

Government of Madras.

EDUCATIONAL DEPARTMENT.

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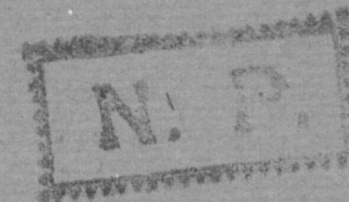
Regd.

} 1910.

Enclosures

Spare copies

G.O., No. 493, 18th August 1910.



Brecks' Memorial School.

Declining to alter the rules of the — so as to allow Indians to be admitted into it and requesting the Director of Public Instruction to state whether the allegation that children of the lowest order are admitted into the Municipal Lower Secondary school, Ootacamund, is a fact.

Government of Madras.

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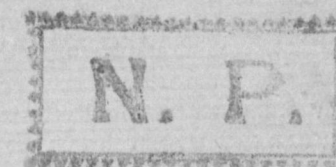
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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper :—

Letter—from the Hon'ble Mr. A. G. BOURNE, D.Sc., F.R.S., C.I.E., Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—Madras, the 22nd July 1910.

No.—Ref. on Cur. No. 4405.

I have the honour to submit for orders the enclosed two letters from A. R. Haji Fakir Muhammad Sait of Ootacamund in which he requests the admission of his grandsons as day scholars into the Breeks' Memorial school, Ootacamund. His request is inadmissible under the scheme for the administration of the school approved in G.O., No. 346, Educational, dated 22nd May 1905, and I have informed him accordingly. He wishes that the matter may be placed before Government.

Except that it might form a precedent, I see no particular objection to the grant of his request.

ENCLOSURES.

Letter—from A. R. HAJI FAKIR MUHAMMAD SAIT, Ootacamund.

To—the Director of Public Instruction.

Dated—the 11th June 1910.

I write to request you to be so good as to allow my grandsons to be admitted as day scholars in the Breeks' Memorial school, Ootacamund. It is at present closed to all others than Europeans, but I believe that I have a very special claim in my asking that my children be admitted into that school.

2. As you are doubtless aware the school was originally started as a memorial to the late Mr. Breeks and the money necessary was raised largely by public subscription, many Muhammadans subscribing on condition that their sons should find admittance in this school, and a clause to that effect was inserted in the trust-deed. I myself was one of the original subscribers under this.

3. Government have now taken over the school for Europeans only and have absolutely ignored the original trust-deed, which I doubt whether they legally can do. It is true that to overcome this difficulty they have started a separate school for natives, but this does not at all satisfy the claims of subscribers to the original Breeks' school, in that, in the new native school, boys of all classes are admitted and the class at present there renders it quite impossible for me to send my boys there, as I would not allow them to mix and associate with the children of the very lowest order.

I would therefore be grateful if you would kindly order that the headmaster of the Breeks' Memorial school should admit my grandsons. I may mention that the present rate of fees charged in the school would do away with any chance of the school being spoilt by the admittance of any low class children.

Letter—from A. R. HAJI FAKIR MUHAMMAD SAIT, Ootacamund.

To—the Director of Public Instruction.

Dated—the 23rd June 1910.

Thanks for your favour of the 21st instant received just now and regret very much to note that you have no powers to admit my grandsons to the Breeks' Memorial school.

I shall, however, thank you to approach the Government with my petition which I handed you in person and which, I hope, you will kindly strongly support.

I am very sorry that I will have to send my children to Madras under compulsion, but legally as I have every right to the school I hope I will not be put to unnecessary trouble and unpleasantness. The facts of the original trust-deed could not be ignored and a reference to the same will explain.

Order—No. 493, Educational, dated 18th August 1910.

The Director of Public Instruction is requested to inform Haji Fakir Muhammad Sait that the Government regret that they cannot alter the rules of the Breeks' Memorial school so as to allow Indians to be admitted into it.

2. With reference to the allegation made by Haji Fakir Muhammad Sait in his letter of the 11th June last that "children of the very lowest order" are admitted into the Municipal Lower Secondary school, Ootacamund, the Director of Public Instruction is requested to state whether this is a fact, and, if it is so, to suggest what measures should be adopted to carry out the original intention of reserving the school for the better class of natives.

(True Extract.)

L. M. WYNCH,
Ag. Secretary to Government.

To the Director of Public Instruction.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 493, EDUCATIONAL,
DATED 18TH AUGUST 1910.

[SUBJECT.—*Admission of Haji Fakir Muhammad Sait's grandsons into the Breeks, Memorial School, Ootacamund.*]

Previous paper :

G.O.,	No.	52.	Edd.,	dated	26th February	1874.
"	"	689	"	"	27th November	1901.
"	"	388	"	"	25th June	1904.
"	"	686	"	"	22nd November	"
"	"	227	"	"	8th April	1905.
"	"	346	"	"	22nd May	"
"	"	60	"	"	2nd February	1906.
"	"	260	"	"	3rd May	1907.
"	"	1903	"	"	16th November	1908.

From the Director of Public Instruction, dated 22nd July 1910, No. 4405.

The Director of Public Instruction submits for orders two letters from A. R. Haji Fakir Muhammad Sait of Ootacamund requesting that his grandsons may be admitted as day scholars into the Breeks' Memorial school, Ootacamund. Fakir Muhammad Sait first addressed the Director of Public Instruction on the subject but as he was informed by that officer that his request was inadmissible, he has requested the Director of Public Instruction to submit his letters to Government, which the Director now accordingly submits for orders.

Paragraph 2 of his letter.

(1) that the school was originally started by public subscriptions, many Muhammadans subscribing on condition that their sons should find admittance in the school and that a clause to that effect was inserted in the trust-deed ;

Paragraph 2 of his letter.

(2) that he was one of the original subscribers ; and

Paragraph 3, page 2 his letter.

(3) that the action of Government in altering the terms of this trust-deed and reserving the school entirely for Europeans is not legal. He observes that although to overcome this difficulty the Government have established a separate school for natives at Ootacamund, that institution does not at all satisfy the claims of the subscribers to the Breeks' Memorial school ; for, in the former school boys of all classes are admitted

Paragraph 3 of his letter.

and the class at present in the school renders it quite impossible for him to send his grandsons there as he would not allow them "to mix and associate with the children of the very lowest order".

3. In order to understand the position clearly, it is necessary to give briefly the previous history of the Breeks' Memorial school. In or about the year 1872 a

Page 28 of the collection of papers relating to the Breeks' Memorial school and paragraph 6 *et seq.* of Mr. Mullaly's letter in G.O., No. 388, Educational, dated 25th June 1904.

and with grants from the Government and the Municipality. In 1874 the school was vested in four trustees and the trust-deed then executed states that the school

Page 1, of the collection.

and East Indian and the more respectable native inhabitants of the place (Ootacamund)". This trust-deed deals also with the transfer by the chaplain and lay trustees of St. Stephen's Church of a certain church property to the trustees of the Breeks' Memorial school. This property was transferred for the benefit of the Breeks' Memorial school and subject to certain conditions and subject to the right of the lay trustees to resume the property if the said conditions were not observed. One of

Clause (4) of the resolution of the Church Committee on page 7 of G.O., No. 52, Educational, dated 26th February 1874.

Paragraph 4 of Mr. Mullaly's letter on page 2 of G.O., No. 689, Educational, dated 27th November 1901.

resumed the church property above referred to on the ground that the condition relating to daily religious instruction had not been fulfilled. As a result of this, the

Paragraph 4 of Mr. Mullaly's letter on page 2 of G.O., No. 388, Educational, dated 25th June 1904.

Paragraph 2 of Mr. Mullaly's letter on page 2 of G.O., No. 388, Educational, dated 25th June 1904.

4. The Government were of opinion that it was undesirable to close the school and as the trustees had come to the conclusion that it was impossible to

G.O., No. 388, Educational, dated 25th June 1904.
G.O., No. 686, Educational, dated 22nd November 1904.

should make an application under the Charitable Endowments Act for the purpose of vesting the property in the Treasurer of Charitable Endowments and for settling a scheme for the future administration of the trust. The property subject to the trust consisted solely of the school building and the Government came to the conclusion that the scheme best suited to remove the difficulties connected with the maintenance of the Breeks' Memorial school was to reserve it for the purposes of a school for Europeans and Eurasians only and to provide at Government expense a suitable building for a Lower Secondary school for natives—*vide* G.O., No. 686, Educational, dated 22nd November 1904.

5. The trustees having submitted the required application, a scheme for the administration of the school was drafted by the Government Solicitor and published in the *Fort St. George Gazette* of

the 11th April 1905, with the intimation that it would be taken into consideration on or after the 15th May 1905 and that remarks and suggestions on the scheme or for any alteration therein should be submitted to Government before that date. The scheme provided for the Breeks' Memorial school being maintained by the Director of Public Instruction as a school for the children of Europeans and Eurasians only and for the establishment of another school or schools for the education of the children of the more respectable native inhabitants of Ootacamund—*vide* G.O., No. 227, Educational, dated 8th April 1905.

fund was raised by public subscriptions to perpetuate the memory of Mr. Breeks, the first Commissioner of the Nilgiris, and it was resolved to found a school. A school building was accordingly constructed with the subscriptions raised

was formed "for the purpose of educating the children of the poorer European

the conditions of the transfer was that the school should be daily opened with prayer to be followed immediately by religious instruction at both of which all children of Protestant Christian parentage should be required to attend. In 1901 the St. Stephen's Church Committee

decreased and the trustees found it impossible with the diminished income to maintain the school; and they resolved to close it from the 1st July 1904, unless the Government provided funds for the payment of arrears due and for the future working of the school.

and as the trustees had come to the conclusion that it was impossible to carry on the school in a satisfactory manner in accordance with the terms of the trust, they decided that the trustees

G.O., No. 346, Educational, dated 22nd May 1905.

6. Fakir Muhammad Sait and others submitted a memorial on the 15th May 1905, objecting to the scheme. Their objections were briefly as follows—

(1) that the funds for the Breeks' Memorial school were provided out of subscriptions raised from Europeans and Natives alike;

(2) that the proposed scheme of management for the school introduced a racial question and left the natives out in the cold;

(3) that the natives then studying in the Breeks' school would be driven to mission schools; and

(4) that had the trustees done their duty, ample funds would have been available for the maintenance of the school.

The Government considered that there was no proposal to drive the natives into the mission schools; that the school which it was proposed to open under the management of the municipality would meet all the reasonable requirements of the natives and that there was no choice between closing the Breeks' Memorial school altogether or so varying the trust as to make it applicable to Europeans only. They accordingly sanctioned the scheme—*vide* G.O., No. 346, Educational, dated 22nd May 1905.

Vide notes on pages 1 and 2 of the notes with G.O., No. 346, Educational, dated 22nd May 1905.

7. In accordance with this scheme, the Breeks' Memorial school is now maintained by Government as a school for Europeans and a secondary school for the education of the children of the more respectable native inhabitants of Ootacamund has been established under the management of the municipality, the Government meeting the net cost of the school—*vide* G.O., No. 260, Educational, dated 3rd May 1907, and G.O., No. 1903 M., dated 16th November 1908.

8. Fakir Muhammad Sait contends that the scheme sanctioned by Government for the administration of the Breeks' Memorial school is illegal. There is, it is submitted, no need to consider this question, as under section 5 (4) of the Charitable Endowments Act, the validity of any scheme for the administration of a trust sanctioned by Government under that Act cannot be questioned in any Court of Law. Fakir Muhammad Sait further alleges that in the Municipal secondary school, specially opened for the children of the more respectable native inhabitants of Ootacamund, boys of all classes, including those of the very lowest order are admitted. No information on this point is available in the office. It is for consideration whether any enquiry on this matter should be made.

9. The only other point for consideration is whether the request of Fakir Muhammad Sait that his grandsons may be specially admitted into the Breeks' Memorial school may be granted. The Director of Public Instruction sees no particular objection to the grant of the request except that it would form a precedent. In regard to the exclusion of natives from the Breeks' Memorial school, please see Honourable Members' (Sir James Thomson's and the Honourable Mr. Stokes') notes on pages 5, 8 and 9 of the notes with G.O., No. 227, Educational, dated 8th April 1905.

T.K.—3-8-10.

It does not appear that Haji Fakir Muhammad Sait has any just ground for complaint. The cost of the original building constructed for the Breeks' school was Rs. 27,365, of which only Rs. 4,000 represented the amount collected by public subscriptions. The contention that the money for the construction of the school was raised "largely by public subscription" seems untenable. The statement made in the Sait's letter that boys of all classes are admitted in the Municipal Lower

Secondary school, including children of the very lowest order" seems to be somewhat of an exaggeration. The school, from its inception, was intended for the

Vide paragraph 1 of G.O., No. 60, Educational, dated 2nd February 1906. children of the "more respectable native inhabitants of Ootacamund" and it would

be frustrating the object of these institutions if children of the "very lowest order" are admitted into it as alleged by Fakir Muhammad Sait. This matter seems to require investigation.

2. As regards Fakir Muhammad Sait's request that his grandsons may be admitted into the Brecks' school, attention is solicited to the notes on page 5 of the notes to G.O., No. 227, Educational, dated 8th April 1905, from which it will be seen that Sir G. Forbes and Sir G. Stokes were agreed that a separate school for Europeans was required at Ootacamund and the reorganization of the Brecks' school was conducted with that idea. It would be a retrograde step to admit natives into this school, and if an exception were made in the case of this Sait's grandsons, others at Ootacamund may also come up with similar requests, and the characteristic of the school as a school for Europeans will no longer be maintained.

K. RANGASWAMI AIYANGAR—5-8-10.

I submit that there is no doubt that Fakir Muhammad Sait and other respectable native inhabitants of Ootacamund have a grievance in this matter. It will be observed that the objections put forward by them were never answered. Please *vide* notes to G.O., No. 346, Educational, dated 22nd May 1905.

The fact is that they had to go to the wall, because it appeared impracticable to run a mixed school with success, the reason being that admission of natives was considered likely to affect the attendance of Europeans.

2. I submit that the best course now is to ascertain definitely whether it is a fact that, as alleged, the very lowest classes are admitted into the Lower Secondary school for natives, and also whether there is still any fundamental objection to admitting a limited number of natives (say 10 per cent. of total strength) into the Brecks' Memorial school. There is, however, the technical objection to this course that it would be contrary to the terms of the scheme settled under the Charitable Endowments Act (*vide* G.O., No. 227, Educational, dated 8th April 1905).

S. H. SLATER—11-8-10.

I submit that we had better stick to the scheme. Once an exception is admitted it will be impossible to stop.

We have got a good headmaster now I believe, but he cannot stay unless he gets boarders, and boarders won't come if natives are admitted to the school.

Enquiries may be made as to Haji Sait's complaint about the class of boys admitted to the municipal school.

L. M. WYNCH—12-8-10.

I understand from enquiries I made, that probably if natives of any class are admitted into this school, the better class European boy will be withdrawn. As it is I am told that one reason the school does not progress is that East Indian boys with a considerable amount of native blood in them are allowed to join the school.

I do not think Fakir Muhammad can blame the Government. It was the trustees that brought the school to grief and had not Government taken it over, it must have been closed. Had the natives in Ootacamund really interested themselves in the education of their children this school would have continued.

I think we must refuse the request with regret. If this school does not succeed better in a year or two than is the case now, as I have said before, the matter will have to be reconsidered. But meanwhile we must give the school as a European school the best chance we can; to admit natives now would certainly destroy it.

As to the class of boys in the Government school, from what I see of it passing I should say the boys there were a very poor lot. I know these grandchildren of Fakir Muhammad and I don't wonder that they would go there. But how can we keep a school "for the better class of natives"? I don't understand how such a course is possible. We fix the fees and have, I suppose, to take every boy who comes, who submits himself to the rules.

However ask the Director of Public Instruction whether anything can be done in this matter.

As a matter of fact I doubt whether Fakir Muhammad would send the grand-children to any school where Hindus formed the majority of the school population. His children are of a class above most of the children in Ootacamund. I mean that they are in appearance better looked after and probably taught to think themselves of a class above most of the children here.

Meanwhile Fakir Muhammad must be told that Government regret that they cannot alter the rules of the school and allow Indians to be received in it.

M. H[AMMICK]—13-8-10.

Please draft.

L. M. WYNCH—15-8-10.

Draft submitted for approval.

T.K.—16-8-10.

K. RANGASWAMI AIYANGAR—16-8-10.

S. H. SLATER—17-8-10.

Issue.

L. M. WYNCH—18-8-10.

[G.O., No. 493, Educational, dated 18th August 1910.]

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19

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READ ALSO:—

19

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19

No. 493, dated 18. 8. 1910

PS

Spencer 20.
1878

The D.P.G. is requested to inform
Haji Fakir Muhammed Saït that
the Government regret that they
cannot alter the rules of the Brooks'
Memorial School so as to allow
Indians to be admitted into it.

2- With reference to the allegation made by Haje Fakir Muhammad Sait in his letter of the 11th June last that "Children of the ^{very} lowest order" are admitted into the municipal lower secondary school, ^{of a camund,} the D.P.I. is requested to state whether this is a fact, and if it is so, to suggest what

what measures should be adopted
to carry out the original intention
of reserving the School for
the better class of natives.

RD
16.8.10

Sn
17/8

To The D. O. J. ✓
Scd 18/8/10
9/9/10

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EDUCATIONAL DEPARTMENT.
~~LEGISLATIVE~~



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Declining to alter the rules of the school
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the D.P.W. to make inquiries into certain
complaints regarding the composition of
the Municipal Board Secondary School

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