with the language, even apart from the text-books, was likewise extremely poor.

Malayalam.—The candidate does not appear to have even a knowledge of the letters of the Malayalam alphabet. His answer paper shows that he does not know how to write them properly. The only question he attempted was the last one—question No. III—translation of a passage into Malayalam. Most of the words he used are Tamil words transcribed in Malayalam letters. His writing looks like that of a child just beginning to learn to write. His rendering of the passage was most unsatisfactory.

Local Fund Audit Department Test and Subordinate Accounts Service Examination—June 1933.—(1) The answers to Fundamental Rules and Civil Service Regulations paper were very unsatisfactory.

(2) Some appeared to have copied unnecessary matters from the books with them and failed to secure the minimum marks.

December 1933—Local Fund Audit Department Test—Accounts.—Most of the candidates appear to be below the average—were not able to handle the practical questions properly—not very much conversant with the books to refer to them correctly. The results are not good for an examination with books.

Port Department Test—June 1933.—The results are on the whole satisfactory. The examinees have handled the subjects fairly well and have exhibited a working knowledge of the Departmental Manuals and Acts: above the average. The following drawbacks have been noticed:—(1) the requirement that "authority should in all cases be quoted" has not been strictly complied with; (2) where a question related to both English and Indian Acts some have confined their answers to one

only, thus disclosing defective outlook; (3) some have been indiscreet in reproducing whole paragraphs and thus wasting much time which otherwise would have served them in answering more questions.

Registration Department Test—June 1933—Madras Registration Manual, Part II—Circulars and Orders.—A good majority of the candidates that appeared lack detailed study. Questions that could be answered straight from books were answered at great length and with patience by means of almost verbatim quotations, but the searching questions involving application of the principles and practical knowledge have been very unsatisfactorily done.

December 1933—Circulars and Orders.—The answers show very insufficient preparation and lack of proper understanding of the departmental orders.

Survey Department Tests—December 1933—Deputy Surveyor's Test (Malayalam).—The examinees have exhibited a woeful ignorance of what they are expected to know. None has attempted with success the solitary question is arithmetic, the protractor plot, the scale of the representative fraction, and many other questions.

The question on the utility of village stone account has been misunderstood. The candidates have generally taken it to mean "the Revenue stones."

Their knowledge about the rules of demarcation is very hazy.

Expression of ideas has been very imperfect. Tamil and mispronounced English words have been freely mixed with Malayalam giving one the impression that the candidates are ignorant of tolerably good Malayalam.

Field Surveyor's Test (Malayalam).—The most noticeable drawback in the examinees is an inability to express correctly what they have in mind.

It is surprising that some of the candidates should evince ignorance in regard to the dimensions of stones. All have omitted mention of the different kinds of stones used in Town Survey.

The rules for the demarcation of poramboke have not been exhaustively dealt with in any answer paper.

The symbols for Metalled and Gravelled roads have not been properly described. A surveyor has occasion to use them very constantly and ignorance in this matter is astonishing.

Handwriting and general execution careless, and sentences are clumsily formed.

Periodical Test in Shorthand (June 1933).—Fifty candidates (a percentage of 41.32) out of 121 passed the examination. . . . On the whole, the standard of performance is disappointing. The passage selected for transcription was chosen with considerable deliberation and care, and was on subject-matter with which clerks in Government employ should be entirely familiar. In many cases answer-papers showed a total absence on the part of candidates of not only general knowledge but common knowledge and elementary history. A large percentage—even among candidates gaining a pass—seemed to be unaware that there had existed such persons as Bonar Law (confused with Mr. Bannerji), Walpole and Rosebery. The causes which lead to this state of onesided education is outside the purview of this report. From an analysis of the answer papers received, it is apparent that the majority of candidates are seldom called upon to take down notes at speeds above 70–80 words per minute and that in many cases shorthand is an unpractised art, no doubt the clerks concerned being in the habit of submitting draft letters or notes instead of taking shorthand notes to dictation.

Police Training School Final Examination—September-October 1933—Indian Evidence Act.—The answers on the whole are above average. Candidates show lack of knowledge of correct English—spelling poor. A few have not read the questions carefully and understood what was wanted of them before answering the papers.

Police Orders.—The candidates generally display a fair knowledge of Police Orders. Only 17 per cent scored less than 40 per cent. Fifty-three per cent passed with 50 per cent or more marks.

It was noticeable in nearly every paper that candidates had either not taken the trouble to read questions through carefully or had not the intelligence to understand them. Answers to questions were verbose. Candidates frequently drew upon their imagination and plunged into long-winded theories which were never intended.

Thirty-two per cent scored just less than sufficient to secure a pass. These appear to have a fair knowledge of the subject but require some practical training to understand the spirit of Police Orders. The questions set were of an extremely practical nature and should have presented no difficulty to the candidates who had read carefully. The main questions on Crime work would have scored for correct answers no less than 32 marks out of a total of 80. Very few candidates secured 50 per cent in either of the questions. It seems to me that more attention should be paid to instruction in Chapter 31, Police Orders, Volume I, as this is the basis of Crime work.

A few of the candidates appear to be handicapped by an inadequate knowledge of English. A few others show sound knowledge of all branches of work. The answer-papers are on the whole slightly above the average.

Criminal Procedure Code.—The paper was rather a difficult one, purposely so because the passing mark is 30 out of 80; but there was a choice of eight questions to be done out of ten in the paper.

It is six years since I acted as examiner before and the point that strikes me is the great falling off in the knowledge of English. Many of the Sub-Inspectors have a very poor knowledge of how to express themselves in their own words in English, and I do wonder greatly as to how they ever managed to pass their Secondary School-Leaving Certificate. The handwriting is also of a poor standard and not more than one in five candidates wrote or tried to write a good hand.

APPENDIX B.

Special Test Examinations (June 1933).

Name of test.	Number admitted.	Number of absentees.	Number examined.	Number passed.		Number failed.	Percentage of passed to examined.	
				I Class.	II Class.		June 1933.	December 1932.
The Translation Test—								
Tamil	5	Nil.	5	Nil.	1	4	20.0	60.0
Telugu	5	Nil.	5	Nil.	3	2	60.0	42.9
Oriya	1	Nil.	1	Nil.	1	Nil.	100.0	33.3
The Civil Judicial Test ..	21	4	17	Nil.	11	6	64.7	50.0
The Criminal Judicial Test ..	97	10	* 87	2	26	56	32.6	30.1
The Revenue Test	168	14	154	Nil.	23	131	14.9	11.4
The Account Test for Public Works Department Officers and Subordinates ..	20	1	19	Nil.	7	12	36.8	53.6
The Account Test for Executive Officers ..	81	7	74	..	..	11	85.1	61.6
The Account Test for Subordinate Officers, Part I	419	37	† 382	69	228	83	77.7	61.5
The Account Test for Subordinate Officers, Part II	58	5	51	Nil.	21	30	41.2	53.0
The Jail Test	3	Nil.	3	Nil.	1	2	33.3	60.0
The Agricultural Department Test ..	8	1	7	Nil.	5	2	71.4	91.7
Code of Criminal Procedure	7	1	6	..	..	1	83.3	66.6
The paper on "Laws, Rules, Regulations and Orders relating to Jail Management".	2	1	1	..	..	1	Nil.	Nil.

* The papers of the candidates were invalidated.

† The papers of two candidates were invalidated.

Special Test Examinations (December 1933).

Name of test.	Number admitted.	Number of absentees.	Number examined.	Number passed.		Number failed.	Percentage of passed to examined.	
				I Class.	II Class.		December 1933.	June 1933.
The Translation Test—								
Tamil	4	Nil.	4	Nil.	1	3	25.0	20.0
Telugu	4	Nil.	4	Nil.	2	2	50.0	60.0
Kanarese	2	Nil.	2	Nil.	1	1	50.0	..
Hindustani	1	Nil.	1	1	Nil.	Nil.	100.0	..
The Civil Judicial Test	20	2	18	Nil.	12	6	66.7	64.7
The Criminal Judicial Test	130	8	122	Nil.	17	105	13.9	32.6
The Revenue Test	312	17	* 294	Nil.	67	227	22.8	14.9
The Account Test for Public Works Department Officers and Subordinates	19	1	18	1	6	11	38.9	36.8
The Account Test for Executive Officers	52	6	46	..	..	22	52.1	85.1
The Account Test for Subordinate Officers, Part I	376	31	† 345	13	134	187	44.0	77.7
The Account Test for Subordinate Officers, Part II	72	3	69	10	40	19	72.5	41.2
The Jail Test	4	Nil.	4	1	2	1	75.0	33.3
The Agricultural Department Test	12	Nil.	12	3	7	2	83.3	71.4
Code of Criminal Procedure	1	Nil.	1	..	..	1	Nil.	83.3
The paper on "Laws, Rules, Regulations and Orders relating to Jail Management"	1	Nil.	1	..	..	1	Nil.	Nil.

* The paper of one candidate was invalidated.

† The papers of eleven candidates were invalidated.

Periodical Test in Shorthand (June 1933).

Number admitted.	Number of absentees.	Number examined.	Number passed.	Number failed.	Percentage of passed to examined.
161	40	121	50	71	41.32

Police Training School Final Examination held in September-October 1933.

Subject.	Number admitted.	Number of absentees.	Number examined.	Number passed.	Number failed.	Percentage of passed to examined.
Police Orders ..	41	Nil.	41	22	19	53.65
Special and Local Laws	41	Nil.	41	40	1	97.31
Criminal Procedure Code	41	Nil.	41	34	7	82.92
Medical Jurispru- dence	41	Nil.	41	41	..	100.0
Indian Penal Code.	41	Nil.	41	41	..	100.0
Indian Evidence Act	41	Nil.	41	38	3	92.43
Survey and Obser- vation	41	Nil.	41	41	..	100.0
First Aid (Theory, Practical and Viva Voce) ..	42	Nil.	42	40	2	95.23
Drill	41	Nil.	41	40	1	97.31

Departmental Examinations (June 1933).

Name of test.	Number admitted.	Number of absentees.	Number examined.	Number passed.			Number failed.	Percentage of passed to examined.	Remarks.
				I Class.	II Class.	Total.			
Account Test for Harbour Engineering staff	1	Nil.	1	..	1	1	Nil.	100	
Departmental Test for Officers of the Madras Jail Service (four papers)	2	Nil.	2	..	1	1	1	50	One candidate failed in Jail Manual, Part II.
Departmental Test for Officers of the Madras Agricultural Service	1	Nil.	1	..	..	1	Nil.	100	
Fisheries Department Test ..	19	1	18	..	..	9	9	50	
Local Fund Audit Department Test—									
Office Procedure	42	18	24	..	..	15	9	62.5	
Acts and Rules framed thereunder	49	18	31	..	..	26	5	83.87	
Accounts	49	16	33	..	..	15	18	45.45	
Audit	50	17	33	..	..	14	19	42.4	
Fundamental Rules and Civil Service Regulations. Commercial Book-keeping.	45	18	28	..	..	7	21	25	
Port Department Test	58	32	26	..	..	12	14	46.2	
Registration Department Test—	6	Nil.	6	..	..	4	2	66.6	
Group I (two papers) ..	46	10	36	..	..	11	25	30.5	Number failed in Registration Act— Rules and Table of Fees .. 15 Circulars and Orders .. 24
Group II (one paper) ..	35	9	26	..	..	7	19	26.9	
Group III (one paper) ..	37	11	26	..	..	12	14	46.2	
Subordinate Accounts Service Examination—									
Fundamental Rules and Civil Service Regulations.	38	17	21	..	..	5	15	23.8	The answer paper of one candidate has been invalidated as he used a printed form.

Accounts	45	8	37	..	..	20	17	54.05
Audit	44	8	36	..	..	12	24	33.3
Local Acts and Rules framed thereunder ..	43	8	35	..	..	16	19	45.71
Commercial Book-keeping ..	48	17	31	..	..	14	17	45.16
Veterinary Department Test ..	37	2	35	..	..	31	4	88.7
Vernacular Test for the Registration Department—								
Tamil	7	Nil.	7	..	..	3	4	42.9
Telugu	6	3	3	..	..	1	2	33.3
Malayalam	5	1	4	..	..	1	3	25
Kanarese	2	Nil.	2	..	..	2	Nil.	100
Hindustani								

(No candidate appeared.)

Departmental Examination (December 1933).

Name of test.	Number admitted.	Number of absentees.	Number examined.	Number passed.		Number failed.	Percentage of passed to examined.		Remarks.
				I Class.	II Class.		December 1933.	June 1933.	
Departmental test for clerks in the Police Department.	70	22	48	..	..	26	54.2	..	Conducted for the first time.
Departmental test for officers of the Madras Jail Service.	1	Nil.	1	..	1	1	100	50	
Departmental test for Officers of the Madras Agricultural Service.	1	Nil.	1	..	..	Nil.	Nil.	100	
Departmental test for Accountants in the offices of the Superintendent of Stamps and Stationery.	2	Nil.	2	..	..	1	50	..	Conducted for the first time.
Deputy Inspector's Test, Part I.	21	1	20	..	..	5	25	..	Do.
Deputy Inspector's Test, Part II (Linguistic)—									
Tamil	10	1	9	..	..	6	66.7	..	Do.
Telugu	4	Nil.	4	..	..	3	75	..	
Kanarese	6	2	4	..	..	1	25	..	
Malayalam	1	Nil.	1	..	..	Nil.	..	..
Urdu	1	Nil.	1	..	..	1	100	..	
Oriya	1	Nil.	1	..	..	Nil.	..	..
Fisheries Department Test.	12	Nil.	12	..	..	5	41.7	50	
Local Fund Audit Department Test—									
Office Procedure ..	28	7	21	..	..	12	57	62.5	
Acts and the rules framed thereunder.	26	9	17	..	..	7	41	83.9	
Accounts	37	9	28	..	..	12	43	45.5	
Audit	37	6	31	..	..	9	29	42.4	
Fundamental Rules and Civil Service Regulations.	41	12	29	..	..	8	27.6	25	

Commercial Book-keeping.	50	23	27	..	..	11	16	40.7	46.2	
Port Department Test ..	6	Nil.	6	..	..	4	2	66.7	66.6	
Registration Department Test—										
Group I (two papers) ..	81	13	68	..	..	24	44	35.3	30.5	Number failed in— First paper. 26 Second paper. 43
Group II	70	20	50	..	..	27	23	54	26.9	
Group III	60	18	42	..	..	35	..	83.3	46.2	
Survey Department Tests—										
Field Surveyor's Test ..	7	Nil.	7	..	..	1	6	14.2	..	Conducted for the first time.
Deputy Surveyor's Test..	11	1	10	..	..	Nil.	10	Nil.	..	Do.
Veterinary Department Test.	10	Nil.	10	..	..	10	Nil.	100	88.7	
Vernacular Test for the										
Registration Department—										
Tamil	7	1	6	..	..	4	2	66.7	42.9	
Telugu	12	3	9	..	..	9	Nil.	100	33.3	
Malayalam	6	Nil.	6	..	..	5	1	83.3	25	
Kanarese	7	3	4	..	..	4	Nil.	100	100	
Hindustani	1	Nil.	1	..	..	1	Nil.	100	100	(No candidate appeared.)

APPENDIX C.

Selections made by the Madras Services Commission under section 10 of the Act.

Number of vacancies. (1)	Applications received. (2)	Applicants qualified. (3)	Appeared for interview. (4)	Recommended. (5)	Qualifications of those recommended. (6)	Remarks. (7)
PROVINCIAL SERVICES.						
<i>Superintendent, Fruit Research Station, Cuddapah, Madras Agricultural Service.</i>						
1	12	12	8	2	(1) M.Sc. (Bristol). (2) Diploma in Agriculture, Coimbatore.	Appointment not yet made.
<i>Deputy Collector.</i>						
1	10	7	7	3	(1) B.A. (Madras University). (2) Do. (3) Do.	No. 1 was appointed. Applications were invited from candidates other than the Non-Brahman (Hindus), Muhamadans, Indian Christians, Anglo-Indians, or Non-Asiatics and Brahmans.
<i>Junior Electrical Inspector to Government.</i>						
1	55	16	15	1	B.E. (Madras University). A.M.I.E.E. (London).	Appointment was not made and the vacancy was re-advertised in April 1934.
<i>Junior Deputy Superintendent, Madras Government Press.</i>						
1	19	17	17	1	Diploma of London School of Printing; City and Guilds of London Institute Examinations, etc.	
<i>Deputy Superintendent of Police.</i>						
1	2	..	..	..	....	Applications invited from candidates belonging to scheduled (depressed) class; no application from qualified candidates received.

Assistant Harbour Master for the Port of Cochin.

1	7	6	4	1	Board of Trade Foreign going Master's Certificate.
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Malayalam Translator to Government.

1	26	23	11	1	B.A., B.L.
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Soil Physicist.

1	7	6	6	2	(1) Ph. D. (London). (2) D. Sc. (Madras).
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Senior Workshop Instructor, College of Engineering, Guindy.

1	9	3	3	2	(1) B.E. (Mech). (2) Do.
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No. (2) was appointed by Government.

Applications invited from communities other than Muhamadan and Non-Brahman (Hindu). The second candidate appointed as the first expressed inability to join appointment immediately.

Selections made by the Madras Services Commission under section 10 of the Act—cont.

(1) Number of vacancies.	(2) Name of community.	(3) Number of applications received.	(4) Applicants qualified.	(5) Appeared for interview.	(6) Recom- mended.	(7) Qualifications of the candidates recommended.	(8) Remarks.
SUBORDINATE SERVICES.							
<i>Upper Subordinate, Agricultural Subordinate Service.</i>							
25	Non-Brahman Hindu.	39	32	32	16	....	Applications invited from all communities.
	Muhammadian ..	1	1	1	1	....
	Indian Christian ..	5	4	4	4	All B.Sc's. in Agriculture.	
	Brahman ..	40	38	38	4	....
		85	75	75	25		
1	<i>Sanitary Inspector, Agricultural College, Agricultural Subordinate Service.</i>						
	Non-Brahman Hindu.	3	2	2	..	....	Applications invited from all communities.
	Brahman ..	4	2	2	1	Intermediate, Sanitary.	
	Depressed Classes ..	1	1	1	..	Inspector's Certificate.	
		8	5	5	1		
1	<i>Electrical Laboratory Assistant, Engineering College, Guindy.</i>						
	Indian Christian ..	1	..	..	..	....	Applications invited from all communities.
	Brahman ..	9	2	2	1	B. E. (Mech).	
		10	2	2	1		
3	<i>Supervisor, Madras Industries Subordinate Service, Class I.</i>						
	Non-Brahman Hindu.	4	2	2	1	1 Upper Subordinate Diploma of the College of Engineering, Guindy.	Applications were first invited from the Muhammadian community for one vacancy, and in the absence of any candidate, that vacancy was re-advertised and applications invited from all communities.
	Indian Christian ..	1	1	1	1	1 Electrical Engineering Diploma of the College of Engineering, Guindy.	

Brahman	13	10	10	1	1 B.E. (Mech.).
	18	13	13	3	
	—	—	—	—	

Mechanic, District Engineering Establishment, Industries Subordinate Service.

1 Non-Brahman Hindu.	1	1	1	1	Certificate in Mechanical Engineering of the Chengalvaya Naicker's Technical Institute.
Brahman	—	—	—	—	
	2	2	2	1	
	—	—	—	—	

Designer, Industries Subordinate Service.

1 Nil. No application was received.

Cloth Designer, Government Textile Institute.

1 Non-Brahman Hindu. 1 The only applicant was not qualified.

Textile Demonstrator, Industries Subordinate Service.

1 Non-Brahman Hindu. 1 1 1 Selection was dropped as the Director of Industries filled the vacancy by appointing a retrenched man. The fees paid by applicants were refunded to them.

Brahman

2 2 2

Sub-Inspector of Excise.

7 Non-Brahman Hindu. 96 75 4 B.A. .. 2 Confined to three subdivisions only.

Indian Christian .. 27 26 2 Intermediate .. 1

Brahman 28 22 1 S.S.L.C. .. 3

E.H.S. Certificate .. 1

151 123 7

Selection made by the Madras Services Commission under section 10 of the Act—cont.

Number of vacancies.	Name of community.	Number of applications received.	Applicants qualified.	Appeared for interview.	Recommended.	Qualifications of the candidates recommended.	Remarks.
SUBORDINATE SERVICES—cont.							
Junior Inspector of Co-operative Societies.							
54	Non-Brahman Hindu.	161	142	140	7	B.A. (Hons.) ..	3
	Muhammadian ..	75	66	65	24	B.A. ..	13
	Indian Christian ..	30	28	27	13	Intermediate ..	11
	Brahman ..	129	115	113	3	S.S.L.C. ..	25
	Depressed Classes ..	9	8	8	5	..	—
		404	359	353	52		52
Sub-Inspector of Police.							
54	Non-Brahman Hindu.	502	445	441	24	S.S.L.C ..	24
	Muhammadian ..	90	77	77	7	Intermediate ..	7
	Indian Christian ..	81	61	61	9	B.A. ..	19
	Brahman ..	203	172	171	10	B.A., B.L. ..	1
	Depressed Classes ..	18	15	15	4	B.A. (Hons.) ..	2
		904	770	765	54	M.A. ..	1
							54
Sergeant, Class V.							
10		58	41	26	10		Selection held in November 1933.
Minor Irrigation Overseer.							
18	Muhammadian ..	1	1	1	..	Diploma in Civil Engineering..	1
	Non-Brahman Hindu.	10	7	6	5	Upper Subordinates ..	5
	Brahman ..	42	35	34	13	Lower Subordinates ..	12
	Depressed Classes ..	1	..	..	..		18
		54	43	41	18		18

Applications invited from all communities.

Laboratory Assistant, Rayagurun Medical School.

Do.

1 Non-Brahman Hindu.
Brahman

4 4 4
5 5 5
— 9 9
— — —

B.A. (Hons.)
(Physics).

1
—

Sub-Assistant Surgeon (Women).

8 Non-Brahman Hindu.
Indian Christian ..
Brahman ..

5 2 2
13 2 2
2
— 4 4
20 — —

M.B. C.M.
L.M.P.

1 2 2
.. ..
— 4 4
— —

1 3
— 4

Third Assistant to Chemical Examiner.

1 Non-Brahman Hindu.

3 3 3

1

B.Sc. (Chemistry).

Applications invited from Non-Brahman Hindus only.

140 Non-Brahman Hindu.

24 23 22

22

Typist and Steno-typist.

S.S.L.C. (unpassed.) ..
S.S.L.C. ..
Intermediate ..
B.A. ..

16 60 7 9

1 2 80 ..
— 107 —

22 1 69 92

Women clerks, Madras Ministerial Service.

6 Non-Brahman Hindu.
Indian Christian ..
Brahman ..

1 2 2
3 2 2
1 1 1
— 3 3
5 — —

S.S.L.C.
..

3

Selection made by the Madras Services Commission under section 10 of the Act—cont.

Number. of vacancies.	Name of community.	Number of applications received.	Appli- cants qualified.	Appeared for interview.	Recom- mended.	Qualifications of the candidates recommended.	Remarks
SUBORDINATE SERVICES—cont.							
<i>Veterinary Assistant Surgeons.</i>							
30	Non-Brahman Hindu.	19	16	14	14	G.M.V.C.	Applications invited from con- munities other than the Brahman.
	Muhammadden ..	6	5	5	5		
	Indian Christian ..	4	2	2	2		
	Depressed Classes ..	1	1	1	1		
		30	24	22	22		
<i>Veterinary Compounders.</i>							
6	Non-Brahman Hindu.	9	7	5	2	Examination in Practical Dis- pensing for Compounders.	
	Indian Christian ..	2	2	2	1		
	Muhammadden ..	2	2	2	..		
	Brahman ..	8	7	6	2		
	Depressed Classes ..	2	1	1	1		
		23	19	16	6		
<i>Sub-Inspectors of Customs.</i>							
3	Non-Brahman Hindu.	16	11	11	2	B.A. ..	Applications invited from Non- Brahman Hindus and Muhammadians only.
	Muhammadden ..	5	5	5	1	S.S.L.C. ..	
		21	16	16	3		
<i>Entomological Assistant to the Malaria Officer, Madras.</i>							
1	Non-Brahman Hindu.	1	..	..	..	B.A.	
	Indian Christian ..	1	1	1	1		
	Brahman ..	2	..	..	..
		4	1	1	1		
<i>Warden, Slater Hostel, Perambur.</i>							
1	Depressed Classes ..	6	2	2	1	S.S.L.C. (Not comple- ted).	Applications invited from Depressed Classes only.

<i>Operator-Supervisors, Electricity Department.</i>			
3	4	2	2
Non-Brahman Hindus.	1	1	..
Indian Christian Brahmans ..	10	5	1
	15	8	3
	—	—	—

<i>Junior Electrical Engineers, Electricity Department.</i>			
10	12	9	8
Non-Brahman Hindus.	12	9	1
Brahmans ..	71	32	8
Indian Christians ..	8	5	1
	—	—	—
	91	46	10
	—	—	—

<i>Junior Electrical Engineer for Broadcasting.</i>			
1	8	1	1
..	..	1	1
	—	—	—

<i>Store-keeper, Public Works Stores.</i>			
1	8	7	8
Non-Brahman Hindus.	8	1	1
Indian Christians ..	7	1	..
Brahmans ..	8	2	..
Muhammadian	1	1	1
Depressed Classes ..	1	..	..
	—	—	—
	25	5	1
	—	—	—

<i>Operator-Supervisors, Electricity Department.</i>			
3	4	2	2
Non-Brahman Hindus.	1	1	..
Indian Christian Brahmans ..	10	5	1
	15	8	3
	—	—	—
<i>Junior Electrical Engineers, Electricity Department.</i>			
10	12	9	8
Non-Brahman Hindus.	12	9	1
Brahmans ..	71	32	8
Indian Christians ..	8	5	1
	—	—	—
	91	46	10
	—	—	—
<i>Junior Electrical Engineer for Broadcasting.</i>			
1	8	1	1
..	..	1	1
	—	—	—
<i>Store-keeper, Public Works Stores.</i>			
1	8	7	8
Non-Brahman Hindus.	8	1	1
Indian Christians ..	7	1	..
Brahmans ..	8	2	..
Muhammadian	1	1	1
Depressed Classes ..	1	..	..
	—	—	—
	25	5	1
	—	—	—

STATEMENT GIVING REASONS WHICH LED GOVERNMENT TO
DEVIATE FROM THE COMMISSION'S RECOMMENDATIONS, DUR-
ING THE YEAR 1933-34.

1. *Paragraph VI—Statutory Rules—Promulgation and amendments—Government Press Subordinate Service.*—In November 1933 the Government declared that the Civil Services (Classification, Control and Appeal) Rules could not suitably be applied to *certain specified classes* of ministerial officers and inferior servants of the Government Press, Madras, and excluded them from the operation of those rules. This exclusion does not apply to any person who on the 26th May 1930—

- (a) was holding a post in a permanent capacity, or
- (b) was holding the post in an officiating or provisionally substantive capacity and has been subsequently confirmed in such post without having reverted therefrom.

The reasons for the issue of the above order are embodied in the Commission's report. The matter was not one on which the Government usually consult the Commission; but the Government would have no objection to consulting the Commission in future similar cases.

2. *Paragraph VI—Statutory Rules—Excise Subordinate Service—Irregular termination of the probation of a selected candidate.*—As the Commission point out Government recognized that the candidate's probation was unjustifiably terminated, but there was no provision at the time under which Government could revise the orders terminating the probation. It was not a case for relaxing the rules, since the hardship caused was not the result of their operation, when alone such relaxation can be resorted to.

3. *Paragraph IX—Working of the Approved Lists—Superintendent, Fruit Research Station, Cuddapah—Madras Agricultural Service.*—Under the orders in force the Commission is authorized to publish in the *Fort St. George Gazette* the names of candidates approved by them in advance *against vacancies that are expected to arise* during the year or during any other definite period following their approval, but it need not publish the list of candidates approved for filling definite vacancies. In this case the candidate was selected against a definite vacancy that existed at the time, though owing to unforeseen causes there has been delay in making the appointment. Government, therefore, held that the name of the candidate should not be published.

4. *Paragraph IX—Veterinary Subordinate Service—Refusal of Government's sanction to the appointment of Indian States subjects selected according to the rules in force for the time being.*—Under the rules in force when the Indian States subjects were selected in 1931, the Commission was competent to include their names in its list but the appointment of such State subjects was conditional on the previous sanction of the Government being obtained therefor. This sanction would not be granted by Government if suitable and qualified candidates domiciled in this Presidency are available; but it by no means follows that the Government were bound to accord sanction to the employment of State subjects if suitable and qualified candidates domiciled in this Presidency were not available. On the other hand, it was open to them to refuse to employ Indian States subjects and keep the vacancies unfilled until suitable and qualified British Indian candidates became available. The discretion vested in the Government to grant or refuse their sanction cannot be anticipated by the mere inclusion of the names of the Indian States subjects in the Commission's list. Nor can the mere inclusion of their names confer on them any right to employment. The sanction of Government required in these cases is not a mere formality. Neither the Commission nor the Indian States subjects selected by it can have any reasonable cause for complaint if Government were unable to sanction their employment.

The instructions of Government regarding the currency of the lists of selected candidates that each list remains in force until all the candidates included in it have been placed on probation, or have been removed from it on account of age or other reasons, do not apply to the 1931 list in question. The Government have since accorded sanction to the employment of the candidates in question as no qualified British Indian Christians have applied even after the vacancies were advertised in 1934.

5. *Paragraph XI—Civil Service (Executive Branch) Rules—Amendment.*—The Commission has no objection to the amendment, provided that the following two conditions proposed by it were satisfied:—

- (i) that Deputy Tahsildars in independent charge of taluks should not be excluded from eligibility for appointment as Deputy Collectors; and
- (ii) that the rule of seniority for the promotion of Deputy Tahsildars as Tahsildars should be deleted.

As regards the first condition, most of the taluks of which Deputy Tahsildars are in independent charge are zamindari and therefore afford only partial experience of a taluk Tahsildar's duties. Besides Deputy Tahsildars in independent charge of taluks are not necessarily the best among the Deputy Tahsildars.

As regards the second condition, the object of the rule that Deputy Tahsildars should be promoted as Tahsildars in order of seniority is to ensure that the communal proportion is maintained in the Tahsildars' grade from which officers are selected for the Madras Civil Service (Executive Branch). Any other rule would make the Tahsildar's post in effect a selection post. Every Deputy Tahsildar should however *prima facie* be fit to discharge the duties of a Tahsildar and should ordinarily have his chance of proving his fitness to be a Tahsildar. With regard to the argument that the rule of seniority, if rigidly enforced, is likely to prove detrimental to the efficiency of the revenue administration, the rules provide that no Deputy Tahsildar should be appointed as Tahsildar, unless the Board of Revenue considers him fit to discharge the duties of a taluk Tahsildar or the Board's previous sanction has been obtained for such appointment. The efficiency of the revenue administration is sufficiently safeguarded by this provision, which gives the Board the power to reject persons who are unfit although the rules do not provide for treating the post of Tahsildar as a selection post. Among the persons approved by the Board of Revenue, it is desirable to prevent any favouritism or caprice in favour of particular communities and it is therefore necessary to retain the rule of seniority. A similar rule is applied in other services.

For the reasons mentioned above the Government were unable to acquiesce in either of the two conditions proposed by the Commission.

The Commission observes that there is practically no direct recruitment to the post of Deputy Collector except from the scheduled classes and that a natural result of the strict enforcement of the rule of seniority in the promotion of Deputy Tahsildars as Tahsildars will be that such promotion will be of persons older than those hitherto selected and that the selection of Deputy Collectors will also have to be made from a much older set of persons. The question of introducing a larger measure of direct recruitment to the post of Deputy Collector is engaging the attention of the Government. Before issuing the amendment referred to in the Commission's report, the Government examined the then current list of candidates approved for promotion to the post of Deputy Collector and found that practically all of them had acted as Tahsildars for some time before they were included in that list, and that most of them were well below the age of 40. The rules prescribe 45 as the maximum age-limit for promotion to the post of Deputy Collector. It will thus appear that there is no question of selecting Deputy Collectors from a "much older set of persons".

The principle of the amendment approved by the Government is that an officer should have had a fair trial and should have been successful as Tahsildar in charge of a taluk before he is promoted as Deputy Collector. This conduces to the selection of the best material available for appointment as Deputy Collectors.

The Commission seems to be under the impression that the amendment entirely excludes Deputy Tahsildars from appointment as Deputy Collectors. A permanent Deputy Tahsildar is not debarred from selection if he satisfies the

qualifications prescribed, of which one is that he must have been in charge of a taluk as a Tahsildar for a total period of one year. Officiating service as Tahsildar will, of course, count towards this total period.

6. *Paragraph XI—Amendments to Statutory Rules—Undesirability of giving retrospective effect.*—It is not the policy of the Government to amend the Statutory service rules with retrospective effect with a view to benefit individuals. Occasions however arose in the past, though rarely, when retrospective amendment of rules had to be resorted to in order to solve administrative difficulties which could not be got over in any other manner. As it is now held that the power of exemption in Classification Rule 12 can be invoked even in regard to persons not already in the service of Government, it is hoped that cases of amendment of statutory rules with retrospective effect in the case of individual officers will not arise in future.

7. *Paragraph XI—Typewriting qualification for clerks.*—The Government considered the possession of a qualification in typewriting as an essential qualification in every candidate for appointment as clerk and it was incompatible with this position for them to agree that persons who did not possess this qualification might be included in the Commission's list of approved candidates. The course adopted by the Government was therefore the only effective means—short of restricting admission to the Commission's examination to candidates qualified in typewriting—of bringing home to candidates that the Government meant to insist upon the possession of a qualification in typewriting in every candidate for appointment as clerk in Government offices. The Government recognized that there might be a certain amount of disorganization at the outset, but they considered that as soon as candidates realized that they would not be regarded as eligible for appointments without the typewriting qualification, they would lose no time in acquiring it.

8. *Paragraph XI—Selection of candidates—Soil Physicist.*—A person who has obtained a declaration under section 96-A of the Government of India Act is no doubt eligible for appointment to any office, but this Government has the right to prefer a British subject from among eligible candidates, as their policy is to encourage British Indian subjects; such preference if exercised does not affect the question of the eligibility of Indian State subjects who have obtained such declaration.

9. *Paragraph XI—Promotion of a person with inferior records—Madras Registration Service.*—The circumstances connected with the case and the reasons for varying from the recommendation of the Madras Services Commission have been stated in detail in the Commission's report itself. Two points which perhaps need further elucidation are:—

- (1) the reason for deferring promotion till a favourable report was received in respect of one of the Sub-Registrars; and
- (2) the delay in the amendment of the Madras Registration Service Rules to bring them into conformity with the provisions of section 11 (iii) of the Madras Services Commission Act, 1929, and the rules for other provincial services, which resulted in the preferment of a comparatively inferior person to the provincial service prior to men with better records.

As regards (1) the original recommendation of the Commission in March 1933 was that a decision on the case of the Sub-Registrar should be deferred until a more definite and positive recommendation was received from the Inspector-General of Registration in view of the previous divergent reports and his recommendation of 1931. As the question of promotion was expected to arise only in July 1933 (in fact it was made on 20th June 1933) and in view of the recommendation of the present Inspector-General a further report was called for and referred to the Commission who in turn recommended the Sub-Registrar's promotion though altering his rank. As explained by the Commission itself the Government were precluded from accepting the recommendation as to rank as the rank of persons considered fit for promotion had to be fixed according to seniority under the then existing rules.

(2) As promised by Government the amendment suggested by the Commission has since been carried out in the Madras Registration Service Rules in G.O. No. 860, Public (Services), dated 11th August 1934. The postponement of

the consideration of the question was due to the fact that a number of amendments of the rules were under consideration at the same time; and it was thought convenient to deal with these all together.

10. *Paragraph XI—Disciplinary case.*—In the sub-paragraph relating to “disciplinary case” of the report of the Madras Services Commission it is stated that “in effect the probationer (Assistant Directress of Public Health) was reinstated on a ground which was different from the ground on which the Commission’s advice had been sought.” In consultation with the Madras Services Commission, the Government terminated the probation of the Assistant Directress of Public Health (Maternity and Child Welfare). Against this order of the Government terminating her probation, she memorialized the Government and the Government referred the memorial to the Commission for advice. In the letter sent to the Commission asking for their advice on the memorial, the Government stated that the memorial contained grounds which were not before the Government when her services were dispensed with. The Commission recommended that the rule regarding probation be relaxed in favour of the memorialist by extending her period of probation by a year. The Government thereupon stated in paragraph 1 of their order reinstating her in service that they had carefully considered her memorial and that they were pleased to cancel the previous orders dispensing with her services. In the succeeding paragraph of this Government order insufficiency of time to pass the vernacular test was mentioned as a reason for allowing an extended probation. It was not on this ground alone that the probationer was restored to service. She was restored on the grounds stated in her memorial and on these the advice of the Commission was sought. The statement of the Commission quoted above is not therefore quite correct.

11. *Paragraph XIII—Raising the age-limit of candidates selected for appointment as clerks in 1931 and 1932.*—In the matter of the application of the age-limit at the time of approval of a candidate for appointment the Commission has expressed the view that the suggestion is opposed to the interests of efficiency and economy in that it would mean the admission of candidates to the Government service at a comparatively late age and that it would only relieve the hardship of one set of persons by transferring it to another, the younger and those the more likely to be useful. The Government considered that the above argument was equally applicable to the case of candidates selected by the Commission in 1931 and 1932 who could not be found employment soon and who became age-barred before their turns for appointment came. The Government could not, therefore, see their way to agree with the Commission’s recommendation that the age-limit of those candidates should be raised to 30 years.

G. T. H. BRACKEN.

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Government



IV

of Madras



PUBLIC (SERVICES) DEPARTMENT

G.O. No. 1986, 22nd November 1935

Madras Services Commission—Report for 1933-34—Reviewed.

Order—No. 1986, Public (Services), dated 22nd November 1935.

Recorded.

2. During the year under review, the Madras Services Commission interviewed and selected candidates for 36 classes of posts in the Provincial and Subordinate Services, nominated candidates for 10 Provincial Services from among the members of the normal feeder subordinate services and gave their opinion in regard to the orders to be passed on 29 appeals and 10 memorials and in 52 disciplinary cases calling for original orders. The Commission also undertook to select candidates for over 80 more classes of posts in the subordinate services under the control of this Government and to assist the Government of India in the matter of recruitment of Assistant and Sub-Inspectors and clerks for the combined Salt and Customs department.

3. Government note with satisfaction that there was an appreciable decrease during the year under report in the number of cases of violation of the statutory rules for the Madras Ministerial Service.

4. The Commission has referred in its report to certain instances in which Government have deviated from its advice. Government have already published along with the report a statement giving reasons which led them to deviate from the Commission's recommendations.

5. The other matters referred to by the Commission in the report are indicated below :—

- (1) *Paragraph V—Special Tests and Departmental Examinations—Desirability of requiring certain examination papers to be answered without books.*—Government have issued orders in G.Os. No. 1089, Public (Services), dated the 27th October 1934, and No. 1346, Public (Services), dated the 16th August 1935, directing that the papers on the general principles of the Indian Penal Code and the Code of Criminal Procedure included in the Criminal Judicial Test and the papers on the general principles of the Civil Procedure Code and the Civil Rules of Practice, included in the Civil Judicial Test should be answered without books.

(2) *Paragraph VI—Statutory rules—(i) Promulgations and amendments.*—(a) Of the nine services referred to, Government have since issued orders revising the rules for all except the Madras Medical Service (General Branch) and the Madras Medical Service (Special Branch). Government propose to combine the two services into one and to issue a single set of rules for them.

(b) *Promotion within a service.*—Government have since amended the rules dispensing with consultation with the Commission in regard to promotions within a service.

(ii) *Violations of rules—Police Subordinate Service—Reinstatement by the Inspector-General of Police of a probationary Sub-Inspector where probation had been terminated.*—The Commission suggested that the statutory rules for the various services should provide for some authority for revising orders terminating the probation of candidates. Government have accepted the Commission's recommendations and have provided for revisionary powers in the matter in rule $\frac{9(h)}{9(i)}$ of the General Rules for the Provincial Subordinate Services.

(3) *Paragraph VII—Recruitment to services—(a) Civil Judicial Department—Appointment of candidates selected by the Madras Services Commission.*—The High Court has agreed that recruitment to the ministerial establishments in the mufassal civil courts should be made from lists of candidates selected by the Madras Services Commission separately for the civil courts. The issue of rules in the matter is under consideration.

(b) *Posts in recruiting to which consultation with the Commission has not been provided for by rules.*—Of the 19 items mentioned, consultation with the Commission has been provided for by rule in respect of items 10, 16, 17 and 19. Consultation with the Commission has not been provided for in respect of items 1 to 8. Items 9 and 12 are part-time posts which are not governed by the Civil Services (Classification, Control and Appeal) Rules. Item 11 is a post filled by promotion within the service and consultation with the Commission is not, therefore, necessary. Item 18 is a temporary post held by a contract officer and *ad hoc* rules for the post have not yet been issued. Revised rules have not yet been issued for items 13 to 15.

(4) *Paragraph XII—Amendments to the Madras Services Commission Act.*—Government have introduced a new Bill in the Madras Legislative Council.

(5) *Paragraph XIV—General.*—The Commission says that while agreeing that in matters of general policy in regard to recruitment or organization of the services, the views of the Government should prevail, it is of the opinion that in matters like amendments to statutory rules, qualifications of candidates for appointment to services and disciplinary cases, the advice of the Commission should be accepted. This question was also referred to during the debate on the report in the Council. The Commission itself recognizes that Government accept its recommendations in the normal case. This relationship between the Commission and Government will doubtless continue, but the latter must reserve the right to refuse to accept the Commission's recommendations when they find it impossible to do so.

6. A copy of the proceedings of the Legislative Council on the motion on the report will be forwarded to the Madras Services Commission.

(By order of the Governor in Council)

C. F. BRACKENBURY,
Chief Secretary.

To the Madras Services Commission (with C.L.).

Copy to the Departments in the Secretariat.

Press.

No. 331, PUBLIC (SERVICES), 7TH APRIL 1931

APPENDIX B.

References to the Commission under other sections of the Act.

Recruitments by promotion (section 11)	..	..	..	..
Proposals for punishment (section 15)	..	..	..	..
Appeals (section 15)	..	..	..	..
Memorials to Government (section 16)	..	..	..	..

Order—No. 331, Public (Services), dated 7th April 1931.

Recorded.

(By order of the Governor in Council)

C. W. E.
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To the Madras Services Commission.

Copy to all Heads of Departments including Collectors and District Judges.
„ Departments of the Secretariat (all sections).

Forwarded to the

(By order)

Super
Public (Service)