

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

1908.

Enclosures

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order
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G.O., No. 336, 6th May 1908.

Delegation of Powers.

Delegating to the Director of Public Instruction the powers now vested in Government by rules 24, 85 and 91 of the Madras Educational Rules and amending the Educational Rules accordingly.

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GOVERNMENT OF MADRAS.
EDUCATIONAL DEPARTMENT.

Order—No. 336, Educational, dated 6th May 1908.

The Government resolve to delegate to the Director of Public Instruction the powers now vested in them by rules 24, 85 and 91 of the Madras Educational Rules, namely, (1) of recognizing diplomas and certificates other than those specified in the Educational Rules and (2) of prescribing the list of text-books for schools under public management. They also consider that the power to accord special sanction to the levy of lower rates of fees in schools in backward localities should also be delegated to the Director.

2. The following alterations will be made in the Educational Rules :—

(1) *Rule 24.*—In the last paragraph of this rule, for the word “Government” substitute the words “the Director of Public Instruction”.

(2) *Rules 85 and 91.*—In these rules for the word “Government” substitute the words “the Director of Public Instruction”.

(3) *Rule 102.*—Insert the words “or in backward localities” between the words “or for backward castes or classes” and “or in the model schools attached to training institutions”.

(True Extract.)

H. D. TAYLOR,
Secretary to Government.

To the Director of Public Instruction.
Gazette.
Editors' Table.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 336, EDUCATIONAL,
DATED 6TH MAY 1908.

[SUBJECT.—*Amendment of the Madras Educational Rules.*]

In connection with the proposals regarding decentralization, it was suggested that the powers at present vested in the Local Government under the following provisions of the Educational Rules should be delegated to the Director of Public Instruction :—

Item 15, page 7 of the notes.

(1) *Rule 24.*—Recognition of diplomas and certificates other than those specified in the Educational Rules.

Item 16, *ibid.*

(2) *Rules 85 and 91.*—Prescribing list of text-books for schools under public management.

Item 17, *ibid.*

(3) *Rule 93.*—Levy of fees at reduced rates in schools under public management in backward localities.

These proposals will be dealt with below *seriatim*.

2. *Rule 24.*—This rule runs thus :—

“All European members of the Society of Jesus, native members who are graduates and are certified by the Superior General of the Mission to have completed their novitiate and juniorate, and native members who are undergraduates and are likewise certified to have completed the full course of study and preparation prescribed by the society (namely two years' novitiate, two years' juniorate and three years' Philosophy and Science) may be ranked as if they held collegiate trained teachers' certificates. Native members, who are undergraduates and who are similarly certified to have completed only their novitiate and juniorate, may be ranked as if they held Secondary trained teachers' certificates.”

All European members of St. Joseph's Society, Mill Hill, London, and of the Society of Foreign Missions, Paris, who are certified by the Superior General or the Vicar-General of the society to have completed the course of studies prescribed for them, may be ranked as if they held collegiate trained teachers' certificates.

In case of doubt Government will determine whether any other diploma or certificate shall be accepted as equivalent to a teachers' certificate for the purposes of these rules.”

3. The words “the Director of Public Instruction” may be substituted for “Government” in the last paragraph of this rule.

C. A. SOUTER.
H. D. TAYLOR.

4. *Rules 85 and 91.*—These rules stand as follows :—

85. “The text-books to be used in elementary schools under public management are prescribed from time to time by Government; the use of any book not so prescribed is forbidden.”

Pages 17 and 20 of the book put up.

The text-books to be used are prescribed from time to time by Government. The use of any book not so prescribed is forbidden.”

5. In these rules also, the words “the Director of Public Instruction”

C. A. SOUTER. | may be substituted for “Govern-
H. D. TAYLOR. | ment”.

6. Rule 93.—This rule runs—

"Fees in all colleges and secondary schools, under the management of Government, or of a Municipal Council, or of a Local Board, shall, subject to the exceptions hereinafter provided, be levied according to the following regulations."

Page 21 of the book put up.

* * * * *

7. Applications for the levy of specially lower rates of fees in the Government and Local Fund schools in the Agency tracts, which are educationally backward, are being submitted to Government for sanction, apparently because any exception to the Educational Rules can only be made by Government. It is submitted that the words "and subject to any special exceptions which the Director of Public Instruction may decide to make in the case of individual schools" may be inserted after "provided" in this rule.

But see article 102.

H. D. TAYLOR.

C. A. SOUTER.

inserted after "provided" in this rule.

K. RANGASWAMI AIYANGAR—9-3-08.

C. A. SOUTER—10-3-08.

But in regard to the last item, will not special delegation be necessary also under the Local Funds and Municipal Acts?

H. D. TAYLOR—11-3-08.

To the Local and Municipal Department.

LOCAL AND MUNICIPAL DEPARTMENT.

Local Fund.

Article 34 of the Local Fund Code lays down that "a scale of fees, inclusive of those for admission as also of fines, library fees, etc., should be fixed with reference to the Educational Rules in consultation with the Educational authorities." This article is based on paragraph 44 of the Local Fund Rules issued with G.O., No. 721 L.F., dated 26th June 1886, which runs as follows:—

"In regard to the levy of fees, Local Boards will be guided by the notification of Government, dated 5th February 1884, published in the *Port St. George Gazette*, dated 5th February 1884, Part I, pages 70 to 72, or such other notification as may hereafter be made."

It appears thus to be intended that Local Boards should adopt the fees prescribed from time to time in the Educational Rules. In the absence of a direction either in the Act or in the rules that the sanction of Government should be obtained for the scale of fees to be levied in Local Fund educational institutions, it is submitted that

H. D. TAYLOR.

no special delegation of powers appears to be necessary in this regard to the

Director of Public Instruction under the Local Boards Act.

N. CHENGAL RAO—17-3-08.

Municipal.

Section 122 (1) of the District Municipalities Act, 1884, provides that the "Municipal Council shall levy in every school maintained by them wholly from the

It does not appear that any special notification is necessary. The section seems to have reference to the Educational notification prescribing the scale of fees in schools under public management.

P. T. THARYAN—23-4-08.

"Municipal fund, fees in accordance with such rates as may from time to time be prescribed by the Governor in Council." No notification under this section appears to have been issued by Government yet.

Municipal schools come under the head of "Institutions under public management"—vide Rule 1 of Educational Rules and Chapter VI of the Educational Rules applies to those schools.

H. D. TAYLOR.

The Accountant-General framed the Municipal Account Code. Article 191 evidently follows the Local Fund Code, also framed by him.

P. T. THARYAN—23-4-08.

But approved by Government.

H. D. TAYLOR.

Article 191 of the Municipal Account Code, however, lays down that "a scale of fees, inclusive of those for admission, as also of fines, library fees, etc., should be fixed by the Council with reference to the Educational Rules and in consultation with the Educational authorities." No Government Order, on which this article might have been based, can be traced here or by the Record Department. Apparently the article was inserted following the practice obtaining in the matter.

As, under the District Municipalities Act, power is retained for the Governor in Council to fix the rates of fees to be levied in Municipal schools, a special delegation of power under section 288 of the Act, to the Director of Public Instruction may perhaps be necessary.

C. RAMANUJACHARI—23-4-08.

Under section 122 (1) of the District Municipalities Act, Municipal Councils shall levy in their schools whatever fees are prescribed from time to time by the Governor in Council. The regulations on the subject in the Educational Rules seem thus to be binding on Municipal Councils and no special delegation of power under section 288 of the District Municipalities Act seems to be necessary.

H. D. TAYLOR.

It is, however, for consideration whether rule 93 of the Educational Rules should be amended or whether it is better to insert the words "or in backward localities" between "or for backward castes or classes" and "or in the model schools attached to training institutions" in rule 102.

P. T. THARYAN—23-4-08.

Chapter VI of the Educational Rules (articles 80—85) apply to all elementary schools under public management. Article 93 refers to colleges and secondary schools. The first two lines of that article would read better as "fees in all colleges and secondary schools under public management shall . . ." But article 93 is general and does not deal with exceptions. These are dealt with in article 102 which leaves power to the Director, without reference to Government, to modify the fees in certain classes of institution. I do not see that any addition is necessary except the words "or in backward localities" in rule 102.

This has been corrected in the reprint—see volume put up.

K. RANGASWAMI AIYANGAR.

(In next reprint, please see that "heavy" in this rule is corrected to "levy.")

H. D. TAYLOR—28-4-08.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Please draft for approval.

Rule 102 may be modified as suggested. It will not then be necessary to delegate any special powers under the Local and Municipal Acts. The Educational Rules by implication apply to Local and Municipal schools.

H. D. TAYLOR—28-4-08.

The draft order placed below is for approval.

K. RANGASWAMI AIYANGAR—29-4-08.

No. 336, EDUCATIONAL, 6TH MAY 1908.

May issue.

C. A. SOUTER—30-4-08.

H. D. TAYLOR—1-5-08.

Approved.

M. H[AMMICK]—5-5-08.

Issue.

H. D. TAYLOR—6-5-08.

[G.O., No. 336, Educational, dated 6th May 1908.]

[L. & S.]
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Educational
LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., No. , dated 190 .

Again G.O., No. , dated 190 .

Current No. , From the , No. , dated 190 .

" " " " " "

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ORDER. No 336 , dated 6.5.1908.

PS

The Government resolve to delegate to the Director of Public Instruction the powers now vested in them by rules 24, 85 and 91 of the Madras Educational rules, namely, (a) of recognizing diplomas and certificates other than those specified in the Educational Rules and (b) of prescribing ^{the} list of best books for schools under public management. They also consider that the power to sanction ^{and special} the levy of specially lower rates of fees in schools in backward localities should also be delegated to the Director.

May issue.

C. A. SOUTER-30-4-08.

H. D. TAYLOR-1-5-08.

Approved.

M. H[AMMICK]-5-5-08.

Issue.

H. D. TAYLOR—6-5-08.

[G.O., No. 336, Educational, dated 6th May 1908.]

Papers to be read in Proceedings:—

Again G.O., No. , dated 190 .

Against G. O., No. _____, dated _____ 190_____

Current No. _____, From the _____, No. _____, dated _____ 190

ORDER. No 336, dated 6.5.1908.

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LD
30-4-08

Chd
30-4-08

LD
1-5-08

Copy letter in Gazette

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6-MAY 1908
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To The S. P. D.
Gazette 12-508
Editor's Table.