

[L. & M.]
64
4,000-22-10-10.

Eol.

Local & Munl. (191) Department.

MISCELLANEOUS.

G.O., No. 496

DATED 5-6-12

(7)

DESPATCHED

[Despatch Abstract.]

Rules

Declining with remarks, to approve of the modification of rule 97 of the Madras Educational — suggested by the Chairman, Municipal Council, Kumbakonam.

BACK PAPERS.

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

FURTHER PAPERS.

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

Stock Form No. 151.
5,000 24-2-11.

LOCAL AND MUNICIPAL DEPARTMENT.

CURRENT No.

2482 M

Received

1912

Registered

1912



Subject.

Suggesting for the favourable Consideration of Government a suitable modification of Rule 97 of the Madras Educational Rules so as to enable the controlling authority to exempt a pupil seeking admission in a College or Secondary School during the currency of a term from paying such portion of the term-fee as might have been previously paid by him in another institution.

Re No. 22 of 12

Station Kurnool

Dated the 16th April 1912

ENCLOSURES.

No.

one

Spare copies

N.

From (Name) M. R. Ry. S. Venkatanarasimha Rao Garu B.A.
(Designation) Chairman Municipal Council

Educational No.

To The Secretary to the Government of Madras,

Local and Municipal Department.

Madras

Through

The Collector of Kurnool

and

The Director of Public Instruction, Madras

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2482-M

24.572

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22-5-12

Sir,

I have the honour to suggest for the favourable Consideration of Government a suitable modification of Rule 97 of the Madras Educational Rules under the circumstances set forth hereunder.

①

2. Rule 101 of the Educational Rules empowers the Controller

Controlling authority either to return or remit such portion of the term-fee as may be considered equitable if a pupil leave a college or Secondary School during the currency of a term. But rule 97 of the Rules printed in Government order No 271 Educational dated 21st May 1910 lays down that a pupil shall not be enrolled or admitted after the beginning of a term unless he has paid all the instalments of fees which he would have had to pay had his name been on the rolls of the College or School from the beginning of the term. It thus comes about that a pupil who is obliged to leave an institution in the middle of a term and seek admission in another institution would have to pay the whole term-fee in the new institution besides having had to pay so much of the same fee as the authorities of the first institution might choose to collect from him. According to the strict letter of the Rules, a pupil who joins a College or Secondary School can be compelled to pay the whole of a term-fee even if he should give up his studies the next day after he is admitted or otherwise desire to leave the institution with a view to seek admission in another institution. But discretionary power has been given to the controlling authority of the institution to return or remit a portion of the term-fee payable by the pupil. Curiously enough, no such power has been given to the controlling authority in the contrary case where a pupil seeks admission in the

the middle of a term after having attended another institution till then. The object of giving such discretionary power in one case would serve no useful purpose so long as a similar power is not given to the controlling authority in the other case. Such discretionary power needs to be exercised only in exceptional cases where a pupil is obliged to leave an institution and seek admission in another during the course of a term, under somewhat unforeseen circumstances. More often than not, the controlling authority is called upon to exercise such discretionary power in the case of pupils whose parents or guardians are employed in any of the departments of the public service. The transfers of public servants in the exigencies of public service generally necessitate the exercise of such power by the controlling authority to minimize the hardship they would otherwise be put to. But as rule 97 now stands, the controlling authority seems to have no discretion whatsoever in the matter of allowing a fair and reasonable concession even in cases where a pupil had paid the major portion of the instalments of the term-fee in another institution. A modification of the rule in question

question so as to enable the controlling authority to exempt a pupil from paying such portion of the term-fee as might have been previously paid by him in another institution, would seem to me to be quite essential in these hard days of struggle for existence. The Inspector of Schools of the circle agrees with me in my view and even informed me that he would address the Director of Public Instruction concerning the amendment of the rule.

3. In view of the fact that an application for refund of a portion of the term-fee paid twice over in conformity with the existing rule has been pending before the Council, I have been asked by the Council to address Government on the subject of a suitable modification of the rule.

4. A copy of the resolution of the Council on the subject is herein enclosed.

I have the honor to be

Sis

your most obedient servant

S. Narasimha Rao
Chairman 17/4/12

8/2
17/4/12

No. 27

Proceedings of a meeting of the Municipal Council
Kurnool held on the 24th February 1912.

Present

M. R. Ry S. V. Narasimha Rao Esq. B.A.

Chairman

Nominated members

M. R. Ry Rao Bahadur K. Subbarayadu Pantulu Esq.

" M. B. Varada Aiyangar Esq. B.A., B.L.,

H. M. D. Khansabab Sultan Muhammed Sahib Bahadur

" Hajie Nabi Sahib Bahadur

" Hassan Alli Khan Mandozie Sahib Bahadur

" Muhammad Dilawar Khan Sahib Bahadur

" Santa Abdul Karim Sahib Bahadur

Elected members.

M. R. Ry C. V. Chelapathi Naidu Esq.

" K. Dakshinamoorthi Esq. B.A., B.L.

H. M. D. K. Akbar Sahib Bahadur

The following business was transacted.

5 (a) School fees.

Read petition dated 10.1.12 from ^{M. R. Ry} A. Rangaswami

Modaliar Tahasildar of Pattikonda received with endorsement No 17 dated 29-1-12 of the Head Master Municipal High School Kurnool and with endorsement No 29/Kr of 12 dated 31-1-12 of the Inspector of Schools 3rd Circle Bellary regarding the remission of school fees paid by his sons A. Ramaswami a student of 1st Form and A. Ettirajulu a student of IV Standard of the Municipal High School Kurnool.

Resolution:- Government will be addressed on the Subject.

x x x x

(Signed) S.V. Narasimha Rao
Chairman

(True copy)

S. Narasimha Rao
17/4/12
Chairman

No 1221/4912

Submitted through the Director of Public Instruction.

2. I went to differ from the Chairman & the Inspector. I do not know the inner working of the framing of the rules, but it seems to me that §§ 97 & 101 were framed with a view to discourage transgress in the middle of term; & that the modification of one or other at discretion was thought desirable to prevent a double hardship; but the modification of both would merely defeat the original intention.

3. I went to claim that the tone of the Chairman's letter would indicate that both he & the Inspector look on the use of this discretionary omitting power as a matter of course. If any alteration in the rules is required it should rather be in the direction of restricting the discretion to cases where it is absolutely necessary that this power is discretionary. Although 25/4/12

N. Ref. on C. No. 3499 Of 1912, dated 14th May 1912.

Submitted to Government.

2. I fully endorse the Collector's remarks.

R. G. Griener

For Director of Public Instruction.

14.5.12

U. L.

” ” ” ” ” 191

C. No. 1482, From the C. M. C. Kumbh No. 22/12, dated 16. 4. 1912.

" " " " East of the collector, 12218, 25-4-1912.

" " " " " of the DPT, Rep 3499, " U. S. 1912.

ORDER

No. 49, dated 5. 6. 1918

The Govt do not ^{approve of the} ~~consider~~
~~that any~~ modification of
 rule 97 of the Madras Edu-
 cational Rules ^{modification} as suggested
 by the chairman, Muni-
 cipal Council, Kumbal

The rules are framed specially to discourage the transfer of boys from one school to another in the course of the term -

~~to necessary~~

SK
28.5.12
CA
31.5.12

LD.
1.6.11

Кол

Please see the Collector's endorsement on page 6 of C.F. which is endorsed to the D. P. I. As stated by him there is already provision ~~for~~ in the rules for the prevention of hardship, if doubt will cause it.

To K.R.S

The end

Copy to the S. P. I.

Sept 2 1876 Collection of Minerals. (Adm)

When given for copying _____
When copied _____
When examined _____
When signed _____

191

READ AGAIN G.O., No.

DATED
19

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

A = Copy in full.
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P = Copy abstract only.
Q = Copy heading only.

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