

Law (1921) Department.
(Education)

Ordinary SERIES.

G.O. No. 944.

DATED 21-6-1921.

INDEXED

[Despatch Abstract.]

Legislative Council Meeting Feb 1921.

Resolution regarding admission of Muhammadan
and backward class pupils in all aided
institutions on half fee - Report called
for from the D. P. G.

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Resolution 26

NOTES.

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NOTES CONNECTED WITH A RESOLUTION ON MATTERS OF
GENERAL PUBLIC INTEREST.

[For the meeting of the 14th February 1921.]

[SUBJECT.—*Half-fee concessions to Muhammadan pupils in private aided schools and colleges.*]

Khan Bahadur MUHAMMAD USMAN SAHIB BAHADUR, M.L.C. :—

26 ~~LXXXIII~~. That this Council recommends to Government to take early steps for enabling Muhammadan pupils and students to study in all private aided schools and in all colleges on half fee as is the case in all Government schools, the Government undertaking to make good the loss which the management in the case of private-aided schools and colleges would sustain on account of this concession.

LAW (EDUCATION) DEPARTMENT.

Rule 102 of the Madras Educational Rules lays down that "fees in all institutions shall be levied at half the standard rates from Muhammadans, etc., whose parents or guardians are so poor that the grant of this concession is necessary to enable them to continue their studies". This rule is strictly applicable only to institutions under public management and is not binding on the managers of aided institutions. However, with a view to induce them to grant the concession, the Government have undertaken to reimburse them one-half of the fee income foregone under rule 102 of the Madras Educational Rules. As a matter of fact, the managers of aided institutions, except first-grade colleges, get full compensation for foregoing half the income—vide paragraph 3 of the Director of Public Instruction's note on page 7 of the notes to G.O. No. 759, dated 1st July 1920. In paragraph 3 of his letter R.C. No. 280, dated 11th February 1920 on page 1 of the same Government Order the Director also stated that he would in future see that similar compensation is granted to aided first-grade colleges. It is not now known whether in any of the aided institutions poor Muhammadan pupils are refused admission on half fee. If full compensation is paid to these institutions there seems to be no reason why poor Muhammadan pupils should be refused the concession. The remarks of the Director of Public Instruction may be invited u.o. on this point.

2. Attention is, however, invited to the notes in G.Os. No. 552, dated 27th April 1918, and No. 1380, dated 10th December 1915, from which it will be seen that the policy of the Government is not to force private management to adopt the rule of half fees.

3. If the position is explained to the Member, he will probably withdraw his resolution.

4. The file may be sent (u.o.) to the Director of Public Instruction for any remarks he may have to make.

K.A.—4-2-21.

N.K.—4-2-21.

C. RAMANUJA ACHARIYAR—4-2-21.

R. RAMACHANDRA RAO—5-2-21.

for 81 18-1-21

Rule 32 of the
Madr. Ed. Code.

vide para 2, page
5 of note to G.O.
759 of 1-7-20 &
G.O. 552 of 27-4-18.

(2)

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

I have nothing to add to the Secretariat note.

R. G. GRIEVE—7-2-21.

LAW (EDUCATION) DEPARTMENT.

The file may now be circulated to the Honourable the Minister for orders as to who will take charge of the resolution and whether any further information is required and whether he desires this to be discussed at a cabinet meeting.

C. RAMANUJA ACHARIYAR—8-2-21.

R. RAMACHANDRA RAO—9-2-21.

I take charge. No further information is required.

A. S[UBBARAYULU]—9-2-21.



3 Legislative Council Office

VE 257.C. 687A
14.2.21

Submitted that copies of the amendments
to Resolutions Nos. 6, 26, 28, 41, 57, 58, and
60 may be sent to the Departments concerned U.O.

L.D.S.
13-2-21.

The Law (Education) Department. 26.

No No 807-5 Leg
13-2-21

M.F.S.

LEGISLATIVE COUNCIL OFFICE.

The following amendments will be moved when the resolutions are under discussion :—

Resolution No. 6.

M.R.Ry. C. V. VENKATARAMANA AYYANGAR Avargal :—

1. Insert the words "including village officers" in line 3 after the word "departments."

Resolution No. 28.

M.R.Ry. Diwan Bahadur C. ARUNACHALA MUDALIYAR Avargal :—

2. For "Rs. 1,000" in line 4, read "Rs. 200".

Resolution No. 41.

M.R.Ry. O. TANIKACHALA CHETTIYAR Avargal :—

3. Add the following at the end :—
"such recruitment however being restricted to non-Brahmins (Hindus, Muhamadans and Christians) during the next five years."

Resolution No. 38.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal :—

4. In line 1 omit "an" and for "school" read "schools".
In line 2 substitute "select districts", for "the district of Tanjore" and "each" for "it".

Resolution No. 57.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal :—

5. In lines 1 and 2 substitute "select districts" for "the district of Tanjore".

Resolution No. 58.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal :—

6. In line 2 omit the second "a" and substitute "localities in select districts" for "locality in the district of Tanjore" in lines 2 and 3.

Resolution No. 28.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal :—

7. In line 4 substitute "Rs. 200" for "Rs. 1,000".

Resolution No. 60.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal :—

8. In line 3 omit "district" and insert "and the Ceded Districts" between "Coimbatore" and the following "which".

Resolution No. 26.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal :—

9. In line 2 insert "backward class" between "Muhammadan" and "pupils";
In lines 2 and 3 substitute "educational institutions, including technical schools and colleges other than elementary schools" for "schools and in all colleges"; and
In line 4 "institutions" for "schools and colleges".

The resolution, if amended as proposed, will read as follows:-

- (1) ~~"That~~ this Council recommends to Govt. to take early steps for enabling Muhammadan backward class pupils and students to study in all private aided educational institutions, including technical
- (2) schools and colleges other than elementary schools on half fee as is the case in all Government schools, the Government undertaking to make good the loss which the management in the case of private aided
- (3) institutions would sustain on account of this concession".

for no 81 (T)
18-1-21

Amendment (1). Rule 102 of the Educational Rules applies to all Muhammadan pupils who are in need of the concession studying in secondary schools and colleges under public management. In the original resolution it is recommended that this concession should be extended to Muhammadan pupils in aided schools and colleges. By the proposed amendment the recommendation made in the original resolution is sought to be restricted to Muhammadan pupils who belong to sects recognised as backward and thus a distinction is introduced between some sects of Muhammadans recognised as backward and others not so recognised.

In the first place, the retention of the words "as ~~is~~ the case ⁱⁿ ~~at~~ all Govt. Schools" in the resolution, would be inconsistent with the spirit of the amendment which aims at restricting the concession to backward Muhammadans only, while in Govt. schools all Muhammadans would be eligible for it. Secondly, the concession has recently been restricted only to poor members of the community. Further res-

Slip (3)

restriction would create needless irritation. It may, however, be pointed out that under the Muhammadan scholarship notification, scholarships tenable in secondary schools are available only to Mappillas, Lubbays, Dudekulas or Pinjaris and Jonogans. But the payment of these special scholarships is on a quite different footing from that of a fee concession. The former is meant to be a further and special inducement to the most backward among Muhammadans, while the general ~~the~~ backwardness of Muhammadans as compared with other communities is the criterion in granting the general fee concession. The amendment may, if it is submitted, be opposed.

Amendment (2).- It is not known whether the concession admissible under rule 102 of the Educational rules is allowed in technical schools also. The Development department may be requested to enlighten us on this point.

By this amendment the M.L.C. also proposes to exclude elementary schools from the scope of the concession. Rule 102 does not even now apply to elementary schools. So the insertion of the words "other than elementary schools" may be agreed to if the previous portion of the amendment under this head is accepted.

Amendment (3). There seems to be no objection to the insertion of 'institutions' for 'schools and colleges'.

K.A.
14-2-21.

N.K.
14-2-21.

CR
14.2.21
5

Amendment (1) The office interpretation above is strictly correct. But what what the M.L.C. means is Muhammedan and

backward class,

The rules already printed govern this also,

Amendment 3 is consequential on Amendment 2.

In Amendment 2, what I would wish to know is whether half fees are levied in Govt institutions & if similarly in aided institutions, Govt pays up the whole loss

Wry
15/2/21

W. B. 7/21

Encl 465A-3
15-2-21

This is a file which relates to half-fee concessions to Mohammedan pupils in schools. It is not understood why it was marked for the Development Dept by the Law Adv. Dept.

Keel
S/ 15/2/21

A parcel of his rules will show. They want some info. of an Ind. school

Lf
15.2

Re: (Special) Dept

To Secretary only page 5-7 need be read. The remarks of the Director



may be invited on the amendment.

Com
15.2.21

Cll
15.2.21

D. J. u/o

16.2.21

2601.11
16.2.21

VE

Def
16.2

I append a copy of a note by the Inspector of Industrial Schools.

2. I am inclined to agree with him that ~~on~~ from the information available, there does not appear to be any necessity to make a special concession in favour of muhammadan backward classes in industrial schools. Should the M.L.C bring to notice any specified case of hardship, it may be considered.

ave
17.2.21

Revenue (Special) U.O.

18.2.21

Home u/o

File note by me
Cand Secy on
19.2.21.

Copy of a note by the Inspector of Industrial Schools.

Government schools.

1. Madura Industrial Institute charges no tuition fees.

2. Madras Government Trades School

Only a nominal fee of Rs.3/- per session per class attended is charged. It is returned to those who put in 80 % attendance. The system works well but a concession might with advantage be given to students of the vernacular classes who are mostly maistries employed on daily rates and frequently out of employment.

3. Leather Trades School

Fees are charged and no concession allowed, but as most of the students are well to do, the question has never arisen.

4. School of Arts

I have no information but if fees are charged I think the concession should be allowed. I believe however that the students are actually paid a subsistence allowance. I have tried to get the Superintendent on the phone but could get no reply.

Aided Schools.

1) C.N.Institute, Vepery charges fees for some of its courses, motor driving engineering etc., but I could not recommend any change.

2) St.Joseph School, Coimbatore charge fees for motor driving etc., so does.

3) St.Aloysius School, Vizag but in neither case would I recommend any concession as these are short courses and there are more applicants than can be accommodated.

The other assisted schools charge no tuition fees but most of them subsidise the pupils by allowances, board and lodging, or free meals.

I don't consider that at present there is any need for such a concession in the case of aided industrial schools but if the occasion should arise the Director could bring the case to the notice of Government.

W. Fyfe.

Resolution regarding half fees for Muhammadan
students in private aided schools and colleges.

Khan Bahadur MUHAMMAD USMAN SAHIB BAHADUR, M.L.C.

Sir, I beg to move the following resolution.

LXXXIII. That this Council recommends to Government to take early steps for enabling Muhammadan pupils and students to study in all private aided schools and in all colleges on half fee as is the case in all Government schools, the Government undertaking to make good the loss which the management in the case of private-aided schools and colleges would sustain on account of this concession.

"I wish to be very brief in moving this resolution and I hope this Council will accept it. For a number of years ago, before the University Act of 1904 was introduced, the Muhammadan students and pupils paid half fees in schools and colleges both private and Government. After the introduction of the Universities Act, the expenditure on education has increased and so some of the private aided schools and colleges began to demand from the Muhammadan students and pupils the same fee as they would get from the other students. Of course, they are perfectly justified in doing so on account of the increased cost. They cannot take Muhammadan students and thus suffer a loss. Sir, several pupils and students left schools and colleges on account of the fact that they were not able to pay this increased fee. Now Sir, what I want is that the Government should make good the loss that private institutions are apt to suffer on account of admitting Muhammadan students and pupils in colleges and schools and then, I think the Muhammadan students would be much better off. The Muhammadan education at present is not at all satisfactory. Every year only a handful of graduates are produced. I think, after all, it is a question of policy and if the Government is sympathetic and if it can accept this resolution, it will be a great advantage to the Muhammadan students."

Mr. ABBAS ALI KHAN:—"Mr. President, I have got much pleasure in supporting this resolution, because, rightly or wrongly, just before the advent of non-co-operation movement the withdrawal of the concession of half fee for Muhammadan pupils was brought into force and many people began to think that it was a severe retaliation made by Government over non-co-operation on the part of Muhammadans. Whether it is accidental or deliberate I am not at all in a position to say. But the fact remains that full fee was collected under the University Act of 1904, which came into force very very recently, I believe sometime last November. The result is, that a vast majority of our students who cannot afford to pay the school fees are not having the benefit of collegiate and school education. The result is that the ranks of unemployed people who are roaming about the streets are swelling every day and you find a majority of school-going population employing their time not as useful citizens but spending their time in idleness. I therefore support the resolution most heartily and commend it to the acceptance of the House and hope that they will carry it unanimously and see that the Muhammadan education makes tremendous strides in the Presidency. With these remarks I beg to support the resolution."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"Sir, the Government are prepared to accept this resolution provided the Honourable Member substitutes the word 'institution' for 'schools'."

Khan Bahadur MUHAMMAD USMAN SAHIB BAHADUR:—"I have no objection."

The Hon'ble the PRESIDENT:—"Does any Honourable Member second it?"

Mr. A. S. KRISHNA RAO:—"I second it."

The Hon'ble the PRESIDENT:—"Proposed and seconded that in the third line of the resolution for the words 'schools' the word 'institutions' be substituted. In that form I will put it to the Council."

The resolution as amended was carried *nem con.*

Mr. A. S. KRISHNA RAO:—"There is, Sir, another amendment to the resolution on the supplementary agenda paper."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"I accept the amendment on condition of the mover omitting the words in the second line 'including technical schools and colleges other than elementary schools'."

The Hon'ble the PRESIDENT:—"I must ask Honourable Members to be more alert. I have got the whole agenda before me. When a particular resolution is before me, it is my duty to put it before the Council, and if any amendment has to be moved, it is not open to Honourable Members to move it after the motion has been carried. There is no authority for me to do so. It is out of order to ask the Council to reconsider any matter unless it is a matter of very great importance and consequence. You may allow the resolution, as passed, to stand and bring an amendment at a later stage."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I will bring the amendment now."

The Hon'ble the PRESIDENT:—"I think you cannot. I would however put it to the Council, because it would always be open for the Council to go back upon its decision. What is the wish of the Honourable Members. Do they permit the Honourable Member to move his amendment?"

Leave having been given by the Council, the Hon'ble the PRESIDENT said:—"If that is the general wish, I have no objection. Will the Honourable Member kindly move his amendment?"

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I rise to propose the following amendment:—That in line 2 'and backward classes' be inserted instead of the words 'Muhammadan pupils'."

between 'backward' & 'pupils'

248 RESOLUTIONS RE HALF-FEES FOR MUHAMMADAN STUDENTS IN PRIVATE-AIDED SCHOOLS AND COLLEGES; MIXED COMMITTEE TO ADVISE ON ECONOMY IN PUBLIC EXPENDITURE AND MIXED COMMITTEE TO REPORT ON REDUCTION OF ESTABLISHMENT CHARGES.

(Mr. Ranganatha Mudaliyar; the Hon'ble the President; [18TH FEBRUARY 1921.
the Hon'ble Mr. Subbarayalu Reddiyar; Mr. Siva Rao;
Mr. Venkataramana Ayyangar; Mr. Srinivasa Ayyangar;
the Hon'ble Mr. Todhunter.)

and students' and in line 3 substitute 'educational institutions other than elementary schools' for 'schools', and in line 4 'institutions' for 'schools and colleges.' The amendment was seconded duly.

The Hon'ble the PRESIDENT:—"The amendment has been proposed and seconded. Do Honourable Members agree?"

Honourable Members:—"Yes."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"I accept it."

The Hon'ble the PRESIDENT put to the vote the resolution as thus further amended and declared it carried."

RESOLUTION RE MIXED COMMITTEE TO ADVISE ON ECONOMY IN PUBLIC EXPENDITURE.

Mr. P. SIVA RAO:—"The resolution which I have the honour to move stands thus:—

"27. That this Council recommends to the Government that with a view to secure economy in the several departments a mixed committee of officials and non-officials may be appointed to scrutinize the public expenditure in this presidency and to make suitable proposals in connexion therewith."

"In connexion with this proposition or resolution, there is a feeling that I should not move it until after the budget is introduced."

The Hon'ble the PRESIDENT:—"I would call the attention of the Honourable Member to Standing Order No. 56 under which two alternatives are open to him, i.e.—'Either to withdraw the resolution, in which case he shall confine himself to a mere statement to that effect' or 'move the resolution,' and I beg of the Honourable Member to exercise his choice."

Mr. SIVA RAO:—"Only I mentioned that there was a feeling for the adjournment of this motion amongst the members."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I formally second it."

Mr. R. SRINIVASA AYYANGAR:—"I formally move that this be adjourned for the reason already given. The Honourable Member has told us that none of us seems to have a clear idea as to what the budget is likely to be. It may be a bogey budget or a prosperous budget. There is time enough to fight this matter out with success. Therefore I formally move that the consideration of the subject-matter be postponed till after the presentation of the budget."

The Hon'ble Mr. C. G. TODHUNTER:—"Mr. President, before this motion for adjournment is accepted I have got a word to say. I do not want to oppose this committee or an examination of this question. But I do think that the House, before they appoint a general committee to go into the question of economy, should study what has been the result of the appointment of similar committees in other countries. I would ask the Honourable Members to reconsider the form of their resolution after studying the results of similar enquiries in England and other places and propose a committee based upon the most successful of these. In other words I would ask them to withdraw the resolution and move a fresh one."

The resolution was deferred accordingly.

RESOLUTION No. 28 RE MIXED COMMITTEE TO REPORT ON REDUCTION OF ESTABLISHMENT CHARGES.

Mr. C. V. VENKATARAMANA AYYANGAR:—"In view of the other proposition, I withdraw my resolution."

28. That this Council recommends to the Government that a committee consisting of officials and non-officials be formed to enquire and report as to the best way of reducing the establishment charges in all departments (1) by reducing establishments both in lower and higher grades; (2) by reducing the pay of officials drawing over Rs. 1,000 a month; (3) by reducing the work now required to be turned out; (4) by substituting Indian for European officers; and (5) by such other means as may appear reasonable.

The resolution was by leave withdrawn.

C No 65 B

Please see the Council Proceedings on pages 12-13 ante. The resolution as amended and carried in the Council reads as follows:—

"That this council recommends to the Govt.
to take early steps for enabling Muhammadan and
backward class pupils and students to study in all
private-aided ^{educational institutions in the Presidency and in all} schools and in all colleges on half-
fee as is the case in all Government educational
institutions other than elementary schools, the
Government undertaking to make good the loss which
the management in the case of private-aided insti-
tutions would sustain on account of this concession

3. Attention is invited to the office note on page 1 ante, from which it will be seen that the Government have already undertaken to make good the loss which would be sustained by the management of aided institutions in admitting Muhammadan and backward class pupils on half-fee.

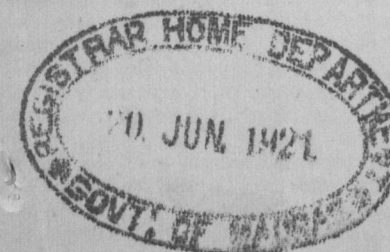
3. A copy of the resolution as passed in the Council may be communicated to the Director of Public Instruction and he may be requested to report the steps, if any, that should be taken to give effect to the terms of the resolution.

A draft order is submitted.

K.A.
3-6-21.

ms
them

CR
7.6.21
7/7/21



Adm. Examine
carefull one
ms
7/6/21

Call Book next
Remind of promenade

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