

Educational (1909) Department.

ORDINARY MS.

G.O., No. 635—

DATED 3 — 12 — 09

16

[Despatch Abstract.]

College of Engineering — Informing
S. Ramachandra Aiyar, a failed student
of the — that his request for a reconsi-
deration of G.O. No. 240 dated 26th April
1909, cannot be complied with and
withholding his petition to the Govt of India

BACK PAPERS.

G O	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O	No.	Department.	Date.	G.O.	No.	Department.	Date.

CURRENT FILE.

CONTENTS.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number.	Date.	Original (=O.) or spare copy (=S. C.).	Remarks. (In this column such of the papers as have been removed —for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.
370R	29-10-09	O ✓		
550	7-10-09	O ✓		
574	7-9-09	O ✓		
240	26-4-09	O ✓		
191	29-3-09	se ✓		
49	26-1-09	se ✓		
556	22-7-08	se ✓		
156	20-3-07	se ✓		
37	20-1-06	se ✓		

Papers of other departments.

Department.	Number.	Date.	Original (=O.) or spare copy (=S. C.).	Despatcher to note the return of the papers to the departments concerned.

Vol. CURRENT No. 2012
Elore
30. October 1909
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To

The Secretary to Government
Educational Deptt
Madras.

The humble petition of S. Ramesh Chandra
Aiyar, late student, Civil Engineering
College, Madras most respectfully
Sheweth:—

The petitioner received Government
order No 240 Misc dated 26. 4. 1909.
On 1st May 1909. Finding that this
order had completely blasted all ^{his} hopes
of passing the Engineers examination
and getting into the Public Works
Deptt. the petitioner wanted to
make a personal representation
to the Members of Government and

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Secretary and to pray for a reconsideration of his unfortunate case. It was not possible for the petitioner to do this as the members of Govt were on the hills till recently and the petitioner also had to leave Madras for Elore to ~~to~~ earn his livelihood as a teacher.

As the six months time allowed to prefer an appeal to the Government of India is drawing to a close, the petitioner has ventured to submit the accompanying memorial to the Govt. of India. The petitioner now begs that the local Govt may be pleased to reconsider his unfortunate case and if this is not possible to transmit his memorial for the favourable consideration of the Governor General in Council.

S. Ramachandraaayar

Teacher, C. M. S. School
Elore

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To

The Government of India.

Through the Madras Govt.
Educational Deptt.

The humble memorial of S. Ramachandraaayar, late student, Civil Engineering College, Madras. most respectfully sheweth:—

- The memorialist begs to submit that he studied in the Engineer class of the Civil Engineering College, Madras for three years 1905-1907 but had the misfortune to fail in the final examination of 1907 as he fell ill about that time. Owing to continued indifferent health, the memorialist was not prepared for

S. Ramachandraaayar

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 the examination of 1908. In September 1908, however, he had the official intimation that students like himself who entered the Engineer class under the old regulations would have an only chance in the examination to be held in December 1908. The memorialist made the best he could at such short notice and appeared for the examination in December 1908, as an independent candidate, with the result that though he secured the prescribed minimum in each of the subjects, the aggregate marks fell short of the prescribed minimum of 50 per cent. The subjoined statement shows the number of marks secured in each subject and the maximum

S. Ramchandrasekaran

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 allotted to it

		Maximum
Mathematics.	266 -	450
Science	188	500
Engineering	285.	700
Drawing	272	600
Surveying	221	500
Language	76	150
	68	100
Drill & Exercise		
Grand total	1376	3000
Board's total	1026	2300
College total	350	700.

It will be seen that the total marks secured fell short of the prescribed minimum of 50 per cent by only 4 per cent.

The memorialist most respectfully begs leave to submit that it is extremely hard on the old students of the Engineering College

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College that ~~they~~ they should be
told in September 1908 that
unless they appeared for the examina-
tion to be held in December 1908
they would be turned out without
any recognition of the long
and expensive course of train-
ing to which they had under-
gone in College. If Govern-
ment considered it necessary to
introduce a new set of regula-
tions for the training of students
in the Engineering College, the
Memorialist most respectfully
submits, ~~that~~ those who entered
the College under the old regu-
lations should have ^{been given} suffi-
cient notice of the changes.

S. Ramachandraseya

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They should have been given at
least two chances, ~~and not~~ before
the new regulations ^{were} ~~are~~ enforced.
As it is, the Memorialist finds
that all his chances in life have
been completely upset and that
the time & money spent in
his technical engineering course
have come to nothing.

The Memorialist represented his
hard case to the Madras Govern-
ment. The Memorialist prayed
that if he should be denied all
chances of appearing for the
Engineers' diploma examination,
he might be treated as having
qualified by the Engineering
Subordinate Test which
extends over a shorter term,

Covers

S. Ramachandraseya

82/
Covers a smaller range of subjects
and admittedly a much easier
test which, from the marks
which the Memorialist has
secured, he may be judged
quite competent to pass.

The Memorialist also submitted
that similar concessions were
allowed in the Pleadership
examination: Candidates getting
50 per cent being declared
eligible for the first grade
and those getting 40 per cent,
for the second grade. The
Memorialist also pointed out
that somewhat similar
concessions were granted to
students of the Medical
Colleges - those who did not
come quite up to the mark of
the M.B. & C.M. being

9 9
Granted L.M. & S. degrees.

✓ In this order No. 240 dated 26 April
1909, the Madras Government
have informed the Memorialist
that they "see no sufficient
reason to grant any further
concession."

The Memorialist, having received
no concessions whatever, is at
a loss to understand the order
which denies "further concessions".
The Memorialist most respectfully
prays that the Govt.
of India may be pleased to
take the Memorialists' hard
case into their favourable
consideration and grant
him an Engineer subordinates
diploma

10/
diploma or two more chances of
appearing for the Engineers'
~~Engineers Subordinate Testers~~
examination according to the
old regulations.

S. Ramachandra Aiyar

Teacher C. M. S. School
Ellore



Received 1 - 11 - 1909. Registered 1 - 11 - 1909.

1-509

Abstract.

EDUCATIONAL DEPARTMENT.

G.O.No.240 Mis., dated 26th April 1909.

Read the following papers:--

G.O.No.159, Educational, dated 20th March 1907.

G.O.No.556, Educational, dated 22nd July 1908.

Petition from S. Ramachandra Aiyar, Madras, dated 17th
February 1909.

Petition from A. Lakshmana Naicker and others, Madras, dated 20th
February 1909.

Petition from the same individuals, dated 25th February 1909.

Petition from P.S. Srinivasaiyar, residing at Pathamadai,
Tinnevely district, dated 28th February 1909.

Letter from the Director of Public Instruction, Madras, Ref.
on Cur. No.1235, dated 24th March 1909.

ORDER:

The Government see no sufficient reason to grant the
petitioners any further concession.

(True Extract)

Ch. Sankar

Under Secretary to Government.

To the Director of Public Instruction.

M.R.Ry. S. Ramachandra Aiyar

M.R.Ry. A. Lakshmana Naicker and others.

M.R.Ry P.S. Srinivasan.

S. Ramachandra Aiyar



Received 10/11/1909 Registered 10/11/1909

[Faint handwritten notes and stamps]

EDUCATIONAL DEPARTMENT
G.O. No. 240 M.A., dated 28th April 1909.

Had the following papers:
G.O. No. 152, Educational, dated 30th March 1909.
G.O. No. 258, Educational, dated 22nd July 1909.
Petition from S. Ramaswami Aiyar, Madras, dated 17th February 1909.
Petition from A. Lakshmanan Nalokar and others, Madras, dated 30th February 1909.
Petition from the same individuals, dated 28th February 1909.
Petition from T. S. Srinivasan, residing at Pattanam, Thiruvelli district, dated 28th February 1909.
Letter from the Director of Public Instruction, Madras, No. 1238, dated 24th March 1909.

ORDER:

The Government see no sufficient reason to grant the petitioners any further concession.
(True Extract)

[Handwritten signature]

Under Secretary to Government.

To the Director of Public Instruction.
M.R.V. S. Ramaswami Aiyar
M.R.V. A. Lakshmanan Nalokar and others.
M.R.V. S. Srinivasan.

[Handwritten signature]

[E. & L.]
67
[Stamp]

EDUCATIONAL DEPARTMENT

NOTES.

C.No. 2012 From S. Ramachandra Aiyar, No. — , Dated 30th October 1909.

S u b j e c t.

Petition to the Government of India from S. Ramachandra Aiyar, an old unpassed student of the College of Engineering against the orders of this Government refusing to hold any further examination for the benefit of the old students who had more than once failed to pass the final examination of the College of Engineering.

V

Please see G.O. No. 240 Edl., dated 26th April 1909 and the notes therewith.

2. In this order the Government refused to hold any further examination according to the standard prescribed by the old rules of the College of Engineering, for the benefit of the old students who had failed to pass the final examination of the college until the year 1908.

Subsequently there were many petitions for a reconsideration of the above decision and they have all been rejected - Please see G.O. No. 514 Edl., dated 7th September 1909; G.O. No. 550 Edl., dated 7th October 1909 and G.O. No. 370 Edl., dated 29th October 1909.

3. S. Ramachandra Aiyar, one of the old students of the College of Engineering who has not passed the final examination, now submits a petition for transmission to the Government of India. The petition is an appeal against the orders of this Government in G.O. No. 240 Edl., dated 26th April 1909 refusing to hold any further examination for the benefit of the old students. The petition is thus an appeal against the non-exercise by the Local Government of a discretion

vested

*Not quite correct. Go 370
D.P. recommended a form of
certificate, which was granted.
G.O. 530. was refused a request
that students should be granted
3rd & 4th class certificates
according to the marks they
obtained. G.O. 574 was the result of request
to hold some more exams. as
the old conditions. That was refused.
Petition not apparently one of the
meritless ones.
pages 3-10
of C. files.*

V

vested in it by rule and it may therefore be withheld under paragraph 11 (10) of Memorial Rules B.

4. It is for consideration whether the petition may be so withheld.

TK-
20.11.09

Under the new rules of the College of Engineering which were approved in G.O. No.159 Educational., dated 20th March 1907 and which came into force on 1st April 1907, a student of the college who fails to obtain qualifying marks at a sessional or final examination will not be promoted or pass out, but must either leave the college or join the class division next below his own. But under the rules which were in force previous to 1st April 1907, a student who ~~had~~ failed to obtain a certificate from the Board of Examiners at a final examination might appear before the Board for examination in any subsequent year, provided he was certified to have put in the necessary attendance at the college and ~~to have~~ paid the prescribed fee.

2. On the recommendation of the Director of Public Instruction that some consideration should be shown to candidates who, having joined the college under the old rules had failed at the final examination, and who would, but for the alteration in the rules from 1st April 1907, be entitled to be re-examined under rule 98 of the old rules, the Government in their order No. 556 Edl., dated 22nd July 1908, sanctioned the proposal of the Director of Public Instruction that students of the College of Engineering who joined

A

Vide Rules 14, 20 & 25 on page 8-10
of G.O. No. 157 of 20.3.07 W

Vide page 6 of G.O. No. 157 of 20.3.07 W

Vide Rule 98 on page 14
of G.O. No. 37 of 20.1.08 C

Please see S.P.O.'s letter
on p. 2 of G.O. No. 556 Edl. of 22.7.08 P

P

joined the college under the old rules and who had failed to obtain a certificate from the Board of Examiners by passing the final examination should be given a further opportunity to pass the examination according to ^{the} standard prescribed by the old rules. They accordingly directed that a re-examination should be held in 1908 and that the candidates should be warned that all of them should appear at that examination which was the only chance for them and that no further re-examination would be held. The Government further stated that no hope of exemption or of appointment should be held out to such of those students as might fail to qualify at the examination.

3. Some of the failed students who appeared at the examination held in 1908, but were again unsuccessful, memorialized the Government in the beginning of the current year, (1909), requesting

(1) that they might be given the College Certificate of a lower standard than what they would be entitled to if they had passed the examinations for which they entered; or

(2) that the examination according to the old rules might be continued for a further period of three years.

The grounds put forth by the memorialists were that they had very short notice of the decision that the examination held in 1908 was to be the last of its kind (the notice was given to them only on the 22nd October 1908 while the examination was held in the following December),

and

Q. No. 53628 P
22-7-08

do

Q. No. 24038 V
26-4-09

Vide notes on page 23
in G.O. No. 240 Edl. V
26.4.09

Ct. file

G.O. No. 240 Edl. V
26.4.09
Page 2 of the Ct. file.

Pages 3-10 of Ct. file.

15
4.

and that they were not sufficiently prepared for the examination.

4. The above plea seemed to Government to be quite futile, as it was the look-out of the students to come up properly prepared for the examination whether it was their last chance or not, and the memorialists were accordingly informed in G.O. No. 240 Edl., dated 26th April 1909, that the Government saw no sufficient reason to grant the petitioners any further concession.

5. One of these several petitioners (Ramachandra Aiyar) now appeals to the Government of India against the orders of the Government contained in the G.O. quoted above. In submitting this memorial, he requests that, if it is not possible for this Government to reconsider his 'unfortunate' case, his memorial may be transmitted for the favourable consideration of the Government of India.

6. In his memorial to India, the memorialist states that he had studied in the Engineer class of the College of Engineering for three years 1905-1907 but failed in the final examination of 1907, that in September 1908 he had the intimation that there would be an examination in December 1908 for the old students as a last chance and that at this examination the total marks secured by him fell short of the prescribed minimum of 50 per cent by only 4 per cent. The memorialist complains that it was extremely hard on the old students of the Engineering College that

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that they should have been told in September 1908 that unless they appeared for the examination to be held in December 1908 they would be turned out without any recognition of the long and expensive course of training which they had undergone in ^{the} college. He states that the old students should have been given at least two chances before the new Regulations were enforced, and he prays that he may be granted an Engineer Subordinates Diploma or two more chances of appearing for the Engineer's examination according to the old Regulations.

V

7. Subsequent to the orders in G.O. No. 240 Edl., dated 26th April 1909, against which the memorialist appeals to the Government of India, there were several petitions for a re-consideration of the decision in that order and they were all rejected. Please see G.O. No. 514 Edl., dated 7th September 1909, G. O. No. 550 Edl., dated 7th October 1909 and G.O. No. 370 Edl., dated 29th October 1909.

O
H
X

8. It is for consideration whether the petition may be forwarded to the Government of India with a brief ~~as~~ statement of the facts of the case or whether it may be withheld as suggested in paragraph 3 of the office note. It does not appear that this case ~~falls within the purview of~~ ^{is exactly covered by} paragraph 11 (10) of the B. Memorial Rules.

A

See.

25.11.09

This seems to me a case in which an appeal should on no account be allowed. The man is not a

Page 2 of the Note file

public servant, not only a student who has failed to pass his exam^{ts}. It is quite within the discretion of Govt to say what the exam^{ts} shall consist of or to prescribe any conditions they like. Besides the petition is time-barred as it appeals against an order dated 26th April, received by the pet^r on May 1st.

Obd
26.4.09

lt. M.

V.

Memorandum submitted to Mr. Secretary Butlerworth's note p. 23 of 21.4.09 in G.O. No 240 d. 26.4.09 which sets the facts clearly. Pet^r was one of those who had asked Govt to resuscitate an examination, and considers of same, which has been abolished & under which Pet^r had been twice tried but failed, his petition is not quite clear) was successful. Govt refused to do so in G.O. 240. (21.4.09) After waiting 6 months Pet^r submitted a request for reconsideration & in the above mentioned appeal to India. The merits of the case have been most carefully considered in the G.O. referred to, no new facts are adduced, and the subject matter of the appeal is the non exercise of a discretion vested in it by all laws & rules. Draft submitted for approval No. 11(10) of the petition rules meets the case.

V.

CIRCULATED IN EDL.
AND LEG. DEPT.

Not Ordinary
Not Confidential No 44

A

29.11.08 aff M

Issue

pm
3/10/17

[L. O. No 635 dated 3-12-1909]

Papers to be read in Proceedings:—

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

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

Current No. 2012 From *S. Ramachandra*, dated 30 - 10 - 1909.

" " " " " " " " " " " "

ORDER. No. 635, dated 3-12-1909.
Mise

M
2.11.09
Teacher C.M.S. School Eluru and

With ref: to his let^{re} to Enl. d. 20th Oct 09 requesting a reconsideration of S.O. 240 unid d. 26.4.09. S. Ramachandra Aiyar of ex-student of the Andhra Civil Engineering College is informed that his request cannot be complied with. His petition to the Enl of Enl received with the above petition is withheld ~~under rule~~ as the matter is ^{one} entirely within the discretion of the Local Enl.

5/
3/12/09

Pro
29.11.09

To the Petitioner
Copy to D. P. J.
6/12/09

When given for copying _____
When copied _____
When examined _____
When signed _____ } 190 .

READ AGAIN G.O., No. _____, DATED
190 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full,
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.