

Law (1921) Department.
Education
Ordinary SERIES.

G.O. No. 26

DATED 5-1-21.

[Despatch Abstract.]

Madras Elementary Education Bill.-

Criticisms of Mr. Richey on the provisions of
the ——— Recorded.

Dr. Tykett
 holds - but 3
 court. vouch +
 "translation" of
 Richey
 29.7.20

It is in principle. Tyam has a bill of this nature
 will work in practice and I am not positive as to
 the administration of local self-government in Madras. - so
 some of the provisions are purely incidental. They
 have been passed here mainly after reading on the revised bill, &
 do not represent a considered opinion.

Grand-

A. Chapter II establishes a new form of educational
 authorities. They may be known as local boards & Government.
 The powers assigned to this District Educational Board
 were with the new e.g. 24 (a) (b) (c) & (d)
 or the transferred from the District Board or its officers
 e.g. 24 (e) (f) (g) & (h).

The first comment on this plan is that nearly
 all the functions of the new authority will be execution
 which a body which is ^{only} required to do things a
 year or two, probably must not work more than nine
 times the new Indian administration functions. This
 system already carries much of the work of local
 self-government in India, especially educational administration.
 The District Educational authorities have Directors of
 Education or Superintendents who carry out the actual
 execution work of the schools. The service which claims
 to be with more democratic, the 'Supervisors of Education'
 in the 'Townships' & 'Municipalities' have a very few hands.
 Hence the provision is not one of support, but to have
 broad bills about railways, grants, health, taxes, wages
 to working bills etc etc, the actual work being carried
 out by the President & Council. The provision of

The Executive Officer's Office

submitted to its officers, nor gave resolution, nor action of its officers as under standing orders require
information viz

Have doubt on this point because ^{among} of the duties
 which are assigned to the new D. E. Councils scheme,
 e.g. the maintenance of registers, will be entirely carried
 out by the permanent staff, of others e.g. the working of
 educational schemes, the distribution of grants and etc., all
 the detailed work will be carried out by staff.
 The permanent staff will consist of the President (1940)
 and an official establishment (22-).

The President will either be the collector, in which case the collector will be performing a great many duties which are now carried out by an officer of the Education Dept. (this is reversal of the policy which is his now generally adopted) or a non official who will keep office, since the Presidentship can hardly be confined to the three representatives of the head-quarters of the S. L. C., not the resident in the same town as his office & may therefore (all the more if he is not ordinarily used to administration) be largely in the hands of his clerks.

Cxi That there are large possibilities of friction between the D.L.L. and the C. Syst. on the one hand, & local authorities on the other is ~~if you can get the~~ ~~disposition does not agree with~~ I need not amplify this; but see below B.

Imagine it would not be possible to make a
 Educational officer e.g. the Asst. Inspector of
 Prisons & a Police? This would bring the
 Police more in touch with the local
 Directors & Superintendents who are educational experts.

for local authorities.

District & Municipal funds in 1916-17 (then under
latest plans here) spent over 26 lakhs on primary schools
apart from Provincial institutions apparently. ~~By 1918~~
small Provincial revenues spent 17,00,000 approx. (now I
believe to me is Rs 25,00,000). Since then more and
more Government aided primary schools compared with almost
the same amount from District & Municipal schools most of
the local funds expenditure must have been on aided schools.

Most is to be the relation of the D.I.C. and the
local authority to these aided schools?

~~Provincial revenues now do~~
~~not aid these schools directly~~
but ~~the~~ contribute to the local funds and to be
distributed in grants, but 24% of Districts' contribution
(and Section 42 makes this quite clear) direct grants
to aided schools from the D.I.C. on the basis of the
local authority. This is not right a transfer of

the function of the Edu. Dept. to the D.I.C. but
the institution of a ^{direct} transfer of grants -

There will be schools aided from local funds &
schools aided from D.I.C.'s funds & a school system
aid from any other source a grant from the other authorities

Again 33 (a) says that all expenditure on
elementary education to a local authority must be from
the elementary education fund.

Since the primary stages of secondary schools
are to be closed as elementary schools, it will
be difficult for a board to budget for its secondary
schools (the number of board secondary schools in
Andhra is increasing rapidly within).

C. There are comments on V & VI that occur in
the report - They are ~~not~~ ought to be
well.

3 (i) 'provision' by whom?

56 was to complete provision for the Govt. but the Distribution Commission recommended that limited in their action should be left to local authorities, & this provision is generally followed elsewhere.

(ii) Regarding the ~~possibility~~ possibility of having two District educational Councils in one District with no join area to confine

37. There is a risk involved in making a statutory provision for provincial universities that the rich districts may benefit at the expense of the poorer by more advanced districts are likely to raise special taxation & thus may by doing so exhaust the provincial funds available for distribution.

This was the chief reason for the Govt. of India's opposing the Gokhale's University Education Bill i.e. that the limited funds at the disposal of Govt. these funds would all be exhausted in introducing in persons education in areas already educationally advanced; whereas backward districts had to depend almost entirely for central resources.

(probably at least only municipalities)

28/7- J. H. D. S.

THE MADRAS DISTRICT EDUCATION BILL

It is impossible to foresee how a bill of this nature will work in practice and I am not familiar with the administration of local self-government in Madras. So some of the following notes are probably irrelevant. They have been jotted down shortly after reading over the revised bill and do not represent a considered opinion.

General.

A. Chapter II establishes a new form of educational authority half way between the local boards and Government. The functions assigned to this District Educational Council are -

- either (i) new e.g. 24 (a), (b), (c) & (k),
- or (ii) transferred from the Education Deptt. or its officers, e.g. 24(e), (f), (g) etc.

My first comment on this plan is that nearly all the functions of the new authority will be executive while a body which is only required to meet six times a year and will probably not meet more than three times can only exercise administrative functions. This confusion already underlies much of the work of local self-government in India, especially educational administrations. In England educational authorities have Directors of Education or Superintendents who carry out the ordinary executive work of the Council in America which claims to be still more democratic the 'Superintendents of Education' in the 'townships' and 'municipalities' have a very free hand. *These the* *is maintained of supposing* that the local board fills casual vacancies, grants leave to teachers, pays the monthly bills etc., the actual work being carried out by the President and Secretary. The function of an administrative body is to issue general instructions.

to its executive officers, approve lines of administrative schemes etc. submitted by its officers, pass general resolutions and confirm such actions of its officers as under standing orders require confirmation etc.

I have dwelt on this point because among the duties which are assigned to the new District Educational Councils some, e.g. the maintenance of registers, will be entirely carried out by the permanent staff, of others e.g. the scrutiny of educational schemes, the distribution of grants in aid etc., all the detailed work will be carried out by the staff.

The permanent staff will consist of the President (19(a)) and an office establishment (27).

The President will either be the Collector, in which case the Collector will have a great deal of extra work and will be performing a great many duties which are now carried out by an officer of the Educational Department; (this is a reversal of the policy which is being now generally adopted

or a non-official who will very often, since the Presidentship can hardly be confined to the three representatives from the headquarters of the District Educational Council, not be resident in the same town as his office and may therefore (all the more if he is not ordinarily used to administration) be largely in the hands of his clerks.

Again I think there are large possibilities of friction between the District Educational Council and the Educational Department on the one hand and local authorities on the other. I need not amplify this; but see below B.

I suppose it would not be possible to me

an Educational Officer, e.g. the Assistant Inspector ex-officio secretary to a District Educational Council: this would bring the system nearer to that followed in the west with their local Directors and Superintendents who are educational experts.

B. Chapter III constitutes elementary education funds for local authorities.

District and Municipal funds in 1916-17 (I have not the latest figures here) spent over 26 lakhs on primary schools apart from Provincial contributions apparently. Provincial revenues spent 17,00,000 approximately. (Now I believe the sum is Rs.23,00,000). Since there were over twelve thousand ~~x~~ aided primary schools compared with about three thousand Board and Municipal schools most of the local funds expenditure must have been on aided schools.

What is to be the relation of the District Educational Council and the local authority to these aided schools?

This is incorrect
Provincial revenues now do not aid these schools directly but contribute to the local funds sums to be distributed in grants, but 24 (f) distinctly contemplates (and section 42 makes this quite clear) direct grants to aided schools from the District Educational Council over the head of the local authority. This is not simply a transfer of the functions of the Educational Department to the District Educational Council but the institution of a new dual system of grants.

There will be schools aided from local funds and schools aided from District Educational Council funds and a school refused aid by one may obtain a grant from the other authority.

Again 33(2) says that all expenditure on elementary education by a local authority must be from the Elementary Education fund

9
Since the primary departments of secondary schools are to be classed as elementary schools, it will be difficult for a board to budget for its secondary schools (the number of board secondary schools in Madras is increasing rapidly, I believe).

C. I have no comments on V and VI that occur to me at the moment. They ought both to work well.

Details.

3(i) 'prescribed' by whom?

56 seems to contemplate prescription by the central Government, but the Decentralization Commission recommended that latitude in these matters should be left to local authorities; and this procedure is generally followed elsewhere.

(iii) I suppose the possibility of having two district Educational Councils in one District will not give rise to confusion.

37. There is a risk incurred by making a statutory provision for provincial contributions that the rich districts may benefit at the expense of the poorer, but more advanced districts (probably at first only municipalities) are likely to raise special taxation and they may by doing so exhaust the provincial funds available for distribution.

This was the chief reason for the Government of India's opposing Mr. Gokhale's Elementary Education Bill, i.e., that with limited funds at the disposal of Government - these funds would all be exhausted in introducing compulsory education in areas already educationally advanced; whereas backward districts had stronger claims for help from central revenues.

J.A. Richey.

28-7-1920.

To D.P.I.

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u.s.

for favour of comment. I had a hurried talk with Mr. Richey about his notes just before he left yesterday morning. He has only an ancient questionnaire report with him, & recognized that ignorance of local conditions might vitiate many of his tentative conclusions.



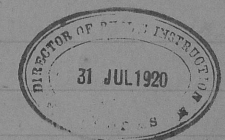
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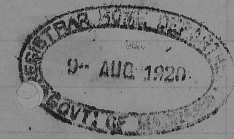
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U.O. Reply Camp No. 41/20
7-8-20



Mr. Richey states that the functions in section 24.(1).(a), (b), (c) and (k) are new. This is scarcely correct since registers are prepared and maintained by the department showing all elementary schools, while Volume II of the Report on Public Instruction contains information regarding all primary departments attached to secondary schools. The Department furthermore has already prepared plans

and the annual inspection reports

11 6 -2
plans and maps on which every elementary school is located so that the existing provision for elementary education is already known to our local educational officers.

Mr. Richey states that the D.E.Cs will probably not meet more than three times a year. This presumes that the D.E.C is not going to carry out the provisions of the Act for Section 13 reads as follows:

'Provided that every Council shall meet at least once in every two months'.

Any argument based upon an assumption that a body under an Act is not going to carry out the provisions of the Act is worthless. My own impression is that the D.E.Cs will meet at least once in every month.

Mr. Richey has apparently overlooked the full force of Section 19.(1) (a) which vests the executive power of the Council in the President, Section 27 which empowers D.E.Cs to employ such establishment as may be sanctioned by the Governor in Council for the proper discharge of the duties imposed by this Act and Section 20 regarding the standing orders as to the conduct of business. D.E.Cs have *both administrative and* executive power, and can, if they meet monthly, exercise through their Presidents and officers executive functions. The President will generally be some person other than the Collector. Mr. Richey

presumes

will preclude the
appointment of a
"Superintendent of Education"
or their holding a
like standing, subject to
the approval of the
Council in Council

on the D.E.C. ^{W 7} - 5
presumes that there will be only three representa-
tives from the head-quarters of the District Educa-
tional Council. He apparently ignores the possibi-
lity of elected persons and nominated persons being
resident in the head-quarters of the District Edu-
cational Council. ^{Bill} There is nothing in the [act] which

The possibility of friction between the Dis-
trict Educational Councils and the Educational
Department on the one hand and the local authori-
ties on the other was recognised by Lord Pentland
in a discussion which a small committee, of which
I was a member, had with him when the Bill was being
drafted. The possibilities of friction however are
no larger than those at present existing between
the Educational Department and the local authori-
ties.

^{it}
I do not consider ^{it} advisable to appoint an
Assistant Inspector as ex-officio secretary to the
District Educational Council. I should prefer that
the D.E.C. appoint its own secretary. Our educa-
tional officers have ample opportunities of giving
advice on educational matters and if in any case
^{under}
~~from the~~ discussion the Inspector differed from
the President of the District Educational Council
the Assistant Inspector who as ex-officio secretary
would be compelled to carry out the orders of the
President although he were officially under the
direct

Provincial grants are made
directly to aided schools.

+ The figures for 1916-17
are: Local funds Rs. 304
Imp. " Rs. 39,222
Total Rs. 39,586

Provincial Revenues:
Rs. 20,96,470.

Please see para.
3 of the Select
Committee's
Report thereon.

(A)

Since removed

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direct orders of the Inspector would find himself
in an anomalous position.

If Mr. Richey had read the Act fully he would
have seen that the local authorities have no rela-
tion whatsoever to aided schools except probably
that the manager of an aided school is a kind of
brother or step-brother to the local authorities.

Mr. Richey is wrong when he states that provincial
revenues now do not aid these schools directly but
contribute to the local funds sums to be distribut-

ed in grants. At the present moment only about
10 Municipalities make provision for the payment
of teaching grants to aided elementary schools.

The amount so provided is about Rs. 30,000/- while
the amount paid from provincial funds is about
Rs. 23 lakhs. His conclusions from these false

premises may be passed over. The Bill does not
make any statement so far as I am aware that the
primary departments of secondary schools are to be
classed as elementary schools. I believe however

that the notes on the Bill accepted this position.

The majority of the primary departments of sec-
ondary schools begin with standard IV so that sec-
ondary schools have in general only two primary
school classes, standards IV and V. It may be

necessary for Government to lay down that a sec-
ondary school shall begin with form I or it may be

necessary

necessary to consider the primary departments of secondary schools only for the purpose of the provision of accommodation which is required before the introduction of compulsion. I think the difficulty of budgetting however is magnified.

Mr. Richey has overlooked section 3 sub-section (ii) where 'prescribed' is stated to mean prescribed by the Governor in Council under this Act. It is always possible for latitude to be given in the definition of 'attendance' under the rules which can be prescribed by the Governor-in-Council under Section 56 (2).

It is not proposed to have more than one District Educational Council for any District at the present time. The provincial funds available for distribution are not likely to be exhausted by the special taxation that is raised if the final relationship between the Government of Madras and the Government of India ^{is} ~~are~~ only placed upon an equitable footing. A reference to the note which I wrote upon the system of giving grant-in-aid in 1916 will show that the problem of grant-in-aid has been fully discussed. It is always necessary

to aid poorer and more backward districts, and the bill does not preclude the grant of special aid by the Governor in Council - vide Sections 28 and 32. Moreover, experience, especially in Bombay, has shown that local bodies are not falling on their backs in their hurry to tax themselves for the sake of education.

under additional, special
or abnormal

Most of the criticisms made
by Mr. Nicky have been fully met
by the D.P.D.

2 With reference to the portion marked
'A' on pages 8 & 9 supra, attention
is solicited to para 3 of the Select
Committee's report ^(above) wherein it is stated
that the definition of 'elementary
school' has been amended so as to
make it clear that the expression
may be construed as including a
primary dept. in a secondary school.

AM
10/8/20

OK
10-8-20
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10/8/20

Home

(Returned from H.M.
Along with other papers
relating to the Bill)

Submitted that these notes may be
only
recd.
2/6 & 5/21
Recorded.

OK
16/12/20

OK
17/12/20
5

11/1/21

When given for copying—

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