

27 (1915) Department.

This SERIES.

G.O. No. 1446207

DATED 2/12/15

[Despatch Abstract.]

Code of Regulations for European Schools

Informing the Resident in Travancore
Kochin that the Govt are not satisfied
that the definition of the term "European"
given in Art. 2 of the — need any altera-
tion that they have no objection to the Govt
adopting any defn of the term which is within the
defn of the Code so that we may negotiate with
the Govt on the question of giving board-
ing grant on behalf of poor
children in those States

CN^o 3303 28P

G.F.-29.

POLITICAL DEPARTMENT.

Received _____ 191 . Registered 24.9 1915.



Subject.

Requesting with reference to G.O.No.915 Edl. dated 9th August 1915 a stricter definition of the term European as used in the Regulation for European schools.



ENCLOSURES.
No. _____

Spare copies: _____

R.O.C. No. 1615

Station Camp-Ernakulam, Dated the 20th September 1915.

From (Name) R. A. Graham Esquire, I.C.S.,
(Designation) Ag. Resident in Travancore & Cochin.

Chief
To The Secretary to the Government of Madras,
POLITICAL Department.

Sir,

I have the honour to acknowledge the receipt of G.O. No.915 Edl.Mis. dated 9th August, in which, on a reference from the Director of Public Instruction, I am requested to ascertain whether the Travancore and Cochin Darbars are willing to pay boarding grants on behalf of poor European and Anglo Indian children resident in the States who are educated at schools in British Territory. Having had some experience now of the kind of applications made on behalf of children living in the two States, I feel it necessary, before referring to the Darbars, to ask that the scope of the enquiry may be more precisely defined, and therefore beg to address Government on the subject.

(E)

Ear 279

Page 2 of 2
E 915 (copy)
14-8-15

Art. 2 of the Code

2. The Director of Public Instruction states that in Mysore most of the European or Anglo Indian children at present under instruction belong to private schools opened specially for such pupils and aided by Mysore Government grants, whereas no special provision for the education of European children has been made in the Educational codes of Travancore or Cochin. I think however that the conditions in Mysore are very different from those in Travancore and Cochin though the difference is obscured by the definition in the Madras Code of the term European as including any person of European descent, pure or mixed, who retains European habits and modes of life. There are in Travancore and Cochin very few Europeans and Anglo Indians of the kind for whom I imagine special educational facilities are provided in Mysore; but there is a very large population which claims Portuguese descent, dresses more or less in European style and can obtain certificates from local authorities that it retains European habits and modes of life; and it is entirely from this class so far as I can see, that applications for grants under articles 40 and 42 of the code are received from Travancore and Cochin. In few, if any, cases can the descent from the original Portuguese ancestor be traced, and if strict proof of descent were required, practically no applications would be forwarded to the educational authorities. The form of certificate to be obtained from the Magistrate under Art. 41 (a) requires him to certify not only to the destitution but also to the European descent of the applicant, and in most cases which have come before me recently I have found myself unable to certify; but the claim of the applicants to European descent is generally acknowledged by their neighbours and certificates have in the past been granted on the strength of

general report or of statements made by neighbours or by --
parish priests. It is probable that in a large number of in-
stances the applicant really had a Portuguese ancestor in the
distant past, but I do not think that Government ever contem-
plated the provision of special educational facilities for
families which, except for that fact and for some slight dif-
ferences in manners and customs, can hardly be distinguished
from the other inhabitants of the country.

3. I would submit therefore that the term European
needs a stricter definition, limiting it to those whose ances-
tors within a measurable number of generations came from --
Europe, or at least to those whose European descent is capable
of exact proof. If this is done, the number of applications
for grants from Travancore and Cochin will be small and the
Darbars may reasonably be asked to pay the grants for those
who are found entitled.

I have the honour to be,

Sir,

Your most obedient servant,

R. S. Chaham

Ag. R e s i d e n t.

gm

T.S.P.

OFFICE NOTE.

Edl. Sept 5

SUBJECT. Definition of the term "European"
in the Code of Regulations for
European Schools.

From

the Resident in T.C.R.O. 1615 d)
the 20th Sept. 1915.

Register No. 3303 Edl.

It is submitted that
the current letter from the Resident
in Tatabanawa & Cochin may be
forwarded w/o to the D.P.D. for
remarks in the first instance.

C.R.
6.10.15Edl.
4.10.15Edl.
6.10.15

D.P.I. no.

No. 121 of 23. 10. 15

I should welcome a more accurate definition
European or
Anglo Indian if one could be
found, but the Government
Indian for whom the Code comes
would, I suppose, have to be consulted.

It was certainly not intended in
making the suggestion that the Resident
should provide part under Rule 40 1615

Edl. no 3303-1

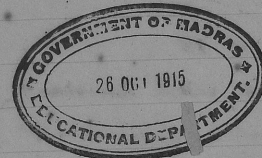
6.10.15

Rel Note in CR
26.10.15

PD

of the case that people such as
 Mr. Gahlan describes should
 be given them. I do not know
 who would forward the certificates
 in these states: could not the
 Resident supervise this, as
 certificate of being valid without
 his authority?

Jan 23. 15.



Educational Department.

7

The term "European" was first defined by the Government of India in Article 2 of the Code of Regulations for European Schools forwarded by that Government in 1905 - vide page 4 of

(A) G.O.No.599 Edl., dated 5th September 1905. When the Code was introduced here, it was accepted without any alteration - vide

(C) rule 2 on page 14 of G.O.No.220 Edl., dated 26th March 1906.

The practice of Native Christians and other non-Europeans assuming European names and claiming privileges intended for Europeans under the European Code, especially in the West Coast, was ^{once before} brought to the notice of Government by the

Director of Public Instruction. - vide page 2 of G.O.No.200

(H) Edl., dated 30th March 1909. The Honourable Mr. Madge, C.I.E.,

also drew attention to the subject at the Simla Conference

of 1912 on the education of the domiciled community and

specially desired that some name or definition should be

affixed to both school and Code that would keep out pupils

of pure Indian descent adopting foreign garments and foreign

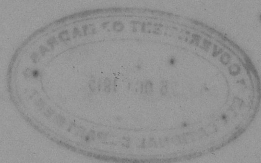
names - please see pages 125 and 127 of the report. With

reference to this, the Honourable Sir Harcourt Butler in

his opening speech remarked :-

"The definition as given in paragraph 2 of the Code was reasonable and should be allowed to stand. The Code made provision for the admission to European Schools of a certain percentage of Indians. There was no intention to alter such provision. It was necessary, however, to

see



put up

p. 2 of the reports put up

8
"see that this percentage is not exceeded and that such
"schools are not invaded by children of purely Indian descent,
" who pass themselves as Anglo-Indians".

In this connection attention is ^{also} solicited to the
Honourable Mr. Richmond's Memorandum on page 6 of G.O.

(F) No. 238 Edl., dated 26th February 1914 and the Director's
remarks on page 14 thereof.

2. In view of the opinions referred to above it seems
unnecessary to attempt at any more precise definition of the
term "European". The duty of granting the certificate
required by Article 41 of the Code rests on the Chief
Presidency Magistrate and the District Magistrates. It
does not appear that any of them found it impossible to
trace the European descent of ^{any} child. On the other hand
it appears that with reasonable enquiries, it should always
be possible to get at the truth. In these circumstances
the real defect appears to lie not in the definition of
the term but probably in the ^(Steps taken by the) officer of the Travancore State
who is entrusted with the duty of granting the certificate.
It is therefore for consideration whether the Resident may
be informed that the Government do not consider that any
alteration in the definition of the term "European" is
called for.

3. As regards the question raised by the D.P.I.

whether

vide his note on p. 100.

whether any amendment to Article 2 would require the sanction of the Government of India, attention is solicited to Article 14 of the Code, which should be read with paragraph 4 of India's letter on page 3 of G.O.No.445 Edl., dated 9th June 1908. As the term "European" as defined in Article 2 is applicable not only to this Presidency but also to other Presidencies, it appears that the question should be regarded as a general one and that any alteration in the Code in respect of the definition of that term would require the sanction of the Government of India.

4. The D.P.I. also raises the question whether the Resident in Travancore and Cochin may not be entrusted with the work of supervising the grant of certificates in those States. Seeing that in British territory the duty of granting the certificates is entrusted to the Chief Presidency Magistrate, Madras and all District Magistrates, the Resident in Travancore and Cochin appears to be the suitable person to supervise the certificates granted to the scholars in those States. If the Political Department has no objection, the Resident may be directed to grant, for the future, the certificates required by Article 41 of the European Code, to the scholars in Travancore and Cochin, it being, of course, x

left to him to carry on the necessary enquiries

through his subordinates. If this is done, the number of applications for grants will be small and the Barbars of Travancore and Cochin will probably agree to pay the grant from State funds.

25.11.15
S.K.
25.11.15

I don't think there is any need to alter the definition. The magistrate should have sworn evidence tracing descent to a definite European and proof of the intention of European habits of life, two common tests of which are being at home in boots and used to eating with a knife and fork.

2. Certificates for children in Travancore and Cochin should be signed by the Resident himself.

3. Permission to make enquiries ~~has~~ through a subordinate should be given not only to him but to all certifying officers. On this subject Sir George Fokes notes:—"The 'District Magistrate' represents our organization. He can certify as he does in a hundred cases every week, only to the best of his belief after further enquiry, through such agency as he can officially command"

(G.O. No. 200, dated 30.10.15)
h.2. n.2

This note seems to have been lost
 sight of when the ^{found} certificate
 at 45 of 9.0.10.66 ELL, dated 25.1.12,
 was passed, for they specifically
 require that the District Magistrate
 should have personally taken
 evidence. The form may be amended.

ES

1.12.15

H. & the Governor,

His Excellency understands that
 as far as the Educational
 Dept is concerned provided any
 definition the Durhams adopt
 - assuming their willingness to
 meet the proposals ~~it~~ within
 the definition in our case no
 further question arises.

As far as the Residents' argument
 he ^{apparently} wishes to be able to inform
 the Durhams that they can
 make their own stipulations as
 to how far they will be bound
 by our definition. If they consider
 that it is too wide, and this is
 what the Residents apprehend, the
 mere fact that we are not prepared

to make the question of our cash definition cannot deter them from doing so & making their own stipulations & saying how far they are prepared to go, on what conditions they are prepared to accept. His Excellency wishes this point to be examined in consultation with Political, and unless there are reasons to the contrary the Resident to be informed that it is a question on which he may negotiate.

3. The question of the amendment of our form seems not to arise out of this reference & should be separately considered.

By order, Kethin
14.12.15



As far as this department is concerned there is no objection to the Resident being informed as proposed in para. 2. of the P. S. G's note above. ~~the proposed report should be signed by the Resident and the P. S. G. and the draft order submitted below for approval. It may be sent to the Political Dept for acceptance.~~



10/12/15

10/12

10/12/15

Political u.o.

10.12.15

CURRENT NO. 1939
POLITICAL

11.12.15

Political Department.

Submitted that the draft order may be accepted in this department.

CL
11.12.15

RL
15.12

64/15.12.15 S.O.

To Ed. L. W.

Educational Department.

For orders whether the draft order may issue

OP
20.12.15
20.12.15.

Issue

21.12.15



Notes in ca

29/1/15

[Faint, mostly illegible handwritten notes on the left page, including phrases like "Submitted that the draft order may be accepted in this department." and "For orders whether the draft order may issue"]

[Faint, mostly illegible handwritten notes on the right page, including phrases like "Submitted that the draft order may be accepted in this department." and "For orders whether the draft order may issue"]

READ AGAIN G.O. No. 915 98, dated 4. 5. 1915. (E)

" " " " " " " " 191

READ ALSO:-

C. No. 3303, From the Resident in Travancore, No. 465, dated 20. 9. 1915.

Cochin.

" " " " " " " " 191

" " " " " " " " 191

ORDER.

No. 1496 dated 21-12 1915.

Min.

an not satisfied
The Govt. consider that the definition of the term "European" given in article 2 of the Code of Regulations for European schools is reasonable and needs no alteration.

2. The Resident in Travancore and Cochin with he informed that, assuming the willingness of the Darbare to meet the proposal, the Govt. have no objection to their adopting any definition which is within the definition in the Code. and that it is a question on which he may negotiate with the Darbare.

3. The certificate would no doubt be signed by 9.12.15 the Resident himself.

has boarding grants in school 1 poor European and Anglo-Indian children resident in the state who are educated at schools in British territory

To, The Resident in Travancore & Cochin (D.O.)

23/12/15

9.12.15

10.12.15

When given for copying

When copied

When examined

When signed

191

READ AGAIN G.O. No.
191

DATED

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.

F.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.